

Meeting 2024-12-17

1 CALL TO ORDER

1.1 Roll Call

Type Procedural

Trustees:

Member Gabriel Anguiano Jr.
Member Austin Block
Member Aiden Hill
Member Katherine Jones
Member Nancy Thomas

Student Board Member:

Member Joy Lee

1.2 Pledge of Allegiance

Type Procedural

Purpose:

The Governance Team will recite the Pledge of Allegiance

1.3 Meeting Practices and Information

Type Information, Procedural

In-person Meeting Information:

Please see the attached meeting information in English and Spanish.

Observe The Board Of Education Meeting:

Members of the public may observe the meeting via the NUSD YouTube Channel, or in-person at the NUSD Boardroom. Spanish translation will be available in-person.

Public Comment:

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items by email at PUBLICCOMMENT@newarkunified.org, or in-person comments by submitting a speaker-card with the Executive Assistant.

File Attachments

[Original Board Meeting Guidelines \(1\).pdf](#) (259 KB)

[Board Meeting Protocols_ENG\(1\).pdf](#) (69 KB)

[Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf](#) (65 KB)

2 New Board Member Swearing In Ceremony

2.1 Received Certification of the November 2024 General Election Board of Trustee Results

Type Information

Purpose:

The Superintendent of School will share the official certification results with the community for Newark Unified School District Board Member elections.

2.2 Oath of Office for New Board Members

Type Information, Procedural

Purpose:

Newly elected school board candidates Aiden Hill, Austin Block and Gabriel Anguiano Jr. will enter into the Oath of Office for a Four Year Term and will officially take office immediately upon their swearing in on December 17, 2024. This term will commence in December 2028.

The community is invited by the Board of Education and Superintendent of Schools to attend this special event and wish our newly elected Board Members best wishes as they enter into office for the next four-years.

2.3 New School Member Reception

Type Information

Purpose:

A celebration reception will be held in honor for the for the newly elected School Board Members Aiden Hill, Austin Block and Gabriel Anguiano Jr. following the swearing in. The Community is invited to celebrate with the Newark Unified School District Board of Education and Superintendent of Schools Office.

Background:

On November 5, 2024 the Newark Unified School District through the Alameda County Registrar of Voters held their school board elections to fill three seats that were up for election. This is a 4-year term beginning December 17, 2024.

3 APPROVAL OF AGENDA

3.1 Approval of the Agenda

Type Action

Recommended Action The recommendation is that the Board of Education approve the agenda for this meeting.

Purpose:

Members of the Governance Team may request that the agenda be amended or approved as presented.

Motion & Voting

The recommendation is that the Board of Education approve the agenda for this meeting.

Motion by Nancy Thomas, second by Katherine Jones.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Katherine Jones, Joy Lee

4 PUBLIC COMMENT

4.1 Public Comment on Non-Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

4.2 Public Comment on Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

5 ANNUAL ORGANIZATION OF THE BOARD OF EDUCATION

5.1 Election of Officers- President

Type Action

Recommended Action The recommendation is that the Board of Education approves the nomination for the new Board President.

Purpose:

The board shall nominate a candidate to be voted and approved by the Board as the new President.

Background:

Board Policy 9100: Organization
Annual Organizational Meeting

The Board shall hold an annual organizational meeting within the time limits prescribed by law. (Education Code 35143)

At this meeting the Board shall:

- 1. Elect a president and a clerk from its members.
- 2. Authorize signatures.

- 3. Develop a schedule of regular meetings for the year.
 - 4. Develop a Board calendar for the year.
 - 5. Designate Board representatives.
- (cf. 9140 - Board Representatives)
(cf. 9320 - Meetings)

Election of Officers

The Board shall each year elect its entire slate of officers.

(cf. 9224 - Oath or Affirmation)

Officers of the Board (NUSD Governance Team Handbook)

At the annual organizational meeting, the Board shall elect from among its members a President and Vice President/Clerk of the Board.

The term length of the officers shall be for one year. The Board shall designate the Superintendent as Secretary of the Board.

Duties of the Board Officers (NUSD Governance Team Handbook)

The President of the Board of Education (Board Policy 9121)

At the annual organizational meeting, the Governing Board shall appoint a president from its membership. The president shall preside at all Governing Board Meetings. They shall:

- Call the meeting to order at the appointed time.
- Announce the business to come before the Board in its proper order.
- Enforce and maintain the Board's policies related to the order of business and conduct the meetings.
- Recognize persons who desire to speak, and protect the speaker who has the floor from disturbance or interference.
- Explain what the effect of a motion would be if it is not clear to every member.
- Restrict discussion to the question when a motion is before the Board.
- Rule on parliamentary procedure.
- Put motions to a vote, and state the results of the vote.

The President shall have the same rights as any member of the Board, including the right to move, second, discuss, and vote on all questions before the Board, allowing other members priority to speak and make motions as a point of courtesy.

The Board President, or in their absence the Vice-President, shall also perform other duties as directed by law, State Department of Education regulations, and the Board, including the duty to:

- Meet with the Superintendent before meetings to review the agenda and meeting details.
- Represent the District at events when invited or appropriate.
- Sign instruments, acts, and orders necessary to carry out state requirements or the will of the Board.
- Consult with the Superintendent on appropriate Board issues or crucial matters which may occur between board meetings.
- Appoint and disband all committees, subject to Board approval.
- Call for meetings of the Board as they shall deem necessary, giving notices as prescribed by law.
- Be responsible for the orderly conduct of all board meetings.
- Share informational mail with other board members.

When the president resigns, is absent, or is disabled, the Vice President shall perform the President's duties. When both the President and Vice President are absent or disabled, the Board shall choose a President Pro Tempore to perform the President's duties.

Motion & Voting

The recommendation is that the Board of Education approves the nomination for the new Board President.

- Motion by Aiden Hill, second by Nancy Thomas.
- Final Resolution: Motion Carries
- Yea: Nancy Thomas, Aiden Hill, Katherine Jones, Joy Lee

5.2 Election of Officers-Clerk/Vice President

<p>Type</p> <p>Recommended Action</p>	<p>Action</p> <p>The recommendation is that the Board of Education approves the nomination for the new Clerk/ Vice President.</p>
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Purpose: The board shall nominate a candidate to be voted and approved by the Board as the new Clerk/Vice President.

Background: Board Policy 9100: Organization Annual Organizational Meeting The Board shall hold an annual organizational meeting within the time limits prescribed by law. (Education Code 35143)

- At this meeting the Board shall:
- 1. Elect a president and a clerk from its members.
 - 2. Authorize signatures.
 - 3. Develop a schedule of regular meetings for the year.
 - 4. Develop a Board calendar for the year.
 - 5. Designate Board representatives.

(cf. 9140 - Board Representatives)
(cf. 9320 - Meetings)

Election of Officers

The Board shall each year elect its entire slate of officers.

(cf. 9224 - Oath or Affirmation)

Officers of the Board (NUSD Governance Team Handbook)

At the annual organizational meeting, the Board shall elect from among its members a President and Vice President/Clerk of the Board.

The term length of the officers shall be for one year. The Board shall designate the Superintendent as Secretary of the Board.

Duties of the Board Officers (NUSD Governance Team Handbook)

The President of the Board of Education (Board Policy 9121)

At the annual organizational meeting, the Governing Board shall appoint a president from its membership. The president

shall preside at all Governing Board Meetings. They shall:

- Call the meeting to order at the appointed time.
- Announce the business to come before the Board in its proper order.
- Enforce and maintain the Board's policies related to the order of business and conduct the meetings.
- Recognize persons who desire to speak, and protect the speaker who has the floor from disturbance or interference.
- Explain what the effect of a motion would be if it is not clear to every member.
- Restrict discussion to the question when a motion is before the Board.
- Rule on parliamentary procedure.
- Put motions to a vote, and state the results of the vote.

The President shall have the same rights as any member of the Board, including the right to move, second, discuss, and vote on all questions before the Board, allowing other members priority to speak and make motions as a point of courtesy.

The Board President, or in their absence the Vice-President, shall also perform other duties as directed by law, State Department of Education regulations, and the Board, including the duty to:

- Meet with the Superintendent before meetings to review the agenda and meeting details.
- Represent the District at events when invited or appropriate.
- Sign instruments, acts, and orders necessary to carry out state requirements or the will of the Board.
- Consult with the Superintendent on appropriate Board issues or crucial matters which may occur between board meetings.
- Appoint and disband all committees, subject to Board approval.
- Call for meetings of the Board as they shall deem necessary, giving notices as prescribed by law.
- Be responsible for the orderly conduct of all board meetings.
- Share informational mail with other board members.

When the president resigns, is absent, or is disabled, the Vice President shall perform the President's duties. When both the President and Vice President are absent or disabled, the Board shall choose a President Pro Tempore to perform the President's duties.

5.3 Appointment of Superintendent as Secretary of the Governing Board

<p>Type</p> <p>Fiscal Impact</p> <p>Recommended</p> <p>Action</p> <p>Goals</p>	<p>Action, Procedural</p> <p>No</p> <p>The recommendation is that the Board of Education approves the appointment Tracey B. Vackar Superintendent of Schools as Secretary of the Governing Board.</p> <p>VISION: The Newark Unified School District, in partnership with the community, will be a model of world-class education that develops the unique abilities of every student.</p> <p>MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens.</p>
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Purpose:
The Board shall appoint Tracey B. Vackar Superintendent of Schools as Secretary of the Governing Board.

Background:
BOARD BYLAW 9100: ORGANIZATION
Annual Organizational Meeting

The Board shall hold an annual organizational meeting within the time limits prescribed by law. (Education Code 35143)

At this meeting the Board shall:

1. Elect a president and a clerk from its members.
2. Authorize signatures.
3. Develop a schedule of regular meetings for the year.
4. Develop a Board calendar for the year.
5. Designate Board representatives.

(cf. 9140 - Board Representatives)

(cf. 9320 - Meetings)

Election of Officers

The Board shall each year elect its entire slate of officers.

(cf. 9224 - Oath or Affirmation)

BOARD BYLAW 9122: SECRETARY

The Governing Board shall appoint the Superintendent to serve as secretary to the Board. The secretary to the Board shall be responsible for maintaining an accurate and complete record of all Board proceedings and shall:

1. Prepare, distribute and maintain the Board agenda.
(cf. 9322 - Agenda/Meeting Materials)
2. Record, distribute and maintain the Board minutes.
(cf. 9324 - Minutes and Recordings)
3. Maintain Board records and documents.
4. Conduct official correspondence for the Board.
5. As directed by the Board, sign and execute official papers

5 Perform other duties as assigned by the Board. (cf. 2111 - Superintendent Governance Standards)

5.4 Set Regular Meeting Dates for 2025-26

<p>Type</p> <p>Fiscal Impact</p> <p>Recommended</p> <p>Action</p>	<p>Action, Procedural</p> <p>No</p> <p>The recommendation is that the Board of Education approves the dates of the regular meetings and study sessions for the 2025-26 school year.</p>
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Purpose:

The Board shall approve the dates of the regular board meetings for the 2025-2026 school year.

Background:

It is recommended that the Board of Education consider going to one regular board meeting a month. The second Board meeting will be reserved for educational topic discussion, so that staff can provide data on the topic and allow the board and staff to study annual goal topic for improvement.

Board Policy 9100: ORGANIZATION

Annual Organizational Meeting

The Board shall hold an annual organizational meeting within the time limits prescribed by law. (Education Code 35143)

At this meeting the Board shall:

1. Elect a president and a clerk from its members.
2. Authorize signatures.
3. Develop a schedule of regular meetings for the year.
4. Develop a Board calendar for the year.
5. Designate Board representatives.

(cf. 9140 - Board Representatives)

(cf. 9320 - Meetings)

Election of Officers

The Board shall each year elect its entire slate of officers.

(cf. 9224 - Oath or Affirmation)

SEE THE RECOMMENDED BOARD OF EDUCATION MEETING DATES for the 2025-26 SCHOOL YEAR ATTACHED.

File Attachments

[NUSD 2025-26 Board of Education Meeting Dates \(2\).pdf](#) (27 KB)

5.5 Set Regular Meeting Times (Hours)

Type	Action, Procedural
Fiscal Impact	No
Recommended	It is recommended that the Board of Education Regular Meeting start at 6:00 pm for Closed
Action	Session, and 7:00 pm for Open Session and commence by 10:00 pm. Study Sessions will begin at 6:00 pm and if a Closed Session is necessary this may be scheduled prior or after the study session.

Purpose:

Is to establish a consistent meeting time for the Board of Education Meetings and to allow the public to participate. Regular Meetings will start at 6:00 pm for Closed Session, and 7:00 pm for Open Session and commence by 10:00 pm. Extended time beyond 10:00 pm will require a vote of the Board of Education. Study Sessions will commence at 6:00 pm, and may include a Closed Session prior or following the Study Session. Any reportable action taken in closed session would be announced following the closed session meeting.

Background:

The time and hours recommended have been an established for consistency and notification to the community. The Board of Education with proper notifications and in compliance with the Ralph M. Brown Act, may change the dates and times to meet the needs of the district and to act in their capacity as a legislative body.

Motion & Voting

It is recommended that the Board of Education Regular Meeting start at 6:00 pm for Closed Session, and 7:00 pm for Open Session and commence by 10:00 pm. Study Sessions will begin at 6:00 pm and if a Closed Session is necessary this may be scheduled prior or after the study session.

Motion by Aiden Hill, second by Nancy Thomas.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Katherine Jones, Joy Lee

5.6 Appointment of Board Member Representative to serve on the Audit Committee for a two year term.

Type	Action, Procedural
Fiscal Impact	No
Recommended	The recommendation is that the Board of Education appoint Board Member Representatives to
Action	serve a two year term on the Audit Committee.

Purpose:

The Board of Education to appointment of a board representatives to serve a two year term on the Audit Committee.

Background:

The Audit Committee has two Board Members who serve of a two year term. This allows for consistency and historic knowledge to be shared. Board Bylaw 9140:The Governing Board recognizes that effective performance of its community leadership responsibilities may require its participation in district or community committees on matters of concern to the district and its students. As needed, the Board may appoint any of its members to serve as its representative on a district committee or on a committee of another public agency or organization of which the Board or district is a member or to which the Board is invited to participate.

Pursuant to Board Policy 3460, the NUSD Board of Education has appointed the audit committee to serve in an advisory capacity and:

- a. Make recommendations regarding the selection of the external independent auditor in accordance with Education Code 41020 and 41020.5

- b. Review the plan for the audit process with the independent auditor to determine the adequacy of the nature, scope, and timetable of the audit
 - c. Review the results of the audit and participate with the independent auditor and management in preparing final recommendations and responses.
 - d. Review Board policies and administrative regulations to recommend any revisions needed to ensure effective financial reporting
 - e. Periodically report to the Board regarding the status of previous audit recommendations for improving the accounting and internal control systems
- This committee meets, at a minimum, once per year in . It is recommended that the Board will appoint two representatives to the Audit Committee.

5.7 Appointment of two Board Representatives to Citizens Bond Oversight Committee (CBOC) Measure O

Type Action, Procedural
Fiscal Impact No
Recommended Action The recommendation is that the Board of Education to appoint two Board of Education representatives for the Citizens Bond Oversight Committee (CBOC) Measure O

Purpose:
 To appoint two representatives to the Measure O Citizens Bond Oversight Committee (Measure O).

Background:
 Board Bylaw 9140: The Governing Board recognizes that effective performance of its community leadership responsibilities may require its participation in district or community committees on matters of concern to the district and its students. As needed, the Board may appoint any of its members to serve as its representative on a district committee or on a committee of another public agency or organization of which the Board or district is a member or to which the Board is invited to participate. The purpose is to discuss ideas and implement recommendations to the board and to be transparent with Bond Spending from Measure O. It is recommended that the Board appoint two representatives to the CBOC committee.

5.8 Appointment of two Board of Education Representatives to the City of Newark- NUSD Liaison Committee

Type Action, Procedural
Fiscal Impact No
Recommended Action The recommendation is that the Board of Education appoint two Board of Education Representatives to the City of Newark - NUSD Liaison Committee.

Purpose:
 For the Board of Education to appoint two Representatives to the City of Newark - NUSD Liaison Committee

Background:
 Board Bylaw 9140: The Governing Board recognizes that effective performance of its community leadership responsibilities may require its participation in district or community committees on matters of concern to the district and its students. As needed, the Board may appoint any of its members to serve as its representative on a district committee or on a committee of another public agency or organization of which the Board or district is a member or to which the Board is invited to participate. This committee meets four times per year with two representatives from the Newark City Council and two members from the NUSD Board of Education to update and inform both bodies of news from each agency. The committee meets quarterly on the third Monday of the month. The next meeting will be on the fourth Monday in January due to a holiday on the third Monday. The Board will appoint two representative, to the City Liaison Committee.

5.9 Appointment of two Board of Education Members for the LCAP Advisory Committee

Type Action, Procedural
Fiscal Impact No
Recommended Action It is Recommended that the Board of Education appoint two Members to the LCAP Advisory Committee to serve as Liaisons.

Purpose:
 Is for the Board of Education to appoint two Members to the LCAP Advisory Committee to serve as Liaisons.

Background:
 Board Bylaw 9140: The Governing Board recognizes that effective performance of its community leadership responsibilities may require its participation in district or community committees on matters of concern to the district and its students. As needed, the Board may appoint any of its members to serve as its representative on a district committee or on a committee of another public agency or organization of which the Board or district is a member or to which the Board is invited to participate. This is a new committee for the board to consider. The LCAP Advisory Committee meets on average four times per year with two liaisons from the NUSD Board of Education to update and inform both bodies of news from each agency. This committee is subject to the Brown Act as the board appoints the members of the LCAP advisory council.

5.10 Appointment of a Board Representative and Alternate to serve on the Newark Teacher Induction Advisory Council

Type Action, Procedural
Fiscal Impact No

Recommended Action The recommendation is that the Board of Education appoint a Representative and Alternate to the Newark Teachers Induction Advisory Council.

Purpose:

To review and re-appoint a Representative and Alternate to the Newark Teachers Induction Advisory Council until the end of the current school year.

Background:

Board Bylaw 9140: The Governing Board recognizes that effective performance of its community leadership responsibilities may require its participation in district or community committees on matters of concern to the district and its students. As needed, the Board may appoint any of its members to serve as its representative on a district committee or on a committee of another public agency or organization of which the Board or district is a member or to which the Board is invited to participate. The California Teacher Induction Program (CTIP) formerly known as Beginning Teacher Support and Assessment Induction (BTSA Induction) is a program co-sponsored by the California Department of Education (CDE) and California Commission on Teacher Credentialing (CCTC) designed to support the professional development of newly-credentialed teachers and fulfill the requirements for the California professional clear Multiple/ Single-subject and/or Education Specialist credentials. Senate Bill 2042 identified it as the only pathway to a clear credential. While the name changed in 2014, the intent and purpose remain the same:

Teacher Induction Program Goals:

Provide an effective transition into the teaching career.

Improve the educational performance of students through improved training, information, and assistance of new teachers.

Enable candidates to be effective in teaching students who are culturally, linguistically, and academically diverse.

Ensure the professional success and retention of new teachers.

Ensure that a mentor provides individualized & job-embedded support and professional learning guidance.

Ensure that an Individualized Learning Plan is developed by each candidate and is based on ongoing self-assessment on the California Standards for the Teaching Profession / Continuum of Practice.

Ensure continuous program improvement through an ongoing process of inquiry.

Newark Teacher Induction is a commission-approved Induction program. It is approved to support general and special education teachers who need to clear preliminary and/or Level I credentials.

A Program Director provides day-to-day coordination within the local school districts and is responsible for implementing and coordinating local support, and ensuring program accountability and quality. An Advisory Council provides support and recommendations to the Program Director in matters of program implementation and evaluation. The Advisory Council consists of mentors, administrators, and board members from all the partner districts and/or schools. The Program Director serves as the program manager and executive officer of the Advisory Council.

Meetings are quarterly and the council will identify a time that works best for all.

The Assistant Superintendent of Educational Services and/or Superintendent also attend the Newark Teacher Induction Council meetings.

5.11 Appointment of a Representative and Alternate to Mission Valley Regional Occupational Program (MVROP) Governing

Type Action, Procedural
Fiscal Impact No
Recommended Action The recommendation is that the Board of Education appoints a Board Representative and Alternate to Mission Valley Regional Occupational Program Governing Council.

Purpose:

To nominate and appoint a representative and alternate to the Mission Valley Regional Occupational Program (MVROP) Governing Council.

Background:

Board Bylaw 9140: The Governing Board recognizes that effective performance of its community leadership responsibilities may require its participation in district or community committees on matters of concern to the district and its students. As needed, the Board may appoint any of its members to serve as its representative on a district committee or on a committee of another public agency or organization of which the Board or district is a member or to which the Board is invited to participate. The Education Code requires a Regional Occupational Center/Program Exhibit to be governed by a board of trustees as established by the Joint Powers Agreement. The Mission Valley ROC/P board of trustees is composed of one member of the Board of Education from Fremont, Newark, and New Haven Unified School Districts. Each year at this time a representative from the Board is selected to be the District's representative to the ROC/P Executive Board.

- Thursday, January 16, 2025*
- Thursday, February 13, 2025
- Thursday, March 13, 2025
- Thursday, April 10, 2025
- Thursday, May 15, 2025*
- Thursday, June 12, 2025
- Tuesday, June 17, 2025* (placeholder meeting if additional business is needed after June 12)
- Thursday, September 11, 2025
- Thursday, October 9, 2025
- Thursday, November 13, 2025
- Thursday, December 11, 2025

5.12 Appointment of a Board Representative to Regional Policy Board of Special Education Local Plan Area (SELPA)

Type Action, Procedural
Recommended Action The recommendation is that the Board of Education appoint the Board Representative to the Regional Policy Board of Special Education Local Plan Area (SELPA).

Purpose:

To appoint a Representative to the Mission Valley SELPA to continue until the end of the 2025 year.

Background:

Board Bylaw 9140: The Governing Board recognizes that effective performance of its community leadership responsibilities may require its participation in district or community committees on matters of concern to the district and its students. As needed, the Board may appoint any of its members to serve as its representative on a district committee or on a committee of another public agency or organization of which the Board or district is a member or to which the Board is invited to participate.

In 1977, all school districts and county school offices were mandated to form consortiums in geographical regions of sufficient size and scope to provide for all special education service needs of children residing within the region's boundaries. Each region, Special Education Local Plan Area (SELPA), developed a local plan describing how it would provide special education services.

SELPA's are dedicated to the belief that all students can learn and that special needs students must be guaranteed equal opportunity to become contributing members of society. SELPA's facilitate high-quality educational programs and services for special needs students and training for parents and educators. The SELPA collaborates with county agencies and school districts to develop and maintain healthy and enriching environments in which special needs students and families can live and succeed.

The Mission Valley SELPA consists of three school districts: New Haven Unified, Newark, and Fremont Unified School Districts. The SELPA was formed for the purpose of ensuring that quality special education programs and services are available to students living throughout the area. All three school districts coordinate to provide services to identified students who require special education programs and services. The special education directors within each of the districts meet regularly to share resources and coordinate as related to shared program goals.

6. CONSENT AGENDA: PERSONNEL ITEMS

6.1 PLACEHOLDER - One Consented Vote

Type	Action
Recommended	It is recommended that the Board of Education approve, under one consented vote, the
Action	agenda items under Consent-Personnel, except for agenda items:

Purpose:

This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:

Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

6.2 Personnel Report

Type	Action
Recommended	The recommendation is that the Board of Education ratify the personnel report as presented.
Action	

Purpose:

The purpose is for the Board of Education to ratify the Personnel Report as presented.

Background:

All personnel activities including new hires, changes in status, resignation, leaves, and retirements are routinely submitted to the Board for ratification.

File Attachments

[HR PAL 12.17.2024.pdf](#) (126 KB)

7 CONSENT AGENDA: NON-PERSONNEL ITEMS

7.1 PLACEHOLDER - One Consented Vote

Type	Action
Recommended	It is recommended that the Board of Education approve, under one consented vote, the
Action	agenda items under Consent Non-Personnel, except for agenda items:

Purpose:

This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:

Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

7.2 Signature Card - Mid Year Revision

Type	Action
Recommended	The recommendation is that the Board of Education approve the Signature Card Mid-Year
Action	Revision for the Board of Education as presented.

Purpose:

To update the Signature Card of Board Members as required by the Alameda County Office of Education.

Background:

The Board is swearing in new Board members at this meeting. This is the "Signature Card" for Board Members kept on file at the Alameda County Office of Education. This is a mid-year revision to update Board Members' signatures.

File Attachments

- Mid-Year Signature Card_Board Member_A. Block.pdf (135 KB)
- Mid-Year Signature Card_Board Member_G. Anguiano.pdf (134 KB)

7.3 MINUTES of December 2, 2024 Regular Meeting of the Board of Education

Type	Action, Minutes
Recommended	The recommendation is that the Board of Education approved the minutes of the December 2,
Action	2024 Regular Meeting of the Board of Education.

Purpose:
For the Board to review and approve minutes of the December 2, 2024 Regular Meeting of the Board of Education.

Background:
The attached minutes are reflective of the December 2, 2024 Regular Meeting of the Board of Education. The Meeting may be viewed on the NUSD YouTube Channel [HERE](#)

8 BOARD OF EDUCATION: COMMITTEE REPORTS, ANNOUNCEMENTS, REQUESTS, DEBRIEF

8.1 Board of Education Committee Reports, Announcements, Requests, Debrief and Discussion

AND DISCUSSION

Type	Action, Discussion, Information
Fiscal Impact	No

Purpose:
COMMITTEE REPORTS: The Trustees will provide an update, if available, on the committees of which they are members.
ANNOUNCEMENTS: The Trustees may acknowledge or recognize specific programs, activities, or personnel at this time.
REQUESTS: This is an opportunity for the Board of Education to suggest items for placement on future agendas and to review Board requests.
 Approval from the majority of the Board will be required for direction to be provided to the Superintendent.
DEBRIEF AND DISCUSSION: The Trustees may debrief and discuss items.

Background:
 Each year the Board of Education members liaise with schools and committees in order to build relationships, hear from staff, students, and families, and act as a conduit for information to and from the schools.
 The following derives directly from the Board approved "Governance Team Handbook"
 Authority is Collective, Not Individual:
 The only authority to direct action rests with the Board as a whole when seated at a regular or special board meeting. Outside of this meeting, there is no authority.
 A majority Board vote provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction.
Bringing New Ideas Forward
 The Board will be open to having "brainstorming" discussions, or study sessions, around any idea that a Trustee may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Trustee, at their initiative or at the request of a constituent, which was previously discussed during a board meeting.
 Trustees will first notify the Board President and Superintendent of their interest in bringing forward a new idea at a board meeting.
 When initially agendized, the preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.
 Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea. The Superintendent will decide on the delegation of assignments to District staff.
 The new idea may be agendized for discussion only. The Board majority will decide if the new idea should be further developed and studied by staff. The Board majority will decide if staff time should be invested in the "fleshing out" of new ideas.
 Individual Trustees, in the course of interactions with constituents, will be careful not to make or imply the commitment of the full Board to explore or proceed with implementing new ideas.

9 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

9.1 Superintendent's Concluding Comments, Updates, and Future Agenda Items

AGENDA REQUESTS

Type	Information
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Purpose:

This is an opportunity for the Interim Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

10 ADJOURNMENT

10.1 PLACEHOLDER - Extend Meeting

Type Action

Recommended The recommendation is that the Board of Education extends the meeting to ____ P.M.

Action

Purpose:

This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

10.2 Adjournment

Type Action

Recommended The recommendation is that the Board of Education adjourns this meeting.

Action

Purpose:

No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time.

This action will conclude the meeting.

1 CALL TO ORDER

1.1 Roll Call

Type Information, Procedural

In-person Meeting Information:

Please see the attached meeting information in English and Spanish.

Observe The Board Of Education Meeting:

Members of the public may observe the meeting via the NUSD YouTube Channel, or in-person at the NUSD Boardroom. Spanish translation will be available in person.

Public Comment:

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items requested by email at PUBLICCOMMENT@newarkunified.org, or in-person by submitting a speaker-card with the Executive Assistant.

File Attachments

[Board Meeting Protocols_ENG\(1\).pdf](#) (69 KB)

[Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf](#) (65 KB)

[Original Board Meeting Guidelines.pdf](#) (259 KB)

1.2 Meeting Practices and Information

Type Information, Procedural

In-person Meeting Information:

Please see the attached meeting information in English and Spanish.

Observe The Board Of Education Meeting:

Members of the public may observe the meeting via the NUSD YouTube Channel, or in-person at the NUSD Boardroom. Spanish translation will be available in person.

Public Comment:

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items requested by email at PUBLICCOMMENT@newarkunified.org, or in-person by submitting a speaker-card with the Executive Assistant.

File Attachments

[Board Meeting Protocols_ENG\(1\).pdf](#) (69 KB)

[Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf](#) (65 KB)

[Original Board Meeting Guidelines.pdf](#) (259 KB)

1.3 Public Comment on Closed Session Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and tries to make it convenient for members of the community to express their views to the Board.

If a constituent wishes to address the Board on any agenda item:

In-Person Comment: please submit a completed speaker card to the Board's Executive Assistant before the start of the meeting, or prior to the calling of the section for public comment.

Please see detailed instructions for public comment on the link: <http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

File Attachments

Board Meeting Protocols_ENG(1).pdf (69 KB)

Protocolos de la Reunion de la Mesa Directiva_ESP (1).pdf (65 KB)

1.4 Recess to Closed Session

Type Procedural

Purpose:

The Board will recess to Closed Session, and reconvene to Open Session on or about 7:00 p.m.

2 CLOSED SESSION

2.1 STUDENT EXPULSION (Ed. Code, 48918):

Type Discussion, Information, Procedural

Purpose:

For the Board to review expulsion cases that are eligible for readmission.

Background:

California Education Code Section 48916 requires that "an expulsion order shall remain in effect until the governing board orders a readmission of the pupil."

The following expulsions are up for termination. The Board will discuss this in closed session and then take action in open session. Staff recommends the following actions: e2324-10 Terminate Expulsion.

2.2 Conference with Legal Counsel regarding Anticipated Litigation - Significant exposure to litigation pursuant to Gov. Code, 54956.9- Case 1010, 1011, 1015, 1016, 1017,1018 (6 cases)

Type Action, Discussion
Fiscal Impact Yes

Purpose:

To discuss three potential litigation for HR, 6 cases

Background:

2.3 CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a): Employee Organizations - CSEA, NTA

Type Discussion, Information, Procedural

Purpose:

Information and update will be provided by the Interim Superintendent regarding CSEA negotiations and NTA negotiations.

2.4 PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Gov. Code, 54957, subd. (b) (1)) Title: Superintendent

Type Action, Discussion, Information
Fiscal Impact No
Budgeted Yes
Budget Source General Fund
Recommended For the Board to discuss Superintendent's evaluation.
Action

Purpose:

For the Board to conduct/review the employee performance evaluation for the Superintendent.

Background:

3 REPORT OF CLOSED SESSION ACTIONS

3.1 Report of Closed Session Actions

Type Action, Procedural

Purpose:

If available, a report of the closed session will be provided by the Board President.

4 RECONVENE TO OPEN SESSION

4.1 Pledge of Allegiance

Type Procedural

Purpose:

The Governance Team will recite the Pledge of Allegiance

4.2 Meeting Practices and Information

Type Information, Procedural

In-person Meeting Information:

Please see the attached meeting information in English and Spanish.

Observe The Board Of Education Meeting:

Members of the public may observe the meeting via the NUSD YouTube Channel, or in-person at the NUSD Boardroom. Spanish translation will be available in person.

Public Comment:

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items requested by email at PUBLICCOMMENT@newarkunified.org, or in-person by submitting a speaker-card with the Executive Assistant.

File Attachments

[Board Meeting Protocols_ENG\(1\).pdf](#) (69 KB)

[Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf](#) (65 KB)

[Original Board Meeting Guidelines.pdf](#) (259 KB)

5 APPROVAL OF AGENDA

5.1 Approval of the Agenda

Type Action

Recommended The recommendation is that the Board of Education approve the agenda for this meeting.

Action

Purpose:

Members of the Governance Team may request that the agenda be amended or approved as presented.

6 STUDENT REPORT

6.1 Student Report: Student Board Member, Joy Lee

Purpose:

The Student Report gives the Board of Education and the public an opportunity to hear the highlights, achievements, and initiatives from the viewpoint of the student board member.

Background:

The information will be provided by the Student Board Member, Joy Lee.

7 RECOGNITIONS AND CELEBRATION Subject 7.1 School Spotlight: Newark Middle School

7.1 School Spotlight: Newark Middle School

Type Information

Purpose:

The School Spotlight gives the Board of Education and the public an opportunity to hear the highlights, achievements, and initiatives at each school from the principals.

Background:

The presentation and information will be provided by: Principal Vicente Gonzalez

[File Attachments](#)

[NMS Spotlight Board Presentation.pdf](#) (2,870 KB)

8 EMPLOYEE ORGANIZATIONS

8.1 Employee Organizations

Type Information

Purpose:

At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Background:

Discussion items are limited to updates, celebrations, and upcoming events.

1. NTA
2. CSEA
3. NEWMA

9 PUBLIC COMMENT

9.1 Public Comment on Non-Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.

<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

File Attachments

[Board Meeting Protocols_ENG\(1\).pdf](#) (69 KB)

[Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf](#) (65 KB)

9.2 Public Comment on Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.

<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

File Attachments

[Board Meeting Protocols_ENG\(1\).pdf](#) (69 KB)

[Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf](#) (65 KB)

10 SUPERINTENDENT REPORT

10.1 Superintendent Report

Type Information

Purpose:

The Interim Superintendent will provide the Board of Education with district information, updates, news, or anything in the jurisdiction of the board or the superintendent.

Background:

The presentation and information will be provided by the Interim Superintendent

11 STAFF REPORT Subject 11.1 MGT REPORT UPDATE

11.1 MGT REPORT UPDATE

Type Discussion, Information

Purpose:

This is an informational presentation to the Board of Education and community on the Fiscal Health and significant progress that has been made to reduce the deficit and to provide fiscal stability to NUSD. This information will be presented by the Superintendent, Fiscal and MGT Consultant team.

Background:

The district as part of a strategic fiscal health plan hired MGT To support the district to identify and provide technical support to NUSD.

File Attachments

[Newark USD PPT Draft v2 to NUSD 12-9-24.pdf](#) (1,000 KB)

13 NEW BUSINESS

13.1 2024-25 First Interim Budget Report

Type Action, Discussion

Fiscal Impact Yes

Budgeted Yes

Budget Source All Funds

Recommended The recommendation is that the Board of Education approve the positive certification of the

Action 2024-25 First Interim Report.

Purpose:

The purpose of this item is for the Board of Education to approve the positive certification of the 2024-25 First Interim Report.

Background:

At each interim reporting period, the District must make a certification as to its fiscal health for the current and upcoming two years. A POSITIVE certification indicates that the District WILL be able to meet its financial obligations for the current and upcoming two years. A QUALIFIED certification indicates the District MAY NOT be able to meet its financial obligations for the current and upcoming two years.

A NEGATIVE certification indicates the District WILL NOT be able to meet its financial obligations in the current or upcoming two years. The First Interim Budget Report is a "snapshot" in time of the District's revenue and expenditure forecasts for the current fiscal year as well as a projection of the two subsequent fiscal years. It is a good time to adjust the budget based upon any known changes. The First Interim Budget Report covers the period of time from July 1 through October 31 each fiscal year.

AB 1200 requires all California school districts to submit two interim reports to their County Office of Education. This year, the First Interim Report is due to the Alameda County Office of Education (ACOE) by December 15, 2024.

File Attachments

[24-25 1st Interim Full Book.pdf](#) (5,190 KB)

[FY2425 1st Interim Presentation.pdf](#) (768 KB)

13.2 Resolution 2024.25.17 Committed Fund Balance

Type Action

Fiscal Impact Yes

Dollar Amount \$8,595,835.00

Budgeted Yes

Budget Source Committed funds and LCAP Carryover

Recommended The recommendation is that the Board of Education approve Resolution 2024.25.17 for the

Action Committed Fund Balance.

Purpose:

To approve the designations to the fund balances as presented in Resolution 2024.25.17 Committed Fund Balance for \$7,937,006 for savings for the 2025-26 and 2026-27 school years to support funds and services. And for the LCAP Carryover of \$658,829 for the 2024-25 school years.

Background:

On June 25, 2024 the Board adopted Resolution 2023.24.48 Budget Adoption for 2024-25. The MYP Savings resolution will support FY 25-26 and FY 26-27, while the LCAP Carryover will support the current FY 24-25.

File Attachments

[Resolution 2024.25.17 Designating Committed Fund Balance.pdf](#) (66 KB)

13.3 Art Mural at Newark Middle School

Type Action

Recommended The recommendation is that the Board of Education approve the art mural at Newark Middle

Action School.

Purpose:

To obtain Board approval to paint a mural at Newark Middle School. It will be placed on the external wall of the school building, facing the parking lot, and will beautify the school facility.

Background:

Murals provide a sense of community, school spirit, and pride to the campus. The proposed mural will add to the aesthetic of the school for years to come. The designs will be paid for by the Newark Middle School PTSA. Illuminaries, is providing the painting and execution of the mural as an in-kind donation.

File Attachments

[Newark Middle School Courgar Mural.pdf](#) (226 KB)

14 CONSENT AGENDA: NON-PERSONNEL ITEMS

14.1 PLACEHOLDER - One Consented Vote

Type Action

Recommended It is recommended that the Board of Education approve, under one consented vote, the
Action agenda items under Consent Non-Personnel, except for agenda items:

Purpose:

This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:

Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

14.2 Report: Donations Report

Type Action

Fiscal Impact Yes
Budgeted Yes
Budget Source General Fund (Fund 010) Donations
Recommended The recommendation is that the Board of Education accept the Donations Report as
Action presented.

Purpose:

The purpose is to acknowledge receipt of donations to the District.

Background:

Throughout the year community members, groups, parents and other individuals make monetary and in-kind (supplies and equipment) donations to NUSD. The exact nature of the source of the donation is submitted to the Business Office on a standard form. It is critical that any restrictions on the funding be indicated and the budget developed based on the donor restrictions. If there is no indication of the school or use of the funding, any proceeds or cash donations received are placed in the NUSD local revenue in the unrestricted general fund. It is recommended that the donations be processed through the Business Office and ultimately approved by the Board so that the funding can be publicly acknowledged and budgeted properly according to donor restrictions. There is acknowledged and budgeted properly according to donor restrictions. There is acknowledgement at the public Board meeting and a letter of thanks is sent to the donor by the Business Office for NUSD.

File Attachments

[Summary of Donations for Board_12-12-2024.pdf](#) (19 KB)

14.3 Report: Warrant Report for November 2024

Type Action

Fiscal Impact Yes
Dollar Amount \$2,832,424.47
Budgeted Yes
Budget Source Various Funds Per Warrant
Recommended The recommendation is that the Board of Education approve the Warrant Report as presented.
Action

Purpose:

The purpose of this item is to present warrants, for the total amount of \$2,832,424.47, made from District funds for November 2024.

Background:

The warrant registers represent a complete listing of all payments made from District funds for a month. Because Newark Unified School District is a fiscally dependent District, each warrant must pass through two separate audits; first by the District's Fiscal Services department, and second by the County Office of Education. No warrant can be paid until such time as it is examined and approved by the County Office of Education.

[File Attachments](#)

[Warrant Report November 2024.pdf](#) (432 KB)

14.4 Resolution 2023.24.16 Declaring Surplus Equipment

Type	Action
Fiscal Impact	No
Recommended	The recommendation is that the Board of Education approves Resolution 2023.24.16 -
Action	Declaring Surplus Equipment.

Purpose:
 The purpose of this item is to obtain Board approval of Resolution 2023.24.16- Declaring Surplus Equipment, which lists items to be declared as surplus equipment as recommended.

Background:
 Surplus materials will be disposed of per Board Policy and Administrative Regulation 3270 Sale And Disposal Of Books, Equipment And Supplies. Education Code, Section 17546 states that if the Governing Board, by a unanimous vote of those members present, finds that the property, whether one or more items, does not exceed the value of \$2,500, it may be sold at private sale without advertising, by a District employee empowered for that purpose by the Board; the property may be donated to a charitable organization, or it may be disposed of in a public disposal facility.
 The property as described in Resolution 2023.24.16 includes Information Technology equipment. Staff determined that items are obsolete and/or beyond economical repair.

[File Attachments](#)

[Resolution 2024.25.16 Declaring Surplus Equipment.pdf](#) (1,644 KB)

14.5 Contract with Dee Hankins, Life, Curveballs, Homeruns

Type	Action (Consent)
Fiscal Impact	Yes
Dollar Amount	\$10,489.00
Budgeted	Yes
Budget Source	Antibias Grant
Recommended	The staff recommends the Board of Education approve the contract with Dee Hankins, Life,
Action	Curveballs, Homeruns.
Goals	MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens.

Purpose:
 The purpose of this contract is to provide Newark Memorial High School students with valuable insights on resilience and equip them with the skills necessary to overcome challenges. The speaker will conduct a school-wide assembly, facilitate small breakout group sessions, collaborate with staff, and host a community event for parents.

Background:
 Contractor will implement his At-Best Student Development program at the 8-Resilient Level which include the following: Staff development meeting, school wide assembly(ies), student breakout sessions, and a parent development night. Services will be provided at Newark Memorial High School on Tue, Jan 21, 2025

[File Attachments](#)

[Dee Hankins Service Agreement - contract - 1 - Contract.pdf](#) (1,181 KB)

14.6 Contract: CSW/ST2 Topographic Mapping and Location Mapping of Existing Underground Utilities at Newark Memorial High School

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$119,707.00
Budgeted	Yes
Budget Source	Developer Fees
Recommended	The recommendation is that the Board of Education approve the contract with CSW/ST2 to
Action	provide topographic mapping and location mapping of existing underground utilities at Newark Memorial High School.

Purpose:
 Approve the contract with CSW/ST2 to conduct topographic mapping and locate existing underground utilities for the Newark Memorial High School Track and Field Project. This survey will help identify any blockages throughout the site, which are impacting the restroom facilities.

Background:
 Approving the contract with CSW/ST2 will help identify outdated infrastructure that have caused blockages throughout the site over the years. Previous efforts to address sewer blockages have pinpointed specific problem areas but have not provided a complete mapping of the underground infrastructure.

[File Attachments](#)

[CSW ST2_NMHS Topographic Mapping and Underground Utilities Mapping.pdf](#) (4,422 KB)

14.7 POLICY UPDATE: Board Policy 0200-Goals For The School District

Type Action (Consent), Procedural
Recommended Action The recommendation is that the Board of Education approve the updated Board Policy 0200-Goals For The School District

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated board policy.

Background:
The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for an additional reading.

[File Attachments](#)

[Policy 0200 - Goals For The School District.pdf](#) (110 KB)

14.8 POLICY UPDATE: Board Policy 0410 Nondiscrimination In District Programs And Activities

Type Action, Action (Consent), Procedural
Recommended Action The recommendation is that the Board of Education approve the updated Board Policy 0410 Nondiscrimination In District Programs And Activities

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated board policy.

Background:
The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for an additional reading.

Board Policy 0410 - Nondiscrimination in District Programs and Activities
Policy updated to reflect NEW FEDERAL REGULATIONS (89 Fed. Reg. 33474) which (1) clarify that discrimination on the basis of sex, including sex-based harassment, for the purpose of Title IX includes sex stereotypes; sex characteristics; gender identity; sexual orientation; pregnancy, childbirth, termination of pregnancy, or lactation, including related medical conditions or recovery; and parental, marital, and family status, and (2) require a district with knowledge of alleged conduct, which occurs in a district program or activity on or after August 1, 2024, that reasonably may constitute sex discrimination under Title IX, including sex-based harassment, to follow Title IX grievance procedures when investigating and resolving a complaint based on the alleged conduct. Additionally, policy updated to reflect NEW LAW (SB 153, 2024) which prohibits the Governing Board from adopting or approving the use of any textbook, instructional material, supplemental instructional material, or curriculum for classroom instruction if the use would subject a student to unlawful discrimination in accordance with specified state law. In addition, policy updated to reflect NEW FEDERAL REGULATIONS (89 Fed. Reg. 31320) which include specified technical standards to ensure that content available through a district's web and mobile applications are accessible to individuals with disabilities. Board Policy 0420.41 - Charter School Oversight
Policy updated to delete language for which the Governing Board is not responsible, clarify that the Superintendent may designate someone to attend meetings of the charter school governing body, move the section "Monitoring Charter School Performance" to keep material reflecting district responsibility for oversight of charter schools together, and clarify that board approval is required for the charter school to contract for administrative or other services. Additionally, policy updated to amend the section "Material Revisions to Charter" to clarify which situations certain standards and criteria may be used to review a proposed material revision to a charter

[File Attachments](#)

[Policy 0410 - Nondiscrimination In District Programs And Activities.docx.pdf](#) (260 KB)

14.9 POLICY UPDATE: Board Policy and Administrative Regulation 0450 Comprehensive Safety Plan

Type Action, Procedural
Recommended Action The recommendation is that the Board of Education approve the updated Board Policy and Administrative Regulation 0450 Comprehensive Safety Plan

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation.

Background:
The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for an

additional reading.

Board Policy 0450 - Comprehensive Safety Plan

CSBA Last Update: 2024-03-01 | NUSD Last Update: 2022-10-06

Policy updated to reference NEW LAW (SB 323, 2023) which (1) authorizes a school employee, a student's parent/guardian or educational rights holder, or a student, at specified times, to bring concerns about an individual student's ability to access disaster safety procedures described in the comprehensive safety plan to the principal, and if there is merit to the concern requires the principal to make appropriate modifications, and (2) requires comprehensive safety plans to include adaptations for students with disabilities in accordance with the federal Individuals with Disabilities Education Act and section 504 of the federal Rehabilitation Act of 1973. Additionally, policy updated to clarify that portions of the comprehensive safety plan that include tactical response to criminal incidents are not required to, but may be, publicly disclosed.

Administrative Regulation 0450 - Comprehensive Safety Plan

Regulation updated to clarify that written notifications to specified persons and entities are required when those persons or entities are available and to reflect NEW LAW (SB 323, 2023) which (1) authorizes a school employee, a student's parent/guardian or educational rights holder, or a student, at specified times, to bring concerns about an individual student's ability to access disaster safety procedures described in the comprehensive safety plan to the principal, and if there is merit to the concern requires the principal to make appropriate modifications, and (2) requires comprehensive safety plans to include adaptations for students with disabilities in accordance with the federal Individuals with Disabilities Education Act and section 504 of the federal Rehabilitation Act of 1973. Additionally, regulation updated to reflect NEW LAW (SB 671, 2023) which requires a district's comprehensive safety plan to include procedures to assess and respond to reports of any dangerous, violent, or unlawful activity that is being conducted or threatened to be conducted at the school, an activity sponsored by the school, or on a school bus serving the school. In addition, regulation updated to reflect NEW LAW (SB 10, 2023) which requires schools that serve students in any of grades 7- 12 to include in their comprehensive safety plans a protocol in the event a student is suffering or reasonably believed to be suffering from an opioid overdose. Regulation also updated to reference NEW LAW (AB 1023, 2023) which provides schools increased cybersecurity support.

File Attachments

[Policy 0450 - Comprehensive Safety Plan.pdf](#) (123 KB)

[Regulation 0450 - Comprehensive Safety Plan.pdf](#) (238 KB)

14.10 POLICY UPDATE: Board Policy and Administrative Regulation 0510 School Accountability Report Card

Type Action, Procedural

Recommended The recommendation is that the Board of Education approve the updated Board Policy and

Action Administrative Regulation 0510 School Accountability Report Card

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation

Background:

The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for an additional reading.

Board Policy 0510 - School Accountability Report Card

Policy updated to reflect that when 15 percent or more of a school's students speak a single primary language other than English, the school accountability report card (SARC) is required to be translated into that other language. Additionally, policy updated to reflect that the SARC is required to be provided in an understandable and uniform format and, to the extent practicable, provided in a language that parents/guardians can understand.

NEW - Administrative Regulation 0510 - School Accountability Report Card

New regulation provides required contents of the school accountability report card.

File Attachments

[Policy 0510 - School Accountability Report Card.pdf](#) (159 KB)

[_Regulation 0510 - School Accountability Report Card.pdf](#) (168 KB)

14.11 POLICY UPDATE: Board Policy and Administrative Regulation 3460 Financial Reports and Accountability

Type Action, Procedural

Recommended The recommendation is that the Board of Education approve the updated Board Policy and

Action Administrative Regulation 3460 Financial Reports and Accountability.

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated Board Policy and Administrative Regulation 3460 Financial Reports and Accountability.

Background:

The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for an additional reading.

(BP revised 9/23)

Policy updated to add material related to districts facing insolvency who are considering applying for an emergency

apportionment, including that the Governing Board is required to discuss the need for an emergency apportionment at a regular or special meeting at which parents/guardians, the exclusive representatives of employees of the district, and other members of the community have the opportunity to provide testimony.

(Revise BP/AR revised 12/22)

Policy updated to reflect the predictors of fiscal distress as identified by FCMAT in its 2019 "Indicators of Risk or Potential Insolvency." Updated policy also revised to reflect the law more clearly with respect to studies, reports, evaluations, and audits, that the County Superintendent of Schools is required or authorized to consider when reviewing a district's budget. Regulation updated to add a new section - "Lease Accounting," to reflect GASB Statement 87 which, starting June 15, 2021, changed the rules for the financial reporting of governmental entities' leases, including the rules for the recognition, measurement, and disclosure of such leases in financial statements.

(AR revised 10/18)

Regulation updated to add new section on "Report on Expenditures of State Facilities Funds" reflecting state law, as amended by NEW LAW (AB 1808), which requires districts that receive state facilities funding under the Leroy F. Greene School Facilities Act to annually report a list of expenditures for completed facilities projects and conclude an audit within one year of project completion.

(AR revised 9/16)

Regulation updated to add general language on the need to audit federal grant funds, while deleting detailed material regarding the submission of records related to the audit of federal funds, now addressed in AR 3230 - Federal Grant Funds. Section on "Other Postemployment Benefits Report" updated to reflect Governmental Accounting Standards Board (GASB) Statement 75, which supersedes GASB Statement 45 for fiscal years beginning after June 15, 2017, although earlier implementation is encouraged. Revisions reflect the requirements to report the total unfunded liability for OPEBs and to perform an actuarial valuation every two years regardless of the number of members in the OPEB plan, although an alternative method is still allowed for plans with fewer than 100 members.

(AR revised 4/14)

Regulation updated to reflect NEW TITLE 5 REGULATIONS (Register 2013, No. 49) aligning the state standards and criteria for interim reports with the local control funding formula (LCFF), effective in the 2014-15 fiscal year. Regulation also updated to reflect NEW LAW (AB 97, 2013) which requires the annual audit to include a determination as to whether funds were expended in accordance with the district's LCAP.

(BP/AR revised 4/13)

Policy updated to reflect NEW LAW (AB 2662, 2012) which gives the County Superintendent of Schools the authority, upon receipt of a district's interim fiscal report, to change the district's qualified certification to a negative certification. Policy also contains material formerly in AR which refers to Board actions regarding the statement of unaudited actual receipts and expenditures, Gann appropriations limit resolution, interim reports, and audit report. Regulation updated to reflect current law regarding restoration of the reserve threshold and to add material regarding submission of audit report pertaining to federal funds to the federal Office of Management and Budget.

(AR revised 7/10)

Updated regulation deletes detailed discussion of the contents of the audit report since it is the responsibility of the auditor to complete that report. Regulation also adds new section on "Fund Balance" reflecting GASB Statement 54, which makes changes in the way fund balances in the general fund must be reported in external financial reports.

(Revise AR 11/09)

Regulation updated to add Note in "Interim Reports" section reflecting NEW LAW (ABX4 2) which prohibits the County Superintendent of Schools or the State Superintendent of Public Instruction from assigning the district a qualified or negative certification based substantially on a projected loss of federal American Recovery and Reinvestment Act funds in the 2011-12 fiscal year. Section on "Audit Report" revised to reflect NEW LAW (SB 680) which requires the audit for a district participating in the "school district of choice" program to include a review of compliance with specified program requirements.

(Revise BP/AR 11/08)

Updated policy contains list of Board responsibilities with respect to various financial reports and deletes section on Fiscal Policy Team. Updated regulation revises section on "Interim Reports" to add state criteria and standards, specify that the reports must be submitted using the state's standardized account code structure, and to delete paragraph re: allowing county office of education 10 days to review proposed collective bargaining agreements if district has a qualified or negative certification (previously moved to BP 4143/4243 - Negotiations). Section on "Audit Report" revised to add language encouraging the Board to review the report prior to the date specified in law. Regulation also adds new section on "Negative Balance Report" and revises section on "Non-Voter-Approved Debt Report" to reflect NEW LAW (AB 2197) which establishes a timeline for notice of the issuance of certificates of participation. Section on "Other Postemployment Benefits Report" expanded to clarify reporting obligations under GASB 45 and to delete material on prefunding the debt (moved to BP 3100 - Budget).

File Attachments

[Policy 3460 - Financial Reports And Accountability.pdf](#) (151 KB)

[Regulation 3460 - Financial Reports And Accountability.pdf](#) (145 KB)

14.12 POLICY UPDATE: Administrative Regulation 4154 Health and Welfare Benefits

Type	Action (Consent)
Fiscal Impact	No
Recommended Action	The recommendation is that the Board of Education approve the updated Administrative Regulation 4154 Health and Welfare Benefits.

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated Administrative Regulation 4154 Health and Welfare Benefits.

Background:
The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made

revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for an additional reading.

(BP/AR revised)

Policy and regulation updated to reflect the federal Patient Protection and Affordable Care Act, applicable to districts with 50 or more full-time employees. Policy includes information about the calculation of full-time employees for the purpose of determining the applicability of the Act and reflects requirements to provide an affordable health insurance plan which includes specified minimum coverage and pays at least 60 percent of the medical expenses covered under the plan. Policy also reflects NEW LAW (SB 1306, 2014) which defines "marriage" as a personal relationship arising out of a civil contract between two persons rather than a man and a woman. Regulation adds section on "Affordability of Health Coverage" which includes methods by which districts may determine that each employee's contribution for employee-only health coverage does not exceed 9.5 percent of his/her household income.

(BP/AR revised 7/12)

Updated policy and regulation delete material related to temporary premium subsidies for COBRA/Cal-COBRA for "assistance eligible individuals" who were involuntarily terminated, as the date for program eligibility has now passed. Policy also reflects the federal Patient Protection and Affordable Care Act which prohibits employers from providing higher benefits to "highly compensated" individuals, as defined. Regulation also reflects legal requirement that an eligible retiree or surviving spouse may be denied the opportunity to enroll for benefits if he/she does not do so within 30 days of losing active coverage, and reflects change of age at which person ceases to be a "dependent child" for purposes of eligibility for COBRA/Cal-COBRA.

(Revised AR 3/10)

Updated regulation (section on "Temporary Subsidized Premium for COBRA/Cal-COBRA") reflects NEW FEDERAL LAW (P.L. 111-144) which extends eligibility for the subsidized COBRA/Cal-COBRA premium to include employees (1) who were involuntarily terminated (other than by reason of gross misconduct) between September 1, 2008, and March 31, 2010, or (2) whose COBRA eligibility was caused by a reduction in hours and who subsequently experienced an involuntary termination between March 2, 2010, and March 31, 2010. Regulation also reflects NEW FEDERAL LAW (P.L. 111-118) which extends the period of the subsidy to 15 months.

(Revise BP/AR 7/09)

Policy and regulation updated to clarify the effect of state and federal laws on benefits for registered domestic partners and to reflect NEW FEDERAL LAW (American Recovery and Reinvestment Act) re: temporary subsidized premium for COBRA and Cal-COBRA for "assistance eligible individuals." Policy also clarifies the requirements for confidentiality of health records and expands the material on retired employees to include other individuals eligible under COBRA or Cal-COBRA. Regulation also revises section on "COBRA/Cal-COBRA Continuation Coverage" to more directly reflect law re: program eligibility based on reduction in hours of employment.

[File Attachments](#)

[Regulation 4154 - Health And Welfare Benefits.pdf](#) (126 KB)

14.13 POLICY UPDATE: Administrative Regulation 4161.2/4261.2/4361.2 - Personal Leaves

Type	Action, Procedural
Preferred Date	Oct 15, 2024
Recommended Action	The recommendation is that the Board of Education approve the updated Administrative Regulation 4161.2/4261.2/4361.2 - Personal Leaves .

[Purpose:](#)

The purpose is for the Board of Education to review the recommended changes and approve the updated administrative regulation (First Reading).

[Background:](#)

This is the attached regulation 4161.2/4261.2/4361.2 Personal Leaves. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies.

The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the regulation will be brought back for an additional reading.

Administrative Regulation 4161.2/4261.2/4361.2 - Personal Leaves

Regulation updated to clarify that one of the conditions for the district to terminate the employment of a certificated employee who was on leave of absence for 20 or more consecutive working days after April 30 of the previous school year, is for the employee to continue to be absent from work for 20 consecutive working days beginning from the date the employee was to report to work.

[File Attachments](#)

[AR 4161.2 Personal Leaves 10.15.2024.pdf](#) (172 KB)

[AR 4261.2 Personal Leaves 10.15.2024.pdf](#) (162 KB)

[AR 4361.2 Personal Leaves 10.15.2024.pdf](#) (162 KB)

14.14 POLICY UPDATE: Board Policy 7110 Facilities Master Plan

Type	Action, Procedural
Recommended Action	The recommendation is that the Board of Education approve the updated Board Policy 7110 Facilities Master Plan.

[Purpose:](#)

The purpose is for the Board of Education to review the recommended changes and approve the updated Board Policy 7110 Facilities Master Plan.

Background:

The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for an additional reading.

File Attachments

[Policy 7110 - Facilities Master Plan.pdf](#) (121 KB)

14.15 POLICY UPDATE: Administrative Regulation 7140 Architectural and Engineering Services

Type Action (Consent), Procedural
Recommended The recommendation is that the Board of Education approve the updated Administrative
Action Regulation 7140 Architectural and Engineering Services.

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated Administrative Regulation 7140 Architectural and Engineering Services.

Background:
The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for an additional reading.

(AR Update 9/2023)
Regulation updated to more closely align with law and to reflect NEW LAW (AB 185, 2022) which enables a district to enter into an alternative design-build contract with a single entity for both design and construction of any school facility if the contract is in excess of \$5,000,000.

File Attachments

[Regulation 7140 - Architectural And Engineering Services.pdf](#) (109 KB)

14.16 BOARD BYLAW UPDATE: Bylaw 9010 Public Statements

Type Action, Procedural
Recommended The recommendation is that the Board of Education approve the updated Bylaw 9010 Public
Action Statements

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated bylaw 9010.

Background:
The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for an additional reading.

Board Bylaw 9010 - Public Statements
Bylaw updated to focus on public statements by Governing Board spokespersons made on behalf of the Board or by individual Board members. Additionally, bylaw updated to permit a Board spokesperson to disclose confidential information or information received in closed session when authorized by law. In addition, bylaw updated to reflect NEW COURT DECISION (Lindke v. Freed), in which the U.S. Supreme Court held that a district official who limits or prevents critics from speaking, such as by blocking them on social media or deleting their posts, violates the First Amendment only if the official (1) has been granted the power to speak on behalf of the district and (2) claims to be actually exercising that power. Bylaw also updated to suggest that a Board member make clear when they are speaking as an individual, and not on behalf of the district, such as by adding a disclaimer to the member's social media page.

File Attachments

[Bylaw 9010 - Public Statements.pdf](#) (142 KB)

14.17 BOARD BYLAW UPDATE: Bylaw 9012 Board Member Electronic Communications

Type Action, Procedural
Recommended The recommendation is that the Board of Education approve the updated Bylaw 9012 Board
Action Member Electronic Communications

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated bylaw 9012.

Background:
The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made

revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for an additional reading.

Board Bylaw 9012 - Board Member Electronic Communications

Bylaw updated to reference suggestions regarding how to avoid Governing Board member electronic communications that violate the Brown Act. Additionally, bylaw updated to provide that Board members shall make every effort to ensure that their electronic communications conform to Board Bylaw 9010 - Public Statements. In addition, bylaw updated to reference that the Public Records Act applies even to Board member electronic communications regarding district business sent or received on a Board members' personal account or device. Bylaw also updated to reflect NEW COURT DECISION (Lindke v. Freed), in which the U.S. Supreme Court held that a district official who limits or prevents critics from speaking, such as by blocking them on social media or deleting their posts, violates the First Amendment only if the official (1) has been granted the power to speak on behalf of the district and (2) claims to be actually exercising that power, and provide that the bylaw does not apply to Board member electronic communications not related to district business or not conducted by a Board member in the Board member's official capacity.

File Attachments

Bylaw 9012 - Board Member Electronic Communications.pdf (154 KB)

14.18 BOARD BYLAW UPDATE: Bylaw 9150 Student Board Members

Type Action (Consent)

Recommended The recommendation is that the Board of Education approve the updated Bylaw 9150 Student Board Members
Action

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated bylaw 9150.

Background:

This is the (Third) reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies.

The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for an additional reading.

Bylaw updated to reflect NEW LAW (AB 824, 2021) which specifies circumstances under which a governing board may adjust the term of a student board member. Bylaw also updated to enhance legal accuracy and clarity.

CSBA Last Update: 2021-12-01 | NUSD Last Update: 2019-10-25

File Attachments

Bylaw 9150 - Student Board Members (1).pdf (214 KB)

15 CONSENT AGENDA: PERSONNEL ITEMS

15.1 PLACEHOLDER - One Consented Vote

Type Action

Recommended It is recommended that the Board of Education approve, under one consented vote, the
Action agenda items under Consent-Personnel, except for agenda items:

Purpose:

This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:

Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

15.2 Personnel Report

Type Action

Recommended The recommendation is that the Board of Education ratify the personnel report as presented.
Action

Purpose:

The purpose is for the Board of Education to ratify the Personnel Report as presented.

Background:

All personnel activities including new hires, changes in status, resignation, leaves, and retirements are routinely submitted to the Board for ratification.

File Attachments

HR PAL 12.12.2024.pdf (375 KB)

16 STUDENT EXPULSION

16.1 Re-Entry and Completion - Student Expulsion Case# e2324-10

Type	Action
Recommended	The recommendation is that the Board of Education approve the completion of the student
Action	expulsion as it relates to the expulsion case e2324-10.
Goals	MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens. VISION: The Newark Unified School District, in partnership with the community, will be a model of world-class education that develops the unique abilities of every student. 1b. Student Achievement

Purpose:
For the Board to take action on expulsion case e2324-10 for completion of their program.

Background:
California Education Code Section 48916 requires that "an expulsion order shall remain in effect until the governing board orders a readmission of the pupil."

18 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

18.1 Superintendent's Concluding Comments, Updates, and Future Agenda Items

AGENDA REQUESTS

Type	Information
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Purpose:
This is an opportunity for the Interim Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

19 ADJOURNMENT

19.1 PLACEHOLDER - Extend Meeting

Type	Action
Recommended	The recommendation is that the Board of Education extends the meeting to ____ P.M.
Action	

Purpose:
This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

19.2 Adjournment

Type	Action
Recommended	The recommendation is that the Board of Education adjourns this meeting.
Action	

Purpose:
No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time. This action will conclude the meeting.

1 CALL TO ORDER

1.1 Roll Call

Type	Procedural
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Trustees:
President Aiden Hill
Vice President/Clerk Katherine Jones
Member Phuong Nguyen
Member Carina V. Plancarte
Member Nancy Thomas

Student Board Member:
Member Joy Lee

1.2 Meeting Practices and Information

Type	Information, Procedural
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In-person Meeting Information:

Please see the attached meeting information in English and Spanish.

Observe The Board Of Education Meeting:

Members of the public may observe the meeting via the NUSD YouTube Channel, or in-person at the NUSD Boardroom. Spanish translation will be available in person.

Public Comment:

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items requested by email at PUBLICCOMMENT@newarkunified.org, or in-person comments by submitting a speaker-card with the Executive Assistant.

File Attachments

- [Board Meeting Protocols_ENG\(1\).pdf](#) (69 KB)
- [Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf](#) (65 KB)
- [Original Board Meeting Guidelines.pdf](#) (259 KB)

1.3 Public Comment on Closed Session Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and tries to make it convenient for members of the community to express their views to the Board.

If a constituent wishes to address the Board on any agenda item:

In-Person Comment: please submit a completed speaker card to the Board's Executive Assistant before the start of the meeting, or prior to the calling of the section for public comment.

Audio-Only Virtual Comment: please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org by 1:00 PM the day of the meeting. Please label your email as " AUDIO-ONLY PUBLIC COMMENT" and include your name as it will appear on Zoom, your phone number, email address, and the agenda item number related to your comment.

Please see detailed instructions for public comment on the link: <http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

File Attachments

- [Board Meeting Protocols_ENG\(1\).pdf](#) (69 KB)
- [Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf](#) (65 KB)

1.4 Recess to Closed Session

Type Procedural

Purpose:

The Board will recess to Closed Session, and reconvene to Open Session on or about 7:00 p.m.

1.5 Roll Call

Type Procedural

Trustees:

- President Aiden Hill
- Vice President/Clerk Katherine Jones
- Member Phuong Nguyen
- Member Carina V. Plancarte
- Member Nancy Thomas

Student Board Member:

- Member Joy Lee

2 CLOSED SESSION

2.1 STUDENT EXPULSION (Ed. Code, 48918)

Type Discussion, Information, Procedural
For the Board to review the Expulsion Recommendation.

Background:

A Expulsion Panel Hearing was held on November 13, 2024. A Panel Hearing was conducted in accordance with Board Policy and Administrative Regulation 5144.1 and, if applicable, 5144.2 for students with disabilities.

The Board will discuss this in closed session and then take action in open session (agenda item 15.1). The administration asks for approval of the recommendation for Case# e2425-02 (Ed Code. 48918).

2.2 PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Gov. Code, 54957, subd. (b) (1)) Title: Superintendent

Type Action, Discussion, Information

Purpose:

For the Board to conduct/review the employee performance evaluation for the Superintendent.

Background:

3 REPORT OF CLOSED SESSION ACTIONS

3.1 Report of Closed Session Actions

Type Action, Procedural

Purpose:

If available, a report of the closed session will be provided by the Board President.

4 RECONVENE TO OPEN SESSION

4.1 Pledge of Allegiance

Type Procedural

Purpose:

The Governance Team will recite the Pledge of Allegiance

4.2 Meeting Practices and Information

Type Information, Procedural

In-person Meeting Information:

Please see the attached meeting information in English and Spanish.

Observe The Board Of Education Meeting:

Members of the public may observe the meeting via the NUSD YouTube Channel, or in-person at the NUSD Boardroom. Spanish translation will be available in person.

Public Comment:

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items requested by email at PUBLICCOMMENT@newarkunified.org, or in-person by submitting a speaker-card with the Executive Assistant.

File Attachments

- [Board Meeting Protocols_ENG\(1\).pdf \(69 KB\)](#)
- [Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf \(65 KB\)](#)
- [Original Board Meeting Guidelines.pdf \(259 KB\)](#)

5 APPROVAL OF AGENDA

5.1 Approval of the Agenda

Type Action

Recommended Action The recommendation is that the Board of Education approve the agenda for this meeting.

Purpose:

Members of the Governance Team may request that the agenda be amended or approved as presented.

Motion & Voting

The recommendation is that the Board of Education approve the agenda for this meeting.

Motion by Phuong Nguyen, second by Nancy Thomas.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte, Joy Lee

6 STUDENT REPORT

6.1 Student Report: Student Board Member, Joy Lee

Purpose:

The Student Report gives the Board of Education and the public an opportunity to hear the highlights, achievements, and initiatives from the viewpoint of the student board member.

Background:

The information will be provided by the Student Board Member, Joy Lee.

7 EMPLOYEE ORGANIZATIONS

7.1 Employee Organizations

Type Information

Purpose:

At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Background:

Discussion items are limited to updates, celebrations, and upcoming events.

- 1. NTA
- 2. CSEA
- 3. NEWMA

8 PUBLIC COMMENT

8.1 Public Comment on Non-Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.

<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

File Attachments

[Board Meeting Protocols_ENG\(1\).pdf](#) (69 KB)

[Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf](#) (65 KB)

8.2 Public Comment on Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.

<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

File Attachments

[Board Meeting Protocols_ENG\(1\).pdf](#) (69 KB)

[Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf](#) (65 KB)

9 SUPERINTENDENT REPORT

9.1 Superintendent Report

Type Information

Purpose:

The Interim Superintendent will provide the Board of Education with district information, updates, news, or anything in the jurisdiction of the board or the superintendent.

Background:

The presentation and information will be provided by the Interim Superintendent

10 STAFF REPORT

10.1 Coyote Hills and Schilling Elementary School Spotlight Presentation

Type Information

Purpose:
The School Spotlight gives the Board of Education and the public an opportunity to hear the highlights, achievements, and initiatives at each school from the principals.

Background:
Principal Eduardo Guerena will showcase various innovative programs, projects, and initiatives that are taking place at Schilling Elementary School.
Principal Kristi Palomino will showcase various innovative programs, projects, and initiatives that are taking place at Coyote Hills Elementary School.

File Attachments
[Schilling School Spotlight Board Presentation.pdf](#) (6,005 KB)

11 NEW BUSINESS

11.1 2023-24 Unaudited Actuals Financial Report Revised- Schedule of Capital Assets

Type Action, Procedural
Fiscal Impact No
Budgeted No
Recommended The recommendation is that the Board approve the revised 2023-24 Unaudited Actuals
Action Financial Report -Schedule of Capital Assets for

Purpose:
The purpose of this item is for the Board to approve the Schedule of Capital Assets for the 2023-24 Unaudited Actuals Financial Report.

Background:
On September 3, 2024 the Board approved the 2023-24 Unaudited Actuals Financial Report as required by Assembly Bill 1200. The report was submitted to Alameda County Office of Education (ACOE) on September 12, 2024. ACOE noted the Schedule of Capital Assets was not included in the report and requested this be brought to the Board for approval.

File Attachments
[2023-24 UA Final Rev 8_31_24.pdf](#) (5,604 KB)
[23-24 Unaudited Actuals_Schedule of Capital Assets.pdf](#) (148 KB)

Motion & Voting
The recommendation is that the Board approve the revised 2023-24 Unaudited Actuals Financial Report -Schedule of Capital Assets for
Motion by Nancy Thomas, second by Carina V Plancarte.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte, Joy Lee

11.2 Additional Board Meeting Date for December 17, 2024

Type Action, Discussion, Procedural
Fiscal Impact No
Recommended The recommendation is that the Board of Education add a December 17, 2024 meeting due to
Action date requirements for the Organizational Meeting.

Purpose:
The purpose is to comply with Ed Code 35143 and that the Board of Education add a December 17, 2024 meeting to conduct the Organizational Meeting.

Background:
Per Ed Code 35143 (a) The governing board of each school district shall hold an annual organizational meeting. In a year in which a regular election for governing board members is conducted, the meeting shall be held on a day within a 15-day period that commences with the second Friday in December (December 13, 2024) following the regular election. Therefore, the Organizational Meeting of the NUSD Board can be conducted on, or up to 15 days after, December 13, 2024.

Motion & Voting
The recommendation is that the Board of Education add a December 17, 2024 meeting due to date requirements for the Organizational Meeting.
Motion by Katherine Jones, second by Joy Lee.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Joy Lee
Not Present at Vote: Carina V Plancarte

11.3 Trustee Area Study

Type Action, Discussion
Fiscal Impact Yes
Budgeted Yes
Budget Source General Fund

Recommended Action Direct the Superintendent to conduct a trustee area study.

Purpose: For the Board to direct the Superintendent to conduct a trustee area study.

Background: Trustee area study is being conducted to discuss board governance structure, studies, and decisions related to trustee areas.

Motion & Voting Direct the Superintendent to conduct a trustee area study. Motion by Joy Lee, second by Katherine Jones. Final Resolution: Motion Carries Yea: Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte, Joy Lee Nay: Nancy Thomas

12 OLD BUSINESS

12.1 Bylaw 9150 Student Board Member

Type Discussion, Information

Purpose: Board of Trustees to discuss proposed California School Board Association (CSBA) and recommendations by the Adhoc Committee for Bylaw 9150 Student Board Member.

Background: On November 6, 2024 the Board of Education discussed Bylaw 9150. During this discussion members discussed a more inclusive process that would allow both high schools to have representation and to learn more about the governmental process and for the board to have a collaborative discussion that is inclusive of student voice. In order to enhance communication and collaboration between the Governing Board and the student body and to teach students the importance of civic involvement, the NUSD Board supports the participation of high school students in district governance. The role of student board member has evolved and the CSBA recommendation now offers options within Bylaw 9150 for the selection process which can expand the opportunity to more students of multiple high schools to be nominated and selected.

File Attachments Bylaw 9150 - Student Board Members.pdf (194 KB)

13 CONSENT AGENDA: PERSONNEL ITEMS

13.1 PLACEHOLDER - One Consented Vote

Type Action Recommended Action It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent-Personnel, except for agenda items:

Purpose: This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background: Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

13.2 Personnel Report

Type Action Recommended Action The recommendation is that the Board of Education ratify the personnel report as presented.

Purpose: The purpose is for the Board of Education to ratify the Personnel Report as presented.

Background: All personnel activities including new hires, changes in status, resignation, leaves, and retirements are routinely submitted to the Board for ratification.

File Attachments HR PAL 12.02.2024.pdf (145 KB)

Motion & Voting The recommendation is that the Board of Education ratify the personnel report as presented. Motion by Nancy Thomas, second by Carina V Plancarte.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte, Joy Lee

13.3 Personnel Stipend Report - Infomartion

Type Information

Purpose:

Informational item and preview of the stipend form used.

BACKGROUND

As part of a fiscal health strategy the district has implemented a stipend form that will be used to support budgeted fiscal accountability.

File Attachments

[HR PAL12.02.2024 Attachment.pdf](#) (165 KB)

14 CONSENT AGENDA: NON-PERSONNEL ITEMS

14.1 PLACEHOLDER - One Consented Vote

Type Action

Recommended It is recommended that the Board of Education approve, under one consented vote, the
Action agenda items under Consent Non-Personnel, except for agenda items:

Purpose:

This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:

Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Motion & Voting

It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent Non-Personnel, except for agenda items:

Motion by Nancy Thomas, second by Katherine Jones.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte, Joy Lee

14.2 POLICY UPDATE: Board Policy 1112 - Media Relations

Type Action, Procedural

Fiscal Impact No

Recommended The recommendation is that the Board of Education approve the updated Board Policy 1112 -

Action Media Relations.

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated board policy 1112 Media Relations.

Background:

The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for an additional reading.

File Attachments

[_Policy 1112 - Media Relations.pdf](#) (131 KB)

14.3 POLICY UPDATE: Board Policy and Administrative Regulation 1113 - District And School Websites

Type Action, Procedural

Fiscal Impact No

Recommended The recommendation is that the Board of Education approve the updated Board Policy and

Action Administrative Regulation 1113 - District And School Websites

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation (or bylaw).

Background:

This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association.

California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies.

The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for an additional reading.

Board Policy 1113 - District and School Websites

CSBA Last Update: 2024-06-01 | NUSD Last Update: missing

Policy reviewed in conjunction with the accompanying administrative regulation and exhibit, with references to outdated material deleted.

Administrative Regulation 1113 - District and School Websites

CSBA Last Update: 2024-06-01 | NUSD Last Update: missing

Regulation updated to add material related to reporting of cyberattacks to the Cybersecurity Integration Center

File Attachments

[BP 1113 - District And School Websites.pdf](#) (169 KB)

[AR 1113 - District And School Websites.pdf](#) (166 KB)

14.4 POLICY UPDATE: Board Policy and Administrative Regulation 1114 - District- Sponsored Social Media

Type	Action, Procedural
Fiscal Impact	No
Recommended	The recommendation is that the Board of Education approve the updated Board Policy and
Action	Administrative Regulation 1114 - District-Sponsored Social Media.

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation (or bylaw).

Background:
This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies.

The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for an additional reading.

Board Policy 1114 - District-Sponsored Social Media

Policy updated to align with current terms, language, and practice related to the use of social media. Additionally, policy updated to expand the Governing Board's philosophical statement to recognize the value of sharing district information with families and the community, and the requirement to ensure that content posted by the district on an official district social media account is accessible to individuals with disabilities. In addition, policy updated to clarify that an official district social media account does not create an open public forum or otherwise guarantee an individual's right to free speech even if one or more features on the account permit interaction with and between members of the public. Policy also updated to expand instances where students or staff are subject to discipline to include engaging with an official district social media account in a manner that violates board policies and administrative regulations.

Administrative Regulation 1114 - District-Sponsored Social Media

Regulation updated to align with current terms, language, and practice. Additionally, regulation updated to clarify that a social media account that contains content related to the district or comments about district operations but that has not been created based on authorization or direction from the Superintendent or designee is not an official district social media account. In addition, regulation updated to reflect NEW COURT DECISION (Lindke v. Freed), in which the U.S. Supreme Court held that a district official who limits or prevents critics from speaking, such as by blocking them on social media or deleting their posts, violates the First Amendment only if the official (1) has been granted the power to speak on behalf of the district and (2) claims to be actually exercising that power. Regulation also updated to clarify and expand the conditions under which a user may interact with an official district social media account, including that violations may be reported to the appropriate social media platform, law enforcement, or other third parties, as appropriate, consistent with the Cyberbullying Protection Act, and that a user may be suspended when the listed conditions are met.

File Attachments

[_Policy 1114 - District-Sponsored Social Media.pdf](#) (158 KB)

[Regulation 1114 - District-Sponsored Social Media.pdf](#) (176 KB)

14.5 POLICY UPDATE: Board Policy and Administrative Regulation 1312.3 - Uniform Complaint Procedures

Type	Action, Procedural
Fiscal Impact	No
Recommended	The recommendation is that the Board of Education approve the updated Board Policy and
Action	Administrative Regulation 1312.3 - Uniform Complaint Procedures

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation (or bylaw).

Background:
The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made

revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for an additional reading.

Board Policy 1312.3 - Uniform Complaint Procedures

Policy updated to reflect NEW FEDERAL REGULATIONS (89 Fed. Reg. 33474) which (1) require a district with knowledge of alleged conduct, which occurs in a district program or activity on or after August 1, 2024, that reasonably may constitute sex discrimination under Title IX, including sex-based harassment, to follow Title IX grievance procedures when investigating and resolving a complaint based on the alleged conduct, and (2) clarify that discrimination on the basis of sex, including sex-based Board Policy 1260 - Educational Foundation

Policy updated to reflect Proposition 28 Arts and Music in Schools Funding Guarantee and Accountability Act and corresponding California Department of Education accounting guidance regarding how districts can demonstrate state funds are used to supplement not supplant existing program funds. Additionally, policy updated to reflect that the district may not release student records or other personally identifiable student information except with parental consent or as required by law or district policy, and that student directory information may be released when appropriate.

harassment, for the purpose of Title IX includes sex stereotypes; sex characteristics; gender identity; sexual orientation; pregnancy, childbirth, termination of pregnancy, or lactation, including related medical conditions or recovery; and parental, marital, and family status. Additionally, policy updated to reflect NEW LAW (SB 153, 2024) which prohibits the Governing Board from adopting or approving the use of any textbook, instructional material, supplemental instructional material, or curriculum for classroom instruction if the use would subject a student to unlawful discrimination in accordance with specified state law. In addition, policy updated to clarify that the uniform complaint procedures should not be used to investigate and resolve employment discrimination complaints, and reflect NEW LAW (AB 714, 2023) which exempts "newcomer students" from district adopted graduation requirements, transfer of coursework and credit requirements, and specified consultation and notice requirements, formerly applicable to students in the third or fourth year of high school participating in a newcomer program.

Administrative Regulation 1312.3 - Uniform Complaint Procedures

Regulation updated to reflect NEW LAW (AB 714, 2023) which exempts "newcomer students" from district adopted graduation requirements, transfer of coursework and credit requirements, and specified consultation and notice requirements, formerly applicable to students in the third or fourth year of high school participating in a newcomer program. Additionally, regulation updated to reflect NEW FEDERAL REGULATIONS (89 Fed. Reg. 33474) which (1) require a district with knowledge of alleged conduct, which occurs in a district program or activity on or after August 1, 2024, that reasonably may constitute sex discrimination under Title IX, including sex-based harassment, to follow Title IX grievance procedures when investigating and resolving a complaint based on the alleged conduct, (2) require the Title IX notice of nondiscrimination on the basis of sex to be posted on the district's website and published in district handbooks, catalogs, announcements, bulletins, and application forms, and (3) provide that a complaint alleging sex discrimination, including sex-based harassment, may be oral or written

File Attachments

- Policy 1312.3 - Uniform Complaint Procedures.docx.pdf (236 KB)
- Regulation 1312.3 - Uniform Complaint Procedures.docx.pdf (414 KB)

14.6 Board Policy 1312.3 Uniform Complaint Form

Type Action, Information

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the Board Policy 13.12.3 Uniform Complaint Form.

Background:

The uniform complaint form is utilized for discrimination, harassment, intimidation or bullying.

File Attachments

- Uniform_Complaint_Form_-_English.pdf (142 KB)
- Uniform_Complaint_Form_-_Spanish.pdf (650 KB)

14.7 POLICY UPDATE: Board Policy and Administrative Regulation 1340 - Access To District Records

Type Action, Procedural

Fiscal Impact No

Recommended The recommendation is that the Board of Education approve the updated Board Policy and

Action Administrative Regulation 1340 - Access To District Records

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation (or bylaw).

Background:

The attached board policy and administrative regulation 1340 language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies.

The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for an additional reading.

File Attachments

- Policy 1340 - Access To District Records.pdf (104 KB)

[Regulation 1340 - Access To District Records.pdf](#) (236 KB)

14.8 POLICY UPDATE: Board Policy 3530 Risk Management/Insurance

Type	Action, Procedural
Fiscal Impact	No
Recommended	The recommendation is that the Board of Education approve the updated Board Policy 3530
Action	Risk Management/Insurance.

Purpose:
 The purpose is for the Board of Education to review the recommended changes and approve the updated Board Policy 3530 Risk Management/Insurance.

Background:
 The attached board policy 3530 Risk Management/Insurance. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies.
 The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for an additional reading.

File Attachments
[Policy 3530 - Risk Management_Insurance.pdf](#) (102 KB)

14.9 POLICY UPDATE: Board Policy 3540 Transportation

Type	Action, Procedural
Recommended	The recommendation is that the Board of Education approve the updated Board Policy 3540
Action	Transportation.

Purpose:
 The purpose is for the Board of Education to review the recommended changes and approve the updated Board Policy 3540 Transportation.

Background:
 This is the attached Board Policy 3540. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies.
 The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for an additional reading.

File Attachments
[Policy 3540 - Transportation.pdf](#) (116 KB)

14.10 POLICY UPDATE: Board Policy and Administrative Regulation 5126 - Awards For Achievement

Type	Action, Procedural
Recommended	The recommendation is that the Board of Education approve the updated Board Policy and
Action	Administrative Regulation 5126 - Awards For Achievement

Purpose:
 The purpose is for the Board of Education to review the recommended changes and approve the updated Board Policy and Administrative Regulation 5126 Awards for Achievement.

Background:
 The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies.
 The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for an additional reading.
 Board Policy 5126 - Awards for Achievement Policy updated to add that a budget be established for the purpose of student awards, and that no fee or other cost be charged to any student in relation to any requirements in qualifying for or receiving any district achievement awards. Additionally, policy updated to separate out the State Seal of Biliteracy material from district established awards for biliteracy, and to clarify that the Governing Board may prohibit the district committee which administers the district's scholarship and loan fund from accepting any donation under conditions it finds incompatible with the fund's intents and purposes as specified in Board Policy 3290 - Gifts, Grants and Requests.
 Administrative Regulation 5126 - Awards for Achievement Regulation updated to reflect NEW LAW (AB 370, 2023) which revises the criteria needed to be met for a student to be awarded the State Seal of Biliteracy, and to clarify the eligibility requirements for an English learner to be eligible for the State Seal of Biliteracy.

File Attachments
[Regulation 5126 - Awards For Achievement.pdf](#) (207 KB)
[Policy 5126 - Awards For Achievement.pdf](#) (167 KB)

14.11 POLICY UPDATE: Bylaw 9223 - Filling Vacancies

Type	Action, Procedural
Fiscal Impact	No
Recommended Action	The recommendation is that the Board of Education approve the updated Bylaw 9223 - Filling Vacancies

Purpose:
 The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation (or bylaw).

Background:
 The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for an additional reading.

Board Bylaw 9223 - Filling Vacancies
 Bylaw updated to reflect NEW LAW (AB 1326, 2023), which requires that the notice of a provisional appointment be posted on the district's website. Additionally, bylaw updated to (1) focus on filling vacancy by appointment rather than special election, (2) enable the Governing Board to approve, by resolution, the procedures for selecting the person to be provisionally appointed to fill the vacancy, and (3) explain how long an appointed Board member may serve. In addition, bylaw updated for clarity, precision, organization, and consistency.

File Attachments
[BB 9223 Filling Vacancies.docx.pdf](#) (223 KB)

14.12 Report: Monthly Purchase Order Report

Type	Action
Fiscal Impact	Yes
Budgeted	Yes
Budget Source	Various funding sources
Recommended Action	The recommendation is that the Board of Education receive the Monthly Purchase Order Report as presented.

Purpose:
 The purpose of this item is to present a monthly report on Purchase Order transactions per Board Policy 3300, Expenditures and Purchases.

Background:
 Based on the discussion at the Board's Study Session on January 6, 2022, staff is providing a monthly report on Purchase Order transactions per Board Policy 3300, Expenditures and Purchases. The policy states that "The Board shall review all transactions entered into by the Superintendent or designee on behalf of the Board every 60 days."
 This month's report includes 245 PO's dated 10/1/2024 through 10/31/2024 for a total of \$3,336,463.90.

File Attachments
[Monthly Purchase Order Report 12-02-2024.pdf](#) (84 KB)

14.13 Report: Warrant Report for October 2024

Type	Action
Fiscal Impact	Yes
Budgeted	Yes
Budget Source	Various Funding Sources
Recommended Action	The recommendation is that the Board of Education approve the Warrant Report as presented.

Purpose:
 The purpose of this item is to present warrants, for the total amount of \$2,743,236.61, made from District funds for October 2024.

Background:
 The warrant registers represent a complete listing of all payments made from District funds for a month. Because Newark Unified School District is a fiscally dependent District, each warrant must pass through two separate audits; first by the District's Fiscal Services department, and second by the County Office of Education. No warrant can be paid until such time as it is examined and approved by the County Office of Education.

File Attachments
[Warrant Report October 2024.pdf](#) (436 KB)

14.14 Addendum to the Master Contract with Sped Consulting for Special Education Services

Type	Action
Preferred Date	Dec 02, 2024
Fiscal Impact	Yes
Dollar Amount	\$110,000.00
Budgeted	Yes
Budget Source	Resource 6500 - Special Education - Reserve Funds May be Used
Recommended Action	The staff recommends the Board of Education approve the Addendum to the Master Contract with Sped Consulting.

Purpose:

To approve the Addendum to the Master Contract between Newark Unified School District and Sped Consulting to address the District's need for additional Special Education evaluations, including psycho-educational and speech and language evaluations.

Background:

The District initially approved the Master Contract with Sped Consulting on August 22, 2024, with a total not-to-exceed amount of \$50,000. Due to staffing shortages, the District is unable to fulfill the increased demand for these evaluations. As a result, an addendum to the contract is necessary to increase the total contract amount to \$160,000, ensuring timely and compliant evaluations for students with special education needs.

File Attachments

- [Addendum 1 Sped Consulting 12.2.24.pdf \(32 KB\)](#)
- [Sped Consulting Contract 2024-25 SIGNED.pdf \(626 KB\)](#)

14.15 Addendum to the Master Contract with Ed Sped Solutions for Special Education Services

Type	Action
Preferred Date	Dec 02, 2024
Fiscal Impact	Yes
Dollar Amount	\$252,500.00
Budgeted	Yes
Budget Source	Resource 6500 - Special Education (Reserved Funds May Be Used)
Recommended Action	The staff recommends the Board of Education approve the Addendum to the Master Contract with Ed Sped Solutions

Purpose:

To approve the Addendum to the Master Contract between Newark Unified School District and Ed Sped Solutions to address the District's need for additional Special Education staff.

Background:

The District initially approved the Master Contract with Ed Sped Solutions on June 18, 2024, with a total not-to-exceed amount of \$1,050,200. An Amendment to the Master Contract was subsequently approved on August 6, 2024, to correct the rates, adjusting the total not-to-exceed amount to \$1,073,800. Due to ongoing staffing shortages, the District has unfilled positions for two Special Education Teachers and one Paraprofessional. This addendum increases the total contract amount by \$252,500, bringing the maximum not-to-exceed amount to \$1,326,300. This adjustment ensures the District can continue to provide compliant and effective educational support to students with special needs. Approval of this item is essential to addressing staffing gaps and maintaining compliance with special education service requirements.

File Attachments

- [Addendum 1 Sped Consulting 12.2.24.pdf \(32 KB\)](#)
- [Ed Sped Amendment 8.6.24 SIGNED.pdf \(285 KB\)](#)
- [Ed Sped Contract 2024-25 SIGNED.pdf \(646 KB\)](#)

14.16 Extension of MVROP JPA Funding Agreement MOU

Type	Action (Consent), Procedural
Fiscal Impact	Yes
Budgeted	Yes
Budget Source	General Fund
Recommended Action	Staff recommends that the Board approve the two year extension, 2025-26 and 2026-27 of Mission Valley Regional Occupational Center Program JPA Funding Agreement MOU

Purpose:

For the Board to approve the two year extension, 2025-26 and 2026-27 of Mission Valley Regional Occupational Center Program JPA Funding Agreement MOU

Background:

To expand and enhance programs across JPA districts without any increased in pass through and transfer general apportionment funding equal to the same level as the 2024-25 and secure CTE matching grant award on behalf of JPA, CTE and the K12 Strong Workforce programs. This extension would provide stability necessary to continue supporting programs while the JPA Districts navigate budget challenges.

File Attachments

- [JPA MVROP.pdf \(39 KB\)](#)

14.17 Resolution No. 2024.25.12 Notice of Completion for Newark Memorial High School Phase 2 - Heating, Ventilation & Air Conditioning Projects and Change Order 01

Type	Action
Recommended	The recommendation is that the Board of Education approve Resolution 2024.25.12 and
Action	Change Order 01 for allowance credit and filing of Notice of Completion (NOC) with the County Recorder of Alameda County for HVAC Units Replacement at Newark Memorial High School Phase 2 by Saboo, Inc.

Purpose:
 To approve the Change Order 01 as an allowance credit of \$(10,651.51) reducing the total contract amount to \$1,178,348.49.
 To authorize the filing of Notices of Completion (NOC) with the County Recorder of Alameda County.

Background:
 On May 4, 2023, the Board awarded contract to Saboo, Inc. for the Newark Memorial High School HVAC Phase 2 project. All contract items, Punchlist and project closeout items have been satisfied. Accordingly, Staff requests acceptance of the projects which will allow filing Notices of Completion with the County and permit the release of retention thirty-five (35) days after approval.
 There is one change order associated with this project.

File Attachments
[Resolution 2024.25.12 Notice of Completion HVAC.pdf](#) (11 KB)
[CO_01_HVAC_Phase_2_NMHS-Sabo-AllowanceCredit_Fully Executed.pdf](#) (478 KB)
[Notice of Completion-NUSD NMHS HVAC Unit Replacement Phase 2_Saboo.pdf](#) (200 KB)

14.18 Resolution 2023.24.15 Declaring Surplus Equipment

Type	Action
Recommended	The recommendation is that the Board of Education approves Resolution 2023.24.15 -
Action	Declaring Surplus Equipment.

Purpose:
 The purpose of this item is to obtain Board approval of Resolution 2023.24.15- Declaring Surplus Equipment, which lists items to be declared as surplus equipment as recommended.

Background:
 Surplus materials will be disposed of per Board Policy and Administrative Regulation 3270 Sale And Disposal Of Books, Equipment And Supplies. Education Code, Section 17546 states that if the Governing Board, by a unanimous vote of those members present, finds that the property, whether one or more items, does not exceed the value of \$2,500, it may be sold at private sale without advertising, by a District employee empowered for that purpose by the Board; the property may be donated to a charitable organization, or it may be disposed of in a public disposal facility.
 The property as described in Resolution 2023.24.15 includes equipment used at Maintenance, Operations and Transportation Staff determined that items are obsolete and/or beyond economical repair.

File Attachments
[Resolution 2024.25.15 Declaring Surplus Equipment.pdf](#) (12 KB)

14.19 Resolution 2024.25.14 Annual Accounting of Developer Fees for 2023-24

Type	Action
Fiscal Impact	Yes
Budgeted	No
Recommended	The recommendation is that the Board of Education approve Resolution 2024.25.14 Annual
Action	Accounting of Developer Fees (Fund 25) for 2023-2024.

Purpose:
 The purpose of this item is to seek Board approval of Resolution 2024.25.14 Annual Accounting of Developer Fees (Fund 25 Capital Facilities Fund) for 2023-2024.

Background:
 Districts that maintain a developer fee fund are required to prepare an annual accounting of that fund. The Board of Education enacted developer fees to provide for the reconstruction and/or modernization of existing facilities. Under Government Code Section 66006(b), each school district that imposes developer fees is required to annually review the income and the amount of expenditures from developer fees.
 Three fee schedules were used when collecting developer fees for FY 2023-24 (July 1, 2023, through June 30, 2024): residential development, commercial & industrial development, and mini-storage development.
 Board Approved Fees in Effect

	Residential	Commercial	Mini-Storage
April 7, 2022	6/6/22 - 6/14/24	4.79	0.78 0.07
April 16, 2024	6/15/24 - present	5.17	0.84 0.06

The total amount in Fund 25, Capital Facilities Fund was \$14,386,382.13 as of June 30, 2024.
 Government Code 66001 requires that school districts make an additional finding every five (5) years for any fund in which those fees remained unexpended at the end of the fiscal year. Resolution 2022.23.15 Combined Annual Accounting of Developer Fees 21-22 and Five (5) Year Report was approved December 15, 2022. This report covers fiscal years 2023-2024.

[File Attachments](#)

- [Resolution 2024.25.14 Annual Accounting of Dev Fees 23-24.pdf](#) (174 KB)
- [2024 Developer Fee Justification Study Newark Unified School District.pdf](#) (6,041 KB)
- [Public Notice_Posted 11.13.24_Eng and Sp.pdf](#) (76 KB)

14.20 Minutes of the November 5th & 6th Regular Meeting of the Board of Education

Type Action, Minutes

Purpose:
For the Board to review and approve minutes of the November 5th- 6th 2024 Regular Meeting of the Board of Education

Background:
The attached minutes are reflective of the November 5th- 6th Regular Meeting of the Board of Education. The November 5 Meeting may be viewed on the NUSD YouTube Channel [HERE](#) . The November 6 (Part 2) Meeting may be viewed on the NUSD YouTube Channel [HERE](#)

[File Attachments](#)

- [November 5-6 Meeting Minutes .pdf](#) (335 KB)

15 STUDENT EXPULSION

15.1 Student Expulsion (Ed Code. 48918) Case Number e2425-02

Type Action
Recommended The recommendation is that the Board of Education approve the Panel recommendation
Action regarding the expulsion case number e2425-02.

Purpose:
For the Board to take action on expulsion case number e2425-02.

Background:
A Expulsion Panel Hearing was held on November 13, 2024. A Panel Hearing was conducted in accordance with Board Policy and Administrative Regulation 5144.1 and, if applicable, 5144.2 for students with disabilities. The administration asks for approval of this agreement for Case# e2425-02. (Ed Code. 48918).

Motion & Voting

The recommendation is that the Board of Education approve the Panel recommendation regarding the expulsion case number e2425-02.
Motion by Katherine Jones, second by Nancy Thomas.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte
Abstain: Joy Lee

16 BOARD OF EDUCATION: COMMITTEE REPORTS, ANNOUNCEMENTS, REQUESTS, DEBRIEF

16.1 Board of Education Committee Reports, Announcements, Requests, Debrief and Discussion AND DISCUSSION

Type Action, Discussion, Information

Purpose:
COMMITTEE REPORTS: The Trustees will provide an update, if available, on the committees of which they are members.
ANNOUNCEMENTS: The Trustees may acknowledge or recognize specific programs, activities, or personnel at this time.
REQUESTS: This is an opportunity for the Board of Education to suggest items for placement on future agendas and to review Board requests.
Approval from the majority of the Board will be required for direction to be provided to the Superintendent.
DEBRIEF AND DISCUSSION: The Trustees may debrief and discuss items.

Background:

Each year the Board of Education members liaise with schools and committees in order to build relationships, hear from staff, students, and families, and act as a conduit for information to and from the schools.

Board Committees 2023-24				
Board Adopted on 12/18/2023	Representative	Alternate		
Mission Valley Regional Occupational Center/Program (ROC/P)	1. Nancy Thomas	1. Carina V. Plancarte		
Executive Board				
Regional Policy Board of Special Education Local Plan Area (SELPA)	1. Katherine Jones	1. Phuong Nguyen	derives directly	
Newark Teacher Induction Advisory Council (Formally EBIC)	1. Aiden Hill	1. Carina V. Plancarte	approved "Governance Team	
Audit Committee	1. Nancy Thomas	2. Katherine Jones	1. Phuong Nguyen	Authority is
				Collective, Not

Bond/Parcel Tax Committee

1. Phuong Nguyen2. Carina V. Plancarte1. Aiden HillIndividual:The only authorityto direct action rests with the Board

City of Newark NUSD Liaison Committee

1. Phuong Nguyen2. Aiden Hill1. Katherine Jones as a whole whenseated at a regular or special board

meeting. Outside of this meeting, there is no authority.

A majority Board vote provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction.

Bringing New Ideas Forward

The Board will be open to having "brainstorming" discussions, or study sessions, around any idea that a Trustee may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Trustee, at their initiative or at the request of a constituent, which was previously discussed during a board meeting.

Trustees will first notify the Board President and Superintendent of their interest in bringing forward a new idea at a board meeting.

When initially agendized, the preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.

Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea. The Superintendent will decide on the delegation of assignments to District staff.

The new idea may be agendized for discussion only. The Board majority will decide if the new idea should be further developed and studied by staff. The Board majority will decide if staff time should be invested in the "fleshing out" of new ideas.

Individual Trustees, in the course of interactions with constituents, will be careful not to make or imply the commitment of the full Board to explore or proceed with implementing new ideas.

17 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

17.1 Superintendent's Concluding Comments, Updates, and Future Agenda Items

AGENDA REQUESTS

Type Information

Purpose:

This is an opportunity for the Interim Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

18 ADJOURNMENT

18.1 PLACEHOLDER - Extend Meeting

Type Action

Recommended Action The recommendation is that the Board of Education extends the meeting to ____ P.M.

Purpose:

This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

18.2 Adjournment

Type Action

Recommended Action The recommendation is that the Board of Education adjourns this meeting.

Purpose:

No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time. This action will conclude the meeting.

Motion & Voting

The recommendation is that the Board of Education adjourns this meeting.

Motion by Katherine Jones, second by Carina V Plancarte.

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Carina V Plancarte, Joy Lee

Not Present at Vote: Katherine Jones

1 CALL TO ORDER

1.1 Meeting Practices and Information (Staff will request this item to be moved to open session)

Type Information, Procedural

In-person Meeting Information:

Please see the attached meeting information in English and Spanish.

Observe The Board Of Education Meeting:

Members of the public 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.

Public Comment:

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

File Attachments

- Board Meeting Protocols_ENG(1).pdf (69 KB)
- Protocolos de la Reunion de la Mesa Directiva_ESP (1).pdf (65 KB)
- Original Board Meeting Guidelines.pdf (259 KB)

1.2 Recognition of Bella Eye Care Optometry

Type Information

Purpose:

Recognize and commend Bella Eye Care Optometry for their outstanding contribution to Coyote Hills and Schilling Elementary Schools

Background:

Earlier this school year Bella Eye Care Optometry partnered with Coyote Hills and Schilling Elementary Schools to offer comprehensive eye exams for students. At Coyote Hills 289 students received vision screening and 102 students picked out glasses. At Schilling Elementary 203 students received vision testing and 61 students picked out classes. Students will receive their glasses on November 13.

A certificate of appreciation will be presented to express the Board of Trustees gratitude for Bella Eye Care Optometry's valuable service and commitment to the health of our students.

1.3 Public Comment on Closed Session Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and tries to make it convenient for members of the community to express their views to the Board.

If a constituent wishes to address the Board on any agenda item:

In-Person Comment: please submit a completed speaker card to the Board's Executive Assistant before the start of the meeting, or prior to the calling of the section for public comment.

Audio-Only Virtual Comment: please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org by 1:00 PM the day of the meeting. Please label your email as " AUDIO-ONLY PUBLIC COMMENT" and include your name as it will appear on Zoom, your phone number, email address, and the agenda item number related to your comment.

Please see detailed instructions for public comment on the link: <http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

File Attachments

- Board Meeting Protocols_ENG(1).pdf (69 KB)
- Protocolos de la Reunion de la Mesa Directiva_ESP (1).pdf (65 KB)

1.4 Recess to Closed Session

Type Procedural

Purpose:

The Board will recess to Closed Session, and reconvene to Open Session on or about 7:00 p.m.

2 CLOSED SESSION

2.1 Conference with Legal Counsel regarding Anticipated Litigation - Significant exposure to litigation pursuant to Gov. Code, 54956.9- Case 1010, 1011, 1012, 1013, 1014 (5 cases)

Type Action, Discussion
Fiscal Impact Yes

Purpose:

To discuss three potential litigations for HR, 3 cases

Background:

2.2 Negotiations with CSEA and NTA

Purpose:

(Please explain to the Board why this item is on the agenda)

Background:

(Please give the Board any background information on this item such as the history, policies, and any information that may be useful for the Board to consider)

2.3 Conference with Real Property Negotiators - Snow Elementary School (Staff will request this item to be moved to open

Type Action, Discussion, Procedural

Recommended For the board to discuss with Property Negotiators next steps for Snow Elementary School
Action

Purpose:

Property Assessments for Snow Elementary School located at 6580 Mirabeau Drive, Newark, CA 94560.

2.4 Conference with Real Property Negotiators - Sanctuary Property (Staff will request this item to be moved to open session)

Type Action, Discussion, Information, Procedural

Fiscal Impact Yes
Recommended For the board to discuss and conference with Real Property Negotiators on the Sanctuary
Action Property.

Purpose:

Identify the future use of Sanctuary property located on the corner of Cherry Street and Brush Rabbit Ave 37.515801, -121.998929.
This property was granted to the City and District use by Newark Partners, LLC.

Background:

Sanctuary property in Area 3, in accordance with the City of Newark's agreement for the Sanctuary Development (Area 3), which provided for the dedication of six acres of land to the City for use as a school site with additional three acre park for joint City/School Use.

2.5 STUDENT EXPULSION (Ed. Code, 48918)

Type Discussion, Information, Procedural

Purpose:

For the Board to review the Expulsion Recommendation.

Background:

A Expulsion Panel Hearing was held on October 22, 2024. A Panel Hearing was conducted in accordance with Board Policy and Administrative Regulation 5144.1 and, if applicable, 5144.2 for students with disabilities.
The Board will discuss this in closed session and then take action in open session (agenda item 15.1). The administration asks for approval of the recommendation for Case# e2425-01 (Ed Code. 48918).

3 REPORT OF CLOSED SESSION ACTIONS

3.1 Report of Closed Session Actions

Type Action, Procedural

Purpose:

If available, a report of the closed session will be provided by the Board President.

Motion & Voting

4 RECONVENE TO OPEN SESSION

4.1 Pledge of Allegiance

Type Procedural

Purpose:

The Governance Team will recite the Pledge of Allegiance

4.2 Meeting Practices and Information

Type Information, Procedural

In-person Meeting Information:

Please see the attached meeting information in English and Spanish.

Observe The Board Of Education Meeting:

Members of the public 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.

Public Comment:

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

File Attachments

- Board Meeting Protocols_ENG(1).pdf (69 KB)
- Protocolos de la Reunion de la Mesa Directiva_ESP (1).pdf (65 KB)
- Original Board Meeting Guidelines.pdf (259 KB)

5 APPROVAL OF AGENDA

5.1 Approval of the Agenda

Type	Action
Recommended Action	The recommendation is that the Board of Education approve the agenda for this meeting.

Purpose: Members of the Governance Team may request that the agenda be amended or approved as presented.

Motion & Voting
 The recommendation is that the Board of Education approve the agenda for this meeting.
 Motion by Katherine Jones, second by Carina V Plancarte.
 Final Resolution: Motion Carries
 Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

6 STUDENT REPORT

6.1 Student Report: Student Board Member, Joy Lee

Purpose: The Student Report gives the Board of Education and the public an opportunity to hear the highlights, achievements, and initiatives from the viewpoint of the student board member.

Background: The information will be provided by the Student Board Member, Joy Lee.

7 EMPLOYEE ORGANIZATIONS

7.1 Employee Organizations

Type	Information
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Purpose: At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Background: Discussion items are limited to updates, celebrations, and upcoming events.
 1. NTA
 2. CSEA
 3. NEWMA

8 PUBLIC COMMENT

8.1 Public Comment on Non-Agenda Items

Type	Procedural
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Purpose: The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background: Please see the instructions on the link below for public comment information on non-agenda items and agenda items.

<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

File Attachments

- [Board Meeting Protocols_ENG\(1\).pdf \(69 KB\)](#)
- [Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf \(65 KB\)](#)

8.2 Public Comment on Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

File Attachments

- [Board Meeting Protocols_ENG\(1\).pdf \(69 KB\)](#)
- [Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf \(65 KB\)](#)

9 SUPERINTENDENT REPORT

9.1 Superintendent Report

Type Information

Purpose:

The Interim Superintendent will provide the Board of Education with district information, updates, news, or anything in the jurisdiction of the board or the superintendent.

Background:

The presentation and information will be provided by the Interim Superintendent

9.2 Newark USD 2024 Williams Report

Type Discussion, Information

Purpose:

To review Alameda County Office of Education's summary of findings and reports for schools identified as part of the 2024-25 Williams Settlement, pursuant to California Education Code 1240.

Background:

To ensure students have access to standards-aligned instructional materials and textbooks; school facilities that are clean, safe and functional; and there are no facility conditions that pose an emergency or urgent threat to the health or safety of pupils or staff; School Accountability Report Cards are properly posted and contain no indications of instructional material insufficiencies or outstanding facility needs; and Uniform Complaint Procedures are properly posted in the main office.

File Attachments

- [Newark USD 2024 Williams Final Report.pdf \(462 KB\)](#)

10 STAFF REPORT

10.1 2023-2024 CAASPP Data Overview

Type Discussion, Information

Purpose:

Educational Services will update the Board on the released California Assessment of Student Performance and Progress (CAASPP) status data.

Background:

The California Department of Education released the results of the California Assessment of Student Performance and Progress (CAASPP). These results are based on the CAASPP tests that were administered during the 2023/24 school year. These assessments are based on the Common Core State Standards and this is the sixth year of testing results. It is important to note that the English Language Arts (ELA) and the Mathematics assessments are administered in grades 3rd-8th grade and 11th grade.

File Attachments

- [2024 Board of Trustees CAASPP Results Presentation.pdf \(2,257 KB\)](#)

11 OLD BUSINESS

11.1 Fiscal Health Update

Type Information

Purpose:

This is an informational presentation to the Board of Education and community on the Fiscal Health and significant progress that has been made to reduce the deficit and to provide fiscal stability to NUSD. This information will be presented by the Superintendent and MGT Consultant team who has assisted the district since April 2024.

Background:

In fall of 2023 NUSD had a budget that reflected a 14 Million Dollar shortfall. Early warning signs that the district was in danger were noted on the 2023 Second Interim Multi Year Projections. ACOE sent a letter to NUSD in March 2023 to the Interim Superintendent stating they had growing ongoing concerns and urged the district to take corrective actions. Added to this Deficit spending was the approval of a 16% increase to salary negotiations that was approved in April 2023. This included a 10% retro to July 1, 2022, 4% increase July 1, 2023, and a 2% increase January 2, 2024.

11.2 Master Contract Amendment #3

Type Action, Procedural

Purpose:

To approve Amendment No. 3 to the contract with MGT (formerly MGT EH&A Investor, LLC) for Fiscal Support Services.

Background:

At the Board of Education meeting on April 23,2024, Michael Fine, CEO of FCMAT (California Fiscal Crisis and Management Assistance Team) reported to the Board regarding the district's financial situation and recommended the Board take advantage of financial expertise that is available by hiring good consultants to help the district make a successful turnaround.

On April 12, 2024, the district entered into a Master Engagement Agreement with MGT EH&A Investor, LLC (now MGT) for Fiscal Services Support through June 30, 2024, in the amount of \$49,000. On June 18, 2024, the Board approved an increase to the contract in the amount of \$32,000 (for a not to exceed amount of \$81,000 through June 30, 2024). On August 6, 2024, the Board approved an additional increase to the contract in the amount of \$10,000 (for a not to exceed amount of \$91,000 through April 30, 2025).

Amendment No. 3 will increase the contract by \$120,958.18, for a total contract amount of \$211,958.18.

File Attachments

[MGT EH&A Investor_23-24_Fiscal_Final_fully executed.pdf](#) (504 KB)

[MGT EH&A Investor_23-24_Fiscal_Final_fully executed.pdf](#) (504 KB)

[Amendment No. 2 - FINAL MGT-Newark USD Fiscal AMENDMENT NO 2 - 8.1.2024_final \(1\) FE \(1\).pdf](#) (261 KB)

[MGT AMENDMENT NO. 3.docx](#) (17 KB)

Motion & Voting

For the board to approve the master contract amendment #3

Motion by Nancy Thomas, second by Katherine Jones.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

11.3 Master Contract Amendment # 4

Type Action, Procedural

Purpose:

To approve Amendment No. 4 to the contract with MGT (formerly MGT EH&A Investor, LLC) for Fiscal Support Services.

Background:

At the Board of Education meeting on April 23,2024, Michael Fine, CEO of FCMAT (California Fiscal Crisis and Management Assistance Team) reported to the Board regarding the district's financial situation and recommended the Board take advantage of financial expertise that is available by hiring good consultants to help the district make a successful turnaround.

On April 12, 2024, the district entered into a Master Engagement Agreement with MGT EH&A Investor, LLC (now MGT) for Fiscal Services Support through June 30, 2024, in the amount of \$49,000. On June 18, 2024, the Board approved an increase to the contract in the amount of \$32,000 (for a not to exceed amount of \$81,000 through June 30, 2024). On August 6, 2024, the Board approved an additional increase to the contract in the amount of \$10,000 (for a not to exceed amount of \$91,000 through April 30, 2025). On tonight's agenda Amendment No. 3 increases the contract by \$120,958.18 (for a not to exceed amount of \$211,958.18 through April 30, 2025)

Amendment No. 4 will increase the contract by \$60,000, for a total contract amount of \$271,958.18.

File Attachments

[MGT EH&A Investor_23-24_Fiscal_Final_fully executed.pdf](#) (504 KB)

[MGT EH&A 23-24_Fiscal_Amendment 1_fully executed.pdf](#) (368 KB)

[Amendment No. 2 - FINAL MGT-Newark USD Fiscal AMENDMENT NO 2 - 8.1.2024_final \(1\) FE \(1\).pdf](#) (261 KB)

MGT AMENDMENT NO. 3.docx (17 KB)
MGT AMENDMENT NO. 4.docx (17 KB)

Motion & Voting

Approve the master contract amendment #4

Motion by Katherine Jones, second by Nancy Thomas.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

11.4 Student Board member voting update

Purpose:

For Lozano and Smith representative to provide the Board of Education with a voting update for student board member.

Background:

Lozano and Smith will provide the Board of Education updates regarding the student board member's voting rights and eligibility to vote specified agenda items.

12 NEW BUSINESS

12.1 BP 9150 Student Board Member

Type Discussion, Information

Purpose:

Board of Trustees to discuss proposed CSBA changes for Bylaw 9150 Student board member.

Background:

In order to enhance communication and collaboration between the Governing Board and the student body and to teach students the importance of civic involvement, the NUSD Board supports the participation of high school students in district governance. The role of student board member has evolved and the CSBA recommendation now offers options within BP 9150 for the selection process which can expand the opportunity to more students of multiple high schools to be nominated and selected.

File Attachments

Bylaw 9150 - Student Board Members.pdf (150 KB)

12.2 Organizational Meeting recommended date change

Type Action, Discussion, Information

Purpose:

To reschedule the Regular Board of Education Meeting TBD by the Board of Trustees as this coincides with a historical City of Newark and NUSD joint meeting of swearing in newly seated council members.

Background:

Request to move the December 12, 2024 regular Board of Education Meeting to December 11th to enable Superintendent and Board of Trustees to attend the City of Newark Meeting on December 12, 2024.

Motion & Voting

12.3 Name change for Crossroads Independent Study to Crossroads High (Alternative)

Type Action (Consent), Information

Fiscal Impact No

Recommended For the Board of Education to approve the name change for Crossroads Independent Study to

Action Crossroads High (Alternative).

Purpose:

The purpose is to formally request a name change for Crossroads Independent Study to Crossroads High (Alternative). This change is essential as part of our strategic efforts in preparation for the Western Association of Schools and Colleges (WASC) accreditation. It is vital that both the Newark Unified School District website and the Crossroads school website reflect this updated name.

Background:

The California Department of Education maintains an official directory of schools, and the name "Crossroads High (Alternative)" is the recognized designation. As such, it must be accurately reflected in all WASC accreditation documentation and public materials.

Aligning our name with the California Department of Education's directory not only ensures compliance with educational codes but also reinforces our commitment to transparency and clarity in our communication with stakeholders.

As we approach the final stages of the WASC accreditation process, it is crucial that all documentation--both internal and external--accurately reflects our official name. The WASC committee will finalize their findings by November 15, and having the updated name on both the Newark Unified School District and Crossroads websites will be critical for a successful

accreditation outcome.

Motion & Voting

For the Board of Education to approve the name change for Crossroads Independent Study to Crossroads High (Alternative).

Motion by Katherine Jones, second by Carina V Plancarte.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

12.4 Snow Elementary School Fire watch

Purpose:

VP Firewatch Experts Monthly Invoices at the closed Snow Elementary School.

Background:

Snow ES was closed on January 4, 2021 and on Feb 4, 2024 Firewatch was initiated as the fire panel was malfunctioning. Firewatch continued until repairs were completed on June 19, 2024 and fire panel was tested and passed inspection per NFPA Standard 72. Per DSA IR F-2 fire watch is required when fire panel is placed out of service and termination of fire watch when fire panel is tested per National Fire Protection (NFPA) Standard 72. On June 20, 2024 VP Firewatch Experts were contracted for vandal watch services to observe any trespassing and report any incidents to the police department.

File Attachments

VP Firewatch Experts Inc_B25-00068.pdf (56 KB)

VP Firewatch Experts Inc_P25-00112.pdf (697 KB)

VP Firewatch Experts Inc_P25-00320.pdf (104 KB)

13 CONSENT AGENDA: PERSONNEL ITEMS

13.1 PLACEHOLDER - One Consented Vote

Type	Action
Recommended Action	It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent-Personnel, except for agenda items:

Purpose: This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background: Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

13.2 Personnel Report

Type	Action
Absolute Date	Nov 05, 2024
Recommended Action	The recommendation is that the Board of Education ratify the personnel report as presented.

Purpose: The purpose is for the Board of Education to ratify the Personnel Report as presented.

Background: All personnel activities including new hires, changes in status, resignation, leaves, and retirements are routinely submitted to the Board for ratification.

File Attachments HR PAL 11.05.2024.docx (1).pdf (600 KB)

14 CONSENT AGENDA: NON-PERSONNEL ITEMS

14.1 PLACEHOLDER - One Consented Vote

Type	Action
Recommended Action	It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent Non-Personnel, except for agenda items:

Purpose: This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background: Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There

will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

14.2 District English Learner Advisory Committee (DELAC) Membership 24-25

Type	Action
Absolute Date	Nov 05, 2024
Fiscal Impact	No
Recommended Action	The recommendation is that the Board of Education approves the District English Learner Advisory Committee (DELAC) Membership 24-25.

Purpose:
For the Board to approve the proposed membership of the 2024-25 District English Language Advisory Committee (DELAC).

Background:
NUSD is presenting DELAC membership for board approval, and will do so annually. When there are 51 or more EL students in a district, a District English Learners Advisory Committee (DELAC) shall be formed. The DELAC will be comprised of representatives from the school level English Learner Advisory Committees and interested school and district staff. The majority of the members will be parents of EL students who are not district employees. Committee members serve for two years.

DELAC meetings are open to the public; all agendas and minutes will be posted. The meetings will be held in person and/or online (if needed) and child care, light refreshments, and translation will be provided to support member participation. All meetings will be held from 9:00 am to 10:30 am in the Board of Education Training Room: 5715 Musick Ave., Newark.

The meetings are scheduled as follows:

- November 12, 2024
- January 21, 2025
- March 18, 2025
- **April 15, 2025 (If Needed)
- May 13, 2025

The attachment lists the names of parent/guardian representatives and additional members. Visit our LCAP webpage to learn more about the development of the LCAP and read previous years' meeting agendas and minutes, and view presentations made to the Committee: <https://www.newarkunified.org/departments/educational-services/lcap> or <https://www.newarkunified.org/families-students/parent-leadership/delac>

File Attachments

- [DELAC Meeting Dates 2024-25 _ DELAC y fechas de reuniones 2024-25.pdf](#) (426 KB)
- [DELAC Members 2024-25.pdf](#) (342 KB)

Motion & Voting

The recommendation is that the Board of Education approves the District English Learner Advisory Committee (DELAC) Membership 24-25.

Motion by Katherine Jones, second by Phuong Nguyen.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

14.3 Local Control Accountability Plan (LCAP) Advisory Membership

Type	Action, Procedural
Absolute Date	Nov 05, 2024
Fiscal Impact	No
Recommended Action	The recommendation is that the Board of Education approves the Local Control Accountability Plan (LCAP) Advisory Membership.
Goals	VISION: The Newark Unified School District, in partnership with the community, will be a model of world-class education that develops the unique abilities of every student.

Purpose:
For the Board to approve the updated proposed membership of the 2024-25 Local Control and Accountability Plan (LCAP) Parent Advisory Committee (PAC).

Background:
Although not a requirement, given the changes in membership for the 2024-25 academic year, staff are bringing an updated membership list to the board in an abundance of transparency. LCAP PAC meetings are open to the public; all agendas and minutes will be posted for interested parties to track progress towards the final draft of the LCAP.

The meetings will be held in person and/or online and child care, light refreshments, and translation will be provided to support member participation. All meetings will be held from 5:00 pm to 6:30 pm in the Board of Education Library Room: 5715 Musick Ave., Newark.

The meetings are scheduled as follows:

- November 7, 2024
- January 9, 2025
- March 6, 2025
- **April 3, 2025 (If Needed)
- May 1, 2025

The attachment lists the names of parent/guardian representatives and additional members.

Visit our LCAP webpage to learn more about the development of the LCAP and read previous years' meeting agendas and minutes, and view presentations made to the Committee: <https://www.newarkunified.org/departments/educational-services/lcap> or <https://www.newarkunified.org/families-students/parent-leadership/pac-ssc>.

File Attachments

- [2024-25 LCAP Advisory Committee Meeting Dates.pdf](#) (194 KB)
- [LCAP PAC Membership 2024 - 2025.pdf](#) (216 KB)

Motion & Voting

The recommendation is that the Board of Education approves the Local Control Accountability Plan (LCAP) Advisory Membership.

Motion by Katherine Jones, second by Phuong Nguyen.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

14.4 California Department of Education Consolidated Application and Reporting System 2024-25 Fall Release Certification

Type	Action
Recommended	The recommendation is that the Board of Education ratify the Consolidated Application and
Action	Reporting System (CARS), 2024-25 Fall Release Certification.

Purpose:
The purpose of this item is to provide the California Department of Education with the information needed to fund a wide variety of federal and state programs that bring supplementary funding into the school district.

Background:
The Consolidated Application and Reporting System (CARS) -- formerly known as Consolidated Application or "CON APP" for short -- is the state's mechanism for both funding of identified state and federal categorical programs and required reporting for many of them. It provides the entitlement amounts of these programs as well as required considerations for expenditures. The California Department of Education requires the local educational agency (LEA) to review and receive approval of their Application for Funding selections with their local governing Board. Each year, the programs included in the CARS change based on federal/state mandates and different methods of gaining or disseminating information. This is the 2024-25 Fall Release Certification. CARS brings funds into the school district for a variety of programs including Title I, Title II, Title III and Title IV. Each of the identified programs has specified guidelines or requirements for their expenditure. All titled programs are federally funded. Title I, Part A dollars are used to support the increased achievement of at-risk students, primarily in reading and math. (We currently have eight schools receiving these funds.) Title II, Part A (Teacher Quality) monies are used to support teacher evaluation, as well as teacher professional development. Title III English Learner and Immigrant are used to support our English language learners. Title IV is used to fund school improvement programs for student academic success.

14.5 Resolution 2024.25.13 Declaration of Surplus Instructional Materials

Type	Action, Procedural
Fiscal Impact	No
Recommended	It is recommended that the Board approve of Resolution 2024.25.13, Declaring Surplus
Action	Instructional Materials, declaring instructional materials that are no longer suitable for use as surplus.

Purpose:
The purpose of this item is to obtain Board approval of Resolution 2024.25.13 Declaring Surplus Instructional Materials, declaring instructional materials that are no longer suitable for use as surplus.

Background:
Surplus materials will be disposed of per Board Policy and Administrative Regulation 3270 Sale And Disposal Of Books, Equipment And Supplies. The property as described in Resolution 2024.25.13 includes instructional materials used at elementary sites for ELA. Staff determined that items are obsolete and/or no longer usable.

- File Attachments**
- [Resolution 2024.25.13 Declaring Surplus Instructional Materials.pdf](#) (132 KB)

Motion & Voting

It is recommended that the Board approve of Resolution 2024.25.13, Declaring Surplus Instructional Materials, declaring instructional materials that are no longer suitable for use as surplus.
Motion by Katherine Jones, second by Phuong Nguyen.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

14.6 Report: Monthly Purchase Order Report

Type	Action
Recommended	The recommendation is that the Board of Education receive the Monthly Purchase Order
Action	Report as presented.

Purpose:

The purpose of this item is to present a monthly report on Purchase Order transactions per Board Policy 3300, Expenditures and Purchases.

Background:

Based on the discussion at the Board's Study Session on January 6, 2022, staff is providing a monthly report on Purchase Order transactions per Board Policy 3300, Expenditures and Purchases. The policy states that "The Board shall review all transactions entered into by the Superintendent or designee on behalf of the Board every 60 days." This month's report includes 134 PO's dated 9/1/2024 through 9/30/2024 for a total of \$1,057,426.55.

File Attachments

[Monthly Purchase Order Report 11-05-2024.pdf](#) (86 KB)

Motion & Voting

The recommendation is that the Board of Education receive the Monthly Purchase Order Report as presented.

Motion by Katherine Jones, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

14.7 Report: Quarterly Report on Contracts - 1st Quarter 2024-25

Type	Action
Fiscal Impact	Yes
Budgeted	Yes
Budget Source	Various Funds Per Contract
Recommended	The recommendation is that the Board of Education ratify the contracts as presented.
Action	

Purpose:

For the Board to ratify the contracts presented on the quarterly report.

Background:

This report was pulled from the October 15, 2024 meeting with the request to update the report and attachments. The Board has requested a report of all contracts for professional services under \$57,250 (50% of formal bid limit) be reviewed by the Board on a quarterly basis. This report only includes contracts that have not been previously approved by the Board. (Reference Board Policy 3312) Contracts are on file in the Business Office.

File Attachments

- [WML Safeguard Protection & Consulting, Inc_ fully executed.pdf](#) (671 KB)
- [UC Regents Lawrence Hall of Science_24-25_ fully executed.pdf](#) (402 KB)
- [Bethany Figueroa_2024-25_ fully executed.pdf](#) (202 KB)
- [Ernest Almendarez 24-25_ fully executed.pdf](#) (249 KB)
- [Lindamood Bell_Caputo_\(Newark\)_JUN20 SIGNED.pdf](#) (334 KB)
- [Office Information System Quote #1849.pdf](#) (34 KB)
- [Asif Khan Contract 24-25_ fully executed.pdf](#) (360 KB)
- [JR Consulting_2024-25_ fully executed.pdf](#) (313 KB)
- [RDV_Consulting_E-Rate_ fully executed.pdf](#) (380 KB)
- [Sunbelt_ fully executed.pdf](#) (481 KB)
- [Wellness Together_ fully executed.pdf](#) (267 KB)

Motion & Voting

The recommendation is that the Board of Education ratify the contracts as presented.

Motion by Katherine Jones, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

14.8 Contract Change Order #1 Construction Testing Services (CTS)

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$25,305.50
Budgeted	Yes
Budget Source	Developer Fees Fund 250
Recommended	The recommendation is that the Board of Education approve Construction Testing Services
Action	Change Order #1.

Purpose:

During the initial demolition and soil removal process for the Newark Memorial High School Track and Field Project, the construction and design team have observed much softer existing soil conditions than were expected based on the original Geotech report. The recommendations include chemical treatment, which would improve the subgrade properties as well as allow for winterization by providing a more stable platform for earthmoving equipment. Treatment is expected to require either the use of high calcium lime, quicklime plus, or a combination of high calcium lime and cement. The change order covers testing and oversight of lime treatment by a geotechnical engineer, we recommend the approval of Construction Testing Services Change Order No.1

Background:

File Attachments

- [Construction Testing Services_fully executed.pdf](#) (646 KB)
- [Construction Testins Services_Change Order 1.pdf](#) (64 KB)

Motion & Voting

The recommendation is that the Board of Education approve Construction Testing Services Change Order #1.

Motion by Phuong Nguyen, second by Nancy Thomas.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

14.9 Resolution 2024.25.12 Notice of Completion for Newark Memorial High School Phase 2 Heating, Ventilation & Air Conditioning Project and Change Order 1

Type	Action
Recommended	The recommendation is that the Board of Education approve Resolution 2024.25.12 and
Action	authorizing the Change Order 01 for allowance credit and filing of Notice of Completion (NOC) with the County Recorder of Alameda County for HVAC Units Replacement at Newark Memorial High School Phase 2 by Saboo, Inc.

Purpose:
 To approve the Change Order 01 as an allowance credit of \$10,651.51.
 To authorize the filing of a Notice of Completion (NOC) with the County Recorder of Alameda County.

Background:
 On May 4, 2023, the Board awarded contracts to Saboo, Inc. for the following projects:
 Newark Memorial High School HVAC Phase 2
 All contract items, Punchlist and project closeout items have been satisfied. Accordingly, Staff requests acceptance of the projects which will allow filing Notices of Completion with the County and permit the release of retention thirty-five (35) days after approval.
 There is one change orders associated with this project.

File Attachments

- [CO_01_HVAC_Phase_2_NMHS-Sabo-AllowanceCredit_Fully Executed.pdf](#) (478 KB)
- [Notice of Completion-NUSD NMHS HVAC Unit Replacement Phase 2_Saboo.pdf](#) (150 KB)

14.10 POLICY UPDATE: Board Policy 1260 - Educational Foundation(First)

Type	Action, Procedural
Fiscal Impact	No
Recommended	The recommendation is that the Board of Education approve the updated Board Policy 1260 - Educational Foundation
Action	

Purpose:
 The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation (or bylaw).

Background:
 This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies.
 The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for an additional reading.
 Board Policy 1260 - Educational Foundation
 Policy updated to reflect Proposition 28 Arts and Music in Schools Funding Guarantee and Accountability Act and corresponding California Department of Education accounting guidance regarding how districts can demonstrate state funds are used to supplement not supplant existing program funds. Additionally, policy updated to reflect that the district may not release student records or other personally identifiable student information except with parental consent or as required by law or district policy, and that student directory information may be released when appropriate.

File Attachments

- [BP 1260 - Educational Foundation.pdf](#) (139 KB)

Motion & Voting

The recommendation is that the Board of Education approve the updated Board Policy 1260 - Educational Foundation

Motion by Katherine Jones, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

14.11 POLICY UPDATE: Board Policy 2121 - Superintendent's Contract (First)

Type	Action, Procedural
Fiscal Impact	No
Recommended	The recommendation is that the Board of Education approve the updated Board Policy 2121 -

Action Superintendent's Contract

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation (or bylaw).

Background:

This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies.

The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for an additional reading.

Board Policy 2121 - Superintendent's Contract Policy updated to delete a portion of the language related to limitations for discussing superintendent salary or other compensation in closed session as this material exists in other policy materials. Additionally, policy updated to reflect NEW LAW (SB 494, 2023) prohibiting a governing board from taking action to terminate a superintendent under specified conditions.

File Attachments

BP 2121 - Superintendent's Contract.pdf (148 KB)

Motion & Voting

The recommendation is that the Board of Education approve the updated Board Policy 2121 - Superintendent's Contract

Motion by Katherine Jones, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

14.12 POLICY UPDATE: Board Policy 2210 - Administrative Discretion Regarding Board Policy (First)

Type Action, Procedural

Fiscal Impact No

Recommended The recommendation is that the Board of Education approve the updated Board Policy 2210 -

Action Administrative Discretion Regarding Board Policy

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation (or bylaw).

Background:

This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies.

The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for an additional reading.

File Attachments

Policy 2210 - Administrative Discretion Regarding Board Policy.pdf (114 KB)

14.13 POLICY UPDATE: Board Policy and Administrative Regulation 3514.1 Hazardous Substances (first reading)

Type Action, Procedural

Recommended The recommendation is that the Board of Education approve the updated Board Policy and

Action Administrative Regulation 3514.1 Hazardous Substances.

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation.

Background:

This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies.

The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for an additional reading.

BP/AR 3514.1 - Hazardous Substances

(BP revised 5/18)

Policy updated to reflect legal requirements regarding toxic art and craft supplies, formerly in BP 6161.3 - Toxic Art Supplies.

(BP/AR revised 4/13)

Policy and regulation updated to reflect requirements for a chemical hygiene plan, as required by state regulations for any employer that maintains a workplace where there is laboratory use of hazardous chemicals, such as a district that offers science laboratory classes. Policy also adds Board philosophy statement and reflects the California Department of Education (CDE) Science Safety Handbook for California Public Schools. Regulation also adds definition of "hazardous substance," adds material related to the storage and disposal of chemicals, updates material related to the hazard communications program to

more directly reflect law and new terminology, and adds information about CSBA's HazMat Communications service.

File Attachments

- [Policy 3514.1 - Hazardous Substances.pdf](#) (116 KB)
- [Regulation 3514.1 - Hazardous Substances R2.pdf](#) (155 KB)

14.14 POLICY UPDATE Board Policy and Administrative Regulation 3515 Campus Security (first reading)

Type	Action, Procedural
Recommended	The recommendation is that the Board of Education approve the updated Board Policy and
Action	Administrative Regulation 3515 Campus Security.

Purpose:
 The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation.

Background:
 This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies.
 The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for an additional reading.

Board Policy 3515 - Campus Security
 Policy updated to include that the district regularly review current guidance regarding cybersecurity and digital media awareness and incorporate recommended practices into the district's processes and procedures related to the protection of the district's network infrastructure and the monitoring and response to suspicious and/or threatening digital media content. Policy also updated to reflect NEW LAW (SB 906, 2022) which requires certificated and classified employees of the district, and other school officials such as Governing Board members, whose duties bring the employee or other school official in contact on a regular basis with students in any of grades 6-12, as part of a middle school or high school, who are alerted to or observe any threat or perceived threat of a homicidal act, to immediately report the threat or perceived threat to law enforcement. Additionally, policy also updated to include that anyone who receives or learns of a health or safety threat related to school or a school activity is encouraged to report the threat to a school or district administrator, and that school site council's be included with other stakeholders when identifying appropriate locations for the placement of surveillance cameras.

Administrative Regulation 3515 - Campus Security
 Regulation updated to reflect NEW LAW (AB 1352, 2021) which authorizes districts to request the Military Department, in consultation with the California Cybersecurity Integration Center (Cal-CSIC), to perform an independent security assessment of the district or an individual district school, NEW LAW (AB 2355, 2022) which requires districts that experience a cyberattack, which impacts more than 500 students or personnel, to report the cyberattack to Cal-CSIC, and NEW LAW (SB 906, 2022) which requires certificated and classified employees of the district, and other school officials such as Governing Board members, whose duties bring the employee or other school official in contact on a regular basis with students in any of grades 6-12, as part of a middle school or high school, who are alerted to or observe any threat or perceived threat of a homicidal act, to immediately report the threat or perceived threat to law enforcement. Regulation also updated to provide that monitoring suspicious and/or threatening digital media content be part of the campus security plan and included in strategies to detect and intervene with school crime.

File Attachments

- [Policy 3515 - Campus Security.pdf](#) (127 KB)
- [Regulation 3515 - Campus Security.pdf](#) (160 KB)

14.15 POLICY UPDATE: Administrative Regulation 3516.3 Earthquake Emergency Procedure System (first reading)

Type	Action, Procedural
Recommended	The recommendation is that the Board of Education approve the updated Administrative
Action	Regulation 3516.3 Earthquake Emergency Procedure System.

Purpose:
 The purpose is for the Board of Education to review the recommended changes and approve the updated administrative regulation.

Background:
 This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies.
 The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for an additional reading.

AR 3516.3 - Earthquake Emergency Procedure System
 (AR revised 7/16)
 Minor revision made in regulation to change name of the California Emergency Management Agency to the California Governor's Office of Emergency Services.
 (AR revised 3/11)
 Regulation updated to reflect NEW LAW (AB 2791, 2010) which renamed the California Office of Emergency Services as the

California Emergency Management Agency. Regulation also adds language addressing the consideration of a post-earthquake tsunami when developing plans for districts in coastal areas, identification of at least one individual within each building to determine whether an evacuation might be necessary and, if so, the best evacuation location and route, and post-earthquake communications.

[File Attachments](#)

[Regulation 3516.3 - Earthquake Emergency Procedure System.pdf](#) (165 KB)

14.16 POLICY UPDATE: Board Policy and Exhibit 6163.4-E(1) - Student Use Of Technology (First)

Type	Action, Procedural
Recommended	The recommendation is that the Board of Education approve the updated Board Policy and
Action	Exhibit 6163.4-E(1) - Student Use Of Technology

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and exhibit.

Background:
This is the FIRST reading of the attached policy and exhibit. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies.
The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for an additional reading.

Board Policy 6163.4 - Student Use of Technology
Policy updated to provide guidance related to the appropriate use of artificial intelligence (AI). Additionally, policy updated to expand the Governing Board's philosophical statement to include the effective use of technology; promotion of digital citizenship; access to the latest digital tools; the alignment of technological resources with district goals, objectives and academic standards; and the use of technology to augment Board adopted instructional materials. In addition, policy updated to include "software as a service" and "AI apps" in the definition of "district technology," and provide that student use of technology be in accordance with district policies on academic honesty, data privacy, nondiscrimination, and copyright laws. Policy also updated to add material related to the regular review of current guidance regarding cybersecurity, data privacy, and digital media awareness and incorporate recommended practices into the districts processes and procedures.

[File Attachments](#)

[Exhibit 6163.4-E\(1\) - Student Use Of Technology.pdf](#) (178 KB)

[Policy 6163.4 - Student Use Of Technology.pdf](#) (196 KB)

14.17 POLICY UPDATE: Bylaw 9220 - Governing Board Elections (First)

Type	Action, Procedural
Fiscal Impact	No
Recommended	The recommendation is that the Board of Education approve the updated Bylaw 9220 -
Action	Governing Board Elections

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation (or bylaw).

Background:
This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies.
The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for an additional reading.

Board Bylaw 9220 - Governing Board Elections
Bylaw updated to reference that a city/county charter might take precedence over district policies in regard to school board elections. Additionally, bylaw updated to reflect NEW LAW (AB 764, 2023), also known as the Fair And Inclusive Redistricting for Municipalities And Political Subdivisions (FAIR MAPS) Act, which establishes a comprehensive set of rules that local governments, including school districts, must follow during the redistricting process. In addition, bylaw updated to reference new Exhibit (1), which includes a non-exhaustive list of offenses the conviction of which makes someone ineligible to be a school board member. Bylaw also updated for clarity, precision, organization, and consistency.

[File Attachments](#)

[BB 9220 Governing Board Elections.docx.pdf](#) (236 KB)

14.18 POLICY UPDATE: Bylaw and Resolution 9270 - Conflict Of Interest (First)

Type	Action, Procedural
Fiscal Impact	No
Recommended	The recommendation is that the Board of Education approve the updated Bylaw and
Action	Resolution 9270 - Conflict Of Interest

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation (or bylaw).

Background:

This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies.

The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for an additional reading.

Board Bylaw 9270 - Conflict of Interest

Bylaw updated to reflect NEW LAW (SB 1439, 2022) which makes applicable to elected district officers the prohibition against accepting, soliciting, or directing a contribution of more than \$250 from any party or participant to a proceeding involving a license, permit, or other entitlement for use, including a contract, or from that person's agent, while the proceeding is pending before the Board and for 12 months following the date a final decision is rendered in the proceeding, and from participating in making, or in any way attempting to use the official position to influence the Board's decision when a district officer received a contribution of more than \$250 from a party or participant in the preceding 12 months, as specified. Bylaw also updated to clarify, for a Board member who manages public investments, that when an item on the consent calendar is one in which the Board member has a financial interest, the Board member is required to either make a motion to remove the item from the consent calendar or abstain from voting on the consent calendar.

File Attachments

[Bylaw 9270 - Conflict Of Interest.pdf](#) (289 KB)

[Resolution Adopt Conflict of Interest Code.docx.pdf](#) (96 KB)

14.19 FIELD TRIP: Curricular, Overnight Trip for Coyote Hills Elementary fifth grade class to travel to Exploring New Horizons at Camp Sempervirens.

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$20,935.00
Budgeted	Yes
Budget Source	LCAP 3.4, Site fundraising, and Family Contributions
Recommended Action	The recommendation is that the Board of Education approves the overnight trip for the Coyote Hills Elementary fifth grade class to travel to Exploring New Horizons at Camp Sempervirens.

Purpose:

The Coyote Hills Elementary community requests permission to take fifth grade students on a curricular, overnight field trip. Students will travel to Exploring New Horizons at Camp Sempervirens, Scotts Valley, CA for an outdoor science education camp. Students will study science content standards for ecology, resources, life science, etc. while participating in team building activities with classmates and growing as individuals.

School: Coyote Hills Elementary

Dates: December 16, 2024 - December 19, 2024

Location: Exploring New Horizons at Camp Sempervirens, Scotts Valley, CA

Chaperones for Science Camp:

The ratio of adults to students on school-sponsored trips shall be based on the following formula:

K-3 1 adult for every 5-8 students

4-9 1 adult for every 10 students

10-12 1 adult for every 10 students where strict supervision is required (tours, theaters, etc.)

Overnight trip supervision must be gender appropriate. However, in the event that the supervisors, who stay overnight in proximity to students, are of a gender other than that group of campers, adequate planning, and preparation of campers and the physical arrangements of the camp shall be made to ensure optimal safety and privacy of students (AR 6153).

No student will be denied due to a lack of funds.

Background:

According to Board Policy, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. The site principal and fifth grade teachers request permission to take students on an overnight curricular trip to attend an outdoor education/science camp program that is articulated with grade level curriculum. The programs are taught by credentialed staff members and camp staff and are viewed by the sites as a valuable part of the students' educational experience.

14.20 FIELD TRIP: Curricular, Overnight Trip for Kennedy Elementary fifth grade class to travel to Santa Cruz County Outdoor Science School.

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$38,200.00
Budgeted	Yes
Budget Source	LCAP 3.4, Site fundraising, and Family Contributions
Recommended Action	The recommendation is that the Board of Education approves the overnight trip for the Kennedy Elementary fifth grade class to travel to Santa Cruz County Outdoor Science School.

Purpose:

The Kennedy Elementary community requests permission to take fifth grade students on a curricular, overnight field trip. Students will travel to Santa Cruz County Outdoor Science School, Watsonville, CA for an outdoor science education camp. Students will study

science content standards for ecology, resources, life science, etc. while participating in team building activities with classmates and growing as individuals.

School: Kennedy Elementary

Dates: December 17, 2024 - December 20, 2024

Location: Santa Cruz County Outdoor Science School, Watsonville, CA.

Chaperones for Science Camp:

The ratio of adults to students on school-sponsored trips shall be based on the following formula:

K-3 1 adult for every 5-8 students

4-9 1 adult for every 10 students

10-12 1 adult for every 10 students where strict supervision is required (tours, theaters, etc.)

Overnight trip supervision must be gender appropriate. However, in the event that the supervisors, who stay overnight in proximity to students, are of a gender other than that group of campers, adequate planning, and preparation of campers and the physical arrangements of the camp shall be made to ensure optimal safety and privacy of students (AR 6153).

No student will be denied due to a lack of funds.

Background:

According to Board Policy, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. The site principal and fifth grade teachers request permission to take students on an overnight curricular trip to attend an outdoor education/science camp program that is articulated with grade level curriculum. The programs are taught by credentialed staff members and camp staff and are viewed by the sites as a valuable part of the students' educational experience.

File Attachments

[Field Trip For Science Camp - Kennedy.pdf](#) (673 KB)

14.21 FIELD TRIP: Curricular, Overnight Trip for Lincoln Elementary fifth grade class to travel to Exploring New Horizons at Camp Sempervirens.

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$27,680.00
Budgeted	Yes
Budget Source	LCAP 3.4, Site fundraising, and Family Contributions
Recommended Action	The recommendation is that the Board of Education approves the overnight trip for the Lincoln Elementary fifth grade class to travel to Exploring New Horizons at Camp Sempervirens.

Purpose:

The Lincoln Elementary community requests permission to take fifth grade students on a curricular, overnight field trip. Students will travel to Exploring New Horizons at Camp Sempervirens, Scotts Valley, CA for an outdoor science education camp. Students will study science content standards for ecology, resources, life science, etc. while participating in team building activities with classmates and growing as individuals.

School: Lincoln Elementary

Dates: March 24, 2025 - March 28, 2025

Location: Exploring New Horizons at Camp Sempervirens, Scotts Valley, CA

Chaperones for Science Camp:

The ratio of adults to students on school-sponsored trips shall be based on the following formula:

K-3 1 adult for every 5-8 students

4-9 1 adult for every 10 students

10-12 1 adult for every 10 students where strict supervision is required (tours, theaters, etc.)

Overnight trip supervision must be gender appropriate. However, in the event that the supervisors, who stay overnight in proximity to students, are of a gender other than that group of campers, adequate planning, and preparation of campers and the physical arrangements of the camp shall be made to ensure optimal safety and privacy of students (AR 6153).

No student will be denied due to a lack of funds.

Background:

According to Board Policy, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. The site principal and fifth grade teachers request permission to take students on an overnight curricular trip to attend an outdoor education/science camp program that is articulated with grade level curriculum. The programs are taught by credentialed staff members and camp staff and are viewed by the sites as a valuable part of the students' educational experience.

14.22 FIELD TRIP: Curricular, Overnight Trip for Schilling Elementary fifth grade class to travel to Exploring New Horizons,

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$9,925.00
Budgeted	Yes
Budget Source	LCAP 3.4, Site fundraising, and Family Contributions
Recommended Action	The recommendation is that the Board of Education approves the overnight trip for the Schilling Elementary fifth grade class to travel to Exploring New Horizons, Sempervirens.

Purpose:

The Schilling Elementary community requests permission to take fifth grade students on a curricular, overnight field trip. Students will travel to Exploring New Horizons at Camp Sempervirens, Scotts Valley, CA for an outdoor science education camp. Students will study science content standards for ecology, resources, life science, etc. while participating in team building activities with classmates and growing as individuals.

School: Schilling Elementary

Dates: December 16, 2024 - December 19, 2024

Location: Exploring New Horizons at Camp Sempervirens, Scotts Valley, CA

Chaperones for Science Camp:

The ratio of adults to students on school-sponsored trips shall be based on the following formula:

K-3 1 adult for every 5-8 students

4-9 1 adult for every 10 students

10-12 1 adult for every 10 students where strict supervision is required (tours, theaters, etc.)

Overnight trip supervision must be gender appropriate. However, in the event that the supervisors, who stay overnight in proximity to students, are of a gender other than that group of campers, adequate planning, and preparation of campers and the physical arrangements of the camp shall be made to ensure optimal safety and privacy of students (AR 6153).

No student will be denied due to a lack of funds.

Background:

According to Board Policy, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. The site principal and fifth grade teachers request permission to take students on an overnight curricular trip to attend an outdoor education/science camp program that is articulated with grade level curriculum. The programs are taught by credentialed staff members and camp staff and are viewed by the sites as a valuable part of the students' educational experience.

14.23 MINUTES of October 15, 2024 Regular Meeting of the Board of Education

Type	Action, Minutes
Recommended	The recommendation is that the Board of Education approved the minutes of the October 15,
Action	2024 Regular Meeting of the Board of Education.

Purpose: For the Board to review and approve minutes of the October 15, 2024 Regular Meeting of the Board of Education.

Background: The attached minutes are reflective of the October 15, 2024 Regular Meeting of the Board of Education. The Meeting may be viewed on the NUSD YouTube Channel HERE

15 STUDENT EXPULSION

15.1 Student Expulsion (Ed Code. 48918) Case# e2425-01

Type	Action
Recommended	The recommendation is that the Board of Education approve the Panel recommendation
Action	regarding the expulsion case number e2425-01.

Purpose: For the Board to take action on expulsion case e2425-01.

Background: A Expulsion Panel Hearing was held on October 22, 2024. A Panel Hearing was conducted in accordance with Board Policy and Administrative Regulation 5144.1 and, if applicable, 5144.2 for students with disabilities. The administration asks for approval of this agreement for Case# e2425-01. (Ed Code. 48918).

Motion & Voting

The recommendation is that the Board of Education approve the Panel recommendation regarding the expulsion case number e2425-01.

Motion by Phuong Nguyen, second by Nancy Thomas.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Phuong Nguyen, Katherine Jones

16 BOARD OF EDUCATION: COMMITTEE REPORTS, ANNOUNCEMENTS, REQUESTS, DEBRIEF

16.1 Board of Education Committee Reports, Announcements, Requests, Debrief and Discussion

AND DISCUSSION

Type	Action, Discussion, Information
------	---------------------------------

Purpose: COMMITTEE REPORTS: The Trustees will provide an update, if available, on the committees of which they are members. ANNOUNCEMENTS: The Trustees may acknowledge or recognize specific programs, activities, or personnel at this time. REQUESTS: This is an opportunity for the Board of Education to suggest items for placement on future agendas and to review Board requests.

Approval from the majority of the Board will be required for direction to be provided to the Superintendent.

DEBRIEF AND DISCUSSION: The Trustees may debrief and discuss items.

Background:

Each year the Board of Education members liaise with schools and committees in order to build relationships, hear from staff, students, and families, and act as a conduit for information to and from the schools.

Board Committees 2023-24

	Representative	Alternate
Board Adopted on 12/18/2023		
Mission Valley Regional Occupational Center/Program (ROC/P) Executive Board	1. Nancy Thomas	1. Carina V. Plancarte
Regional Policy Board of Special Education Local Plan Area (SELPA)	1. Katherine Jones	1. Phuong Nguyen
Newark Teacher Induction Advisory Council (Formally EBIC) Audit Committee	1. Aiden Hill	1. Carina V. Plancarte
Bond/Parcel Tax Committee	1. Nancy Thomas	2. Katherine Jones
City of Newark NUSD Liaison Committee	1. Phuong Nguyen	2. Carina V. Plancarte
	1. Aiden Hill	1. Katherine Jones

The following derives directly from the Board approved "Governance Team Handbook" Authority is Collective, Not Individual:

The only authority to direct action rests with the Board as a whole when seated at a regular or special board meeting. Outside of this meeting, there is no authority.

A majority Board vote provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction.

Bringing New Ideas Forward

The Board will be open to having "brainstorming" discussions, or study sessions, around any idea that a Trustee may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Trustee, at their initiative or at the request of a constituent, which was previously discussed during a board meeting.

Trustees will first notify the Board President and Superintendent of their interest in bringing forward a new idea at a board meeting.

When initially agendized, the preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.

Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea. The Superintendent will decide on the delegation of assignments to District staff.

The new idea may be agendized for discussion only. The Board majority will decide if the new idea should be further developed and studied by staff. The Board majority will decide if staff time should be invested in the "fleshing out" of new ideas.

Individual Trustees, in the course of interactions with constituents, will be careful not to make or imply the commitment of the full Board to explore or proceed with implementing new ideas.

17 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

17.1 Superintendent's Concluding Comments, Updates, and Future Agenda Items

AGENDA REQUESTS

Type Information

Purpose:

This is an opportunity for the Interim Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

18 ADJOURNMENT

18.1 PLACEHOLDER - Extend Meeting

Type Action

Recommended Action The recommendation is that the Board of Education extends the meeting to ____ P.M.

Purpose:

This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

Motion & Voting

The recommendation is that the Board of Education extends the meeting to 11:30 P.M.

Motion by Katherine Jones, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

18.2 Adjournment

Type Action

Recommended Action The recommendation is that the Board of Education adjourns this meeting.

Purpose:

No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time. This action will conclude the meeting.

Motion & Voting

The recommendation is that the Board of Education adjourns this meeting.

Motion by Katherine Jones, second by Carina V Plancarte.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

1 CALL TO ORDER

1.1 Roll Call

Type Procedural

Trustees:

President Aiden Hill
Vice President/Clerk Katherine Jones
Member Phuong Nguyen
Member Carina V. Plancarte
Member Nancy Thomas

Student Board Member:

Member Joy Lee

1.2 Meeting Practices and Information

Type Information, Procedural

In-person Meeting Information:

Please see the attached meeting information in English and Spanish.

Observe The Board Of Education Meeting:

Members of the public 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.

Public Comment:

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

File Attachments

[Board Meeting Protocols_ENG\(1\).pdf](#) (69 KB)
[Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf](#) (65 KB)
[Original Board Meeting Guidelines.pdf](#) (259 KB)

1.3 Public Comment on Closed Session Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and tries to make it convenient for members of the community to express their views to the Board.

If a constituent wishes to address the Board on any agenda item:

In-Person Comment: please submit a completed speaker card to the Board's Executive Assistant before the start of the meeting, or prior to the calling of the section for public comment.

Audio-Only Virtual Comment: please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org by 1:00 PM the day of the meeting. Please label your email as " AUDIO-ONLY PUBLIC COMMENT" and include your name as it will appear on Zoom, your phone number, email address, and the agenda item number related to your comment.

Please see detailed instructions for public comment on the link: <http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

File Attachments

[Board Meeting Protocols_ENG\(1\).pdf](#) (69 KB)
[Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf](#) (65 KB)

1.4 Recess to Closed Session

Type Procedural

Purpose:

The Board will recess to Closed Session, and reconvene to Open Session on or about 7:00 p.m.

2 CLOSED SESSION

2.1 Conference with Legal Counsel regarding Anticipated Litigation - Significant exposure to litigation pursuant to Gov. Code, 54956.9, subd. (d)[(2) or (3)]: Five cases

Type Action, Discussion
Absolute Date Oct 15, 2024

Fiscal Impact	Yes
Budget Source	General Fund
Goals	MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens. VISION: The Newark Unified School District, in partnership with the community, will be a model of world-class education that develops the unique abilities of every student.

Purpose:
To discuss three potential litigations for HR. Special Education case numbers 000101501 and 000101502.

2.2 CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a): Employee Organizations - CSEA and

Type Discussion, Information, Procedural

Purpose:
Information and update will be provided by the Interim Assistant Superintendent of Human Resources regarding CSEA and NTA negotiations.

3 REPORT OF CLOSED SESSION ACTIONS

3.1 Report of Closed Session Actions

Type Action, Procedural

Purpose:
If available, a report of the closed session will be provided by the Board President.

4 RECONVENE TO OPEN SESSION

4.1 Pledge of Allegiance

Type Procedural

Purpose:
The Governance Team will recite the Pledge of Allegiance

4.2 Meeting Practices and Information

Type Information, Procedural

In-person Meeting Information:
Please see the attached meeting information in English and Spanish.

Observe The Board Of Education Meeting:
Members of the public 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.

Public Comment:
The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

File Attachments
[Board Meeting Protocols_ENG\(1\).pdf](#) (69 KB)
[Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf](#) (65 KB)
[Original Board Meeting Guidelines.pdf](#) (259 KB)

5 APPROVAL OF AGENDA

5.1 Approval of the Agenda

Type Action
Recommended Action The recommendation is that the Board of Education approve the agenda for this meeting.

Purpose:
Members of the Governance Team may request that the agenda be amended or approved as presented.

Motion & Voting
The recommendation is that the Board of Education approve the agenda for this meeting except: 13.14.
Motion by Carina V Plancarte, second by Katherine Jones.
Final Resolution: Motion Carries

6 STUDENT REPORT

6.1 Student Report: Student Board Member, Joy Lee

Purpose:

The Student Report gives the Board of Education and the public an opportunity to hear the highlights, achievements, and initiatives from the viewpoint of the student board member.

Background:

The information will be provided by the Student Board Member, Joy Lee.

7 EMPLOYEE ORGANIZATIONS

7.1 Employee Organizations

Type Information

Purpose:

At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Background:

Discussion items are limited to updates, celebrations, and upcoming events.

1. NTA
2. CSEA
3. NEWMA

8 PUBLIC COMMENT

8.1 Public Comment on Non-Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.

<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

File Attachments

- [Board Meeting Protocols_ENG\(1\).pdf \(69 KB\)](#)
- [Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf \(65 KB\)](#)

8.2 Public Comment on Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.

<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

File Attachments

- [Board Meeting Protocols_ENG\(1\).pdf \(69 KB\)](#)
- [Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf \(65 KB\)](#)

9 SUPERINTENDENT REPORT

9.1 Superintendent Report

Type Information

Purpose:

The Interim Superintendent will provide the Board of Education with district information, updates, news, or anything in the jurisdiction of

the board or the superintendent.

Background:

The presentation and information will be provided by the Interim Superintendent

9.2 Student Recognition The Fallen City by Author Addison Kyee

Purpose:

Newark Unified School District is excited to announce Addison Kyee as our National Young Author for the 2023 school year for her first published book titled The Fallen City.

Background:

National Young Author's Fair is the largest and most prestigious book-writing event for school students across the United States. Over 100 students from Newark Middle, along with many other from NUSD, took part in this extraordinary event.

10 STAFF REPORT

10.1 Nutrition Services presentation

Type Information

Goals 1b. Student Achievement

VISION: The Newark Unified School District, in partnership with the community, will be a model of world-class education that develops the unique abilities of every student.

MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens.

Purpose:

To present and highlight Newark Unified School District National food program and the many wonderful and delicious food menu options that are provided to the students of Newark Unified.

Background:

The National School Lunch Program (NSLP) serves nearly 30 million children every school day. President John F. Kennedy created National School Lunch Week 62 years ago to promote the importance of healthy school lunch in a child's life and impact it has both in and out of the classroom.

We would like to thank our amazing Nutrition Department who make a difference each day in the lives of students. Our nutrition team prepares all meals with the secret ingredients "love, health and happiness"!

10.2 Bridgepoint/ Crossroads Spotlight Presentation

Type Information

Purpose:

School Spotlight presentations gives the Board of Education and the public an opportunity to hear from each school with highlights of its achievements and initiatives throughout the school year.

Background:

Bridgepoint/ Crossroads School will share a School Spotlight Presentation to highlight the accomplishments of students and teachers, foster school pride by showcasing news and achievements, and informing the community about the school's progress and initiatives fostering transparency and engagement.

File Attachments

[24-25 MacGregor School Spotlight Board Presentation rev.pdf](#) (1,532 KB)

11 NEW BUSINESS

11.1 Resolution Anti Tobacco/E-Cigarettes/Vaping (Draft)

Type Discussion, Information

Purpose:

To discuss and consider a school board Resolution that identifies the health concerns of Tobacco, E-Cigarettes, and vaping use for students and health impact that these products have had on U.S. citizens.

Background:

E-cigarette use among youth in the United States has skyrocketed to what the U.S. Surgeon General and the U.S. Food & Drug Administration have called "epidemic" levels. Federal data shows that e-cigarette use among middle and high school students has significantly increased to 1.63 Million students currently use e-cigarettes, including 410,000 Middle School Students and 1.21 Million high school students. In partnership with Newark Unified School District, the Newark City Council on October 10, 2024 passed a resolution to limit the distribution and access for e-cigarettes and vaping products.

File Attachments

[RESOLUTION DRAFT 2024.25.14 \(3\).pdf](#) (67 KB)

12 CONSENT AGENDA: PERSONNEL ITEMS

12.1 PLACEHOLDER - One Consented Vote

Type	Action
Recommended Action	It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent-Personnel, except for agenda items:

Purpose:
This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:
Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

12.2 Personnel Report

Type	Action
Absolute Date	Oct 15, 2024
Recommended Action	The recommendation is that the Board of Education ratify the personnel report as presented.

Purpose:
The purpose is for the Board of Education to ratify the Personnel Report as presented.

Background:
All personnel activities including new hires, changes in status, resignation, leaves, and retirements are routinely submitted to the Board for ratification.

File Attachments
[HR PAL 10.15.2024.pdf](#) (616 KB)

Motion & Voting
The recommendation is that the Board of Education ratify the personnel report as presented.
Motion by Katherine Jones, second by Nancy Thomas.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte, Joy Lee

13 CONSENT AGENDA: NON-PERSONNEL ITEMS

13.1 PLACEHOLDER - One Consented Vote

Type	Action
Recommended Action	It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent Non-Personnel, except for agenda items:

Purpose:
This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:
Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Motion & Voting
It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent Non-Personnel, except for agenda items: 13.2 pulled and 13/14 pulled, and pull for discussion 13.8 and 13.18.
Motion by Carina V Plancarte, second by Katherine Jones.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte, Joy Lee

13.2 Report: Quarterly Report on Contracts - 1st Quarter 2024-25

Type	Action
Fiscal Impact	Yes
Budgeted	Yes
Budget Source	Various Funds Per Contract
Recommended Action	The recommendation is that the Board of Education ratify the contracts as presented.

Purpose:

For the Board to ratify the contracts presented on the quarterly report.

Background:

The Board has requested a report of all contracts for professional services under \$57,250 (50% of formal bid limit) be reviewed by the Board on a quarterly basis. This report only includes contracts that have not been previously approved by the Board. (Reference Board Policy 3312)
Contracts are on file in the Business Office.

File Attachments

- Quarterly Report on Contracts Q1 2024-25.pdf (13 KB)
- Ernest Almendarez 24-25_fully executed.pdf (249 KB)
- RDV_Consulting_E-Rate_fully executed.pdf (380 KB)
- VP Firewatch Experts Inc_B25-00068.pdf (56 KB)
- Wellness Together_fully executed.pdf (267 KB)
- VP Firewatch Experts Inc_P25-00320.pdf (104 KB)
- VP Firewatch Experts Inc_P25-00112.pdf (697 KB)
- JR Consulting_2024-25_fully executed.pdf (313 KB)
- Asif Khan Contract 24-25_fully executed.pdf (360 KB)
- Office Information System Quote #1849.pdf (34 KB)
- Bethany Figueroa_2024-25_fully executed.pdf (202 KB)
- WML Safeguard Protection & Consulting, Inc_fully executed.pdf (671 KB)
- Lindamood Bell_Caputo_(Newark)_JUN20 SIGNED.pdf (334 KB)
- Sunbelt_fully executed.pdf (481 KB)
- UC Regents Lawrence Hall of Science_24-25_fully executed.pdf (402 KB)

13.3 Report: Warrant Report for September 2024

Type Action

Fiscal Impact	No
Recommended Action	The recommendation is that the Board of Education approve the Warrant Report as presented.

Purpose:

The purpose of this item is to present warrants, for the total amount of \$1,978,709.99, made from District funds for September 2024.

Background:

The warrant registers represent a complete listing of all payments made from District funds for a month. Because Newark Unified School District is a fiscally dependent District, each warrant must pass through two separate audits; first by the Districts Fiscal Services department, and second by the County Office of Education. No warrant can be paid until such time as it is examined and approved by the County Office of Education.

File Attachments

- Warrant Report September 2024.pdf (426 KB)

Motion & Voting

The recommendation is that the Board of Education approve the Warrant Report as presented.

Motion by Carina V Plancarte, second by Katherine Jones.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte, Joy Lee

13.4 Report: Donations Report

Type Action

Fiscal Impact	Yes
Budgeted	Yes
Budget Source	General Fund (Fund 010) Donations
Recommended Action	The recommendation is that the Board of Education accept the Donations Report as presented.

Purpose:

The purpose is to acknowledge receipt of donations to the District.

Background:

Throughout the year community members, groups, parents and other individuals make monetary and in-kind (supplies and equipment) donations to NUSD. The exact nature of the source of the donation is submitted to the Business Office on a standard form. It is critical that any restrictions on the funding be indicated and the budget developed based on the donor restrictions. If there is no indication of the school or use of the funding, any proceeds or cash donations received are placed in the NUSD local revenue in the unrestricted general fund. It is recommended that the donations be processed through the Business Office and ultimately approved by the Board so that the funding can be publicly acknowledged and budgeted properly according to donor restrictions. There is acknowledgement and budgeted properly according to donor restrictions. There is acknowledgement at the public Board meeting and a letter of thanks is sent to the donor by the Business Office for NUSD.

File Attachments

- Donations Report 10-15-2024.pdf (19 KB)

Motion & Voting

The recommendation is that the Board of Education accept the Donations Report as presented.

Motion by Carina V Plancarte, second by Katherine Jones.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte, Joy Lee

13.5 Williams Uniform Complaint Quarterly Report July 1, 2024 - September 30, 2024

Type Action

Absolute Date Oct 15, 2024

Recommended The recommendation is that the Board of Education approves the Williams Uniform Complaint

Action Quarterly Report for the period of July 1, 2024 - September 30, 2024.

Purpose:

The purpose is for the Board of Education to receive and approve the Williams Uniform Complaint Quarterly Report for the period of July 1, 2024 - September 30, 2024.

Background:

Education Code 35186 requires that the Superintendent of a school district report summarized data on the nature and resolution of all complaints filed under the Williams Uniform Complaint Procedures to the local Board of Education and the County Superintendent of Schools on a quarterly basis. The report must include the number of complaints by general area, the number of resolved and unresolved complaints, and be publicly presented at a regularly scheduled Board meeting. The attached report is presented to the Board for the period of July 1, 2024 - September 30, 2024.

File Attachments

[Q124-25 UCP Report for Board.pdf](#) (364 KB)

Motion & Voting

The recommendation is that the Board of Education approves the Williams Uniform Complaint Quarterly Report for the period of July 1, 2024 - September 30, 2024.

Motion by Carina V Plancarte, second by Katherine Jones.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte, Joy Lee

13.6 Contract with Seneca Family of Agencies, Non-Public School (NPS)

Type Action

Preferred Date Oct 15, 2024

Fiscal Impact Yes

Dollar Amount \$137,472.00

Budgeted No

Budget Source Resource 6500 - Special Education, Resource 6546 - Special Education Mental Health

Recommended The recommendation is that the Board of Education approve the contract with Seneca Family

Action of Agencies.

Purpose:

For the Board of Education to approve the contract with Seneca Family of Agencies for day treatment services for the 2024-25 school year.

Background:

NUSD student's least restrictive environment per IDEA was determined to be placed in a Non-Public School (NPS) setting due to a significant disability, behavioral, or programmatic need that has impacted their current ability to be successful within the general education setting.

File Attachments

[Seneca Contract 24-25.pdf](#) (642 KB)

[Seneca ISA 24-20a REDACTED.pdf](#) (179 KB)

[Seneca ISA 24-20b REDACTED.pdf](#) (175 KB)

Motion & Voting

The recommendation is that the Board of Education approve the contract with Seneca Family of Agencies.

Motion by Carina V Plancarte, second by Katherine Jones.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte, Joy Lee

13.7 Ruhnau Clarke Architects Change Order 1

Type Action

Fiscal Impact Yes

Dollar Amount \$7,250.00

Budgeted Yes

Budget Source Fund 250 (Capital Facilities)

Recommended The recommendation is that the Board of Education ratify Change Order 1 to the Ruhnau

Action Clarke Architect agreement in the amount of \$7,250.

Purpose:

To ratify Change Order 1 to the Ruhnau Clarke Architect agreement to cover the cost of SWPPP services in the amount of \$7,250 for the Newark Memorial Track & Field Project.

Background:

As a result of the project starting in October, and going into the rainy season, SWPPP is now required.

SWPPP	\$4,250	
Drainage Analysis and Technical Memorandum	\$2,250	
Project Coordination	\$ 750	
Total Increase	\$7,250	

File Attachments

- [Ruhnau Clark Architects_NMHS Track&Field_Kennedy Fence_fully executed.pdf](#) (638 KB)
- [Ruhnau_Clarke_Architects_NMHS Track&Filed_Change Order 1.pdf](#) (265 KB)

Motion & Voting

The recommendation is that the Board of Education ratify Change Order 1 to the Ruhnau Clarke Architect agreement in the amount of \$7,250.

Motion by Carina V Plancarte, second by Katherine Jones.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte, Joy Lee

13.8 Contract for DL & Associates, LLC - K-12 Pathway Coordinator

Type	Action
Fiscal Impact	No
Dollar Amount	\$89,259.70
Budgeted	Yes
Budget Source	Funding received from Ohlone College
Recommended	To approve the contract for DL & Associates, LLC who will serve as the K-12 Pathway
Action	Coordinator not to exceed \$67,259.70. Total travel costs and professional learning costs not to exceed \$22,000 during contract for a total not to exceed \$89,259.70.

Purpose:

To approve the contract for Diana Lamar not to exceed \$89,259.70 for the 2024-2025 school year to assist in the collaboration with Community Colleges, K-12 Districts, and Mission Valley ROP to implement the Stronger Workforce Connections Grant and CTE Incentive Grants as received. To support students with early college access and CTE pathways. NUSD is hosting this position on behalf of the region.

Background:

This work entails providing technical assistance to all existing CTE programs and pathways and enhancing aspects such as articulation, dual-enrollment, A-G eligibility, Industry Partnerships, Work-based Learning activities, and increasing Student Based Organizations. This position was funded by Ohlone College grant that the board approved in August, 2024. Funding for this contractor is from a grant funds received by Ohlone Community College. Any additional services would require an amendment to this service agreement. The grant received to provide these services is for the 2024-2025 school year.

File Attachments

- [K12 PC-6 Newark Unified for Ohlone CCD 60638 Contract signed 9-6-24 \(1\).pdf](#) (656 KB)
- [DL & Associates, LLC_2024-25.pdf](#) (82 KB)

Motion & Voting

To approve the contract for DL & Associates, LLC who will serve as the K-12 Pathway Coordinator not to exceed \$67,259.70. Total travel costs and professional learning costs not to exceed \$22,000 during contract for a total not to exceed \$89,259.70.

Motion by Nancy Thomas, second by Carina V Plancarte.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte, Joy Lee

13.9 Master Contract Amendment with Alameda County Health for Youth and Family Services

Type	Action, Information
Fiscal Impact	Yes
Dollar Amount	\$128,807.00
Budgeted	Yes
Budget Source	MHSSA
Recommended	It is recommend that the board ratify the Master Contract with Alameda County Health for
Action	Youth and Family Services for 2024-2025

Purpose:

Newark Unified School District, through our Parent Partners, shall ensure that funds are used to increase access to health and wellness services for low-income and uninsured children and their families in the County of Alameda from July 1, 2024 through June 30, 2025. NUSD shall submit an itemized invoice to the County for actual expenses incurred each quarter.

Background:

The Newark Unified School District Parent Partners Program works within all the schools in Newark Unified. The Parent Partners attend Coordination of Services Team (COST) meetings at all NUSD school sites that have implemented COST, including Newark Memorial High School, MacGregor Alternative Education, Newark Junior High School, Schilling Elementary, Lincoln Elementary, Birch Grove Primary, Birch Grove Intermediate, Coyote Hills Elementary and Kennedy Elementary. The Parent Partners will work closely with the HSC Health and Wellness Consultant, school administrators, teachers, office staff, and other parent leaders who submit COST referrals to the Parent Partner Program, staffed through NUSD. The Parent Partners also attend English Learner Advisory Committee (ELAC) meetings at various school sites and serve on Newark Unified School District's Student Attendance Review Board (SARB) Panel.

This contract was received on September 23, 2024 from Alameda County and was ratified by the Superintendent so that we could bill for services during the first quarter. Staff needed time to review and understand the other agreements and MOU's associated with this Master Contract Agreement. This is the 10th year that NUSD and Alameda County Health have entered into an agreement.

File Attachments

[Complete_with_Docusign_For_CC_signature_Newa.pdf](#) (1,053 KB)

Motion & Voting

It is recommend that the board ratify the Master Contract with Alameda County Health for Youth and Family Services for 2024-2025

Motion by Carina V Plancarte, second by Katherine Jones.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte, Joy Lee

13.10 County of Alameda Standard Services Agreement

Type	Action, Procedural
Dollar Amount	\$304,500.00

Purpose:

Newark Unified School District (NUSD), the Contractor, will provide Mental Health Student Services Act (MHSSA) Partnership Program services to expand mental health services to students at school sites, in foster care and who have been expelled or suspended from school.

Background:

HSC will partner with NUSD to provide school-based mental health services as required by MHSSA, facilitating linkages and access to ongoing and sustained services for children and youth, and outreach to a targeted population consisting of children and youth in foster care who identify as lesbian, gay, bisexual, transgender, or queer, and who have been expelled or suspended from school. The unique Alameda County MHSSA Partnership Program will focus on: Creating trauma informed/healing environments, increasing multi-tiered systems of support, and developing youth leadership.

File Attachments

[County of Alameda Agreement.pdf](#) (1,404 KB)

Motion & Voting

Newark Unified School District (NUSD), the Contractor, will provide Mental Health Student Services Act (MHSSA) Partnership Program services to expand mental health services to students at school sites, in foster care and who have been expelled or suspended from school.

Motion by Carina V Plancarte, second by Katherine Jones.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte, Joy Lee

13.11 East Bay Agency for Children Independent Contractor Agreement

Type	Action, Procedural
Budgeted	Yes
Budget Source	Grant and LCAP

Purpose:

NUSD has entered into an agreement with EBAC to provide special behavioral health services to students as defined by Alameda County's EPSDT agreement with EBAC.

Background:

EBAC will support the school leadership in identifying the wellness model and components that will advance student's well being and academic progress. Provide staff to deliver services in through COST Referral Process. Deliver activities and requirements under the Mental Health Student Services Act Partnership Program through the County of Alameda Standard Services.

File Attachments

[EBAC ICA 24.25.pdf](#) (169 KB)

Motion & Voting

NUSD has entered into an agreement with EBAC to provide special behavioral health services to students as defined by Alameda County's EPSDT agreement with EBAC.

Motion by Carina V Plancarte, second by Katherine Jones.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte, Joy Lee

13.12 Agreement for Services to be provided by East Bay Agency for Children

Type	Action, Procedural
Fiscal Impact	Yes
Dollar Amount	\$301,027.00
Budgeted	Yes
Budget Source	Alameda County Master Agreement and LCAP
Recommended Action	Ratify the signed agreement with East Bay Agency for Children

Purpose:
NUSD has entered into an agreement with EBAC to provide special behavioral health services to students as defined by Alameda County's EPSDT agreement with EBAC. Services started on July 1, 2024 and support services for children and their families for mental health services. The district has had a prior agreement for these services that were in place. The agreement for services was received on October 1, 2024.

Background:
Support the school leadership in identifying wellness model and components that will advance students' wellbeing and academic progress. Provide staff to deliver services in through the COST Referral Process in TIERS 1, 2 and 3. Deliver activities and requirements under the Mental Health Student Services Act (MHSSA) Partnership Program through the County of Alameda Standard Services Agreement. The district receives funding from the county and LCAP to assist with the cost for these services. The district has had a prior agreement for these services that were in place. The agreement for services was received on October 1, 2024. This agreement can be cancelled with 30 day notice to the EBAC agency.

File Attachments
[EBAC NUSD Independent Contractor Final Agmt.pdf](#) (257 KB)

Motion & Voting
[Ratify the signed agreement with East Bay Agency for Children](#)
Motion by Carina V Plancarte, second by Katherine Jones.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte, Joy Lee

13.13 CONTRACT: Addendum to the Contract with Ed Theory Staffing Services

Type	Action
Preferred Date	Oct 15, 2024
Fiscal Impact	Yes
Dollar Amount	\$85,260.00
Budgeted	Yes
Budget Source	Resource 6500 - Special Education
Recommended Action	The recommendation is that the Board of Education approve the Addendum to the Contract with Ed Theory Staffing Services.

Purpose:
To approved the Addendum with Ed Theory Staffing Services for a Special Education Case Manager.

Background:
Due to the recent departure of two certificated Special Education teachers from Newark Memorial High School, the need to provide IEP (Individualized Education Program) case management remains critical. With these departures, the district has been left without sufficient staff to manage the caseload of students requiring Special Education services. To ensure continued compliance with state and federal requirements and maintain support for students with IEPs, Newark Unified School District seeks to temporarily address this gap through its partnership with Ed Theory Staffing Services. NUSD has an existing Independent Contractor Agreement (ICA) with Ed Theory, approved on June 25, 2024, for the 2024-2025 school year. This Addendum adds a Special Education Case Manager to provide 30 hours of service per week from October 16, 2024, to May 30, 2025. Approval of this Addendum is essential to ensure that students continue to receive the case management and support they need despite the staffing shortage.

File Attachments
[Addendum1 Ed Theory 10.9.24.pdf](#) (43 KB)
[Ed Theory_NUSD Contract 24-25 SIGNED.pdf](#) (273 KB)

Motion & Voting
[The recommendation is that the Board of Education approve the Addendum to the Contract with Ed Theory Staffing Services.](#)
Motion by Carina V Plancarte, second by Katherine Jones.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte, Joy Lee

13.14 Resolution 2024.25.13 Declaration of Surplus Instructional Materials

Type	Action, Procedural
Fiscal Impact	No
Recommended	It is recommended that the Board approve of Resolution 2024.25.13, Declaring Surplus
Action	Instructional Materials, declaring instructional materials that are no longer suitable for use as surplus.

Purpose:
The purpose of this item is to obtain Board approval of Resolution 2024.25.13 Declaring Surplus Instructional Materials, declaring instructional materials that are no longer suitable for use as surplus.

Background:
Surplus materials will be disposed of per Board Policy and Administrative Regulation 3270 Sale And Disposal Of Books, Equipment And Supplies. The property as described in Resolution 2024.25.13 includes instructional materials used at elementary sites for ELA. Staff determined that items are obsolete and/or no longer usable.

File Attachments
[Resolution 2024.25.13 Declaring Surplus Instructional Materials.pdf](#) (132 KB)

13.15 POLICY UPDATE: Adoption of Administrative Regulation 3517 Facilities Inspection (First Reading)

Type	Action, Procedural
Preferred Date	Dec 30, 1899
Absolute Date	Dec 30, 1899
Budget Source	,
Recommended	The recommendation is that the Board of Education adopt Administrative Regulation 3517
Action	Facilities Inspection.,

Purpose:
The purpose is for the Board of Education to review, make recommended changes and adopt the administrative regulation.

Background:
This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The Ad Hoc Policy subcommittee and the administration have reviewed the recommended regulation for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for an additional reading.

File Attachments
[Regulation 3517 - Facilities Inspection.pdf](#) (189 KB)

Motion & Voting
The recommendation is that the Board of Education adopt Administrative Regulation 3517 Facilities Inspection.,
Motion by Carina V Plancarte, second by Katherine Jones.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte, Joy Lee

13.16 POLICY UPDATE: Board Policy and Administrative Regulation 6112 - School Day

Type	Action, Procedural
Fiscal Impact	No
Recommended	The recommendation is that the Board of Education approve the updated Board Policy and
Action	Administrative Regulation 6112 - School Day

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation (or bylaw).

Background:
This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for an additional reading.
Board Policy 6112 - School Day
Policy updated to reflect NEW LAW (SB 291, 2023) and NEW LAW (SB 153, 2024) which require districts that maintain any of grades K-6 to provide at least one or more periods of recess that total at least 30 minutes on regular instructional days and 15 minutes on early release days. Additionally, policy updated to add availability of equipment to the list of considerations when the Superintendent or designee is establishing the instructional schedule for secondary schools in order to account for sufficient technology and other equipment that is integral to the instructional program.
Administrative Regulation 6112 - School Day

Regulation updated to clarify the instructional minute requirements for students in grades 9-12 who are in the independent study program, Additionally, regulation updated to delete adult education from the list of programs that have a minimum school day of 180 minutes since adult education programs are now governed by regions with consortia made up of community colleges, county offices of education and/or districts that determine how adult education will be designed and implemented.

[File Attachments](#)

- [_Regulation 6112 - School Day.pdf](#) (184 KB)
- [Policy 6112 - School Day.pdf](#) (149 KB)

[Motion & Voting](#)

The recommendation is that the Board of Education approve the updated Board Policy and Administrative Regulation 6112 - School Day

Motion by Carina V Plancarte, second by Katherine Jones.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte, Joy Lee

13.17 POLICY UPDATE: Administrative Regulation 6162.51 - State Academic Achievement Tests

Type	Action, Procedural
Fiscal Impact	No
Recommended Action	The recommendation is that the Board of Education approve the updated Administrative Regulation 6162.51 - State Academic Achievement Tests

[Purpose:](#)

The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation (or bylaw).

[Background:](#)

This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies.

The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for an additional reading.

[File Attachments](#)

- [6162.51 - AR - State Academic Achievement Tests.docx.pdf](#) (216 KB)

[Motion & Voting](#)

The recommendation is that the Board of Education approve the updated Administrative Regulation 6162.51 - State Academic Achievement Tests

Motion by Carina V Plancarte, second by Katherine Jones.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte, Joy Lee

13.18 POLICY UPDATE: Board Policy and Exhibit 6163.4-E(1) - Student Use Of Technology

Type	Action, Procedural
Fiscal Impact	No
Recommended Action	The recommendation is that the Board of Education approve the updated Board Policy and Exhibit 6163.4-E(1) - Student Use Of Technology

[Purpose:](#)

The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation (or bylaw).

[Background:](#)

This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies.

The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for an additional reading.

Board Policy 6163.4 - Student Use of Technology

Policy updated to provide guidance related to the appropriate use of artificial intelligence (AI). Additionally, policy updated to expand the Governing Board's philosophical statement to include the effective use of technology; promotion of digital citizenship; access to the latest digital tools; the alignment of technological resources with district goals, objectives and academic standards; and the use of technology to augment Board adopted instructional materials. In addition, policy updated to include "software as a service" and "AI apps" in the definition of "district technology," and provide that student use of technology be in accordance with district policies on academic honesty, data privacy, nondiscrimination, and copyright laws. Policy also updated to add material related to the regular review of current guidance regarding cybersecurity, data privacy, and digital media awareness and incorporate recommended practices into the districts processes and procedures.

[File Attachments](#)

[Exhibit 6163.4-E\(1\) - Student Use Of Technology.pdf](#) (178 KB)
[Policy 6163.4 - Student Use Of Technology.pdf](#) (196 KB)

Motion & Voting

The recommendation is that the Board of Education approve the updated Board Policy and Exhibit 6163.4-E(1) - Student Use Of Technology

Motion by Katherine Jones, second by Carina V Plancarte.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte, Joy Lee

13.19 Minutes of the October 1, 2024 Regular Meeting of the Board of Education

Type Action, Minutes
Minutes View Minutes for Oct 1, 2024 - Regular Meeting of the Board of Education

Purpose:
For the Board to review and approve minutes of the October 1, 2024 Regular Meeting of the Board of Education

Background:
The attached minutes are reflective of the October 1, 2024 Regular Meeting of the Board of Education. The Meeting may be viewed on the NUSD YouTube Channel [HERE](#)

File Attachments
[October 1 Meeting Minutes.pdf](#) (351 KB)

Motion & Voting

For the Board to review and approve minutes of the October 1, 2024 Regular Meeting of the Board of Education

Motion by Carina V Plancarte, second by Katherine Jones.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte, Joy Lee

14 BOARD OF EDUCATION: COMMITTEE REPORTS, ANNOUNCEMENTS, REQUESTS, DEBRIEF

14.1 Board of Education Committee Reports, Announcements, Requests, Debrief and Discussion

AND DISCUSSION

Type Action, Discussion, Information

Purpose:
COMMITTEE REPORTS: The Trustees will provide an update, if available, on the committees of which they are members.
ANNOUNCEMENTS: The Trustees may acknowledge or recognize specific programs, activities, or personnel at this time.
REQUESTS: This is an opportunity for the Board of Education to suggest items for placement on future agendas and to review Board requests.

Approval from the majority of the Board will be required for direction to be provided to the Superintendent.

DEBRIEF AND DISCUSSION: The Trustees may debrief and discuss items.

Background:

Each year the Board of Education members liaise with schools and committees in order to build relationships, hear from staff, students, and families, and act as a conduit for information to and from the schools.

Board Committees 2023-24		
Board Adopted on 12/18/2023	Representative	Alternate
Mission Valley Regional Occupational Center/Program (ROC/P)	1. Nancy Thomas	1. Carina V. Plancarte
Executive Board		
Regional Policy Board of Special Education Local Plan Area (SELPA)	1. Katherine Jones	1. Phuong Nguyen
Newark Teacher Induction Advisory Council (Formally EBIC)	1. Aiden Hill	1. Carina V. Plancarte
Audit Committee	1. Nancy Thomas	2. Katherine Jones
Bond/Parcel Tax Committee	1. Phuong Nguyen	2. Carina V. Plancarte
City of Newark NUSD Liaison Committee	1. Phuong Nguyen	2. Aiden Hill
	1. Katherine Jones	

The following derives directly from the Board approved "Governance Team Handbook"

Authority is Collective, Not Individual:

The only authority to direct action rests with the Board as a whole when seated at a regular or special board meeting. Outside of this meeting, there is no authority.

A majority Board vote provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction.

Bringing New Ideas Forward

The Board will be open to having "brainstorming" discussions, or study sessions, around any idea that a Trustee may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Trustee, at their initiative or at the request of a constituent, which was previously discussed during a board meeting.

Trustees will first notify the Board President and Superintendent of their interest in bringing forward a new idea at a board meeting.

When initially agendized, the preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.

Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea. The Superintendent will decide on the delegation of assignments to District staff.

The new idea may be agendized for discussion only. The Board majority will decide if the new idea should be further developed

and studied by staff. The Board majority will decide if staff time should be invested in the "fleshing out" of new ideas. Individual Trustees, in the course of interactions with constituents, will be careful not to make or imply the commitment of the full Board to explore or proceed with implementing new ideas.

15 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

15.1 Superintendent's Concluding Comments, Updates, and Future Agenda Items

AGENDA REQUESTS

Type Information

Purpose:

This is an opportunity for the Interim Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

16 ADJOURNMENT

16.1 PLACEHOLDER - Extend Meeting

Type Action

Recommended Action The recommendation is that the Board of Education extends the meeting to ____ P.M.

Purpose:

This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

16.2 Adjournment

Type Action

Recommended Action The recommendation is that the Board of Education adjourns this meeting.

Purpose:

No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time. This action will conclude the meeting.

Motion & Voting

The recommendation is that the Board of Education adjourns this meeting.

Motion by Carina V Plancarte, second by Joy Lee.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Katherine Jones, Carina V Plancarte, Joy Lee

Not Present at Vote: Phuong Nguyen

1 CALL TO ORDER

1.1 Roll Call

Type Procedural

Trustees:

- President Aiden Hill
- Vice President/Clerk Katherine Jones
- Member Phuong Nguyen
- Member Carina V. Plancarte
- Member Nancy Thomas

Student Board Member:

Member Joy Lee

1.2 Meeting Practices and Information

Type Information, Procedural

In-person Meeting Information:

Please see the attached meeting information in English and Spanish.

Observe The Board Of Education Meeting:

Members of the public may observe the meeting via the NUSD YouTube Channel, or in-person at the NUSD Boardroom. Spanish translation will be available via Zoom.

Public Comment:

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

File Attachments

- Board Meeting Protocols_ENG(1).pdf (69 KB)
- Protocolos de la Reunion de la Mesa Directiva_ESP (1).pdf (65 KB)
- Original Board Meeting Guidelines.pdf (259 KB)

1.3 Public Comment on Closed Session Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and tries to make it convenient for members of the community to express their views to the Board.

If a constituent wishes to address the Board on any agenda item:

In-Person Comment: please submit a completed speaker card to the Board's Executive Assistant before the start of the meeting, or prior to the calling of the section for public comment.

Audio-Only Virtual Comment: please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org by 1:00 PM the day of the meeting. Please label your email as "AUDIO-ONLY PUBLIC COMMENT" and include your name as it will appear on Zoom, your phone number, email address, and the agenda item number related to your comment.

Please see detailed instructions for public comment on the link: <http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

File Attachments

- Board Meeting Protocols_ENG(1).pdf (69 KB)
- Protocolos de la Reunion de la Mesa Directiva_ESP (1).pdf (65 KB)

1.4 Recess to Closed Session

Type Procedural

Purpose:

The Board will recess to Closed Session, and reconvene to Open Session on or about 7:00 p.m.

2 CLOSED SESSION

2.1 CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a): Employee Organization - CSEA

Type Discussion, Information, Procedural

Purpose:

Information and update will be provided by the Interim Assistant Superintendent of Human Resources regarding CSEA negotiations.

2.2 Public Employee Appointment/Employment/Discipline/Dismissal/Release (Gov. Code, 54957, subd. (b)(1))

Type Action, Discussion, Information
Absolute Date Oct 01, 2024

Purpose:

Information will be provided by the Interim Assistant Superintendent of Human Resources.

2.3 Conference with Legal Counsel regarding Anticipated Litigation - Significant exposure to litigation pursuant to Gov. Code, 54956.9, subd. (d)[(2) or (3)]: Two cases, No. 000510124 and No. 000610124

Type Action, Discussion

Purpose:

To discuss two potential litigations.

2.4 STUDENT EXPULSION (Ed. Code, 48918):

Type Discussion, Information, Procedural

Purpose:

For the Board to review expulsion cases that are eligible for readmission.

Background:

California Education Code Section 48916 requires that "an expulsion order shall remain in effect until the governing board orders a

readmission of the pupil."

The following expulsions are up for termination. The Board will discuss this in closed session and then take action in open session. Staff recommends the following actions: e2324-04 Terminate Expulsion.

2.5 STUDENT EXPULSION (Ed. Code, 48918)

Type Discussion, Information, Procedural

Purpose:

For the Board to review expulsion cases that are eligible for readmission.

Background:

California Education Code Section 48916 requires that "an expulsion order shall remain in effect until the governing board orders a readmission of the pupil."

The following expulsions are up for termination. The Board will discuss this in closed session and then take action in open session. Staff recommends the following actions: e2324-07 Terminate Expulsion.

3 REPORT OF CLOSED SESSION ACTIONS

3.1 Report of Closed Session Actions

Type Action, Procedural

Purpose:

If available, a report of the closed session will be provided by the Board President.

4 RECONVENE TO OPEN SESSION

4.1 Pledge of Allegiance

Type Procedural

Purpose:

The Governance Team will recite the Pledge of Allegiance

4.2 Meeting Practices and Information

Type Information, Procedural

In-person Meeting Information:

Please see the attached meeting information in English and Spanish.

Observe The Board Of Education Meeting:

Members of the public 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.

Public Comment:

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

File Attachments

- [Board Meeting Protocols_ENG\(1\).pdf](#) (69 KB)
- [Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf](#) (65 KB)
- [Original Board Meeting Guidelines.pdf](#) (259 KB)

5 APPROVAL OF AGENDA

5.1 Approval of the Agenda

Type Action

Recommended Action The recommendation is that the Board of Education approve the agenda for this meeting.

Purpose:

Members of the Governance Team may request that the agenda be amended or approved as presented.

Motion & Voting

The recommendation is that the Board of Education approve the agenda for this meeting.

Motion by Carina V Plancarte, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte, Joy Lee

6 STUDENT REPORT

6.1 Student Report: Student Board Member, Joy Lee

Purpose:

The Student Report gives the Board of Education and the public an opportunity to hear the highlights, achievements, and initiatives from the viewpoint of the student board member.

Background:

The information will be provided by the Student Board Member, Joy Lee.

7 EMPLOYEE ORGANIZATIONS

7.1 Employee Organizations

Type Information

Purpose:

At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Background:

Discussion items are limited to updates, celebrations, and upcoming events.

- 1. NTA
- 2. CSEA
- 3. NEWMA

8 PUBLIC COMMENT

8.1 Public Comment on Non-Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.

<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

File Attachments

[Board Meeting Protocols_ENG\(1\).pdf \(69 KB\)](#)

[Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf \(65 KB\)](#)

8.2 Public Comment on Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.

<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

File Attachments

[Board Meeting Protocols_ENG\(1\).pdf \(69 KB\)](#)

[Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf \(65 KB\)](#)

9 SUPERINTENDENT REPORT

9.1 Superintendent Report

Type Information

Purpose:

The Interim Superintendent will provide the Board of Education with district information, updates, news, or anything in the jurisdiction of the board or the superintendent.

Background:

The presentation and information will be provided by the Interim Superintendent

10 STAFF REPORT

10.1 Lincoln Elementary School Spotlight Presentation

Type Information

Purpose:

School Spotlight presentations gives the Board of Education and the public an opportunity to hear from each school with highlights of its achievements and initiatives throughout the school year.

Background:

Lincoln Elementary School will share a School Spotlight Presentation to highlight the accomplishments of students and teachers, foster school pride by showcasing news and achievements, and informing the community about the school's progress and initiatives fostering transparency and engagement

File Attachments

[Lincoln School Spotlight Board Presentation .pdf](#) (7,127 KB)

10.2 ACOE Approval of NUSD 2024-25 Local Control and Accountability Plan and Adopted Budget

Type Information

Purpose:

To inform the Board of the approval of NUSD's 2024-25 Local Control Accountability Plan (LCAP) and Adopted Budget by the Alameda County Office of Education (ACOE).

Background:

A Public Hearing was held on June 18, 2024, on the 2024-25 LCAP and Proposed Budget. At the Board meeting on June 25, 2024, the Board approved both the 2024-25 LCAP and Adopted Budget. The 2024-25 LCAP and Adopted Budget were subsequently submitted to ACOE for review. Based on ACOE's review, both the District's 2024-25 LCAP and Adopted Budget have been approved (see attached letter).

File Attachments

[2024-25 LCAP & Adopted Budget Review - Newark Unified School District FINAL.pdf](#) (182 KB)

11 NEW BUSINESS

11.1 RESOLUTION 2024.25.10 - Week of the School Administrator

Type Action
Recommended Action The recommendation is that the Board of Education approves Resolution No. 2024.25.10 - Week of the School Administrator, to honor Newark Unified School District administrators during the second full week in October (October 14 to October 18, 2024).

Purpose:

The purpose is for the Board of Education to approve Resolution No. 2024.25.10 to honor Newark Unified School District administrators during the second full week in October 2024.

Background:

California Education Code Section 44015.1 designates the second full week in October as Week of the School Administrator in all schools, districts, and counties. Highlighting and acknowledging this week is one way the Association of California School Administrators, the Newark Management Association and Newark Unified School District collaborate to celebrate the educational leaders that work to make our schools succeed and enable students to achieve at their highest levels. The recommendation is that the Board of Education approves this resolution to honor Newark Unified School District administrators during the second full week in October 2024.

File Attachments

[Week of the Administrator Resolution.pdf](#) (81 KB)

Motion & Voting

The recommendation is that the Board of Education approves Resolution No. 2024.25.10 - Week of the School Administrator, to honor Newark Unified School District administrators during the second full week in October (October 14 to October 18, 2024).

Motion by Nancy Thomas, second by Katherine Jones.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte, Joy Lee

12 CONSENT AGENDA: PERSONNEL ITEMS

12.1 PLACEHOLDER - One Consented Vote

Type	Action
Recommended	It is recommended that the Board of Education approve, under one consented vote, the
Action	agenda items under Consent-Personnel, except for agenda items:

Purpose:
This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:
Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

12.2 Personnel Report

Type	Action
Absolute Date	Oct 01, 2024
Recommended	The recommendation is that the Board of Education ratify the personnel report as presented.
Action	

Purpose:
The purpose is for the Board of Education to ratify the Personnel Report as presented.

Background:
All personnel activities including new hires, changes in status, resignation, leaves, and retirements are routinely submitted to the Board for ratification.

File Attachments
[HR PAL 10.01.2024.pdf](#) (621 KB)

Motion & Voting
The recommendation is that the Board of Education ratify the personnel report as presented.
Motion by Carina V Plancarte, second by Katherine Jones.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte
Not Present at Vote: Joy Lee

13 CONSENT AGENDA: NON-PERSONNEL ITEMS

13.1 PLACEHOLDER - One Consented Vote

Type	Action
Recommended	It is recommended that the Board of Education approve, under one consented vote, the
Action	agenda items under Consent Non-Personnel, except for agenda items:

Purpose:
This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:
Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Motion & Voting
It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent Non-Personnel, except for agenda items:
Motion by Katherine Jones, second by Carina V Plancarte.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte, Joy Lee

13.2 2024 - 2025 SEAL (Sobrato Early Academic Language Program) Agreement between Newark Unified School District and the Sobrato Foundation

Type	Action (Consent)
Preferred Date	Oct 01, 2024
Absolute Date	Oct 15, 2024
Fiscal Impact	Yes
Dollar Amount	\$5,800.00
Budgeted	Yes

Budget Source LCAP
 Recommended It is recommended that the Board approve the 2024 - 2025 SEAL (Sobrato Early Academic Language Program) Agreement between Newark Unified School District and the Sobrato Foundation
 Action

Purpose:

This agreement supports the existing partnership of the District and the Sobrato Foundation that Coyote Hills Elementary will participate in a SEAL Sustainability model for the 2024 - 2025 school year.

Background:

With Coyote Hills Elementary completing three or more years of training and replication of the SEAL (Sobrato Early Academic Language) model, Coyote Hills will receive additional guidance in their implementation of SEAL through a sustainability approach. Sobrato will support Coyote Hills Elementary by offering professional learning opportunities for two teachers who need the year 2 training, technical assistance, which can include coaching, and registration cost to attend site administrator convenings. The principal of Schilling Elementary will also attend the site administrator convenings to stay current regarding SEAL strategies and practices.

File Attachments

[Newark Sust Agmt 2024-25..pdf](#) (169 KB)

Motion & Voting

(not specified)

Motion by Katherine Jones, second by Carina V Plancarte.
 Final Resolution: Motion Carries
 Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte, Joy Lee

13.3 RESOLUTION 2024.25.08 - Sufficiency of Instructional Materials

Type	Action
Absolute Date	Oct 01, 2024
Fiscal Impact	No
Recommended	The recommendation is that the Board of Education approves Resolution 2024.25.08 -
Action	Sufficiency of Instructional Materials
Goals	1b. Student Achievement

Purpose:

For the Board of Education to approve Resolution 2024.25.08 - Sufficiency of Instructional Materials

Background:

To certify compliance with Education Code Section 60119 (as revised by Chapter 704, Statutes of 2006 and California Code of Regulations (CCR), Title 5, Section 9531). In order to be eligible to receive instructional materials funds, the governing board of each district and county office of education is required to hold an annual public hearing and adopt a resolution stating whether each pupil in the district has sufficient textbooks or instructional materials in specified subjects that are aligned to the academic content standards and consistent with the content and cycles of the curriculum frameworks adopted by the state board. The public hearing was held on September 17, 2024.

Under EC Section 60119, the governing board of every local educational agency that receives state instructional materials funds must hold an annual public hearing before the end of the eighth week from the first-day pupils attend school for that year. At the public hearing, the governing board must make a determination as to whether each pupil in each school has sufficient textbooks or instructional materials, or both, that are aligned to the content standards and are consistent with the content and cycles of the curriculum framework adopted by the State Board of Education in reading/language arts, mathematics, science, and history-social science.

Site principals reviewed the site's sufficiency of materials and affirmed. Governing boards that have met the requirements of Education Code Section 60119 and have also certified compliance with the Instructional Materials Funding Realignment Program (IMFRP) requirements regarding the provision of adopted standards-aligned instructional materials for all students (Education Code Section 60422) may spend 100% of any remaining IMFRP funds from that years allocation for other approved purposes.

File Attachments

[Resolution No. 2024.25.08 - Sufficiency of Instructional Materials.pdf](#) (135 KB)

Motion & Voting

The recommendation is that the Board of Education approves Resolution 2024.25.08 - Sufficiency of Instructional Materials

Motion by Katherine Jones, second by Carina V Plancarte.
 Final Resolution: Motion Carries
 Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte, Joy Lee

13.4 Change Order #1 Child Nutrition Center Re-Roofing Project - Alcal Specialty Contracting, Inc

Type	Action
Fiscal Impact	Yes
Budgeted	Yes
Recommended	The recommendation is that the Board of Education approved Change Order # 1 for the Child
Action	Nutrition Center Re-Roofing Project with Alcal Specialty Contracting, Inc.

Purpose:

To approve Change Order #1 in the amount of (\$3,245.00) for the Child Nutrition Center Re-Roofing Project with Alcal Specialty Contracting, Inc.

Background:

On June 18, 2024, the Board of Trustees awarded a contract to Alcal Specialty Contracting, Inc. in the amount of \$161,716.50 to re-roof the Child Nutrition Center (Bid No. 03-2023-24). The awarded dollar amount included an unidentified conditions allowance of \$14,701.50. There is a balance of \$3,245.00 left of the allowance. This action item is to approve Change Order #1 for the credit amount of \$3,245.00. The new contract amount for this project is \$158,471.30.

File Attachments

- Alcal Specialty Contracting, Inc. CNS ReRoofing_fully executed.pdf (5,738 KB)
Alcal Specialty_Change Order No. 1_Alcal sixed.pdf (144 KB)

Motion & Voting

The recommendation is that the Board of Education approved Change Order # 1 for the Child Nutrition Center Re-Roofing Project with Alcal Specialty Contracting, Inc.

Motion by Katherine Jones, second by Carina V Plancarte.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte, Joy Lee

13.5 Report: Monthly Purchase Order Report

Type Action

Recommended The recommendation is that the Board of Education receive the Monthly Purchase Order
Action Report as presented.

Purpose:

The purpose of this item is to present a monthly report on Purchase Order transactions per Board Policy 3300, Expenditures and Purchases.

Background:

Based on the discussion at the Board's Study Session on January 6, 2022, staff is providing a monthly report on Purchase Order transactions per Board Policy 3300, Expenditures and Purchases. The policy states that "The Board shall review all transactions entered into by the Superintendent or designee on behalf of the Board every 60 days." This month's report includes 179 PO's dated 8/1/24 through 8/31/24 for a total of \$4,540,847.90.

File Attachments

- Monthly Purchase Order Report 10-1-2024.pdf (97 KB)

Motion & Voting

The recommendation is that the Board of Education receive the Monthly Purchase Order Report as presented.

Motion by Katherine Jones, second by Carina V Plancarte.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte, Joy Lee

13.6 Williams Uniform Complaint Quarterly Report July 1, 2024 - September 30, 2024

Type Action

Recommended The recommendation is that the Board of Education approves the Williams Uniform Complaint
Action Quarterly Report for the period of July 1, 2024 - September 30, 2024.

Purpose:

The purpose is for the Board of Education to receive and approve the Williams Uniform Complaint Quarterly Report for the period of July 1, 2024 - September 30, 2024.

Background:

Education Code 35186 requires that the Superintendent of a school district report summarized data on the nature and resolution of all complaints filed under the Williams Uniform Complaint Procedures to the local Board of Education and the County Superintendent of Schools on a quarterly basis. The report must include the number of complaints by general area, the number of resolved and unresolved complaints, and be publicly presented at a regularly scheduled Board meeting. The attached report is presented to the Board for the period of July 1, 2024 - September 30, 2024.

File Attachments

- Q124-25 UCP Report for Board.pdf (364 KB)

13.7 Dell Server Refresh Public Contract Acknowledgement

Type Action

Fiscal Impact Yes
Dollar Amount \$131,982.00
Budgeted Yes
Budget Source ESSER/General Fund
Recommended The recommendation is that the Board of Education approve the use of the publicly bid
Action contracts to purchase the server refresh equipment through The ReDesign Group.

Purpose:

The purpose of this item is to provide the Board with the specific piggy back contracts used to procure Dell hardware and VMware licenses through The ReDesign Group.

Background:

The Board approved the use of funds to proceed with the Technology Department Server Refresh project on September 17, 2024. The contract codes used to procure these items were included in the quote presented. Those specific documents are included here for transparency.

ReDesign quote includes:

Production Compute	\$59,925.00
Production Storage	\$68,853.00
VMware	\$10,020.00
Incentives	(\$6,816.00)
Total	\$131,982.00

NASPO Contract (Dell Products) - C000001148050

Promark NCPA (VMware) - 01-169

File Attachments

- [Participating Dealer agreement between Dell and Promark.pdf](#) (733 KB)
- [Contract Addendum between Dell and Drala dba reDesign.pdf](#) (471 KB)
- [Dell Participating contract resellers.pdf](#) (354 KB)
- [SIGNED Newark USD-Servers, Storage, and VMware Quote- 3 YR - 9.13.24.pdf](#) (762 KB)
- [NCPA contract addendum between Promark and Drala.pdf](#) (608 KB)

Motion & Voting

The recommendation is that the Board of Education approve the use of the publicly bid contracts to purchase the server refresh equipment through The ReDesign Group.

Motion by Katherine Jones, second by Carina V Plancarte.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte, Joy Lee

13.8 Contract Amendment 1: Beth Figueroa, CPA- Accounting Technical Support

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$15,000.00
Recommended Action	The recommendation is that the Board of Education approve Amendment 2 of the 2024-25 contract with Beth Figueroa, CPA to provide grant, fiscal and SACS reporting support.

Purpose:

To approve Amendment 1 of the 2024-25 contract with Beth Figueroa, CPA to provide grant, fiscal and SACS reporting support through June 30, 2025.

Background:

Beth Figueroa has been providing fiscal expertise to the District since February 2024. She was instrumental in supporting the district 2024-25 LCAP and Annual Budget, and has first hand knowledge of our financials. The amendment increases the compensation by \$15,000, limits the scope of work for fiscal advisement to support the fiscal department in building their capacity. This contract goes through June 30, 2025.

File Attachments

- [Bethany Figueroa_2024-25_fully executed.pdf](#) (264 KB)
- [Bethany Figueroa_2024-25_Amendment 1_signed by bf.pdf](#) (368 KB)

Motion & Voting

The recommendation is that the Board of Education approve Amendment 2 of the 2024-25 contract with Beth Figueroa, CPA to provide grant, fiscal and SACS reporting support.

Motion by Katherine Jones, second by Carina V Plancarte.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte, Joy Lee

13.9 CSU East Bay Memorandum of Understanding for Student Teachers and Interns

Type	Action
Absolute Date	Oct 01, 2024
Recommended Action	The recommendation is for the Board of Education approve the Memorandum of Understanding with CSU East Bay for student teachers and interns.

Purpose:

The purpose of this item is for the Board of Education to approve the Memorandum of Understanding with CSU East Bay for student teachers and interns.

Background:

The District works closely with local institutes of higher education (IHE) and supports student teacher placements and

interns. Agreements between Newark Unified School District and a university must be in place before a student teacher or intern can be placed at a school site in the District. Student teachers and interns in training do fieldwork in our schools and are supervised by the administrators who provide supervision and training. Student teachers and interns are able to learn, practice teaching, and fine-tune their craft under the direct supervision of a master teacher. The opportunity to student teach or intern in the District benefits both the student teacher and the District. As vacancies become available in the district, it is invaluable to have the opportunity to observe directly student teachers and interns who may be eligible to interview for vacancies and observe how well they fit into the culture of Newark.

File Attachments

CSU East Bay MOU.pdf (446 KB)

Motion & Voting

The recommendation is for the Board of Education approve the Memorandum of Understanding with CSU East Bay for student teachers and interns.

Motion by Katherine Jones, second by Carina V Plancarte.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte, Joy Lee

13.10 Resolution 2024.25.11 Notice of Completion for Child Nutrition Center Re- Roofing Project

Type Action

Recommended Action The recommendation is that the Board of Education approve Resolution 2024.25.11 and authorize the filing of the Notice of Completion (NOC) with the County Recorder of Alameda County for Child Nutrition Center Re-Roofing Project completed by Alcal Specialty Contracting, Inc. on September 25, 2024.

Purpose:

To approve the resolution and authorize the Notice of Completion (NOC) with the County Recorder of Alameda County.

Background:

On June 18, 2024, the Board awarded a contract to Alcal Specialty Contractors, Inc. for the Child Nutrition Center Roofing Project (Bid No. 03-2023-24).

At this meeting, Change Order 1 is being presented for approval, reducing the balance of \$3,245 left on the allowance.

All contract items, Punchlist and project closeout items have been satisfied. Accordingly, Staff requests acceptance of the projects which will allow filing Notices of Completion with the County and permit the release of retention thirty-five (35) days after approval.

File Attachments

Resolution 2024.25.11 NOC Child Nutrition Re-Roofing.pdf (11 KB)

Notice of Completion-CN Center Re-Roofing_FINAL.pdf (70 KB)

Motion & Voting

The recommendation is that the Board of Education approve Resolution 2024.25.11 and authorize the filing of the Notice of Completion (NOC) with the County Recorder of Alameda County for Child Nutrition Center Re-Roofing Project completed by Alcal Specialty Contracting, Inc. on September 25, 2024.

Motion by Katherine Jones, second by Carina V Plancarte.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte, Joy Lee

13.11 POLICY UPDATE: Board Policy and Administrative Regulation 4030 - Nondiscrimination in Employment (First Reading)

Type Action, Procedural

Recommended Action The recommendation is that the Board of Education approve the updated Board Policy and Administrative Regulation 4030 - Nondiscrimination in Employment (First Reading).

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation (First Reading).

Background:

This is the FIRST reading of the attached policy and regulation. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies.

The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for an additional reading.

Board Policy 4030 - Nondiscrimination in Employment

Policy updated to reflect NEW FEDERAL REGULATIONS (89 Fed. Reg. 33474) which (1) clarify that discrimination on the basis of sex, including sex-based harassment, for the purpose of Title IX includes sex stereotypes; sex characteristics; gender identity; sexual orientation; pregnancy, childbirth, termination of pregnancy, or lactation, including related medical conditions or recovery; and parental, marital, and family status, and (2) require a district with knowledge of alleged conduct, which occurs in a district program or activity on or after August 1, 2024, that reasonably may constitute sex discrimination under Title IX, including sex-based harassment, to follow Title IX grievance procedures when investigating and resolving a complaint based on the alleged conduct. Additionally, policy updated to reflect NEW LAW (SB 700, 2023) which prohibits the district from discriminating against an employee in termination, or any term or condition of employment, or otherwise

penalizing a person, based on the person's use of cannabis when off the job or away from the workplace. In addition, policy updated to move material related to sex discrimination to Board Policy and Administrative Regulation 4119.11/4219.11/4319.11 - Sex Discrimination and Sex-Based Harassment in order to keep material related to sex discrimination and sex-based harassment together. Policy also updated to provide that employees are required to report incidents of prohibited discrimination within one workday, which may be modified to reflect the district's timeline, in order to maintain consistency of such reporting requirements across the policy manual.

Administrative Regulation 4030 - Nondiscrimination in Employment

Regulation updated to reflect NEW FEDERAL REGULATIONS (89 Fed. Reg. 33474) which (1) require a district with knowledge of alleged conduct, which occurs in a district program or activity on or after August 1, 2024, that reasonably may constitute sex discrimination under Title IX, including sex-based harassment, to follow Title IX grievance procedures when investigating and resolving a complaint based on the alleged conduct, (2) require districts to provide a notice of nondiscrimination on the basis of sex, and (3) require specified training related to sex discrimination for all district employees, as well as additional training for investigators, decisionmakers, and other persons who are responsible for implementing the district's grievance procedures or have the authority to modify or terminate supportive measures; facilitators of an informal resolution process; and the Title IX Coordinator(s) and designees. Additionally, regulation updated to reflect remedies available for violation of the Providing Urgent Maternal Protections (PUMP) for Nursing Mothers Act, the Pregnant Workers Fairness Act, and other provisions of state law.

File Attachments

[Policy 4030 - Nondiscrimination In Employment.pdf](#) (127 KB)

[Regulation 4030 - Nondiscrimination In Employment.pdf](#) (135 KB)

Motion & Voting

The recommendation is that the Board of Education approve the updated Board Policy and Administrative Regulation 4030 - Nondiscrimination in Employment (First Reading).

Motion by Katherine Jones, second by Carina V Plancarte.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte, Joy Lee

13.12 POLICY UPDATE: Board Policy and Administrative Regulation 4119.11/4219.11/4319.11 - Sex Discrimination and Sex-Based Harassment (First Reading)

Type	Action, Procedural
Recommended	The recommendation is that the Board of Education approve the updated Board Policy and
Action	Administrative Regulation 4119.11/4219.11/4319.11 - Sex Discrimination and Sex-Based Harassment (First Reading).

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation (First Reading).

Background:

This is the FIRST reading of the attached policy and regulation. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies.

The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for an additional reading.

Board Policy 4119.11/4219.11/4319.11 - Sex Discrimination and Sex-Based Harassment (First Reading)

Policy updated to include material related to sex discrimination, in addition to sex-based harassment. Additionally, policy updated to reflect NEW LAW (AB 1955, 2024) which prohibits a district, including a Governing Board member, from retaliating or otherwise taking adverse action against an employee, including by placing the employee on administrative leave, on the basis that the employee supported a student exercising rights specified in certain Education Code provisions, performed work in a manner consistent with the district's legal obligations related to educational equity, or provided instruction to students consistent with current content standards, curriculum frameworks, instructional materials adopted by the state board, and state law. In addition, policy updated to reflect NEW FEDERAL REGULATIONS (89 Fed. Reg. 33474) which (1) require districts to provide a notice of nondiscrimination on the basis of sex, (2) require employees with knowledge of conduct that reasonably may constitute sex discrimination or sex-based harassment in a district education program or activity to notify the Title IX Coordinator, (3) require a district with knowledge of alleged conduct, which occurs in a district program or activity on or after August 1, 2024, that reasonably may constitute sex discrimination under Title IX, including sex-based harassment, to follow Title IX grievance procedures when investigating and resolving a complaint based on the alleged conduct, and (4) require the Title IX Coordinator to offer and coordinate supportive measures when notified of conduct that reasonably may constitute sex discrimination, including sex-based harassment.

Administrative Regulation 4119.11/4219.11/4319.11 - Sex Discrimination and Sex-Based Harassment (First Reading)

Regulation updated to include material related to sex discrimination, in addition to sex-based harassment. Additionally, regulation updated to emphasize that the district does not discriminate on the basis of sex in any of its programs or activities, prohibits such conduct, and complies with Title IX. In addition, regulation updated to include definitions of sex discrimination and sex-based harassment, and reflect NEW FEDERAL REGULATIONS (89 Fed. Reg. 33474) which (1) clarify that discrimination on the basis of sex, including sex-based harassment, for the purpose of Title IX includes sex stereotypes; sex characteristics; gender identity; sexual orientation; pregnancy, childbirth, termination of pregnancy, or lactation, including related medical conditions or recovery; and parental, marital, and family status, (2) require specified training related to sex discrimination for all district employees, as well as additional training for investigators, decisionmakers, and other persons who are responsible for implementing the district's grievance procedures or have the authority to modify or terminate supportive measures; facilitators of an informal resolution process; and the Title IX Coordinator(s) and designees, (3) require the district to retain for at least seven years the materials used to provide training required by Title IX and make the materials available to members of the public upon request, (4) require districts to provide a notice of nondiscrimination

on the basis of sex, (5) require districts to take specified actions to prevent sex discrimination and sex-based harassment, and (6) require a district with knowledge of alleged conduct, which occurs in a district program or activity on or after August 1, 2024, that reasonably may constitute sex discrimination under Title IX, including sex-based harassment, to follow Title IX grievance procedures when investigating and resolving a complaint based on the alleged conduct.

File Attachments

- [Policy 4119.11 - Sex Discrimination and Sex-Based .pdf \(96 KB\)](#)
- [Policy 4219.11 - Sex Discrimination and Sex-Based Harassment.pdf \(96 KB\)](#)
- [Policy 4319.11 - Sex Discrimination and Sex-Based Harassment.pdf \(96 KB\)](#)
- [Regulation 4119.11 - Sex Discrimination and Sex-Based Harassment.pdf \(139 KB\)](#)
- [Regulation 4219.11 - Sex Discrimination and Sex-Based Harassment.pdf \(146 KB\)](#)
- [Regulation 4319.11 - Sex Discrimination and Sex-Based Harassment.pdf \(146 KB\)](#)

Motion & Voting

The recommendation is that the Board of Education approve the updated Board Policy and Administrative Regulation 4119.11/4219.11/4319.11 - Sex Discrimination and Sex-Based Harassment (First Reading).

Motion by Katherine Jones, second by Carina V Plancarte.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte, Joy Lee

13.13 POLICY UPDATE: Administrative Regulation 4119.12/4219.12/4319.12 - Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures (First Reading)

Type	Action, Procedural
Recommended	The recommendation is that the Board of Education approve the updated Administrative
Action	Regulation 4119.12 and adopt Administrative Regulation 4219.12/4319.12 - Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures (First Reading).

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated Administrative Regulation 4119.12 and adopt Administrative Regulation 4219.12/4319.12 - Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures (First Reading).

Background:

This is the FIRST reading of the attached regulation. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies.

The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for an additional reading.

Administrative Regulation 4119.12/4219.12/4319.12 - Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures (First Reading).

Regulation updated to reflect NEW FEDERAL REGULATIONS (89 Fed. Reg. 33474) which make extensive and significant changes to the title IX grievance procedures including that they (1) require a district with knowledge of alleged conduct, which occurs in a district program or activity on or after August 1, 2024, that reasonably may constitute sex discrimination under Title IX, including sex-based harassment, to follow Title IX grievance procedures when investigating and resolving a complaint based on the alleged conduct, (2) require district's to follow "basic requirements" when implementing the Title IX grievance procedures, (3) modify the definition of a "complaint" and who may bring a complaint, (4) modify the Title IX Coordinator's responsibilities related to the initiation of a complaint when the alleged victim chooses to not bring a complaint, (5) modify the requirements related to the offering and coordination of supportive measures, (6) expand the requirements related to the dismissal of complaints, including the appeal of dismissals, (7) expand the requirements related to the informal resolution process, (8) amend requirements related to notice of allegations when a formal investigation is initiated by the district, (9) expand requirements related to the investigation procedures, (10) modify requirements related to the written decision, (11) alter the process for the appeal of the decision, (12) provide for extension of timelines, and (13) amend requirements for remedies, disciplinary actions, and record-keeping. Additionally, regulation updated to delete material defining sex-based harassment as the definitions for sex discrimination and sex-based harassment are contained within Administrative Regulation 4119.11 Sex Discrimination and Sex-Based Harassment, and to delete material in regard to reporting of sex-based harassment as such material is contained within other related policies. Regulation also updated to add a section on Consolidation of Complaints, and material related to record-keeping requirements for complaints containing allegations of childhood sexual assault.

File Attachments

- [Regulation 4119.12 - Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures.pdf \(204 KB\)](#)
- [Regulation 4219.12 - Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures.pdf \(159 KB\)](#)
- [Regulation 4319.12 - Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures.pdf \(159 KB\)](#)

Motion & Voting

The recommendation is that the Board of Education approve the updated Administrative Regulation 4119.12 and adopt Administrative Regulation 4219.12/4319.12 - Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures (First Reading).

Motion by Katherine Jones, second by Carina V Plancarte.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte, Joy Lee

13.14 POLICY UPDATE: Board Policy 4156.3 Employee Property Reimbursement

Type Action, Procedural
Recommended The recommendation is that the Board of Education approve the updated Board Policy 4156.3
Action Employee Property Reimbursement.

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated board policy.

Background:
This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies.
The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. Option 1 is recommended. If any revisions are recommended by the Board, the policy will be brought back for an additional reading.
Board Policy 4156.3 - Employee Property Reimbursement
CSBA Last Update: 1998-02-01 | NUSD Last Update: 1996-05-21

File Attachments
[Policy 4156.3 - Employee Property Reimbursement_Option 1.pdf](#) (97 KB)

Motion & Voting
The recommendation is that the Board of Education approve the updated Board Policy 4156.3 Employee Property Reimbursement.
Motion by Katherine Jones, second by Carina V Plancarte.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte, Joy Lee

13.15 POLICY UPDATE: Board Policy and Administrative Regulation 4241.6 Concerted Action/Work Stoppage

Type Action, Procedural
Recommended The recommendation is that the Board of Education approve the updated Board Policy and
Action Administrative Regulation 4241.6 Concerted Action/Work Stoppage

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation.

Background:
This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies.
The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for an additional reading.
Board Policy 4241.6 Concerted Action/Work Stoppage
CSBA Last Update: 2022-03-01 | NUSD Last Update: 2005-05-03
Administrative Regulation 4241.6 Concerted Action/Work Stoppage
CSBA Last Update: 2022-03-01 | NUSD Last Update: 2005-06-21

File Attachments
[Policy 4241.6 - Concerted Action_Work Stoppage.pdf](#) (106 KB)
[Regulation 4241.6 - Concerted Action_Work Stoppage.pdf](#) (136 KB)

Motion & Voting
The recommendation is that the Board of Education approve the updated Board Policy and Administrative Regulation 4241.6 Concerted Action/Work Stoppage
Motion by Katherine Jones, second by Carina V Plancarte.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte, Joy Lee

13.16 POLICY UPDATE: Administrative Regulation 4161.1/4261.1/4361.1 - Personal Illness/Injury Leave (First Reading)

Type Action, Procedural
Recommended The recommendation is that the Board of Education approve the updated Administrative
Action Regulation 4161.1/4261.1/4361.1 - Personal Illness/Injury Leave (First Reading).

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated Administrative Regulation 4161.1/4261.1/4361.1 - Personal Illness/Injury Leave (First Reading).

Background:
This is the FIRST reading of the attached regulation. The language is sanctioned by the California School Board Association.

California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies.

The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for an additional reading.

Administrative Regulation 4161.1/4261.1/4361.1 - Personal Illness/Injury Leave (First Reading)

Regulation updated to clarify that it applies to certificated employees, including certificated management, and that classified employees, including classified management should refer to Administrative Regulation 4261.1 - Personnel Illness/Injury Leave. Additionally, regulation updated to reflect NEW LAW (SB 848, 2023) which prohibits a district from refusing to grant a request from an employee to take up to five days of reproductive loss leave, and reference NEW FEDERAL REGULATIONS (89 Fed. Reg. 33474) which, for purposes of Title IX, requires the district to treat pregnancy, childbirth, termination of pregnancy, or lactation, including any related medical condition or recovery, as it would any other temporary medical condition for job-related purposes, including leaves. In addition, regulation updated to include that an employee may use sick leave days for bereavement leave. Regulation also updated to reflect NEW LAW (SB 616, 2023) which extends procedural protections to employees covered by collective bargaining agreements and (1) requires districts that provide sick leave on an accrual basis to provide sick leave accrual at a rate of at least 40 hours or five days by the 200th calendar day of employment, each calendar year, or 12-month period, or (2) for districts that credit employees with sick leave at the beginning of each year, increases paid sick leave to 40 hours or five days.

File Attachments

- AR 4161.1 Personal Illness-Injury Leave.pdf (143 KB)
- AR 4261.1 Personal Illness-Injury Leaves.pdf (155 KB)
- AR 4361.1 Personal Illness-Injury Leave.pdf (143 KB)

Motion & Voting

The recommendation is that the Board of Education approve the updated Administrative Regulation 4161.1/4261.1/4361.1 - Personal Illness/Injury Leave (First Reading).

Motion by Katherine Jones, second by Carina V Plancarte.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte, Joy Lee

13.17 POLICY UPDATE: Board Policy and Administrative Regulation 5145.3 - Nondiscrimination/Harassment

Type	Action, Procedural
Fiscal Impact	No
Recommended Action	The recommendation is that the Board of Education approve the updated Board Policy and Administrative Regulation 5145.3 - Nondiscrimination/Harassment

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation (or bylaw).

Background:

This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies.

The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for an additional reading.

Board Policy 5145.3 - Nondiscrimination/Harassment

Policy updated to reflect NEW FEDERAL REGULATIONS (89 Fed. Reg. 33474) which (1) clarify that discrimination on the basis of sex, including sex-based harassment, for the purpose of Title IX includes sex stereotypes; sex characteristics; gender identity; sexual orientation; pregnancy, childbirth, termination of pregnancy, or lactation, including related medical conditions or recovery; and parental, marital, and family status, and (2) require a district with knowledge of alleged conduct, which occurs in a district program or activity on or after August 1, 2024, that reasonably may constitute sex discrimination under Title IX, including sex-based harassment, to follow Title IX grievance procedures when investigating and resolving a complaint based on the alleged conduct. Additionally, policy updated to reflect NEW LAW (AB 1165, 2023) which encourages districts to have a student who has been suspended, or for whom other means of correction have been implemented pursuant to Education Code 48900.5 for an incident of racist bullying, harassment, or intimidation, as well as the victim, to engage in a restorative justice practice suitable to address the needs of both the victim and the perpetrator.

Administrative Regulation 5145.3 - Nondiscrimination/Harassment

Regulation updated to provide that the individual identified as the Compliance Officer for coordinating the district's efforts to comply with applicable state and federal laws and to answer inquires regarding the district's nondiscrimination policies be the same as the Compliance Officer specified in Administrative Regulation 1312.3 - Uniform Complaint Procedures as the responsible employee to handle complaints alleging unlawful discrimination of a student, and the Title IX Coordinator specified in Administrative Regulation 5145.7 Sex Discrimination and Sex-Based Harassment as the responsible employee to handle complaints alleging unlawful sex discrimination and sex-based harassment. Additionally, regulation updated to reflect NEW FEDERAL REGULATIONS (89 Fed. Reg. 33474) which (1) clarify that discrimination on the basis of sex, including sex-based harassment, for the purpose of Title IX includes sex stereotypes; sex characteristics; gender identity; sexual orientation; pregnancy, childbirth, termination of pregnancy, or lactation, including related medical conditions or recovery; and parental, marital, and family status, (2) require the Title IX notice of nondiscrimination on the basis of sex to be posted on the district's website and published in district handbooks, catalogs, announcements, bulletins, and application forms, and (3) require a district with knowledge of alleged conduct, which occurs in a district program or activity on or after August 1, 2024, that reasonably may constitute sex discrimination under Title IX, including sex-based harassment, to follow Title IX grievance procedures when investigating and resolving a complaint based on the alleged conduct. In addition, regulation updated to reflect NEW LAW (AB 1327, 2023) which requires a district that participates in the California Interscholastic

Federation to post on its website the California Department of Education's (CDE) standardized incident form to track racial discrimination, harassment, or hazing that occurs at high school sporting games or events, including information on how to submit a completed incident form to the district. Regulation also updated to reflect NEW LAW (SB 153, 2024) which requires a district that serves students in any of grades 7-12 to provide certificated school employees information on existing school and community resources related to the support of lesbian, gay, bisexual, transgender, queer, and questioning (LGBTQ+) students, or related to the support of students who may face bias or bullying, and NEW LAW (AB 5, 2023) which requires a district that serves students in any of grades 7-12, starting in the 2025-26 school year, to provide at least one hour of training annually to all teachers and certificated employees which incorporates CDE's online training curriculum to support LGBTQ+ cultural competency. Additionally, regulation updated to provide that employees are required to report incidents of prohibited discrimination within one workday, which may be modified to reflect the district's timeline, in order to maintain consistency of such reporting requirements across the policy manual, and to move the section "Issues Unique to Intersex, Nonbinary, Transgender and Gender-Nonconforming Students," to Administrative Reg

File Attachments

- Regulation 5145.3 - Nondiscrimination-Harassment.docx.pdf (339 KB)
- Policy 5145.3 - Nondiscrimination-Harassment.docx.pdf (213 KB)

Motion & Voting

The recommendation is that the Board of Education approve the updated Board Policy and Administrative Regulation 5145.3 - Nondiscrimination/Harassment

Motion by Katherine Jones, second by Carina V Plancarte.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte, Joy Lee

13.18 POLICY UPDATE: Board Policy 6142.92 - Mathematics Instruction

Type	Action, Procedural
Fiscal Impact	No
Recommended	The recommendation is that the Board of Education approve the updated Board Policy
Action	6142.92 - Mathematics Instruction

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation (or bylaw).

Background:

This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for an additional reading.
Board Policy 6142.92 - Mathematics Instruction
Policy updated to incorporate the, "2023 Mathematics Framework for California Public Schools: Kindergarten through Grade 12," including the framework's goal of removing barriers to students' mathematics success and ensuring access and opportunity for all students to receive high level mathematics instruction.

File Attachments

- Policy 6142.92 - Mathematics Instruction.pdf (157 KB)

Motion & Voting

The recommendation is that the Board of Education approve the updated Board Policy 6142.92 - Mathematics Instruction

Motion by Katherine Jones, second by Carina V Plancarte.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte, Joy Lee

13.19 POLICY UPDATE: Board Policy and Administrative Regulation 6152.1 - Placement In Mathematics Courses

Type	Action, Procedural
Fiscal Impact	No
Recommended	The recommendation is that the Board of Education approve the updated Board Policy and
Action	Administrative Regulation 6152.1 - Placement In Mathematics Courses

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation (or bylaw).

Background:

This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for an additional reading.
Board Policy 6152.1 - Placement in Mathematics Courses

Policy updated to incorporate the, "2023 Mathematics Framework for California Public Schools: Kindergarten through Grade 12," including the encouragement for districts to offer alternative pathways of courses designed in a manner that provides maximum opportunities for students to access advanced mathematics courses during high school.

Administrative Regulation 6152.1 - Placement in Mathematics Courses

Regulation updated to clarify that when a student and the student's parent/guardian disagree with a placement decision and appeal the decision to the Superintendent or designee, the decision of the Superintendent or designee is final.

[File Attachments](#)

[Regulation 6152.1 - Placement In Mathematics Courses.pdf](#) (150 KB)

[Policy 6152.1 - Placement In Mathematics Courses.pdf](#) (156 KB)

[Motion & Voting](#)

The recommendation is that the Board of Education approve the updated Board Policy and Administrative Regulation 6152.1 - Placement In Mathematics Courses

Motion by Katherine Jones, second by Carina V Plancarte.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte, Joy Lee

13.20 MINUTES of the June 18, 2024, Regular Meeting of the Board of Education

[Type](#) Action, Minutes

[Minutes](#) View Minutes for Jun 18, 2024 - Regular Meeting of the Board of Education

[Purpose:](#)

For the Board to review and approve minutes of the June 18, 2024 Regular Meeting of the Board of Education.

[Background:](#)

The attached minutes are reflective of the June 18, 2024 Regular Meeting of the Board of Education. The Meeting may be viewed on the NUSD YouTube Channel [HERE](#)

[File Attachments](#)

[June 18 Meeting Minutes.pdf](#) (491 KB)

[Motion & Voting](#)

(not specified)

Motion by Katherine Jones, second by Carina V Plancarte.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte, Joy Lee

13.21 MINUTES of the June 25, 2024, Regular Meeting of the Board of Education

[Type](#) Action, Minutes

[Minutes](#) View Minutes for Jun 25, 2024 - Regular Meeting of the Board of Education

[Purpose:](#)

For the Board to review and approve minutes of the June 25, 2024 Regular Meeting of the Board of Education.

[Background:](#)

The attached minutes are reflective of the June 25, 2024 Regular Meeting of the Board of Education. The Meeting may be viewed on the NUSD YouTube Channel [HERE](#)

[File Attachments](#)

[June 25 Meeting Minutes.pdf](#) (347 KB)

[Motion & Voting](#)

(not specified)

Motion by Katherine Jones, second by Carina V Plancarte.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte, Joy Lee

13.22 MINUTES of the July 15, 2024, Special Meeting of the Board of Education

[Type](#) Action, Minutes

[Minutes](#) View Minutes for Jul 15, 2024 - Special Meeting of the Board of Education

[Purpose:](#)

For the Board to review and approve minutes of the July 15, 2024 Regular Meeting of the Board of Education

[Background:](#)

The attached minutes are reflective of the July 15, 2024 Regular Meeting of the Board of Education. The Meeting may be viewed on the NUSD YouTube Channel [HERE](#)

[File Attachments](#)

[July 15 Meeting Minutes.pdf](#) (162 KB)

[Motion & Voting](#)

(not specified)

Motion by Katherine Jones, second by Carina V Plancarte.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte, Joy Lee

[13.23 MINUTES of the August 6, 2024, Regular Meeting of the Board of Education](#)

Type Action, Minutes

Minutes [View Minutes for Aug 6, 2024 - Regular Meeting of the Board of Education](#)

Purpose:

For the Board to review and approve minutes of the August 6, 2024 Regular Meeting of the Board of Education.

Background:

The attached minutes are reflective of the August 6, 2024 Regular Meeting of the Board of Education. The Meeting may be viewed on the NUSD YouTube Channel [HERE](#)

File Attachments

[August 6 Meeting Minutes.pdf](#) (243 KB)

[Motion & Voting](#)

(not specified)

Motion by Katherine Jones, second by Carina V Plancarte.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte, Joy Lee

[13.24 MINUTES of the August 20, 2024, Regular Meeting of the Board of Education](#)

Type Action, Minutes

Minutes [View Minutes for Aug 20, 2024 - Regular Meeting of the Board of Education](#)

Purpose:

For the Board to review and approve minutes of the August 20, 2024 Regular Meeting of the Board of Education.

Background:

The attached minutes are reflective of the August 20, 2024 Regular Meeting of the Board of Education. The Meeting may be viewed on the NUSD YouTube Channel [HERE](#)

File Attachments

[August 20 Meeting Minutes.pdf](#) (190 KB)

[Motion & Voting](#)

(not specified)

Motion by Katherine Jones, second by Carina V Plancarte.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte, Joy Lee

[13.25 MINUTES of the September 3, 2024 Regular Meeting of the Board of Education](#)

Type Action, Minutes

Minutes [View Minutes for Sep 3, 2024 - Regular Meeting of the Board of Education](#)

Purpose:

For the Board to review and approve minutes of the September 3, 2024 Regular Meeting of the Board of Education.

Background:

The attached minutes are reflective of the September 3, 2024 Regular Meeting of the Board of Education. The Meeting may be viewed on the NUSD YouTube Channel [HERE](#)

File Attachments

[September 3 Meeting Minutes \(2\).pdf](#) (237 KB)

[Motion & Voting](#)

(not specified)

Motion by Katherine Jones, second by Carina V Plancarte.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte, Joy Lee

[13.26 MINUTES of the September 17, 2024 Regular Meeting of the Board of Education](#)

Type Action (Consent), Minutes

Minutes [View Minutes for Sep 17, 2024 - Regular Meeting of the Board of Education](#)

Purpose:

For the Board to review and approve minutes of the September 17, 2024 Regular Meeting of the Board of Education.

Background:

The attached minutes are reflective of the September 17, 2024 Regular Meeting of the Board of Education. The Meeting may be viewed on the NUSD YouTube Channel [HERE](#)

File Attachments

[September 17 Meeting Minutes.pdf](#) (260 KB)

Motion & Voting

(not specified)

Motion by Katherine Jones, second by Carina V Plancarte.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte, Joy Lee

14 STUDENT EXPULSION

14.1 Re-Entry and Completion - Student Expulsion Case# e2324-04

Type	Action
Recommended	The recommendation is that the Board of Education approve the completion of the student
Action	expulsion as it relates to the expulsion case e2324-04.
Goals	1b. Student Achievement VISION: The Newark Unified School District, in partnership with the community, will be a model of world-class education that develops the unique abilities of every student. MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens.

Purpose:

For the Board to take action on expulsion case e2324-04 for completion of their program.

Background:

California Education Code Section 48916 requires that "an expulsion order shall remain in effect until the governing board orders a readmission of the pupil."

Motion & Voting

The recommendation is that the Board of Education approve the completion of the student expulsion as it relates to the expulsion case e2324-04.

Motion by Nancy Thomas, second by Katherine Jones.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

Abstain: Joy Lee

14.2 Re-Entry and Completion - Student Expulsion Case# e2324-07

Type	Action
Recommended	The recommendation is that the Board of Education terminate the student expulsion as it
Action	relates to the expulsion case e2324-07.
Goals	1b. Student Achievement VISION: The Newark Unified School District, in partnership with the community, will be a model of world-class education that develops the unique abilities of every student. MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens.

Purpose:

For the Board to take action on expulsion case e2324-07.

Background:

California Education Code Section 48916 requires that "an expulsion order shall remain in effect until the governing board orders a readmission of the pupil."

Motion & Voting

The recommendation is that the Board of Education terminate the student expulsion as it relates to the expulsion case e2324-07.

Motion by Katherine Jones, second by Carina V Plancarte.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

Abstain: Joy Lee

15 BOARD OF EDUCATION: COMMITTEE REPORTS, ANNOUNCEMENTS, REQUESTS, DEBRIEF

15.1 Board of Education Committee Reports, Announcements, Requests, Debrief and Discussion

AND DISCUSSION

Type Action, Discussion, Information

Purpose:

COMMITTEE REPORTS: The Trustees will provide an update, if available, on the committees of which they are members.
 ANNOUNCEMENTS: The Trustees may acknowledge or recognize specific programs, activities, or personnel at this time.
 REQUESTS: This is an opportunity for the Board of Education to suggest items for placement on future agendas and to review Board requests.

Approval from the majority of the Board will be required for direction to be provided to the Superintendent.

DEBRIEF AND DISCUSSION: The Trustees may debrief and discuss items.

Background:

Each year the Board of Education members liaise with schools and committees in order to build relationships, hear from staff, students, and families, and act as a conduit for information to and from the schools.

Board Committees 2023-24

Board Adopted on 12/18/2023

	Representative	Alternate	
Mission Valley Regional Occupational Center/Program (ROC/P) Executive Board	1. Nancy Thomas	1. Carina V. Plancarte	
Regional Policy Board of Special Education Local Plan Area (SELPA)	1. Katherine Jones	1. Phuong Nguyen	The following derives directly from the Board
Newark Teacher Induction Advisory Council (Formally EBIC)	1. Aiden Hill	1. Carina V. Plancarte	approved "Governance Team Handbook"
Audit Committee	1. Nancy Thomas	2. Katherine Jones	1. Phuong Nguyen Authority is Collective, Not
Bond/Parcel Tax Committee	1. Phuong Nguyen	2. Carina V. Plancarte	1. Aiden Hill Individual: The only authority to direct action rests with the Board
City of Newark NUSD Liaison Committee	1. Phuong Nguyen	2. Aiden Hill	1. Katherine Jones as a whole when seated at a regular or special board

meeting. Outside of this meeting, there is no authority.

A majority Board vote provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction.

Bringing New Ideas Forward

The Board will be open to having "brainstorming" discussions, or study sessions, around any idea that a Trustee may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Trustee, at their initiative or at the request of a constituent, which was previously discussed during a board meeting.

Trustees will first notify the Board President and Superintendent of their interest in bringing forward a new idea at a board meeting.

When initially agendized, the preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.

Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea. The Superintendent will decide on the delegation of assignments to District staff.

The new idea may be agendized for discussion only. The Board majority will decide if the new idea should be further developed and studied by staff. The Board majority will decide if staff time should be invested in the "fleshing out" of new ideas.

Individual Trustees, in the course of interactions with constituents, will be careful not to make or imply the commitment of the full Board to explore or proceed with implementing new ideas.

16 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

16.1 Superintendent's Concluding Comments, Updates, and Future Agenda Items

AGENDA REQUESTS

Type Information

Purpose:

This is an opportunity for the Interim Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

17 ADJOURNMENT

17.1 PLACEHOLDER - Extend Meeting

Type Action

Recommended Action The recommendation is that the Board of Education extends the meeting to ____ P.M.

Purpose:

This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

17.2 Adjournment

Type Action
Recommended Action The recommendation is that the Board of Education adjourns this meeting.

Purpose:
No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time. This action will conclude the meeting.

Motion & Voting
The recommendation is that the Board of Education adjourns this meeting.
Motion by Katherine Jones, second by Joy Lee.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte, Joy Lee

1 CALL TO ORDER

1.1 Meeting Practices and Information

Type Information, Procedural

In-person Meeting Information:
Please see the attached meeting information in English and Spanish.

Observe The Board Of Education Meeting:
Members of the public may observe the meeting via the NUSD YouTube Channel, or in-person at the NUSD Boardroom. Spanish translation will be available via Zoom.

Public Comment:
The public will have the opportunity to address the Board of Education regarding non-agenda matters and agenda items with a written comment by emailing Publiccomment@newarkunified.org or submitting a speaking card with live in-person comments by submitting a speaker-card with the Executive Assistant.

File Attachments
[Board Meeting Protocols_ENG\(1\).pdf](#) (69 KB)
[Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf](#) (65 KB)
[Original Board Meeting Guidelines.pdf](#) (259 KB)

1.2 Public Comment on Closed Session Items

Type Procedural

Purpose:
The Board of Education encourages the community's participation in its deliberations and tries to make it convenient for members of the community to express their views to the Board.
If a constituent wishes to address the Board on any agenda item:
In-Person Comment: please submit a completed speaker card to the Board's Executive Assistant before the start of the meeting, or prior to the calling of the section for public comment.
Audio-Only Virtual Comment: please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org by 1:00 PM the day of the meeting. Please label your email as " AUDIO-ONLY PUBLIC COMMENT" and include your name as it will appear on Zoom, your phone number, email address, and the agenda item number related to your comment.
Please see detailed instructions for public comment on the link: <http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

File Attachments
[Board Meeting Protocols_ENG\(1\).pdf](#) (69 KB)
[Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf](#) (65 KB)

1.3 Recess to Closed Session

Type Procedural

Purpose:
The Board will recess to Closed Session, and reconvene to Open Session on or about 7:00 p.m.

2 CLOSED SESSION

2.1 CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION: Significant exposure to litigation pursuant to Gov. Code 54956.9, subd. (d)(2): 7 cases

Type Action, Discussion, Procedural

Purpose:
To discuss significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of 54956.9 of the California Government Code: 4 cases HR (Case #00182024,

3 REPORT OF CLOSED SESSION ACTIONS

3.1 Report of Closed Session Actions

Type Action, Procedural

Purpose:
If available, a report of the closed session will be provided by the Board President.

4 RECONVENE TO OPEN SESSION

4.1 Pledge of Allegiance

Type Procedural

Purpose:
The Governance Team will recite the Pledge of Allegiance

4.2 Meeting Practices and Information

Type Information, Procedural

In-person Meeting Information:
Please see the attached meeting information in English and Spanish.

Observe The Board Of Education Meeting:
Members of the public 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.

Public Comment:
The public will have the opportunity to address the Board of Education regarding non-agenda matters and agenda items with a written comment by emailing Publiccomment@newarkunified.org or submitting a speaking card with live in-person comments by submitting a speaker-card with the Executive Assistant.

File Attachments
[Board Meeting Protocols_ENG\(1\).pdf](#) (69 KB)
[Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf](#) (65 KB)
[Original Board Meeting Guidelines.pdf](#) (259 KB)

5 APPROVAL OF AGENDA

5.1 Approval of the Agenda

Type Action
Recommended Action The recommendation is that the Board of Education approve the agenda for this meeting.

Purpose:
Members of the Governance Team may request that the agenda be amended or approved as presented.

Motion & Voting
The recommendation is that the Board of Education approve the agenda for this meeting.
Motion by Katherine Jones, second by Carina V Plancarte.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

6 STUDENT REPORT

6.1 Student Report: Student Board Member, Joy Lee

Purpose:
The Student Report gives the Board of Education and the public an opportunity to hear the highlights, achievements, and initiatives from the viewpoint of the student board member.

Background:

The information will be provided by the Student Board Member, Joy Lee.

7 EMPLOYEE ORGANIZATIONS

7.1 Employee Organizations

Type Information

Purpose:

At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Background:

Discussion items are limited to updates, celebrations, and upcoming events.

- 1. NTA
- 2. CSEA
- 3. NEWMA

8 PUBLIC COMMENT

8.1 Public Comment on Non-Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.

<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

File Attachments

[Board Meeting Protocols_ENG\(1\).pdf](#) (69 KB)

[Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf](#) (65 KB)

8.2 Public Comment on Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.

<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

File Attachments

[Board Meeting Protocols_ENG\(1\).pdf](#) (69 KB)

[Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf](#) (65 KB)

9 SUPERINTENDENT REPORT

9.1 Superintendent Report

Type Information

Purpose:

The Interim Superintendent will provide the Board of Education with district information, updates, news, or anything in the jurisdiction of the board or the superintendent.

Background:

The presentation and information will be provided by the Interim Superintendent

9.2 U.S. Constitution Day September 17, 2024

Type Information
Goals

MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens.

Purpose:

Recognize the importance and history of the Constitution. The Superintendent has prepared an activity to celebrate this day and test your knowledge of the Constitution.

Background:

In September 1787, the Founders signed the most influential document in American history, the U.S. Constitution. "We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defense, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America." With these words, We began our great experiment with Democracy 237 years ago. In honor of this momentous date, Constitution Day and Citizenship Day were established as a federal day of observance to commemorate the signing of the United States Constitution on September 17, 1787. In declaring the first Citizenship Day in 1952, President Truman wrote in his Proclamation 2984 "Whereas it is most fitting that every citizen of the United States, whether native-born or foreign-born, should on September 17 of each year give special thought and consideration to his rights and responsibilities under our Constitution." Congress would later change the designation of Citizenship Day to Constitution Day and Citizenship Day in 2004.

10 STAFF REPORT

10.1 Attendance Update/Awareness

Type Information

Purpose:

Educational Services will update the Board on attendance data, goals, and progress monitoring tools.

Background:

Our country, state, and county are facing an attendance crisis. Prior to the pandemic, eight million students were chronically absent (missing 10% or more of the school year). That number has more than doubled. The adverse social, emotional and academic impact of missing too much school is highest among students and families most affected by educational inequities. Left unaddressed, chronic absence will dramatically increase the number of students struggling with reading, writing, and math and escalate drop out rates. (Attendance Works) Newark Unified School District has been identified for Differentiated Assistance, along with many other districts in Alameda County, in large part due to continued high post-pandemic chronic absence rates. While the district continues to implement covid-19 protocols and procedures, Ed Services seeks to implement a plan that will continue to increase positive attendance rates back to pre-pandemic levels. This presentation provides a summary of our current attendance data and district-wide improvement initiatives.

File Attachments

[Revised Attendance Month Staff Report BOE 09.17.24 updated.pdf](#) (1,112 KB)

11 PUBLIC HEARINGS

11.1 Public Hearing: Sufficiency of Instructional Materials

Type Procedural
Goals 1b. Student Achievement
MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens.
VISION: The Newark Unified School District, in partnership with the community, will be a model of world-class education that develops the unique abilities of every student.

Purpose:

For the Board of Education to provide an opportunity for the public to speak on the Sufficiency of Instructional Materials Resolution.

Background:

To certify compliance with Education Code Section 60119 (as revised by Chapter 704, Statutes of 2006 and California Code of Regulations (CCR), Title 5, Section 9531). In order to be eligible to receive instructional materials funds, the governing board of each district and county office of education is required to hold an annual public hearing and adopt a resolution stating whether each pupil in the district has sufficient textbooks or instructional materials in specified subjects that are aligned to the academic content standards and consistent with the content and cycles of the curriculum frameworks adopted by the state board. This is an annual process. Under EC Section 60119, the governing board of every local educational agency that receives state instructional materials funds must hold an annual public hearing before the end of the eighth week from the first-day pupils attend school for that year. At the public hearing, the governing board must make a determination as to whether each pupil in each school has sufficient textbooks or instructional materials, or both, that are aligned to the content standards and are consistent with the content and cycles of the curriculum framework adopted by the State Board of Education in reading/language arts, mathematics, science, and history-social science. Governing boards that have met the requirements of Education Code Section 60119 and have also certified compliance with the Instructional Materials Funding Realignment Program (IMFRP) requirements regarding the provision of adopted standards-aligned instructional materials for all students (Education Code Section 60422) may spend 100% of any remaining IMFRP funds from that year's allocation for other approved purposes. The Board will later have the opportunity to approve Resolution 2024.25.08 will be on the October 1, 2024 Consent Agenda Non Personnel - Sufficiency of Instructional Materials.

File Attachments

Sufficiency of Materials Public Hearing 24-25.docx (1).pdf (615 KB)

12 CONSENT AGENDA: PERSONNEL ITEMS

12.1 PLACEHOLDER - One Consented Vote

Type Action

Recommended Action It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent-Personnel, except for agenda items:

Purpose: This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background: Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Motion & Voting

12.2 Salary Schedule of Contracted Executive Cabinet

Type Action

Recommended Action The recommendation is that the Board of Education approve the 2024-25 Contracted Executive Cabinet Salary Schedule.

Purpose: For the Board of Education to approve the 2024-25 Contracted Executive Cabinet Salary Schedule to be consistent with the compensation in the Executive Cabinet contracts.

Background: The District's Executive Cabinet includes the Interim Superintendent, Assistant Superintendent of Business Services (formerly Deputy Superintendent of Business Services/CBO), Assistant Superintendent of Educational Services and Interim Assistant Superintendent of Human Resources. Individuals serving in these positions are offered a contract. History: On April 16, 2024 the Board of Education approved an employment agreement with the Interim Superintendent. On May 7, 2024, the Board of Education approved an employment agreement with the Assistant Superintendent of Educational Services. On August 6, 2024, the Board of Education, after reinstating the job description, approved the employment agreement for the Assistant Superintendent of Business Services. On April 23, 2024 the Board of Education ratified an employment agreement, currently not a contracted position, with the Interim Assistant Superintendent of Human Resources.

File Attachments

Cabinet Salary Schedules 2024-25.pdf (261 KB)

Motion & Voting

The recommendation is that the Board of Education approve the 2024-25 Contracted Executive Cabinet Salary Schedule. Motion by Carina V Plancarte, second by Nancy Thomas. Final Resolution: Motion Carries Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

12.3 Personnel Report

Type Action

Absolute Date Sep 17, 2024 Recommended Action The recommendation is that the Board of Education ratify the personnel report as presented.

Purpose: The purpose is for the Board of Education to ratify the Personnel Report as presented.

Background: All personnel activities including new hires, changes in status, resignation, leaves, and retirements are routinely submitted to the Board for ratification.

File Attachments

HR PAL 09.17.2024.pdf (351 KB)

Motion & Voting

The recommendation is that the Board of Education ratify the personnel report as presented. Motion by Carina V Plancarte, second by Nancy Thomas. Final Resolution: Motion Carries Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

13 CONSENT AGENDA: NON-PERSONNEL ITEMS

13.1 PLACEHOLDER - One Consented Vote

Type	Action
Recommended	It is recommended that the Board of Education approve, under one consented vote, the
Action	agenda items under Consent Non-Personnel, except for agenda items:

Purpose:
This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:
Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Motion & Voting
It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent Non-Personnel, except for agenda items:
Motion by Katherine Jones, second by Carina V Plancarte.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

13.2 Approval of Single Plan for Student Achievement (SPSA) For Birch Grove Primary and Kennedy Elementary

Type	Action, Discussion
Fiscal Impact	Yes
Budgeted	Yes
Budget Source	LCFF, Title 1, and LRE
Recommended	The recommendation is that the Board approve the Single Plans and budget for Student
Action	Achievement (SPSAs) for 2024-25 for Birch Grove Primary and Kennedy Elementary Schools as presented.
Goals	1b. Student Achievement

Purpose:
Each year, schools prepare a Single Plan for Student Achievement (SPSA) which includes the school goals, student achievement and school climate data, improvement activities/strategies and budgets. Annually, site SPSAs are approved by the School Site Council at each site.

Background:
The School Plan for Student Achievement (SPSA) is a plan of action to improve student academic performance by coordinating all educational services and resources. Pursuant to California Education Code Section 64001, schools that receive state and federal funds are required to consolidate all school plans into a SPSA. SPSA specifics are also included in the Federal Program Monitoring process. The SPSA is used to meet planning requirements for Title I School wide Programs (SWP), Comprehensive Support and Improvement (CSI), Targeted Support and Improvement (TSI), and Additional Targeted Support and Improvement (ATSI).
California Education Code (EC) Section 64001 requires that a School Site Council (SSC) develop the SPSA. It is the goal of Newark Unified School District (NUSD) to provide equitable opportunities to each of our students and school sites. Each site-specific SPSA and the district-wide Local Control and Accountability Plan (LCAP) is a roadmap created in partnership with all district stakeholders to achieve our vision and mission.
The SPSAs are informed by data. Each goal area includes data analysis on current measures across student subgroups and on outcome measures to determine progress. Local and State data are used to develop each goal and research is used to identify best practices to address student needs. Progress is evaluated through the School Site Councils (SSCs). The SSCs meet to review SPSA goals, actions, and budgets. California Dashboard data and other local data is used to measure the impact of actions on student achievement. The principal and staff evaluate academic progress at minimum three times a year through an academic Professional Learning Community (PLC) model with benchmark data. Educational Partners are key in the development of the SPSAs. California Education Code Section 64001 requires that the School Site Council (SSC) develop the SPSA. The SSC's responsibilities include approving the plan, recommending it to the local governing board for approval, monitoring its implementation, and evaluating the effectiveness of the plan at least annually. The SSC must seek the review, advice, and certification of applicable advisory committees, including the English Learner Advisory Committee (ELAC).

File Attachments
[2024 SPSA Kennedy.pdf](#) (727 KB)
[2024 SPSA_BGP.pdf](#) (1,830 KB)

Motion & Voting
The recommendation is that the Board approve the Single Plans and budget for Student Achievement (SPSAs) for 2024-25 for Birch Grove Primary and Kennedy Elementary Schools as presented.
Motion by Katherine Jones, second by Carina V Plancarte.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

13.3 BGI Julia Robinson Math Foundation (JRMF) Math Grant Award

Type	Action
Fiscal Impact	No
Recommended	Staff recommends board approve the JRMF math grant for BGI.
Action	

Purpose:
Staff recommends board approve the JRMF math grant for BGI.

Background:
Principal Robert Fang applied and wrote for a math grant to offer a fun filled math night for students and families of BGI. The JRFM has awarded BGI with a family math night at no cost to the school or families. This is the first time the district has received a grant and partnership opportunity from the Julia Robinson Math Foundation.

- File Attachments**
- Math Festival Floor Plan.png (1,793 KB)
 - JRMF Description of Services Birch Grove Intermediate 10_24_24.pdf (65 KB)
 - 24-25 WC, 23-24 GLAUTOPROFUMB - Newark Unified School District.pdf (45 KB)
 - English Minor Release Form (Media Release Form).pdf (190 KB)
 - JRMF Survey (for students) V2.pdf (792 KB)

Motion & Voting
Staff recommends board approve the JRMF math grant for BGI.
Motion by Katherine Jones, second by Carina V Plancarte.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

13.4 MOU with SEWA International (USA)

Type	Action (Consent)
Fiscal Impact	No
Budgeted	No
Recommended	The recommendation is that the Board of Education approves the MOU between SEWA and
Action	NUSD for the 2024-2025 school year.

Purpose:
The purpose is to approve the Sewa Agreement for the 2024-25 school year to supplement current expanded learning opportunities and enrichment activities.

Background:
Sewa International is a nonprofit service organization founded in 2003 as part of a larger movement that started in India in 1989. The purpose of the Sewa program in NUSD is to support teaching and learning beyond the classroom, especially for those children who have been historically or systemically underserved.
Sewa staff will collaborate with NUSD staff and designated sites to supplement instructional and enrichment services for NUSD students during the day and/or after school. Provision of enrichment services will enhance student development in the following areas: Homework help, critical thinking and problem solving, health and wellness, building of new skills and interests, and cultural sensitivity and awareness. This includes, but is not limited to the following learning opportunities: lessons, workshops, conferences, and professional presentations in the areas of science, technology, engineering, art, and mathematics (STEAM), disaster preparedness, cultural celebrations, and other college and career interests.

- File Attachments**
- Sewa USA_MOU Aspire School Tutor Program_2024-25 Sept24.pdf (156 KB)

13.5 MOU Between Alameda County Office of Education and Newark Unified School District for Participation in the Clear Path for Advancement in Leadership (CPAL) Program.

Type	Action
Dollar Amount	\$2,500.00
Budgeted	Yes
Budget Source	Ed. Effectiveness Grant
Recommended	It is recommended that the Board of Trustees approve the MOU between Alameda County
Action	Office of Education and Newark Unified School District for the principal of Birch Grove Intermediate to participate in the Clear Path for Advancement in Leadership Program.
Goals	VISION: The Newark Unified School District, in partnership with the community, will be a model of world-class education that develops the unique abilities of every student. MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens. 1b. Student Achievement

Purpose:
The purpose of the MOU between Alameda County Office of Education (ACOE) and Newark Unified School District is for Robert Fang, principal at Birch Grove Intermediate, to earn his clear administrative services credential by participating in the two year Clear Path for Advancement in Leadership (CPAL) program through the Alameda County Office of Education.

Background:

ACOE offers a newly-revised two year clear administrative services credential program titled, the Clear Path for the Advancement in Leadership (CPAL). This program provides school and district leaders with foundational equity leadership development to support a long and impactful career in educational leadership. Key features include:

- Focused development on 11 Essential Equity Leadership Practices
- Premium quality monthly professional learning
- Personalized, in-person coaching every other week
- 360 feedback on leadership

Upon completion of all requirements candidates earn their Clear Administrative Services Credential. Participation in the CPAL program aligns with the district's efforts to attract and retain high quality site administrators.

File Attachments

MOU ACOE CPAL.pdf (200 KB)

Motion & Voting

It is recommended that the Board of Trustees approve the MOU between Alameda County Office of Education and Newark Unified School District for the principal of Birch Grove Intermediate to participate in the Clear Path for Advancement in Leadership Program.

Motion by Katherine Jones, second by Carina V Plancarte.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

13.6 Contract with Summa Academy, Non-Public School (NPS)

Type	Action
Preferred Date	Sep 17, 2024
Fiscal Impact	Yes
Dollar Amount	\$103,234.00
Budgeted	No
Budget Source	Resource 6500 - Special Education
Recommended Action	The recommendation is that the Board of Education approve the contract with Summa Academy, Non-Public School (NPS).

Purpose:

For the Board of Education to approve the contract with Summa Academy for day treatment services for the 2024-25 school year.

Background:

NUSD student's least restrictive environment per IDEA was determined to be placed in a Non-Public School (NPS) setting due to a significant disability, behavioral, or programmatic need that has impacted their current ability to be successful within the general education setting.

File Attachments

Summa Academy Contract 2024-25.pdf (463 KB)

Summa ISA 24-25 REDACTED.pdf (177 KB)

Motion & Voting

The recommendation is that the Board of Education approve the contract with Summa Academy, Non-Public School (NPS).

Motion by Katherine Jones, second by Carina V Plancarte.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

13.7 Clifford Moss Addendum 1 Correction

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$12,500.00
Recommended Action	The recommendation is that the Board of Education ratify Addendum 1 to the Clifford Moss agreement.

Purpose:

To ratify Addendum 1 to the Clifford Moss Agreement.

Background:

On April 16, 2024 the Board approved the agreement with Clifford Moss to provide Feasibility Services, Strategic Communications and Ballot Measure Preparation Services for a flat fee of \$40,000 plus \$10,000 for travel and program costs not included in the flat fee.

On August 6, 2024 the Board approved Addendum 1 to the Clifford Moss Agreement. The amount approved was \$36,000.

Addendum 1 includes additional compensation that was not identified on the August 6, 2024 agenda, and is part of the approved Addendum 1.

Services	Amount
Compensation: For the period of August 9 - September 2024, a \$12,000(Twelve Thousand Dollar) FLAT FEE, plus approved business expenses.	\$12,000
Provider's Expenses: Provider's consultant expenses shall not exceed atotal of \$500 (Five Hundred Dollars) without Client's prior written consent.	\$500

Info-ONLY Program Costs: Provider recommends an Information-ONLY Program Budget of \$36,000 (Thirty-Six Thousand Dollars). All such expenditures shall be pre-approved by Client before being incurred on behalf of Client.

Approved
\$36,000 8/6/2024

File Attachments

- Clifford Moss_Bond Feasibility 2024_fully executed.pdf (439 KB)
- Clifford Moss_Bond Feasibility 2024_Addendum 1_fully executed.pdf (398 KB)

Motion & Voting

The recommendation is that the Board of Education ratify Addendum 1 to the Clifford Moss agreement.

Motion by Katherine Jones, second by Carina V Plancarte.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

13.8 Report: Warrant Report for August 2024

Type	Action
Fiscal Impact	No
Recommended Action	The recommendation is that the Board of Education approve the Warrant Report as presented.

Purpose:
The purpose of this item is to present warrants, for the total amount of \$3,390,443.56 made from District funds for August 2024.

Background:
The warrant registers represent a complete listing of all payments made from District funds for a month. Because Newark Unified School District is a fiscally dependent District, each warrant must pass through two separate audits; first by the Districts Fiscal Services department, and second by the County Office of Education. No warrant can be paid until such time as it is examined and approved by the County Office of Education.

- File Attachments
Warrant Report August 2024.pdf (442 KB)

Motion & Voting

The recommendation is that the Board of Education approve the Warrant Report as presented.

Motion by Katherine Jones, second by Carina V Plancarte.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

13.9 POLICY UPDATE: Board Policy 3100 Budget (First Reading)

Type	Action
Recommended Action	The recommendation is that the Board of Education approve the updated Board Policy 3100 Budget. (First Reading)

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated board policy. (First Reading)

Background:
This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies.
The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for an additional reading.
CSBA Last Update: 2019-03-01 | NUSD Last Update: 2017-10-17

- File Attachments
Policy 3100 - Budget_Opt 1 Recommended.pdf (165 KB)

Motion & Voting

The recommendation is that the Board of Education approve the updated Board Policy 3100 Budget. (First Reading)

Motion by Katherine Jones, second by Carina V Plancarte.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

13.10 POLICY UPDATE: Adopt Board Policy 5146 - Married/Pregnant/Parenting Students (First Reading)

Type	Action, Procedural
Recommended Action	The recommendation is that the Board of Education discuss and Adopt the updated Board Policy 5146 - Married/Pregnant/Parenting Students (First Reading)

Purpose:

The purpose is for the Board of Education to review the recommended changes and adopt the updated board policy. (First Reading)

Background:

This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies.

The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for an additional reading.

Board Policy 5146 - Married/Pregnant/Parenting Students

CSBA 2024-07-01 -/ NUSD - Missing

Policy updated to reflect NEW FEDERAL REGULATIONS (89 Fed. Reg. 33474) which (1) provide that a student's current, potential, or past pregnancy, childbirth, termination of pregnancy or lactation, and related medical conditions and recovery, as well as a student's current, potential, or past parental, family, or marital status are protected from discrimination pursuant to Title IX and its implementing regulations, (2) require an employee, when a student or a person who has a legal right to act on behalf of a student informs any employee of the student's pregnancy or related conditions, to provide that person with the Title IX Coordinator's contact information and inform that person that the Title IX Coordinator can coordinate specific actions to prevent sex discrimination, including sex-based harassment, and ensure the student's equal access to the district's education program or activity, (3) require the district to provide the district's notice of nondiscrimination on the basis of sex and take specified actions once notified of a student's pregnancy or related conditions, (4) prohibit the district from requiring a student who is pregnant or has related conditions to provide certification from a healthcare provider or any other person verifying that the student is physically able to participate in the district's class, program, or extracurricular activity unless the certified level of physical ability of health is (a) necessary for participation in the class, program, or extracurricular activity, (b) the district requires such certification of all participating students, and (c) the information obtained is not used as a basis for sex discrimination, (5) require the district to allow a student who is pregnant or who has related conditions to voluntarily take a leave of absence to cover, at a minimum, the period of time deemed medically necessary by the student's licensed healthcare provider, and, if the district has a leave policy that allows for a greater period of time than the medically necessary period and the student qualifies for leave under such policy, to permit the student to take leave under that policy, (6) require the district to reinstate a student who has returned to school after taking parental leave to the academic status and, as practicable, to the extracurricular status that the student held when the voluntary leave began, (7) require the district to provide reasonable accommodations for students who are pregnant or parenting, or have related conditions, as specified, (8) require the district to provide a student who is lactating with access to a lactation space, as specified, and (9) require a district with knowledge of alleged conduct, which occurs in a district program or activity on or after August 1, 2024, that reasonably may constitute sex discrimination under Title IX, including sex-based harassment, to follow Title IX grievance procedures when investigating and resolving a complaint based on the alleged conduct.

File Attachments

[Policy 5146 - Married-Pregnant-Parenting Students.docx.pdf](#) (146 KB)

Motion & Voting

The recommendation is that the Board of Education discuss and Adopt the updated Board Policy 5146 - Married/Pregnant/Parenting Students (First Reading)

Motion by Katherine Jones, second by Carina V Plancarte.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

13.11 POLICY UPDATE: Board Policy 6000 - Concepts And Roles (First Reading)

Type	Action, Procedural
Recommended	The recommendation is that the Board of Education approve the updated Board Policy 6000 -
Action	Concepts And Roles (First Reading)
Goals	MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens.

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated board policy. (First Reading)

Background:

This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies.

The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for an additional reading.

Board Policy 6000 - Concepts And Roles

Policy updated to align concepts with other sample policies and incorporate concepts of equity and inclusion. Additionally, policy updated to reflect NEW GUIDANCE from the California Department of Education, including the importance of coordination, collaboration and alignment between the school, parents/guardians and the community, and district support for innovative programs and practices that promote student engagement, growth, understanding, achievement and career exploration

File Attachments

[BP 6000 Concepts and Roles.docx.pdf](#) (79 KB)

Motion & Voting

The recommendation is that the Board of Education approve the updated Board Policy 6000 - Concepts And Roles (First Reading)

Motion by Katherine Jones, second by Carina V Plancarte.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

13.12 POLICY UPDATE: Board Policy 6164.2 - Guidance/Counseling Services (First Reading)

Type Action, Procedural

Recommended The recommendation is that the Board of Education approve the updated Board Policy 6164.2

Action - Guidance/Counseling Services (First Reading)

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated board policy. (First Reading)

Background:

This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies.

The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for an additional reading.

Board Policy 6164.2 - Guidance/Counseling Services

Policy updated to reflect NEW LAW (AB 278, 2023) which establishes the Dream Resource Grant Program with the goal of creating Dream Resource Centers at schools that serve students in grades 9-12, and NEW LAW (SB 223, 2023) which provides flexibility for pupil personnel services holders to receive authorization to provide child welfare and attendance services by either completing a Commission on Teacher Credentialing (CTC)-approved program of supervised field experience, or a CTC-approved program of professional preparation offered by a local educational agency. Additionally, policy updated to clarify that (1) guidance counseling regarding school programs and career, vocational, or higher education opportunities may not be differentiated based on any protected category specified in law or board policy, and that (2) the district may not use testing or other materials that permit or require impermissible or unlawful differential treatment of students, unless such different materials cover the same occupations and interest areas and the use of such materials is essential to the elimination of bias and discrimination. In addition, policy updated to reflect NEW LAW (AB 1173, 2023) which requires a district that serves students in any of grades 9-12 that is planning to hold a college or career fair to notify each community college district that has overlapping jurisdiction of the date, time, and location of the fair, and provide an opportunity for the community college district to participate. Policy also updated to reflect NEW LAW (AB 665, 2023) which aligns a section of the Family Code with a related Health and Safety Code section which allows a minor age 12 or older to consent to outpatient mental health counseling or treatment services without parent/guardian consent if, in the opinion of a school psychologist or other professional person, the minor is mature enough to participate intelligently in the services, without having to establish that the minor would present a danger of serious physical or mental harm to themselves or others without the mental counseling or treatment services or that the minor is an alleged victim of incest or child abuse; however the child's parent/guardian is required to be involved unless the professional person determines after consulting with the minor that it would be inappropriate. Policy also updated to delete the requirement for school counselors to assist in the development of the comprehensive safety plan since this is not required by law, but maintained the requirement for school counselors to assist in the development of the disaster preparedness plan, which is part of the comprehensive safety plan.

File Attachments

BP 6164.2 Guidance-Counseling Services.docx.pdf (161 KB)

Motion & Voting

The recommendation is that the Board of Education approve the updated Board Policy 6164.2 - Guidance/Counseling Services (First Reading)

Motion by Katherine Jones, second by Carina V Plancarte.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

13.13 Board Policy and Administrative Regulation 7214- General Obligation Bonds (Second Reading/Action)

Type Action, Discussion

Fiscal Impact No

Budgeted No

Recommended Approve Board Policy and Administrative Regulation 7214 as presented (Second reading/Action)

Goals VISION: The Newark Unified School District, in partnership with the community, will be a model of world-class education that develops the unique abilities of every student.

MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens.

Purpose:

Approve Board Policy and Administrative Regulation 7214 as presented (Second Reading/Action)

Background:

Board Policy 7214 - General Obligation Bonds

Policy updated for clarity and organization, including that the Governing Board may direct the Superintendent to

explore the possibility of a bond measure.

Administrative Regulation 7214 - General Obligation Bonds

Regulation updated to expand and more closely align with code language the information related to ballot materials, including that at least 88 days prior to the election the Superintendent must deliver applicable ballot materials to the officer conducting the election. Additionally, regulation updated to add new section "Ballot Materials" which includes (1) that the ballot question may not exceed 75 words, (2) that the ballot materials include a brief statement of the measure setting forth the amount of the bonds to be voted on, the maximum rate of interest, and the purposes for which the proceeds of the sale of the bonds are to be used, (3) for bond measures that require a 55 percent majority vote, a statement that the Board will appoint a citizens' oversight committee, (4) for projects that require state matching funds, a statement advising voters that the project is subject to the approval of state matching funds, and (4) that arguments in support of or in opposition to a bond measure are submitted in accordance with law, and to reflect NEW LAW (SB 798, 2023) which requires the inclusion of the tax rate per \$100,000 of assessed valuation on all property to be taxed to fund a bond measure. In addition, regulation updated to (1) reflect that the district will provide the citizens' oversight committee with responses to any and all findings, recommendations, and concerns addressed in the annual independent financial and performance audits within three months of receiving the audits, and (2) to include post-issuance reporting requirements

File Attachments

- BP 7214 General Obligation Bonds.docx.pdf (179 KB)
AR 7214 General Obligation Bonds.pdf (80 KB)

Motion & Voting

Approve Board Policy and Administrative Regulation 7214 as presented (Second reading/Action)

Motion by Nancy Thomas, second by Katherine Jones.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

14 BOARD OF EDUCATION: COMMITTEE REPORTS, ANNOUNCEMENTS, REQUESTS, DEBRIEF

14.1 Board of Education Committee Reports, Announcements, Requests, Debrief and Discussion

AND DISCUSSION

Type Action, Discussion, Information

Purpose:

COMMITTEE REPORTS: The Trustees will provide an update, if available, on the committees of which they are members.
ANNOUNCEMENTS: The Trustees may acknowledge or recognize specific programs, activities, or personnel at this time.
REQUESTS: This is an opportunity for the Board of Education to suggest items for placement on future agendas and to review Board requests.
Approval from the majority of the Board will be required for direction to be provided to the Superintendent.
DEBRIEF AND DISCUSSION: The Trustees may debrief and discuss items.

Background:

Each year the Board of Education members liaise with schools and committees in order to build relationships, hear from staff, students, and families, and act as a conduit for information to and from the schools.

Board Committees 2023-24

Table with columns: Board Adopted on 12/18/2023, Representative, Alternate. Rows include Mission Valley Regional Occupational Center/Program (ROC/P), Executive Board, Regional Policy Board of Special Education Local Plan Area (SELPA), Newark Teacher Induction Advisory Council (Formerly EBIC), Audit Committee, Bond/Parcel Tax Committee, City of Newark NUSD Liaison Committee.

The following derives directly from the Board approved "Governance Team Handbook"

Authority is Collective, Not Individual:

The only authority to direct action rests with the Board as a whole when seated at a regular or special board meeting. Outside of this meeting, there is no authority.

A majority Board vote provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction.

Bringing New Ideas Forward

The Board will be open to having "brainstorming" discussions, or study sessions, around any idea that a Trustee may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Trustee, at their initiative or at the request of a constituent, which was previously discussed during a board meeting.

Trustees will first notify the Board President and Superintendent of their interest in bringing forward a new idea at a board meeting.

When initially agendized, the preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.

Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea. The Superintendent will decide on the delegation of assignments to District staff.

The new idea may be agendized for discussion only. The Board majority will decide if the new idea should be further developed and studied by staff. The Board majority will decide if staff time should be invested in the "fleshing out" of new ideas.

Individual Trustees, in the course of interactions with constituents, will be careful not to make or imply the commitment of the full Board to explore or proceed with implementing new ideas.

15 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

15.1 Superintendent's Concluding Comments, Updates, and Future Agenda Items

AGENDA REQUESTS

Type Information

Purpose:

This is an opportunity for the Interim Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

16 ADJOURNMENT

16.1 PLACEHOLDER - Extend Meeting

Type Action

Recommended The recommendation is that the Board of Education extends the meeting to ____ P.M.
Action

Purpose:

This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

16.2 Adjournment

Type Action

Recommended The recommendation is that the Board of Education adjourns this meeting.
Action

Purpose:

No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time. This action will conclude the meeting.

Motion & Voting

1 CALL TO ORDER

1.1 Roll Call

Type Procedural

Trustees:

President Aiden Hill
Vice President/Clerk Katherine Jones
Member Phuong Nguyen
Member Carina V. Plancarte
Member Nancy Thomas

Student Board Member:

Member Joy Lee

1.2 Meeting Practices and Information

Type Information, Procedural

In-person Meeting Information:

Please see the attached meeting information in English and Spanish.

Observe The Board Of Education Meeting:

Members of the public may observe the meeting via the NUSD YouTube Channel, or in-person at the NUSD Boardroom. Spanish translation will be available in person.

Public Comment:

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

File Attachments

Board Meeting Protocols_ENG(1).pdf (69 KB)
Protocolos de la Reunion de la Mesa Directiva_ESP (1).pdf (65 KB)

[Original Board Meeting Guidelines.pdf](#) (259 KB)

1.3 Public Comment on Closed Session Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and tries to make it convenient for members of the community to express their views to the Board.

If a constituent wishes to address the Board on any agenda item:

In-Person Comment: please submit a completed speaker card to the Board's Executive Assistant before the start of the meeting, or prior to the calling of the section for public comment.

Audio-Only Virtual Comment: please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org by 1:00 PM the day of the meeting. Please label your email as " AUDIO-ONLY PUBLIC COMMENT" and include your name as it will appear on Zoom, your phone number, email address, and the agenda item number related to your comment.

Please see detailed instructions for public comment on the link: <http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

File Attachments

[Board Meeting Protocols_ENG\(1\).pdf](#) (69 KB)

[Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf](#) (65 KB)

1.4 Recess to Closed Session

Type Procedural

Purpose:

The Board will recess to Closed Session, and reconvene to Open Session on or about 7:00 p.m.

2 CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION: Significant exposure to litigation pursuant to Gov. Code 54956.9, subd. (d)(2): one case

Type Action, Discussion, Procedural
Preferred Date Sep 03, 2024

Purpose:

To discuss significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of 54956.9 of the California Government Code: one case; Student vs. Newark Unified School District, Reference No. 2024NUSD005.

Motion & Voting

2.2 CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION: Significant exposure to litigation pursuant to Gov. Code 54956.9, subd. (d)(2): 3 cases

Type Action, Discussion, Procedural
Fiscal Impact Yes
Budgeted No

Purpose:

To discuss significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of 54956.9 of the California Government Code: Update on Case Reference No. 000182024. Update on Anticipated Litigation (2 cases).

3 REPORT OF CLOSED SESSION ACTIONS

3.1 Report of Closed Session Actions

Type Action, Procedural

Purpose:

If available, a report of the closed session will be provided by the Board President.

Motion & Voting

4 RECONVENE TO OPEN SESSION

4.1 Pledge of Allegiance

Type Procedural

Purpose:
The Governance Team will recite the Pledge of Allegiance

4.2 Meeting Practices and Information

Type Information, Procedural

In-person Meeting Information:
Please see the attached meeting information in English and Spanish.

Observe The Board Of Education Meeting:
Members of the public may observe the meeting via the NUSD YouTube Channel, or in-person at the NUSD Boardroom. Spanish translation will be available in person.

Public Comment:
The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

File Attachments
[Board Meeting Protocols_ENG\(1\).pdf](#) (69 KB)
[Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf](#) (65 KB)
[Original Board Meeting Guidelines.pdf](#) (259 KB)

5 APPROVAL OF AGENDA

5.1 Approval of the Agenda

Type Action
Recommended Action The recommendation is that the Board of Education approve the agenda for this meeting as presented.

Purpose:
Members of the Governance Team may request that the agenda be amended or approved as presented.

Motion & Voting

6 STUDENT REPORT

6.1 Student Report: Student Board Member, Joy Lee

Purpose:
The Student Report gives the Board of Education and the public an opportunity to hear the highlights, achievements, and initiatives from the viewpoint of the student board member.

Background:
The information will be provided by the Student Board Member, Joy Lee.

7 EMPLOYEE ORGANIZATIONS

7.1 Employee Organizations

Type Information

Purpose:
At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Background:
Discussion items are limited to updates, celebrations, and upcoming events.
1. NTA
2. CSEA
3. NEWMA

8 PUBLIC COMMENT

8.1 Public Comment on Non-Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items. <http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

File Attachments

- [Board Meeting Protocols_ENG\(1\).pdf](#) (69 KB)
- [Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf](#) (65 KB)

8.2 Public Comment on Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items. <http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

File Attachments

- [Board Meeting Protocols_ENG\(1\).pdf](#) (69 KB)
- [Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf](#) (65 KB)

9 SUPERINTENDENT REPORT

9.1 Superintendent Report

Type Information

Purpose:

The Interim Superintendent will provide the Board of Education with district information, updates, news, or anything in the jurisdiction of the board or the superintendent.

Background:

The presentation and information will be provided by the Interim Superintendent

10 NEW BUSINESS

10.1 2023-24 Unaudited Actuals Financial Report

Type	Action, Discussion, Information, Procedural
Fiscal Impact	Yes
Budgeted	Yes
Recommended Action	The recommendation is that the Board approve the 2023-24 Unaudited Actuals Financial Report.

Purpose:

The purpose of this item is for the Board to review and approve the 2023-24 Unaudited Actuals Financial Report.

Background:

Assembly Bill 1200 requires that the prior year's unaudited actuals of revenues and expenditures be approved by the Board of Trustees (EC 42100). The unaudited actuals will be reviewed by independent auditors and presented in an annual independent audit report. The report includes the actual results of 2023-24 operations for all funds of the District and includes various supplemental schedules used to convert the District's fund-level statements into entity-wide statements in compliance with Governmental Accounting Standards Board Statement #34 (GASB 34).

The District must close its books for the 2023-24 fiscal year by September 15, 2024, and submit the financial statement to the Alameda County Office of Education which will review the information and forward it to the state. This report is prepared using the state software in a format approved by the California Department of Education (Standardized Account Code Structure, known as SACS). Individual SACS report forms are prepared for each of the District's funds. The financials present the 2023-24 revenues, expenses, assets, liabilities, and fund balances by the fund.

*PowerPoint presentation by staff will be uploaded prior to the Board Meeting on September 3, 2024.

** Unaudited Actual Book was revised on 8/31/24 #5:35 pm. Please see attached document 2023-34 UA Final Rev 8_31_24

File Attachments

- [2023-24 UA Final Rev 8_31_24.pdf](#) (5,604 KB)

10.2 Resolution 2024.25.09 Committed Fund Balance for 2024-2025

Type	Action, Discussion, Information, Procedural
Fiscal Impact	Yes
Budgeted	Yes
Recommended Action	The recommendation is that the Board of Education adopt Resolution 2024.25.09 Committed Fund Balance for 2024-2025.
Goals	4. Fiscal Health

Purpose:
To approve the commitments to fund balance as presented in the resolution.

Background:
As a result of the balance in the Public School System Stabilization Account, the statutory limitation on school district reserves has been triggered for the 2024-25 budget period, pursuant to Education Code (EC) section 42127.01(e). For the 2024-25 fiscal year, the district reserve cap requires that a school district's adopted or revised budget shall not contain a combined assigned or unassigned ending general fund balance of more than 10 percent of those funds. Assigned and unassigned balances within the Fund 17 Special Reserve Fund for Other than Capital Outlay and the General Fund may not exceed the 10 percent reserve cap. Committed fund balances are not included in the 10 percent reserve cap.

File Attachments
[Resolution 2024.25.09 Committed Fund Balance for 2024-25.pdf](#) (14 KB)

Motion & Voting

10.3 Technology Upgrades: Replacement of Centralized Servers

Type	Action, Discussion, Information
Fiscal Impact	Yes
Dollar Amount	\$136,788.00
Budgeted	Yes
Budget Source	ESSER
Recommended Action	The recommendation is that the Board of Education to approve the proposal with [re]Design and Dell Technologies for Data Center Modernization for \$136,788.00.

Purpose:
The purpose of this item is for the Board of Education approve the proposal of \$136,788.00 with [re]Design and Dell Technologies for the replacement of centralized servers that serve all school sites.

Background:
The replacement proposal results in a significant cost savings compared to the annual refresh. The District is using the remainder of the ESSER funds that must be spent by Sept 30, 2024, to support the need for technology upgrades that support student and staff devices. This proposal provides for the replacement of centralized servers and VM Ware Licensing that serves all school sites.
9/3/2024: Additional quote added to agenda.

File Attachments
[IT-Board Presentation- Server Refresh.pdf](#) (929 KB)
[ReDesign Data Center Refresh Quote \(2\).pdf](#) (577 KB)
[\[re\]Design_Servers, Storage and VMware Quote - 3 YR - 9.3.24.pdf](#) (429 KB)

Motion & Voting
The recommendation is that the Board of Education to approve the proposal with [re]Design and Dell Technologies for Data Center Modernization for \$136,788.00.
Motion by Carina V Plancarte, second by Nancy Thomas.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte, Joy Lee

10.4 Technology Upgrades: Replacement of 370 Student Devices at Newark Memorial High School

Type	Action, Discussion, Information
Fiscal Impact	Yes
Dollar Amount	\$170,116.75
Budgeted	Yes
Budget Source	ESSER
Recommended Action	The recommendation is that the Board of Education to approve \$170,116.75 for the purchase of 370 student devices for Newark Memorial High School from quote CDW-G NZXC914.

Purpose:
The purpose of this item is for the Board to approve the purchase of 370 student devices for Newark Memorial High School from CDW-G in the amount of \$170,116.75.

Background:
This proposal provides for the purchase of 370 student devices at Newark Memorial High School. The original presentation

forecasted 300 devices. The actual 2024 Freshman class is 367 students. A percentage of existing Chromebooks from the high school would be repurposed to support the needs of other NUSD schools. This number will be calculated to ensure remaining high school inventory meets a 1:1 student to device ratio for the sophomore, junior, and senior class. The recommended device is the Lenovo 14E N100 Chromebook. CDW-G was able to provide a discounted quote for 370 devices.

File Attachments

- CDW Quote NZXD056_300 Chromebooks.pdf (91 KB)
CDW Quote NZXC914_300 Chromebooks.pdf (91 KB)
Trafera Estimate No E000124386_300 Chromebooks.pdf (97 KB)
Trafera Estimate No E000124390_300 Chromebooks.pdf (68 KB)
CDW Quote NZXC914_370 Chromebooks_7-30-2024.pdf (76 KB)
CDW Quote NZXC914_370 Chromebooks_Recommended.pdf (76 KB)
IT-Board Presentation- HS Device Recommendation.pdf (456 KB)

Motion & Voting

The recommendation is that the Board of Education to approve \$170,116.75 for the purchase of 370 student devices for Newark Memorial High School from quote CDW-G NZXC914.

Motion by Katherine Jones, second by Phuong Nguyen.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte, Joy Lee

11 CONSENT AGENDA: PERSONNEL ITEMS

11.1 PLACEHOLDER - One Consented Vote

Type Action
Recommended It is recommended that the Board of Education approve, under one consented vote, the
Action agenda items under Consent-Personnel, except for agenda items:

Purpose:
This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:
Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

11.2 Personnel Report

Type Action
Recommended The recommendation is that the Board of Education ratify the personnel report as presented.
Action

Purpose:
The purpose is for the Board of Education to ratify the Personnel Report as presented.

Background:
All personnel activities including new hires, changes in status, resignation, leaves, and retirements are routinely submitted to the Board for ratification.

- File Attachments
HR PAL 09.03.2024.pdf (355 KB)

Motion & Voting

The recommendation is that the Board of Education ratify the personnel report as presented.
Motion by Katherine Jones, second by Phuong Nguyen.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte
Abstain: Joy Lee

12 CONSENT AGENDA: NON-PERSONNEL ITEMS

12.1 PLACEHOLDER - One Consented Vote

Type Action
Fiscal Impact Yes
Budget Source Various Budget Sources
Recommended It is recommended that the Board of Education approve 12.2 through 12.10, under one
Action consented vote, the agenda items under Consent Non-Personnel.

Purpose:
This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:

Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

12.2 Resolution 2024.25.07 Adopting the 2023-24 and 2024-25 Gann Limit

Type Action
Recommended Action The recommendation is that the Board of Education adopt Resolution 2024.25.07 Adopting the 2023-24 and 2024-25 Gann Limit.

Purpose:
The purpose of this item is for the Board to approve Resolution No. 2024.25.07 Adopting the 2023-24 and 2024-25 Gann Limit.

Background:
The Gann limit was established by Proposition 4 in 1979. Simply put, the purpose of the limit is to keep per-person government spending under 1978-79 levels, adjusted for changes in population and inflation. For school districts, ADA is used to determine population. The limit is based on local property tax revenues and state aid received. If a school district's Gann limit is reduced, they do not lose funding. School districts are required to adopt a resolution and file a Form GANN every year. Form GANN is part of the Unaudited Actuals SACS report submitted to the Alameda County Office of Education every year. For reference, a School Services of California article and information from the California Department of Education (CDE), including FAQs, are attached.

File Attachments
Resolution No. 2024.25.07 Gann Limit.pdf (233 KB)

Motion & Voting

12.3 Report: Monthly Purchase Order Report

Type Action
Recommended Action The recommendation is that the Board of Education receive the Monthly Purchase Order Report as presented.

Purpose:
The purpose of this item is to present a monthly report on Purchase Order transactions per Board Policy 3300, Expenditures and Purchases.

Background:
Based on the discussion at the Board's Study Session on January 6, 2022, staff is providing a monthly report on Purchase Order transactions per Board Policy 3300, Expenditures and Purchases. The policy states that "The Board shall review all transactions entered into by the Superintendent or designee on behalf of the Board every 60 days." This month's report includes 248 PO's dated 7/17/2024 through 7/31/2024 for a total of \$2,783,099.95.

File Attachments
Monthly Purchase Order Report 09-03-2024.pdf (81 KB)

Motion & Voting

12.4 POLICY UPDATE: Board Policy 5145.6 - Parent/Guardian Notifications

Type Action, Procedural
Fiscal Impact No
Recommended Action The recommendation is that the Board of Education discuss and approve the updated Board Policy 5145.6 - Parent/Guardian Notifications
Goals VISION: The Newark Unified School District, in partnership with the community, will be a model of world-class education that develops the unique abilities of every student.

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation.

Background:
This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for an additional reading
Board Policy 5145.6 - Parent/Guardian Notifications
CSBA Last Update: 2024-06-01 | NUSD Last Update: 2023-08-15-09-17

Policy updated to clarify the importance of effective communication from the district and/or school to families, and that a parent/guardian's signature acknowledging receipt of the annual notifications is not required. Additionally, policy updated to delete a portion of the material related to how notifications are presented, due to redundancy.

[File Attachments](#)

[BP 5145.6 Parent-Guardian Notifications.docx.pdf](#) (75 KB)

[Motion & Voting](#)

12.5 POLICY UPDATE: Board Policy and Administrative Regulation 5145.7 - Sex Discrimination and Sex-Based Harassment

Type	Action, Procedural
Fiscal Impact	No
Recommended Action	The recommendation is that the Board of Education discuss and approve the updated Board Policy and Administrative Regulation 5145.7 - Sex Discrimination and Sex-Based Harassment
Goals	MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens.

[Purpose:](#)

The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation.

[Background:](#)

This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies.

The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for an additional reading

Board Policy 5145.7 - Sex Discrimination and Sex-Based Harassment

CSBA Last Update: 2008-03-01 | NUSD Last Update: 1996-09-17

Policy updated to include material related to sex discrimination, in addition to sex-based harassment. Additionally, policy updated to reflect NEW FEDERAL REGULATIONS (89 Fed. Reg. 33474) which (1) clarify that discrimination on the basis of sex, including sex-based harassment, for the purpose of Title IX includes sex stereotypes; sex characteristics; gender identity; sexual orientation; pregnancy, childbirth, termination of pregnancy, or lactation, including related medical conditions or recovery; and parental, marital, and family status, (2) require employees with knowledge of conduct that reasonably may constitute sex discrimination or sex-based harassment in a district education program or activity to notify the Title IX Coordinator, (3) require a district with knowledge of alleged conduct, which occurs in a district program or activity on or after August 1, 2024, that reasonably may constitute sex discrimination under Title IX, including sex-based harassment, to follow Title IX grievance procedures when investigating and resolving a complaint based on the alleged conduct, (4) require the Title IX Coordinator to offer and coordinate supportive measures when notified of conduct that reasonably may constitute sex discrimination, including sex-based harassment (5) require specified training related to sex discrimination for all district employees, as well as additional training for investigators, decisionmakers, and other persons who are responsible for implementing the district's grievance procedures or have the authority to modify or terminate supportive measures; facilitators of an informal resolution process; and the Title IX Coordinator(s) and designees, and (6) require specified records to be maintained for seven years. In addition, policy updated to reflect NEW LAW (AB 1955, 2024) which prohibits a district, including a Governing Board member from retaliating or otherwise taking adverse action against an employee, including by placing the employee on administrative leave, on the basis that the employee supported a student exercising rights specified in certain Education Code provisions, performed work in a manner consistent with the district's legal obligations related to educational equity, or provided instruction to students consistent with current content standards, curriculum frameworks, instructional materials adopted by the state board, and state law. Policy also updated to (1) provide that employees are required to report incidents of prohibited discrimination within one workday, which may be modified to reflect the district's timeline, in order to maintain consistency of such reporting requirements across the policy manual, and (2) delete material related to requirements for posting and publishing the district's sexual harassment policy which are located in Administrative Regulation 5145.3 Nondiscrimination/Harassment, and the accompanying administrative regulation by reference.

Administrative Regulation 5145.7 - Sex Discrimination and Sex-Based Harassment

CSBA Last Update: 2008-03-01 | NUSD Last Update: 1996-09-17

Regulation updated to include material related to sex discrimination, in addition to sex-based harassment. Additionally, regulation updated to emphasize that the district does not discriminate on the basis of sex in any of its programs or activities, prohibits such conduct, and complies with Title IX. In addition, regulation updated to include definitions of sex discrimination and sex-based harassment, and reflect NEW FEDERAL REGULATIONS (89 Fed. Reg. 33474) which (1) clarify that discrimination on the basis of sex, including sex-based harassment, for the purpose of Title IX includes sex stereotypes; sex characteristics; gender identity; sexual orientation; pregnancy, childbirth, termination of pregnancy, or lactation, including related medical conditions or recovery; and parental, marital, and family status, (2) require a district with knowledge of alleged conduct, which occurs in a district program or activity on or after August 1, 2024, that reasonably may constitute sex discrimination under Title IX, including sex-based harassment, to follow Title IX grievance procedures when investigating and resolving a complaint based on the alleged conduct, and (3) provide that a district (a) may not exclude a student from participation in, deny a student the benefits of, or otherwise subject a student to discrimination on the basis of sex in any education program or activity, (b) that in the limited circumstances in which different treatment or separation on the basis of sex is permitted, a district may not carry out such different treatment or separation in a manner that discriminates on the basis of sex by subjecting a student to more than de minimis harm, and (c) that preventing a student from participating in an education program or activity consistent with the person's gender identity subjects a person to more than de minimis harm on the basis of sex. Regulation also updated to provide that employees are required to report incidents of prohibited discrimination within one workday, which may be modified to reflect the district's timeline, in order to maintain consistency of such reporting requirements across the policy manual. Additionally, regulation updated to (1) include material formerly in Administrative Regulation 5145.3 - Nondiscrimination/Harassment related to issues that are unique to intersex,

nonbinary, transgender, and gender nonconforming students, (2) reflect NEW LAW (AB 1955, 2024) which clarifies that under existing law a district, including a Governing Board member, may not require an employee or contractor to disclose any information related to a student's sexual orientation, gender identity, or gender expression to any other person, or enact or enforce any policy, rule, or administrative regulation that would require the same, without the student's consent unless otherwise required by state or federal law, and (3) reflect NEW LAW (SB 760, 2023) which requires, beginning July 1, 2026, each school with more than one female student restroom and more than one male student restroom to provide and maintain at least one all-gender restroom for student use that meets the requirements of law.

File Attachments

- Policy 5145.7 - Sex Discrimination and Sex-Based Harassment.docx.pdf (118 KB)
Regulation 5145.7 - Sex Discrimination and Sex-Based Harassment.docx.pdf (220 KB)

Motion & Voting

12.6 POLICY UPDATE: Administrative Regulation 5145.71 - Title IX Sex Discrimination and Sex-Based Harassment Complaint

Table with 2 columns: Type, Action, Procedural. Rows include Recommended Action, Goals, and Mission statement.

Purpose: The purpose is for the Board of Education to review the recommended changes and approve the updated administrative regulation.

Background: This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for an additional reading. Administrative Regulation 5145.71 - Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures CSBA Last Update: 2024-07-01 | NUSD Last Update: 2023-08-01 Regulation updated to reflect NEW FEDERAL REGULATIONS (89 Fed. Reg. 33474) which make extensive and significant changes to the title IX grievance procedures including that they (1) require a district with knowledge of alleged conduct, which occurs in a district program or activity on or after August 1, 2024, that reasonably may constitute sex discrimination under Title IX, including sex-based harassment, to follow Title IX grievance procedures when investigating and resolving a complaint based on the alleged conduct, (2) require district's to follow "basic requirements" when implementing the Title IX grievance procedures, (3) modify the definition of a "complaint" and who may bring a complaint, (4) modify the Title IX Coordinator's responsibilities related to the initiation of a complaint when the alleged victim chooses to not bring a complaint, (5) modify the requirements related to the offering and coordination of supportive measures, (6) expand the requirements related to the dismissal of complaints, including the appeal of dismissals, (7) expand the requirements related to the informal resolution process, (8) amend requirements related to notice of allegations when a formal investigation is initiated by the district, (9) expand requirements related to the investigation procedures, (10) modify requirements related to the written decision, (11) alter the process for the appeal of the decision, (12) provide for extension of timelines, and (13) amend requirements for remedies, disciplinary actions, and record-keeping. Additionally, regulation updated to delete material defining sex-based harassment as the definitions for sex discrimination and sex-based harassment are contained within Administrative Regulation 5145.7 Sex Discrimination and Sex-Based Harassment, and to delete material in regard to reporting of sex-based harassment as such material is contained within other related policies. Regulation also updated to add a section on Consolidation of Complaints, and material related to record-keeping requirements for complaints containing allegations of childhood sexual assault.

File Attachments

- Regulation 5145.71 - Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures.docx.pdf (308 KB)

Motion & Voting

12.7 Board Bylaw 9320 Meetings and Notices

Table with 2 columns: Type, Action, Information. Row includes Recommended Action and Bylaw 9320 Meetings and Notices.

Purpose: The purpose is for the Board of Education to review the recommended changes and approve the updated Board Bylaw 9320 Meeting and Notices.

Background: Bylaw updated to reflect NEW LAW (AB 2449, 2022) which (1) requires Boards to maintain and implement a procedure for receiving and resolving requests for reasonable accommodation for individuals with disabilities, to resolve any doubt in favor of accessibility, and to give notice of the procedure for receiving and resolving requests for accommodation in each instance in which notice of the time of a meeting is otherwise given or the agenda is otherwise posted, and (2) adds procedures for "Teleconferencing During a Personal Emergency" and "Teleconferencing for Just Cause". Bylaw also updated to reflect NEW LAW (AB 2647, 2022) which provides a procedure for complying with the Brown Act when

distributing materials to the Board less than 72 hours before a regular meeting and outside of regular business hours. Additionally, bylaw updated to reference the expiration of the California COVID-19 State of Emergency on February 28, 2023 and to clarify that a Board may utilize "Teleconferencing During a Proclaimed State of Emergency," if all terms are met pursuant to Government Code 54953, until January 1, 2024.

[File Attachments](#)

[Bylaw 9320 - Meetings And Notices.pdf](#) (205 KB)

[Motion & Voting](#)

12.8 Board Bylaw 9321 Closed Session

Type Action, Discussion, Procedural
Recommended The recommendation is that the Board of Education discuss and approve the updated Board
Action Bylaw 9321 - Closed Session

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated Board Bylaw 9321 - Closed Session.

Background:

Bylaw updated to reflect appellate court ruling in Fowler v. City of Lafayette, which clarified that when an item is agendized in closed session based on a threat of litigation made by a person outside of an open meeting and a district official or employee receiving knowledge of the threat made a record of the statement before the meeting, that statement is required to be made available to the public. Bylaw also updated to reference accompanying Exhibit (1) for specific agenda descriptions for closed session items and accompanying Exhibit (2) for descriptions to report out of specified closed session items. Additionally, Bylaw updated for clarity, precision, and consistency.

[File Attachments](#)

[Bylaw 9321 - Closed Session.pdf](#) (217 KB)

[Motion & Voting](#)

12.9 Board Bylaw 9323 Meeting Conduct

Type Action, Information, Procedural
Recommended The recommendation is that the Board of Education discuss and approve the updated Board
Action Bylaw 9323 Meeting Conduct.

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated Board Bylaw 9323 Meeting Conduct.

Background:

Bylaw Updated to reflect NEW LAW (SB 1100, 2022) which authorizes the Board President to remove an individual for disrupting a Board meeting, establishes a procedure for warning the individual prior to their removal, and defines "disrupting" and "true threat of force."

[File Attachments](#)

[Bylaw 9323 - Meeting Conduct.pdf](#) (136 KB)

[Motion & Voting](#)

12.10 Board Bylaw 9324 Minutes and Recording

Type Action, Discussion, Procedural
Budget Source The recommendation is that the Board of Education discuss and approve the updated Board
Bylaw 9324 - Minutes and Recording.

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated Board Bylaw 9324 Minutes and Recording.

Background:

NUSD Last Update: 11/05/1996 CSBA Last Update: 12/1/2018
Bylaw updated to current CSBA language.

[File Attachments](#)

[Bylaw 9324 - Minutes And Recordings.pdf](#) (71 KB)

[Motion & Voting](#)

12.11 Board Bylaw 9400 Board Self Evaluation

Type	Action, Discussion, Procedural
Fiscal Impact	No
Recommended	The recommendation is that the Board of Education discuss and approve the updated Board
Action	Bylaw 9400 - Board Self Evaluation

Purpose:
 The purpose is for the Board of Education to review the recommended changes and approve the updated Board Bylaw 9400 Board Self Evaluation.

Background:
 NUSD Last Update: 11/05/1996 CSBA Last Update: 05/07/2013
 Bylaw updated to current CSBA language.

File Attachments
[Bylaw 9400 - Board Self-Evaluation.pdf](#) (50 KB)

Motion & Voting

12.12 Athletic Trip, Overnight, Round Trip Distance Over 125 Miles Field Trip: Newark Memorial Cross Country Team to

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$1,834.00
Budgeted	Yes
Budget Source	NM Boosters
Recommended	The recommendation is that the Board of Education approve Newark Memorial High School
Action	Cross Country Team trip to Fresno, CA.

Purpose:
 The Newark Memorial High School Principal and Athletic Director request permission to take students on an athletic and overnight trip to Fresno, CA for the Cross Country Clovis Invitational.

Background:
 The Clovis invitational is the state championship preview cross country meet with the best teams in the state. We have been selected to participate due to our performance over the last 3 years including 2 top 15 finishes as a team at the state championship at Woodward Park.

Date: October 10, 2024 - October 11, 2024
 Location: Woodward Park, Fresno CA

According to Board Policy 6153, all trips in excess of 125 miles, athletic trips, and overnight trips require Board approval. The Newark Memorial High School Principal and Athletic Director requested permission to take students on an athletic and overnight trip to Fresno, CA for the Cross Country Clovis Invitational.

Requirements met:
 Grade K-3, one adult for every 5-8 students; Grades 4-12, one adult for every 10 students; Board Policy requires at least two adults on every trip regardless of the number of students (BP 6153 and AR 6153)
 Overnight trip supervision must be gender appropriate
 No student will be denied due to a lack of funds

Motion & Voting

12.13 Athletic Trip, Overnight, Round Trip Distance Over 125 Miles Field Trip: Newark Memorial Girls Basketball Team to

Type	Action
Preferred Date	Sep 03, 2024
Absolute Date	Sep 03, 2024
Fiscal Impact	Yes
Dollar Amount	\$3,400.00
Budgeted	Yes
Budget Source	Athletics ASB, NM Boosters
Recommended	The recommendation is that the Board of Education approve Newark Memorial High School
Action	Varsity Girls Basketball Team trip to Roseville, CA.
Goals	MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens.

Purpose:
 The Newark Memorial High School Principal and Athletic Director request permission to take students on an athletic and overnight trip to Roseville, CA for the Oakmont High School Tournament.

Background:
 This is a competitive tournament, which provides our athletes with an opportunity to compete at a high level.
 Date: December 5, 2024 - December 7, 2024
 Location: Oakmont High School, Roseville, CA.

According to Board Policy 6153, all trips in excess of 125 miles, athletic trips, and overnight trips require Board approval. The Newark Memorial High School Principal and Athletic Director requested permission to take students on an athletic and overnight trip to Roseville, CA for the Oakmont High School Tournament.

Requirements met:

Grade K-3, one adult for every 5-8 students; Grades 4-12, one adult for every 10 students; Board Policy requires at least two adults on every trip regardless of the number of students (BP 6153 and AR 6153)
 Overnight trip supervision must be gender appropriate
 No student will be denied due to a lack of funds

Motion & Voting

12.14 FIELD TRIP: NMHS Puente to travel to Southern California College Visit

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$17,000.00
Budgeted	Yes
Budget Source	LCAP and ASB Funds
Recommended	The recommendation is that the Board of Education approves the NMHS Puente Southern
Action	California College Visit curricular and overnight field trip.

Purpose:

The Newark Memorial High School Principal and Puente Advisor request approval of a curriculum and overnight field trip to be taken by the Newark Memorial High School Puente students to visit colleges in Southern California.

Background:

The Puente Project is a national award-winning program that has improved the college-going rate of tens of thousands of California's educationally underrepresented students since 1981. Its mission is to increase the number of educationally disadvantaged students who enroll in four-year colleges and universities, earn college degrees, and return to the community as mentors and leaders to future generations. The program is interdisciplinary in approach, with writing, counseling, and mentoring components.

According to Board Policy 6153, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. Newark Memorial High School Principal and Puente Advisor request permission to take Newark Memorial High School Puente students on a trip to visit colleges in Southern California. Transportation will be by chartered bus.

School: Newark Memorial High School (Puente Program)
 Dates: October 16 - October 18
 Location: Various College Campuses in Southern California

Motion & Voting

The recommendation is that the Board of Education approves the NMHS Puente Southern California College Visit curricular and overnight field trip.

Motion by Katherine Jones, second by Carina V Plancarte.
 Final Resolution: Motion Carries
 Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

13 BOARD OF EDUCATION: COMMITTEE REPORTS, ANNOUNCEMENTS, REQUESTS, DEBRIEF

13.1 Board of Education Committee Reports, Announcements, Requests, Debrief and Discussion

AND DISCUSSION

Type	Action, Discussion, Information
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Purpose:

COMMITTEE REPORTS: The Trustees will provide an update, if available, on the committees of which they are members.
 ANNOUNCEMENTS: The Trustees may acknowledge or recognize specific programs, activities, or personnel at this time.
 REQUESTS: This is an opportunity for the Board of Education to suggest items for placement on future agendas and to review Board requests.

Approval from the majority of the Board will be required for direction to be provided to the Superintendent.

DEBRIEF AND DISCUSSION: The Trustees may debrief and discuss items.

Background:

Each year the Board of Education members liaise with schools and committees in order to build relationships, hear from staff, students, and families, and act as a conduit for information to and from the schools.

Board Committees 2023-24		
Board Adopted on 12/18/2023	Representative	Alternate
Mission Valley Regional Occupational Center/Program (ROC/P)	1. Nancy Thomas	1. Carina V. Plancarte
Executive Board		
Regional Policy Board of Special Education Local Plan Area (SELPA)	1. Katherine Jones	1. Phuong Nguyen
Newark Teacher Induction Advisory Council (Formally EBIC)	1. Aiden Hill	1. Carina V. Plancarte
Audit Committee	1. Nancy Thomas	2. Katherine Jones
Bond/Parcel Tax Committee	1. Phuong Nguyen	2. Carina V. Plancarte
City of Newark NUSD Liaison Committee	1. Phuong Nguyen	2. Aiden Hill
	1. Katherine Jones	

The following derives directly from the Board approved "Governance Team Handbook"

Authority is Collective, Not Individual:

The only authority to direct action rests with the Board as a whole when seated at a regular or special board meeting. Outside of this meeting, there is no authority.

A majority Board vote provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction.

Bringing New Ideas Forward

The Board will be open to having "brainstorming" discussions, or study sessions, around any idea that a Trustee may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Trustee, at their initiative or at the request of a constituent, which was previously discussed during a board meeting.

Trustees will first notify the Board President and Superintendent of their interest in bringing forward a new idea at a board meeting.

When initially agendized, the preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.

Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea. The Superintendent will decide on the delegation of assignments to District staff.

The new idea may be agendized for discussion only. The Board majority will decide if the new idea should be further developed and studied by staff. The Board majority will decide if staff time should be invested in the "fleshing out" of new ideas.

Individual Trustees, in the course of interactions with constituents, will be careful not to make or imply the commitment of the full Board to explore or proceed with implementing new ideas.

14 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

14.1 Superintendent's Concluding Comments, Updates, and Future Agenda Items

AGENDA REQUESTS

Type Information

Purpose:

This is an opportunity for the Interim Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

Subject 14.18 MINUTES of the August 20, 2024, Regular Meeting of the Board Education

Type Action, Minutes

Purpose:

For the Board to review and approve minutes of the August 20, 2024 Regular Meeting of the Board of Education.

Background:

The attached minutes are reflective of the August 20, 2024 Regular Meeting of the Board of Education. The Meeting may be viewed on the NUSD YouTube Channel [HERE](#)

File Attachments

[August 20 Meeting Minutes.pdf](#) (184 KB)

14.19 New Agenda Item

Type Action, Minutes

Purpose:

For the Board to review and approve minutes of the September 3, 2024 Regular Meeting of the Board of Education.

Background:

File Attachments

[September 3 Meeting Minutes.pdf](#) (238 KB)

15 ADJOURNMENT

15.1 PLACEHOLDER - Extend Meeting

Type Action

Recommended The recommendation is that the Board of Education extends the meeting to ____ P.M.
Action

Purpose:

This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

Motion & Voting

15.2 Adjournment

Type Action

Recommended The recommendation is that the Board of Education adjourns this meeting.
Action

Purpose:

No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time. This action will conclude the meeting.

Motion & Voting

The recommendation is that the Board of Education adjourns this meeting.

Motion by Katherine Jones, second by Carina V Plancarte.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

1 CALL TO ORDER

1.1 Roll Call

Type Procedural

Trustees:

- President Aiden Hill
- Vice President/Clerk Katherine Jones
- Member Phuong Nguyen
- Member Carina V. Plancarte
- Member Nancy Thomas

Student Board Member:

- Member Joy Lee

1.2 Meeting Practices and Information

Type Information, Procedural

In-person Meeting Information:

Please see the attached meeting information in English and Spanish.

Observe The Board Of Education Meeting:

Members of the public 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.

Public Comment:

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

File Attachments

- Board Meeting Protocols_ENG(1).pdf (69 KB)
- Protocolos de la Reunion de la Mesa Directiva_ESP (1).pdf (65 KB)

1.3 Public Comment on Closed Session Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and tries to make it convenient for members of the community to express their views to the Board.

If a constituent wishes to address the Board on any agenda item:

In-Person Comment: please submit a completed speaker card to the Board's Executive Assistant before the start of the meeting, or prior to the calling of the section for public comment.

Audio-Only Virtual Comment: please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org by 1:00 PM the day of the meeting. Please label your email as " AUDIO-ONLY PUBLIC COMMENT" and include your name as it will appear on Zoom, your phone number, email address, and the agenda item number related to your comment.

Please see detailed instructions for public comment on the link: <http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

File Attachments

- Board Meeting Protocols_ENG(1).pdf (69 KB)
- Protocolos de la Reunion de la Mesa Directiva_ESP (1).pdf (65 KB)

1.4 Recess to Closed Session

Type Procedural

Purpose:

The Board will recess to Closed Session, and reconvene to Open Session on or about 7:00 p.m.

2 CLOSED SESSION

2.1 CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION: Significant exposure to litigation pursuant to Gov. Code 54956.9, subd. (d)(2): Five cases

Type Action, Discussion, Procedural
Fiscal Impact Yes
Budgeted Yes

Purpose: To discuss significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of 54956.9 of the California Government Code: Five cases; Student vs. Newark Unified School District, Reference No. 2024NUSD003; Reference No. 000182024, Workplace Investigation update, CPRA update. One case

Motion & Voting

2.2 CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a): Employee Organizations - CSEA, NTA

Type Discussion, Information, Procedural

Purpose: Information and update will be provided by the Interim Superintendent regarding CSEA negotiations and NTA negotiations.

3 REPORT OF CLOSED SESSION ACTIONS

3.1 Report of Closed Session Actions

Type Action, Procedural

Purpose: If available, a report of the closed session will be provided by the Board President.

4 RECONVENE TO OPEN SESSION

4.1 Pledge of Allegiance

Type Procedural

Purpose: The Governance Team will recite the Pledge of Allegiance

4.2 Meeting Practices and Information

Type Information, Procedural

In-person Meeting Information: Please see the attached meeting information in English and Spanish.

Observe The Board Of Education Meeting: Members of the public 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.

Public Comment: The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

File Attachments
Board Meeting Protocols_ENG(1).pdf (69 KB)
Protocolos de la Reunion de la Mesa Directiva_ESP (1).pdf (65 KB)

5 APPROVAL OF AGENDA

5.1 Approval of the Agenda

Type Action
Recommended The recommendation is that the Board of Education approve the agenda for this meeting.
Action

Purpose: Members of the Governance Team may request that the agenda be amended or approved as presented.

Motion & Voting

The recommendation is that the Board of Education approve the agenda for this meeting.

Motion by Katherine Jones, second by Nancy Thomas.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

6 STUDENT REPORT

6.1 Student Report: Student Board Member, Joy Lee

Purpose:

The Student Report gives the Board of Education and the public an opportunity to hear about school activities, highlights, student achievements happening at Newark Memorial High School.

Background:

The information will be provided by the Student Board Member, Joy Lee.

7 EMPLOYEE ORGANIZATIONS

7.1 Employee Organizations

Type Information

Purpose:

At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Background:

Discussion items are limited to updates, celebrations, and upcoming events.

1. NTA
2. CSEA
3. NEWMA

8 PUBLIC COMMENT

8.1 Public Comment on Non-Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.

<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

File Attachments

[Board Meeting Protocols_ENG\(1\).pdf](#) (69 KB)

[Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf](#) (65 KB)

8.2 Public Comment on Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.

<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

File Attachments

[Board Meeting Protocols_ENG\(1\).pdf](#) (69 KB)

[Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf](#) (65 KB)

9 SUPERINTENDENT REPORT

9.1 Superintendent Report

Type Information

Purpose:

The Interim Superintendent will provide the Board of Education with district information, updates, news, or anything in the jurisdiction of the board or the superintendent.

Background:

The presentation and information will be provided by the Interim Superintendent

10 Staff Report

10.1 ESSER Technology Spending Plan

Type Discussion, Information, Reports
Goals 1b. Student Achievement

VISION: The Newark Unified School District, in partnership with the community, will be a model of world-class education that develops the unique abilities of every student.

MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens.

Purpose:

The Director of Information Technology will provide the board with an update on Technology Roll Out Phase I. This includes the replacement of Centralized Servers for all Schools and Replacement Devices for 300 Newark Memorial High School Students.

Background:

The remainder of the ESSER funds must be encumbered by Sept 30, 2024. The Information Technology Director, will present replacement of Centralized Servers for all Schools and Replacement student devices necessary for learning. The remainder of the ESSER funds, \$356,220, will be divided into these two projects:

11 NEW BUSINESS

11.1 PLACEHOLDER- Board Policy 7214 General Obligation Bonds

Type Action, Discussion, Procedural

Fiscal Impact Yes

Budgeted No

Budget Source General Obligation Bonds

Recommended The recommendation is that the Board of Education discuss and approve the updated Board

Action Policy7214 - General Obligation Bonds

Purpose:

The purpose is for the Board of Education to review the recommended changes by the ad-hoc committee and approve the updated board bylaw 7214

Background:

This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations in blue can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for a Second reading.

This board policy is a reflection of community concerns in ensuring transparency on bond spending and to help guide the district administration for facility improvements from these funds.

File Attachments

[BP 7214.pdf](#) (191 KB)

12 CONSENT AGENDA: PERSONNEL ITEMS

12.1 PLACEHOLDER - One Consented Vote

Type Action

Recommended It is recommended that the Board of Education approve, under one consented vote, the
Action agenda items under Consent-Personnel, except for agenda items:

Purpose:

This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:

Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

12.2 Personnel Report

Type	Action
Recommended	The recommendation is that the Board of Education ratify the personnel report as presented.
Action	

Purpose:
The purpose is for the Board of Education to ratify the Personnel Report as presented.

Background:
All personnel activities including new hires, changes in status, resignation, leaves, and retirements are routinely submitted to the Board for ratification.

File Attachments
[HR PAL 08.20.2024.pdf](#) (354 KB)

Motion & Voting
The recommendation is that the Board of Education ratify the personnel report as presented.
Motion by Phuong Nguyen, second by Nancy Thomas.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

13 CONSENT AGENDA: NON-PERSONNEL ITEMS

13.1 PLACEHOLDER - One Consented Vote

Type	Action
Recommended	It is recommended that the Board of Education approve, under one consented vote, the
Action	agenda items under Consent Non-Personnel, except for agenda items:

Purpose:
This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:
Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

13.2 Contract with Ro Health, LLC for District-Wide School Nurse Services

Type	Action (Consent)
Preferred Date	Aug 06, 2024
Fiscal Impact	Yes
Dollar Amount	\$191,268.00
Budgeted	Yes
Budget Source	Resource 6500 - Special Education
Recommended	The staff recommends the Board of Education ratify the contract with Ro Health for School
Action	Nurse Services for the 2024-2025 school year.

Purpose:
To ratify the contract for the 2024-25 school year with Ro Health for nursing services for the 2024-2025 school year due to the need to support students with required nursing services.

Background:
Ro Health will provide qualified nurses to fulfill the duties, ensuring continuity of care and maintaining the health and well-being of students.

File Attachments
[24-0814 - Newark USD - 2024 Ro Health Staffing Agreement \(1\).pdf](#) (219 KB)

Motion & Voting
The staff recommends the Board of Education ratify the contract with Ro Health for School Nurse Services for the 2024-2025 school year.
Motion by Katherine Jones, second by Carina V Plancarte.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

13.3 Amendment #1 to the 2024-25 MOU with Jackie Melcher, Behavioral Health Clinician

Type	Action
Recommended	The recommendation is that the Board of Education ratify Amendment 1 to the 2024-25
Action	Memorandum of Understanding with Jackie Melcher, Behavioral Health Clinician, for services at Schilling and Coyote Hills Elementary Schools.

Purpose:
To ratify Amendment 1 of the 2024-25 Memorandum of Understanding (MOU) with Jackie Melcher, Behavioral Health Clinician to change the start date.

Background:
The terms of the 2024-25 MOU cover the period of August 9, 2024 to June 4, 2025 and may be extended year to year upon written mutual agreement and school board approval. Ms. Melcher started on August 2, 2024. No other terms except the start date of the MOU have been amended.

- File Attachments**
- [Jackie Melcher_contract for Schilling & CHE 24-25_fully executed.pdf](#) (397 KB)
 - [Jackie Melcher_contract for Schilling & CHE 24-25_Amendment 1_fully executed.pdf](#) (303 KB)

Motion & Voting
The recommendation is that the Board of Education ratify Amendment 1 to the 2024-25 Memorandum of Understanding with Jackie Melcher, Behavioral Health Clinician, for services at Schilling and Coyote Hills Elementary Schools.
Motion by Katherine Jones, second by Carina V Plancarte.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

13.4 K12 Workforce Pathway Coordinator LEA Host Contract - Ohlone CCD

Type	Action
Fiscal Impact	Yes
Budgeted	Yes
Budget Source	Strong Workforce Grant Funding
Recommended	The recommendation is that the Board of Education approves the K12 Workforce Pathway
Action	Coordinator LEA Host Contract (Ohlone CCD) as presented.

Purpose:
To approve Strong Workforce Program K12 Pathway Coordinator LEA Host Contract (Ohlone CCD) . Newark Unified School District was selected to serve as the employer of record for career technical education funding that supports the establishment of Strong Workforce Program K12 Pathway Coordinators from the California Community Colleges Chancellor's Office, Workforce and Economic Development Division. The total allocated for this position is for a sum to not exceed \$138,528.00 for the 2024-2025 school year. It is anticipated that this will be a contract position and may work remote.

Background:
This contract allows NUSD to serve as the employer of record for the K12 Pathway Coordinator (PC) position for the Ohlone Community College District, funded through the K12 Strong Workforce Program (SWP). The SWP legislation created the K12 PC positions to support connections between the K12 LEAs and local community colleges to strengthen CTE programs and pathways that align with regional workforce needs. More specifically, the K12 PCs are assigned to each community college district's service area, to work with the community colleges and the K12 LEAs to provide technical assistance to strengthen and expand CTE programs and be the go-to resource for K12 SWP and Career Technical Education Incentive Grants. The Bay Region has 18 K12 PCs on board, and the LEA host for the Ohlone Community College District's K12 PC has been Alameda County COE for years 1 and 2 of this position. Due to structural changes at the COE, the position will no longer be hosted through them. The Bay Area Community College Consortium (BACCC) and Ohlone College have partnered with NUSD to be the new LEA host for this K12 PC position. This PC position will serve MVROP, Fremont, Newark, and New Haven, in providing technical assistance to implement and improve career technical education courses, programs, and pathways. This partnership is an opportunity to further Educational Services' work on improving college and career readiness data in our secondary schools.

- File Attachments**
- [K12 PC-6 Newark Unified for Ohlone CCD Contract for signature 8-12-24.pdf](#) (365 KB)

Motion & Voting
The recommendation is that the Board of Education approves the K12 Workforce Pathway Coordinator LEA Host Contract (Ohlone CCD) as presented.
Motion by Katherine Jones, second by Carina V Plancarte.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

13.5 Resolution No. 2024.25.05 Notices of Completion for Newark Middle (Junior High) School & Newark Memorial High School Phase 1 and Birch Grove Primary, Kennedy and Coyote Hills Phase 2 Heating, Ventilation & Air Conditioning Projects

Type	Action
Recommended	The recommendation is that the Board of Education approves Resolution 2024.25.05 and and
Action	authorize the filing of Notices of Completion (NOC) with the County Recorder of Alameda County for HVAC Units Replacement at Newark Middle (Junior High) School & Newark Memorial High School Phase 1 and Birch Grove Primary, Kennedy and Coyote Hills Phase 2 by Rodan Builders.

Purpose:

To authorize the filing of a Notice of Completion (NOC) with the County Recorder of Alameda County.

Background:

On October 7, 2021, the Board awarded contracts to Rodan Builders for the following projects:

- Newark Junior High School HVAC Phase 1, Increment 2
- Newark Memorial High School HVAC Phase 1, Increment 2

On May 4, 2023, the Board awarded contracts to Rodan Builders for the following projects:

- Birch Grove Primary HVAC - Phase 2
- Coyote Hills HVAC - Phase 2
- Kennedy HVAC - Phase 2

All contract items, Punchlist and project closeout items have been satisfied. Accordingly, Staff requests acceptance of the projects which will allow filing Notices of Completion with the County and permit the release of retention thirty-five (35) days after approval.

There were no change orders associated with these projects.

File Attachments

- [Resolution 2024.25.05 NOC HVAC NMS, NMHS Phase 1 and BGP, Kennedy, CHE Phase 2.pdf](#) (11 KB)
- [Notice of Completion-NUSD NJHS HVAC Unit Replacement Phase 1_Rodan.pdf](#) (152 KB)
- [Notice of Completion-NUSD NMHS HVAC Unit Replacement Phase 1_Rodan..pdf](#) (177 KB)
- [Notice of Completion-NUSD Birch Grove Primary HVAC Unit Replacement Phase 2_Rodan.pdf](#) (201 KB)
- [Notice of Completion-NUSD Coyote Hills ES HVAC Unit Replacement Phase 2_Rodan.pdf](#) (187 KB)
- [Notice of Completion-NUSD Kennedy ES HVAC Unit Replacement Phase 2_Rodan.pdf](#) (186 KB)

Motion & Voting

The recommendation is that the Board of Education approves Resolution 2024.25.05 and and authorize the filing of Notices of Completion (NOC) with the County Recorder of Alameda County for HVAC Units Replacement at Newark Middle (Junior High) School & Newark Memorial High School Phase 1 and Birch Grove Primary, Kennedy and Coyote Hills Phase 2 by Rodan Builders.

Motion by Katherine Jones, second by Carina V Plancarte.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

13.6 Signature Card - Mid Year Revision

Type Action

Recommended	The recommendation is that the Board of Education approve the Signature Card Mid-Year
Action	Revision for the Assistant Superintendent of Business Services as presented.

Purpose:

To update the Signature Card of Authorized Agents as required by the Alameda County Office of Education (ACOE) for the following:

- Payroll, Warrants, and Disbursements
- Official Documents and Reports

Background:

The Board approved a contract for the Assistant Superintendent of Business Services at their August 6, 2024 meeting. A mid-year revision to update the signature for the Assistant Superintendent of Business Services is required by the ACOE. The "Signature Card" is kept on file at the ACOE

File Attachments

- [Sig Card - Mid-Year Revisions_Quintana.pdf](#) (177 KB)

Motion & Voting

The recommendation is that the Board of Education approve the Signature Card Mid-Year Revision for the Assistant Superintendent of Business Services as presented.

Motion by Katherine Jones, second by Carina V Plancarte.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

13.7 Report: Warrant Report for July 2024

Type Action

Fiscal Impact	No
Recommended	The recommendation is that the Board of Education approve the Warrant Report as presented.
Action	

Purpose:

The purpose of this item is to present warrants, for the total amount of \$2,401,281.72, made from District funds for July 2024.

Background:

The warrant registers represent a complete listing of all payments made from District funds for a month. Because Newark Unified School District is a fiscally dependent District, each warrant must pass through two separate audits; first by the District's Fiscal Services department, and second by the County Office of Education. No warrant can be paid until such time as it is examined and approved by the County Office of Education.

File Attachments

Warrant Report July 2024.pdf (401 KB)

Motion & Voting

The recommendation is that the Board of Education approve the Warrant Report as presented.

Motion by Katherine Jones, second by Carina V Plancarte.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

13.8 Resolution 2024.25.06 Declaring Surplus Equipment

Type Action

Recommended Action The recommendation is that the Board of Education approves Resolution 2024.25.06 - Declaring Surplus Equipment.

Purpose:

The purpose of this item is to obtain Board approval of Resolution 2024.25.06- Declaring Surplus Equipment, which lists items to be declared as surplus equipment as recommended.

Background:

Surplus materials will be disposed of per Board Policy and Administrative Regulation 3270 Sale And Disposal Of Books, Equipment And Supplies. Education Code, Section 17546 states that if the Governing Board, by a unanimous vote of those members present, finds that the property, whether one or more items, does not exceed the value of \$2,500, it may be sold at private sale without advertising, by a District employee empowered for that purpose by the Board; the property may be donated to a charitable organization, or it may be disposed of in a public disposal facility.

The property as described in Resolution 2024.25.06 includes Information Technology equipment. Staff determined that items are obsolete and/or beyond economical repair.

File Attachments

Resolution 2024.25.06 Declaring Surplus Equipment.pdf (11 KB)

Motion & Voting

The recommendation is that the Board of Education approves Resolution 2024.25.06 - Declaring Surplus Equipment.

Motion by Katherine Jones, second by Carina V Plancarte.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

14 BOARD OF EDUCATION: COMMITTEE REPORTS, ANNOUNCEMENTS, REQUESTS, DEBRIEF

14.1 Board of Education Committee Reports, Announcements, Requests, Debrief and Discussion

AND DISCUSSION

Type Action, Discussion, Information

Purpose:

COMMITTEE REPORTS: The Trustees will provide an update, if available, on the committees of which they are members.

ANNOUNCEMENTS: The Trustees may acknowledge or recognize specific programs, activities, or personnel at this time.

REQUESTS: This is an opportunity for the Board of Education to suggest items for placement on future agendas and to review Board requests.

Approval from the majority of the Board will be required for direction to be provided to the Superintendent.

DEBRIEF AND DISCUSSION: The Trustees may debrief and discuss items.

Background:

Each year the Board of Education members liaise with schools and committees in order to build relationships, hear from staff, students, and families, and act as a conduit for information to and from the schools.

Board Committees 2023-24

Board Adopted on 12/18/2023 Representative Alternate Mission Valley Regional Occupational Center/Program (ROC/P) 1. Nancy Thomas 1. Carina V. Plancarte Executive Board

Regional Policy Board of Special Education Local Plan Area (SELPA) 1. Katherine Jones 1. Phuong Nguyen

Newark Teacher Induction Advisory Council (Formally EBIC) 1. Aiden Hill 1. Carina V. Plancarte

Audit Committee 1. Nancy Thomas 2. Katherine Jones 1. Phuong Nguyen

Bond/Parcel Tax Committee 1. Phuong Nguyen 2. Carina V. Plancarte 1. Aiden Hill

City of Newark NUSD Liaison Committee 1. Phuong Nguyen 2. Aiden Hill 1. Katherine Jones

The following derives directly from the Board approved "Governance Team Handbook"

Authority is Collective, Not Individual:

The only authority to direct action rests with the Board as a whole when seated at a regular or special board meeting. Outside of this meeting, there is no authority.

A majority Board vote provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction.

Bringing New Ideas Forward

The Board will be open to having "brainstorming" discussions, or study sessions, around any idea that a Trustee may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Trustee, at their initiative or at the request of a constituent, which was previously discussed during a board meeting.

Trustees will first notify the Board President and Superintendent of their interest in bringing forward a new idea at a board meeting. When initially agendized, the preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge. Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea. The Superintendent will decide on the delegation of assignments to District staff. The new idea may be agendized for discussion only. The Board majority will decide if the new idea should be further developed and studied by staff. The Board majority will decide if staff time should be invested in the "fleshing out" of new ideas. Individual Trustees, in the course of interactions with constituents, will be careful not to make or imply the commitment of the full Board to explore or proceed with implementing new ideas.

15 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

15.1 Superintendent's Concluding Comments, Updates, and Future Agenda Items

AGENDA REQUESTS

Type Information

Purpose:

This is an opportunity for the Interim Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

16 ADJOURNMENT

16.1 PLACEHOLDER - Extend Meeting

Type Action
Recommended The recommendation is that the Board of Education extends the meeting to ____ P.M.
Action

Purpose:

This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

16.2 Adjournment

Type Action
Recommended The recommendation is that the Board of Education adjourns this meeting.
Action

Purpose:

No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time. This action will conclude the meeting.

Motion & Voting

The recommendation is that the Board of Education adjourns this meeting.
Motion by Carina V Plancarte, second by Katherine Jones.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

1 CALL TO ORDER

1.1 Roll Call

Type Procedural

Trustees:

President Aiden Hill
Vice President/Clerk Katherine Jones
Member Phuong Nguyen
Member Carina V. Plancarte
Member Nancy Thomas

Student Board Member:

Member Joy Lee

1.2 Meeting Practices and Information

Type Information, Procedural

In-person Meeting Information:

Please see the attached meeting information in English and Spanish.

Observe The Board Of Education Meeting:

Members of the public 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.

Public Comment:

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

File Attachments

- [Board Meeting Protocols_ENG\(1\).pdf](#) (69 KB)
- [Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf](#) (65 KB)

2 STUDY SESSION 5:00 P.M.

2.1 Meeting Protocols

Type Discussion

Purpose:

To review best practices for meeting conduct as recommended by CSBA.

Background:

Board members attend annual trainings and workshops on best meeting practices.

File Attachments

- <https---simbli.eboardsolutions.com-Policy-ViewPolicy.aspx-S=36030599&revid=n6STFZyfsqF4lcMon7ZK5g==&ptid=amlgTZiB9plushNjl6WX.url> (0 KB)

2.2 Review Goals

Type Discussion

Purpose:

The board will review the 4 goals for the 2024-25 school year and determine any modifications or recommendations to staff and the community.

Background:

Last fall the board met and developed priority goals. In July 2024 the board met to review these goals and district priorities.

- Student Achievement
- Safe, Secure, and Healthy Learning Environments
- Parent and Community Engagement and Communication
- Fiscal Health

3 CLOSED SESSION/CALL TO ORDER 6:00 P.M.

3.1 Conference with Legal Counsel regarding Anticipated Litigation - Significant exposure to litigation pursuant to Gov. Code, 54956.9, subd. (d)[(2) or (3)]: three cases

Type Action, Discussion

To discuss three potential litigations.

3.2 Public Comment on Closed Session Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and tries to make it convenient for members of the community to express their views to the Board.

If a constituent wishes to address the Board on any agenda item:

In-Person Comment: please submit a completed speaker card to the Board's Executive Assistant before the start of the meeting, or prior to the calling of the section for public comment.

Audio-Only Virtual Comment: please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org by 1:00 PM the day of the meeting. Please label your email as " AUDIO-ONLY PUBLIC COMMENT" and include your name as it will appear on Zoom, your phone number, email address, and the agenda item number related to your comment.

Please see detailed instructions for public comment on the link: <http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

File Attachments

- [Board Meeting Protocols_ENG\(1\).pdf](#) (69 KB)

[Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf \(65 KB\)](#)

3.3 Recess to Closed Session

Type Procedural

Purpose:
The Board will recess to Closed Session, and reconvene to Open Session on or about 7:00 p.m.

4 REPORT OF CLOSED SESSION ACTIONS

4.1 Report of Closed Session Actions

Type Action, Procedural

Purpose:
If available, a report of the closed session will be provided by the Board President.

5 RECONVENE TO OPEN SESSION 7:00 P.M.

5.1 Pledge of Allegiance

Type Procedural

Purpose:
The Governance Team will recite the Pledge of Allegiance

5.2 Meeting Practices and Information

Type Information, Procedural

In-person Meeting Information:
Please see the attached meeting information in English and Spanish.

Observe The Board Of Education Meeting:
Members of the public 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.

Public Comment:
The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

File Attachments
[Board Meeting Protocols_ENG\(1\).pdf \(69 KB\)](#)
[Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf \(65 KB\)](#)

6 APPROVAL OF AGENDA

6.1 Approval of the Agenda

Type Action
Recommended Action The recommendation is that the Board of Education approve the agenda for this meeting.

Purpose:
Members of the Governance Team may request that the agenda be amended or approved as presented.

Motion & Voting
The recommendation is that the Board of Education approve the agenda for this meeting.
Motion by Katherine Jones, second by Carina V Plancarte.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

7 STUDENT REPORT

7.1 Student Report: Student Board Member, Joy Lee

Purpose:

The Student Report gives the Board of Education and the public an opportunity to hear the highlights, achievements, and initiatives from the viewpoint of the student board member.

Background:

The information will be provided by the Student Board Member, Joy Lee.

8 EMPLOYEE ORGANIZATIONS

8.1 Employee Organizations

Type Information

Purpose:

At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Background:

Discussion items are limited to updates, celebrations, and upcoming events.

1. NTA
2. CSEA
3. NEWMA

9 PUBLIC COMMENT

9.1 Public Comment on Non-Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.

<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

File Attachments

[Board Meeting Protocols_ENG\(1\).pdf](#) (69 KB)

[Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf](#) (65 KB)

9.2 Public Comment on Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.

<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

File Attachments

[Board Meeting Protocols_ENG\(1\).pdf](#) (69 KB)

[Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf](#) (65 KB)

10 SUPERINTENDENT REPORT

10.1 Superintendent Report

Type Information

Purpose:

The Interim Superintendent will provide the Board of Education with district information, updates, news, or anything in the jurisdiction of the board or the superintendent.

Background:

The presentation and information will be provided by the Interim Superintendent

11 STAFF REPORT

11.1 Priority 1 Local Indicator

Type Information

Purpose: The purpose is to update the board with the newly released TAMO data.

Background: The California Department of Education (CDE) recently released the 202223 Teaching Assignment Monitoring Outcomes (TAMO) by Full-Time Equivalency data report on DataQuest. Since the 202223 TAMO data was unavailable at the time that NUSD reported their local indicator data to the governing board/body on June 25, 2024 the LEA must report the 202223 TAMO data at the next available meeting of the governing board/body.

The chart below indicates the overall district percentages for appropriately assigned teachers in Newark Unified School District

Appropriately Assigned Teachers		Clear (% of teaching FTE)
Name	Total Teaching Full Time - Equivalent (FTE)	
LEA	217.7	80.9%

File Attachments Teaching Assignment Monitoring Outcomes by FTE - Newark Unified (CA Dept of Education).pdf (148 KB)

12 NEW BUSINESS

12.1 Facilities Survey Update Presented by Bonnie Moss

Type Information Goals VISION: The Newark Unified School District, in partnership with the community, will be a model of world-class education that develops the unique abilities of every student. MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens.

Purpose: An informational update on the facility survey that was sent out to the Newark Community will be presented by Bonnie Moss.

Background: As part of the consideration for a school bond, the district conducted a facilities survey to assist the district in prioritizing future facility needs. NUSD appreciates the community who took time to fill out the survey forms. The presentation materials on the survey results that are presented will be uploaded in the Board Library after the meeting.

12.2 Resolution 2024.25.03 to Authorize the Issuance of General Obligation Bonds, Establishing Specifications of the Election Order and Requesting Consolidation with Other Elections Occurring on November 5, 2024

Type Action Recommended Action The recommendation is that the Board of Education adopt Resolution 2024.25.03 to Authorize the Issuance of General Obligation Bonds, Establishing Specifications of the Election Order and Requesting Consolidation with Other Elections Occurring on November 5, 2024.

Purpose: To adopt Resolution 2024.02.03 to Authorize the Issuance of General Obligation Bonds, Establishing Specifications of the Election Order and Requesting Consolidation with Other Elections Occurring on November 5, 2024.

Background: The District has important school facility improvement needs and the needs to identify a funding source. November 5, 2024, is the date of the statewide general election, and an election date at which local bond measures that provide facilities funding can be placed on the ballot. The Resolution for Board consideration has been prepared in accordance with all legal requirements and presents a \$205,000,000 bond measure to District voters under Proposition 39 for the purpose of financing projects summarized on the specific project list attached as Appendix A to the Resolution, which will be printed in the sample ballot provided to District voters. Appendix B includes the abbreviated statement of the measure and is limited to 75 words or less that will be printed on the ballot label and read by voters at the time of casting their vote. Appendix C presents the Tax Rate Statement which will also be printed in the Sample Ballot and discloses current expectations regarding the property tax rates and other matters that will apply if bonds are approved and issued. In order to call the election, the Resolution must have a 2/3 vote of the Board.

File Attachments Resolution 2024.25.03 Authorize Issuance of GO Bonds_FINAL.pdf (180 KB)

Motion & Voting The recommendation is that the Board of Education adopt Resolution 2024.25.03 to Authorize the Issuance of General Obligation Bonds, Establishing Specifications of the Election Order and Requesting Consolidation with Other Elections Occurring on November 5, 2024.

Motion by Carina V Plancarte, second by Phuong Nguyen. Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

12.3 Citizen's Bond Oversight Committee (CBOC) 2022-23 Annual Report

Type Action, Information, Procedural
Recommended Action The recommendation is that the Board of Education accepts the 2022-23 Citizens' Bond Oversight Committee Annual Report as presented.

Purpose:
 The Citizens' Bond Oversight Committee (CBOC) Chair, Cary Knoop and Secretary, Cindy Parks will present the Annual Report for the 2022-23 school year.

Background:
 Measure G requires an annual report from the Citizens' Bond Oversight Committee.

File Attachments
[2022-2023 - CBOC Report-003 - Final.pdf](#) (567 KB)
[CBOC Annual Report Presentation 2022-23 - 002.pdf](#) (331 KB)

12.4 Employment Contract, Assistant Superintendent of Business Services/CBO

Type Action
Absolute Date Jul 15, 2024
Fiscal Impact Yes
Dollar Amount \$220,908.00
Budgeted Yes
Recommended Action The recommendation is for the Board of Education to approve the contract for employment of services between Newark Unified School District and the Assistant Superintendent of Business Services/CBO.

Purpose:
 The purpose is for the Board of Education to approve the employment contract between Newark Unified School District and Jose Quintana, the Assistant Superintendent of Business Services/CBO.

Background:
 The Newark Unified School District is offering an employment contract to the newly appointed Assistant Superintendent of Business Services/CBO, Jose Quintana, effective August 19, 2024. The term of the contract is for 3 years ending June 30, 2027.
 Annual salary of \$220,908.
 224 work days
 Health benefits on the same terms as other Classified Management.
 Early Termination Severance 6-months
 Classified

File Attachments
[Assistant Supt Business Services Newark USD - Employment Agreement USE THIS VERSION 4862-7565-2041 1.pdf](#) (557 KB)

Motion & Voting
 The recommendation is for the Board of Education to approve the contract for employment of services between Newark Unified School District and the Assistant Superintendent of Business Services/CBO.
 Motion by Phuong Nguyen, second by Nancy Thomas.
 Final Resolution: Motion Carries
 Yea: Nancy Thomas, Phuong Nguyen, Katherine Jones
 Nay: Aiden Hill
 Not Present at Vote: Carina V Plancarte

12.5 Districtwide Flooring Projects All County Flooring CMAS Contract

Type Action
Fiscal Impact Yes
Dollar Amount \$400,000.00
Budgeted Yes
Budget Source Deferred Maintenance
Recommended Action The recommendation is that the Board of Education approve utilization of All County Flooring's California Multiple Awards Schedule Contract #4-20-00-0134A for the purchase and installation of flooring throughout the District through June 30, 2025.

Purpose:
 The purpose is to have the Board approve the utilization of All County Flooring's California Multiple Awards Schedule (CMAS) Contract #4-20-00-0134A for the purchase and installation of flooring throughout the District through June 30, 2025.

Background:
 Public Contract Code Section 12100 allows the District to utilize existing contracts through the State of California without

formally bidding. All County Flooring currently has a CMAS contract with the State of California that can be utilized for the purchase and installation of flooring. In September 2022, SB 1422 was signed into law and added Section 10298.5 to Public Contract code which allows District's to use CMAS contracts for the installation, or for the purchase and installation, of carpet and resilient flooring.

The District has identified three (3) immediate flooring projects:

- Birch Grove Intermediate School Portable 26, 27 & 28 = \$55,250.00
- Birch Grove Primary School Multipurpose Room = \$76,490.00
- Kennedy Elementary School Room 14, 17, 19, & ALT 20 = \$62,825.00

There are several other sites with flooring that needs to be replaced during the 2024/25 fiscal year. Any additional future projects will be based on facilities needs of the whole district. However, this gives flexibility to the District to do other flooring projects that are the top priority without having to get additional approval. The estimated total through June 30, 2025, is \$400,000.00 if all projects were completed. The initial priority are the three projects listed above and those are the only ones moving forward at this time. The Board will be updated if additional flooring projects move forward. By approving the utilization of the CMAS contract, the District will have the ability to move forward with all flooring needs through June 30, 2025.

File Attachments

- [CMAS_4-20-00-0134A,#1.pdf](#) (376 KB)
- [BGP MPR est - Updated PP.pdf](#) (2,688 KB)
- [BGI Portables 26, 27, & 28 - UPDATED PP.pdf](#) (509 KB)
- [Kennedy ES Portables 14, 17, 19 - UPDATED PP.pdf](#) (570 KB)

Motion & Voting

The recommendation is that the Board of Education approve utilization of All County Flooring's California Multiple Awards Schedule Contract #4-20-00-0134A for the purchase and installation of flooring throughout the District through June 30, 2025.

- Motion by Katherine Jones, second by Nancy Thomas.
- Final Resolution: Motion Carries
- Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones
- Not Present at Vote: Carina V Plancarte

12.6 Proposition 28--Arts and Music in Schools Funding Report

Type Action, Information

Recommended Action The recommendation is that the Board approve the annual Proposition 28 report.

Purpose:

The California Department of Education (CDE) requires the board to approve the Proposition 28 report annually.

Background:

The California Department of Education (CDE) requires a board approved report annually. Background Arts and Music in Schools (AMS/Prop 28) is a constitutional amendment allocating an amount from the California General Fund equal to 1% of Prop 98 annually for Visual and Performing Arts in schools. The law includes several requirements including, funds are allocated to schools, directed by school communities, must supplement existing VAPA programs and not supplant existing programs. Additionally, 80% must be spent on classified or certificated personnel, 19% can be spent on materials, equipment, partnerships, or professional development and no more than 1% may be spent on oversight. The funds roll over for 3 years.

The California Department of Education disbursed AMS funding in February of 2024 for the 2023-24 School Year. Additionally, the CDE began providing the guidance necessary for implementation on March 14, 2024. Given this delay and the change in district leadership in NUSD no funds were spent during the 2023 - 2024 school year as indicated on the AMS annual report. Funds from 2023 - 2024 will be rolled over to 2024 - 2025. The district received \$706,106 in 2023-24 and 2024-25 projection is \$681,558.

In 2024 - 2025 Newark Unified will actively roll out AMS funding to support arts instruction in our schools. Funding can be used for Arts education program includes (but is not limited to) instruction and training, supplies, materials, and arts educational partnership programs for instruction in dance, media arts, music, theatre, and visual arts including folk art, painting, sculpture, photography, craft arts, creative expression including graphic art and design, computer coding, animation, music composition, ensembles, script writing, costume design, film, and video.

File Attachments

- [Proposition 28- Arts and Music in Schools Funding Annual Report.pdf](#) (296 KB)

Motion & Voting

The recommendation is that the Board approve the annual Proposition 28 report.

- Motion by Katherine Jones, second by Phuong Nguyen.
- Final Resolution: Motion Carries
- Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones
- Not Present at Vote: Carina V Plancarte

13 CONSENT AGENDA: PERSONNEL ITEMS

13.1 Personnel Report

Type Action

Recommended The recommendation is that the Board of Education ratify the personnel report as presented.

Action

Purpose:

The purpose is for the Board of Education to ratify the Personnel Report as presented.

Background:

All personnel activities including new hires, changes in status, resignation, leaves, and retirements are routinely submitted to the Board for ratification.

File Attachments

HR PAL 08.06.2024.pdf (371 KB)

Motion & Voting

The recommendation is that the Board of Education ratify the personnel report as presented.

Motion by Katherine Jones, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones

Not Present at Vote: Carina V Plancarte

14 CONSENT AGENDA: NON-PERSONNEL ITEMS

14.1 PLACEHOLDER - One Consented Vote

Type Action

Recommended It is recommended that the Board of Education approve, under one consented vote, the
Action agenda items under Consent Non-Personnel, except for agenda items:

Purpose:

This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:

Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Motion & Voting

14.2 Resolution No. 2024.25.04 Southern Alameda County Consortium (SACC) Representative

Type Action (Consent)

Recommended The recommendation is that the Board of Education adopt Resolution 2024.25.02 Southern
Action Alameda County Consortium (SACC) Representative

Purpose:

Approve Resolution No. 2024.25.04 appointing Richelle Piechowski to the role as a voting member of Southern Alameda County Adult Education Consortium (SACC).

Background:

Under the auspices of Assembly Bill 86, consortia to address the needs of adult education and noncredit education have been formed throughout the state of California. The Southern Alameda County Adult Education Consortium membership comprises Ohlone College, Fremont Adult and Continuing Education, New Haven USD, and Newark USD. Mission Valley ROP also participates as a principal partner.

Guidelines from the state require that representatives for the members of each consortium be approved by their local boards. With the resignation of the current representative to the consortium from the district, Julie Calderon, a new representative needs to be appointed, effective July 15, 2024. Following is the name of the proposed representative for MacGregor School site to the Southern Alameda County Adult Education Consortium, Richelle Piechowski, Alternative Education Principal.

File Attachments

NUSD Resolution 2024.25.04.pdf (222 KB)

California-2021-AB86-Chaptered.pdf (336 KB)

EDUCATION CODE Section 84830.pdf (50 KB)

EDUCATION CODE Section 84914.1.pdf (95 KB)

14.3 Agreement: Lozano Smith Attorneys at Law - Agreement for Legal Services 2024-2025

Type Action

Fiscal Impact Yes

Budgeted Yes

Budget Source General Fund

Recommended The recommendation is that the Board of Education approve the Agreement for Legal Services
Action for Lozano Smith Attorneys at Law for 2024-2025.

Purpose:

To renew the legal services agreement with Lozano Smith Attorneys at Law for legal services in the 2024-2025 fiscal year.

Background:

Lozano Smith has served as the District's legal counsel for 24 years. They have provided NUSD with legal counsel in a wide variety of areas, including general legal services, business and contract services, construction advice, developer fees, litigation, procurement, and governance. The hourly rate schedule has been updated for 2024-2025.

File Attachments

[Lozano Smith 2024-2025 Agreement.pdf](#) (256 KB)

14.4 Report: Monthly Purchase Order Report

Type	Action
Recommended	The recommendation is that the Board of Education receive the Monthly Purchase Order
Action	Report as presented.

Purpose:

The purpose of this item is to present a monthly report on Purchase Order transactions per Board Policy 3300, Expenditures and Purchases.

Background:

Based on the discussion at the Board's Study Session on January 6, 2022, staff is providing a monthly report on Purchase Order transactions per Board Policy 3300, Expenditures and Purchases. The policy states that "The Board shall review all transactions entered into by the Superintendent or designee on behalf of the Board every 60 days." This month's report includes 91 PO's dated 6/10/2024 through 7/16/2024 for a total of \$1,611,689.73.

File Attachments

[Monthly Purchase Order Report 08-06-2024.pdf](#) (80 KB)

14.5 Report: Warrant Report for June 2024

Type	Action
Fiscal Impact	No
Recommended	The recommendation is that the Board of Education approve the Warrant Report as presented.
Action	

Purpose:

The purpose of this item is to present warrants, for the total amount of \$2,401,281.72, made from District funds for June 2024.

Background:

The warrant registers represent a complete listing of all payments made from District funds for a month. Because Newark Unified School District is a fiscally dependent District, each warrant must pass through two separate audits; first by the Districts Fiscal Services department, and second by the County Office of Education. No warrant can be paid until such time as it is examined and approved by the County Office of Education.

File Attachments

[Warrant Report June 2024.pdf](#) (377 KB)

14.6 Report: Quarterly Report on Contracts - 4th Quarter 2023-24

Type	Action
Fiscal Impact	Yes
Budgeted	Yes
Budget Source	Various Funds Per Contract
Recommended	The recommendation is that the Board of Education ratify the contracts as presented.
Action	

Purpose:

For the Board to ratify the contracts presented on the quarterly report.

Background:

The Board has requested a report of all contracts for professional services under \$57,250 (50% of formal bid limit) be reviewed by the Board on a quarterly basis. This report only includes contracts that have not been previously approved by the Board. (Reference Board Policy 3312) Contracts are on file in the Business Office.

File Attachments

- [Quarterly Report on Contracts Q4 2023-24.pdf](#) (9 KB)
- [Sobrato Early Academic Language \(SEAL\) Program_2023-24 Sustainability Agreement_fully executed.pdf](#) (784 KB)
- [WML Safeguard Protection & Consulting, Inc_fully executed.pdf](#) (885 KB)
- [WML Safeguard Protection & Consulting, Inc_Amendment No 1_fully executed.pdf](#) (549 KB)
- [WML Safeguard Protection & Consulting, Inc_Amendment No 2_fully executed.pdf](#) (550 KB)

14.7 Resolution 2024.25.01 Temporary Borrowing Between Funds

Type Action, Procedural
Recommended Action The recommendation is that the Board of Education adopt Resolution 2024.25.02 Temporary Borrowing Between Funds.

Purpose:
 To adopt this Resolution No. 2024.25.02, allowing temporary borrowing between funds for cashflow purposes.

Background:
 In accordance with Education Code Section 42603, the governing board of any school district may direct that moneys held in any fund or account may be temporarily transferred to another fund or account of the district for payment of obligations. This temporary transfer of funds will be accounted for as temporary borrowing between funds and will not be available for appropriation or be considered revenue to the borrowing fund or account. Amounts transferred must be repaid either in the same fiscal year or in the following fiscal year if the transfer occurs within the final 120 calendar days of a fiscal year. Borrowing will occur only when the fund or account receiving the money will earn sufficient revenue, during the current fiscal year, to repay the amount transferred. No more than 75% of the maximum of moneys held in any fund or account during a fiscal year may be transferred.

File Attachments
[Resolution No. 2024.25.02_Temporary Borrowing Between Funds.pdf](#) (10 KB)

14.8 Amendment to the Contract with Ed Sped Solutions

Type Action
Preferred Date Aug 06, 2024
Fiscal Impact Yes
Dollar Amount \$1,073,800.00
Budgeted Yes
Budget Source Resource 6500 - Special Education
Recommended Action The staff recommends the Board of Education approve the amendment to the contract with Ed Sped Solutions.

Purpose:
 To amend the Master Contract between the District and Ed Sped Solutions to reflect the correct rates and the not-to-exceed amount for the 2024-25 school year.

Background:
 The District and Ed Sped Solutions entered into a Master Contract on June 18, 2024. The original rates listed and not-to-exceed amount were incorrect. This amendment is necessary to reflect the correct rates and adjust the not-to-exceed amount for the 2024-25 school year. All other terms and conditions of the Master Contract remain unchanged.

File Attachments
[Ed Sped Contract 2024-25.pdf](#) (475 KB)
[Ed Sped Amendment 7_15_24.pdf](#) (50 KB)

14.9 Contract with Lydia Anderson, Board Certified Behavior Analyst for Special Education Services

Type Action (Consent)
Preferred Date Aug 06, 2024
Absolute Date Aug 06, 2024
Fiscal Impact Yes
Dollar Amount \$154,000.00
Budgeted Yes
Budget Source Resource 6500 - Special Education
Recommended Action The staff recommends that the Board of Education approve the contract with Lydia Anderson.

Purpose:
 To approve the independent contractor agreement (ICA) for a Board Certified Behavior Analyst (BCBA) for the 2024-25 school year, due to the current district BCBA is unavailable to complete these duties.

Background:
 The BCBA plays a crucial role in supporting our students by providing behavioral assessments, developing behavior intervention plans, and offering consultation and training to staff. To ensure continuity of these essential services and maintain compliance with individualized education plans (IEPs) and other regulatory requirements, it is necessary to fulfill the BCBA responsibilities during this period.

File Attachments
[Lydia Anderson BCBA Contract 24-25_Redacted.pdf](#) (163 KB)

14.10 Amendment to the Contract with Ascend Rehab for Special Education Services

Type Action

Preferred Date	Aug 06, 2024
Absolute Date	Aug 06, 2024
Fiscal Impact	Yes
Dollar Amount	\$2,043,280.00
Budgeted	Yes
Budget Source	Resource 6500 - Special Education
Recommended Action	The staff recommends the Board of Education approve the amendment to the contract with Ascend Rehab.

Purpose:

To amend the Master Contract between Newark Unified School District and Ascend Rehab to reflect the correct not-to-exceed amount for the 2024-25 school year, based on accurately calculated rates.

Background:

The District and Ascend Rehab entered into a Master Contract on June 18, 2024. The original not-to-exceed amount was calculated using incorrect rates. This amendment is necessary to adjust the not-to-exceed amount to accurately reflect the correct rates for the 2024-25 school year. All other terms and conditions of the Master Contract remain unchanged.

File Attachments

[ASCEND_NUSD Contract 24-25 SIGNED.pdf](#) (642 KB)

[Ascend Amendment 8_6_24.pdf](#) (132 KB)

14.11 Contract with ProCare Therapy for Special Education Services

Type	Action
Preferred Date	Aug 06, 2024
Fiscal Impact	Yes
Dollar Amount	\$223,664.00
Budgeted	Yes
Budget Source	Resource 6500 - Special Education
Recommended Action	The staff recommends the Board of Education approve the contract with ProCare Therapy.

Purpose:

To approve the contract for a school psychologist for the 2024-25 school year, due to a current vacancy in this position.

Background:

Our district currently has a vacancy for the position of School Psychologist for the 2024-25 school year. The School Psychologist plays a crucial role in supporting our students by providing psychological assessments, developing intervention strategies, and offering consultation and training to staff. To ensure continuity of these essential services and maintain compliance with individualized education plans (IEPs), it is necessary to fulfill the School Psychologist responsibilities during this period.

File Attachments

[ProCare Therapy Client Services Agreement \(2\).pdf](#) (113 KB)

14.12 24-25 NMS Bell Schedule

Type	Action (Consent), Procedural
Fiscal Impact	No
Budgeted	No
Recommended Action	Staff recommends that the Board of Education approve the amended Bell Schedule for Newark Middle School for the 2024-25 school year.

Purpose:

It is recommended that the Board of Education approve the Newark Middle School Bell Schedule for the 2024-25 school year.

Background:

The Middle School Instructional Leadership team brought forward a new proposed bell schedule for the 2024-25 school year that includes a single lunch. Nutritional Services has confirmed that they can offer a single lunch. Our Auditors have been contacted and have confirmed that we have met the required instructional minutes.

File Attachments

[Middle School 2024-2025 NEW Bell Schedule 7.18.24 - Public View.pdf](#) (45 KB)

14.13 24-25 NMHS Bell Schedule

Type	Action (Consent), Procedural
Fiscal Impact	No
Budgeted	No
Recommended Action	Staff recommends that the Board of Education approve the amended Bell Schedule for Newark Middle School for the 2024-25 school year.

Purpose:

Staff recommends that the Board of Education approve the amended Bell Schedule for Newark Memorial High School for the

2024-25 school year.

Background:

Presented to the board is the Newark Memorial Bell Schedule for the 2024-25 school year. Our Auditors have been contacted and have confirmed that we have met the required instructional minutes.

File Attachments

[2024-2025 NEW Bell Schedule 7.30.24 - Public View.pdf](#) (49 KB)

14.14 Clifford Moss

Type Action (Consent), Discussion, Information

Fiscal Impact Yes

Dollar Amount \$36,000.00

Recommended Action The recommendation is that the Board of Education approve the contract for the contract as presented.

Purpose:

The district and sub-committee recommend approval to contract with Bonnie Moss and Associates to provide information through communication services to inform the community about our schools and district.

Background:

To provide public communication services during the Election Window that represent the board and are recommending CliffordMoss LLC due to the experience, style and successful campaign style that best represents the Newark Unified School District.

File Attachments

[NewarkUSD-CliffordMoss Addendum2024 072924F2.pdf](#) (210 KB)

14.15 MGT Contract Extension

Purpose:

To approve the Contract Amendment 2 with MGT EH&A Investor, LLC for the Fiscal Consultants and Business Consultant.

Background:

Fiscal Consultants

A Master Engagement Agreement with MGT EH&A Investor, LLC is for \$49,000.00 from April 12, 2024 through June 30,2024; derived for approximately 710 hours for three Fiscal Consultant at a rate of \$225.00 per hour. The amendment agreement #2 includes a 15% reduction in hourly rate, not to exceed \$81,000.00.

On June 18, 2024 the Board approved Amendment 1 for additional Fiscal Consultants' time needed to support Business Services through June 30, 2024.

Amendment 2 provides fiscal Business Services support through April 30, 2025.

In Summary the Original Agreement \$49,000 (no discount)

Amendment 1. \$84,150 additional (10% discount), \$76,500 Not to exceed

Amendment 2. \$75,000 (15% discount), \$63,750 Not to exceed

Business Consultant

A Master Engagement Agreement with MGT EH&A Investor, LLC is for \$49,000.00 from April 1, 2024 through June 30,2024; derived for approximately 415 hours for the Business Consultant at a rate of \$230.00 per hour. The amendment agreement #2 includes a 15% reduction in hourly rate, not to exceed \$76,500.00.

On June 18, 2024 the Board approved Amendment 1 extending services through July 31, 2024 in anticipation of the Assistant Superintendent of Business Services/CBO position being filled.

Amendment 2 provides additional Business Consultant time needed to continue working during the transition of the new Assistant Superintendent of Business Services/CBO.

In summary: Original Agreement \$49,000 (no discount)

Amendment 1. \$90,000 additional (10% discount), \$81,000 not to exceed

Amendment 2. \$20,000 additional (15% discount), \$17,000 not to exceed

File Attachments

[MGT EH&A Investor_23-24_Fiscal_Final_fully executed.pdf](#) (504 KB)

[MGT EH&A Investor_23-24_Fiscal_Amendment 1_fully executed.pdf](#) (368 KB)

[MGT-Newark USD Fiscal AMENDMENT NO 2 - 8.1.2024_final.pdf](#) (60 KB)

[MGT EH&A Investor_23-24_Business Consultant_Final_fully executed.pdf](#) (507 KB)

[MGT EH&A Investor_23-24_Business Consultant_Amendment 1_fully executed.pdf](#) (371 KB)

[MGT-Newark USD MEA Business Consultant AMENDMENT NO 2 - 8.1.2024 _final.pdf](#) (61 KB)

14.16 Revision to 2024-2025 School Calendar

Type Action

Fiscal Impact No

Recommended Action The recommendation is for the Board of Education to approve the revisions to the 2024-2025 school calendar.

Purpose:

It is recommended for the Board of Education to approve the revisions to the 2024-2025 school year calendar.

Background:

Staff has consulted with the NTA to review the secondary Minimum Day schedule. It is recommended to move the NMHS Minimum December 18, 2024 to May 28, 2025 to support the high school graduation. And to move NMS Minimum Day from December 18, 2024 to May 28, 2025 to support the 8th grade promotion. The attached calendar denotes a color coordinated triangle for the secondary change in the second semester.

File Attachments

NUSD School Calendar 2024-2025 REVISED 08.06.2024 Minimum Days for Secondary.pdf (62 KB)

15 BOARD OF EDUCATION: COMMITTEE REPORTS, ANNOUNCEMENTS, REQUESTS, DEBRIEF

15.1 Board of Education Committee Reports, Announcements, Requests, Debrief and Discussion

AND DISCUSSION

Type Action, Discussion, Information

Purpose:

COMMITTEE REPORTS: The Trustees will provide an update, if available, on the committees of which they are members. ANNOUNCEMENTS: The Trustees may acknowledge or recognize specific programs, activities, or personnel at this time. REQUESTS: This is an opportunity for the Board of Education to suggest items for placement on future agendas and to review Board requests.

Approval from the majority of the Board will be required for direction to be provided to the Superintendent.

DEBRIEF AND DISCUSSION: The Trustees may debrief and discuss items.

Background:

Each year the Board of Education members liaise with schools and committees in order to build relationships, hear from staff, students, and families, and act as a conduit for information to and from the schools.

Board Committees 2023-24

Board Adopted on 12/18/2023	Representative	Alternate
Mission Valley Regional Occupational Center/Program (ROC/P) Executive Board	1. Nancy Thomas	1. Carina V. Plancarte
Regional Policy Board of Special Education Local Plan Area (SELPA)	1. Katherine Jones	1. Phuong Nguyen
Newark Teacher Induction Advisory Council (Formally EBIC)	1. Aiden Hill	1. Carina V. Plancarte
Audit Committee	1. Nancy Thomas	2. Katherine Jones
Bond/Parcel Tax Committee	1. Phuong Nguyen	2. Carina V. Plancarte
City of Newark NUSD Liaison Committee	1. Phuong Nguyen	2. Aiden Hill
	1. Katherine Jones	

The following derives directly from the Board approved "Governance Team Handbook"

Authority is Collective, Not Individual:

The only authority to direct action rests with the Board as a whole when seated at a regular or special board meeting. Outside of this meeting, there is no authority.

A majority Board vote provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction.

Bringing New Ideas Forward

The Board will be open to having "brainstorming" discussions, or study sessions, around any idea that a Trustee may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Trustee, at their initiative or at the request of a constituent, which was previously discussed during a board meeting.

Trustees will first notify the Board President and Superintendent of their interest in bringing forward a new idea at a board meeting.

When initially agendized, the preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.

Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea. The Superintendent will decide on the delegation of assignments to District staff.

The new idea may be agendized for discussion only. The Board majority will decide if the new idea should be further developed and studied by staff. The Board majority will decide if staff time should be invested in the "fleshing out" of new ideas.

Individual Trustees, in the course of interactions with constituents, will be careful not to make or imply the commitment of the full Board to explore or proceed with implementing new ideas.

16 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

16.1 Superintendent's Concluding Comments, Updates, and Future Agenda Items

AGENDA REQUESTS

Type Information

Purpose:

This is an opportunity for the Interim Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

17 ADJOURNMENT

17.1 PLACEHOLDER - Extend Meeting

Type Action

Recommended Action The recommendation is that the Board of Education extends the meeting to ____ P.M.

Purpose: This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

Motion & Voting The recommendation is that the Board of Education extends the meeting to 10:30__ P.M. Motion by Katherine Jones, second by Phuong Nguyen. Final Resolution: Motion Fails Yea: Nancy Thomas, Katherine Jones Nay: Phuong Nguyen Not Present at Vote: Aiden Hill, Carina V Plancarte

17.2 Adjournment

Type Action Recommended Action The recommendation is that the Board of Education adjourns this meeting.

Purpose: No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time. This action will conclude the meeting.

Motion & Voting The recommendation is that the Board of Education adjourns this meeting. Motion by Phuong Nguyen, second by Katherine Jones. Final Resolution: Motion Carries Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

1 CALL TO ORDER

1.1 Roll Call

Type Procedural Trustees: President Aiden Hill Vice President/Clerk Katherine Jones Member Phuong Nguyen Member Carina V. Plancarte Member Nancy Thomas Student Board Member: Member Joy Lee

1.2 Meeting Practices and Information

Type Information, Procedural In-person Meeting Information: Please see the attached meeting information in English and Spanish. Observe The Board Of Education Meeting: Members of the public 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. Public Comment: The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

File Attachments Board Meeting Protocols_ENG(1).pdf (69 KB) Protocolos de la Reunion de la Mesa Directiva_ESP (1).pdf (65 KB)

1.3 Public Comment on Closed Session Items

Type Procedural Purpose: The Board of Education encourages the community's participation in its deliberations and tries to make it convenient for members of the

community to express their views to the Board.

If a constituent wishes to address the Board on any agenda item:

In-Person Comment: please submit a completed speaker card to the Board's Executive Assistant before the start of the meeting, or prior to the calling of the section for public comment.

Audio-Only Virtual Comment: please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org by 1:00 PM the day of the meeting. Please label your email as " AUDIO-ONLY PUBLIC COMMENT" and include your name as it will appear on Zoom, your phone number, email address, and the agenda item number related to your comment.

Please see detailed instructions for public comment on the link: <http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

File Attachments

[Board Meeting Protocols_ENG\(1\).pdf](#) (69 KB)

[Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf](#) (65 KB)

1.4 Recess to Closed Session

Type Procedural

Purpose:

The Board will recess to Closed Session, and reconvene to Open Session on or about 7:00 p.m.

2 CLOSED SESSION

2.1 Copy of Public Employee Appointment/Discipline/Dismissal/Release/Complaint(Gov. Code, 54957.6): Principal Appointments (1),HR Assistant Superintendent (1), Personnel Matter (2 cases)

Type Action, Discussion, Information

Fiscal Impact Yes

Budgeted Yes

Budget Source General Fund

Goals VISION: The Newark Unified School District, in partnership with the community, will be a model of world-class education that develops the unique abilities of every student.

Information will be provided by the Interim Superintendent and Interim Assistant Superintendent of Human Resources with an update on recruitment, recommendations/appointments/release for personnel.

3 REPORT OF CLOSED SESSION ACTIONS

3.1 Report of Closed Session Actions

Type Action, Procedural

Purpose:

If available, a report of the closed session will be provided by the Board President.

4 RECONVENE TO OPEN SESSION

4.1 Pledge of Allegiance

Type Procedural

Purpose:

The Governance Team will recite the Pledge of Allegiance

4.2 Meeting Practices and Information

Type Information, Procedural

In-person Meeting Information:

Please see the attached meeting information in English and Spanish.

Observe The Board Of Education Meeting:

Members of the public 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.

Public Comment:

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

File Attachments

[Board Meeting Protocols_ENG\(1\).pdf](#) (69 KB)

[Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf \(65 KB\)](#)

5 APPROVAL OF AGENDA

5.1 Approval of the Agenda

Type Action
Recommended Action The recommendation is that the Board of Education approve the agenda for this meeting.

Purpose:
Members of the Governance Team and Superintendent may request that the agenda be amended or approved as presented.

Motion & Voting

6 EMPLOYEE ORGANIZATIONS

6.1 Employee Organizations

Type Information

Purpose:
At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Background:
Discussion items are limited to updates, celebrations, and upcoming events.
1. NTA
2. CSEA

7 PUBLIC COMMENT

7.1 Public Comment on Non-Agenda Items

Type Procedural

Purpose:
The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:
Please see the instructions on the link below for public comment information on non-agenda items and agenda items.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

File Attachments
[Board Meeting Protocols_ENG\(1\).pdf \(69 KB\)](#)
[Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf \(65 KB\)](#)

7.2 Public Comment on Agenda Items

Type Procedural

Purpose:
The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:
Please see the instructions on the link below for public comment information on non-agenda items and agenda items.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

File Attachments
[Board Meeting Protocols_ENG\(1\).pdf \(69 KB\)](#)
[Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf \(65 KB\)](#)

8 SUPERINTENDENT REPORT

8.1 Superintendent Report

Type Information

Purpose:

The Interim Superintendent will provide the Board of Education with district information, updates, news, or anything in the jurisdiction of the board or the superintendent.

Background:

The presentation and information will be provided by the Interim Superintendent.

9 NEW BUSINESS

9.1 Agreement: Rodan Builders, Inc. - Bid Award for the Kennedy Elementary School Re-Fencing Project

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$291,500.00
Budgeted	Yes
Budget Source	Fund 25 Developer Fee
Recommended Action	The recommendation is that the Board of Education award an Agreement with Rodan Builders, Inc. for the Kennedy Elementary School Re-Fencing Project (Bid No. 05-2023-24).

Purpose:

To authorize staff to award the Kennedy Elementary School Re-Fencing Project to the lowest, responsible and responsive bidder, Rodan Builders, Inc.

Background:

The project has undergone a competitive bidding process. A Notice to Bidders was publicly advertised in the Tri City Voice/Daily Journal on May 24, 2024, and May 31, 2024. A mandatory pre-bid conference occurred on June 6, 2024, where eight (8) contractors attended. Bids were publicly opened on June 25, 2024, with three (3) contractors responding. The total bid price of \$291,500.00 includes an unidentified conditions allowance of \$26,500.00. Any unused allowance will be credited to the District via deductive change order.

File Attachments

- [Kennedy Fencing Summary of Bids.pdf](#) (93 KB)
- [Rodan Builders Agreement.pdf](#) (163 KB)

Motion & Voting

The recommendation is that the Board of Education award an Agreement with Rodan Builders, Inc. for the Kennedy Elementary School Re-Fencing Project (Bid No. 05-2023-24).

Motion by Phuong Nguyen, second by Katherine Jones.
 Final Resolution: Motion Carries
 Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones

9.2 Lease of Teacher Chromebooks City of Mesa, Arizona RFP #2018011/National IPA Cooperative

Type	Action, Action (Consent), Procedural
Fiscal Impact	Yes
Dollar Amount	\$153,274.40
Budgeted	Yes
Budget Source	Instructional Materials and General Fund
Recommended Action	The recommendation is that the Board of Education approve a four (4) year lease of teacher Chromebooks and white glove services from CDW-G/Insight Financial Services.

Purpose:

The purpose is to have the Board approve the lease of two hundred (200) Chromebooks for ELA Teachers at the Elementary/Middle School and for white glove services and repairs. The devices will be purchased from CDW-G, utilizing the City of Mesa Arizona RFP No. 2018011, through the National IPA Cooperative Purchasing Program, with financing through Insight Financial Services at an annual amount of \$38,316.60 for four (4) years. Public Contract Code Section 12100 allows the District to utilize existing contracts without formally bidding. CDW-G was awarded the City of Mesa, Arizona RFP #2018011 which is part of the National IPA Cooperative Purchasing Program.

Background:

The District has identified a refresh plan for teacher devices and. This lease program provides teachers with updated Chromebook and repair support necessary for the ELA adoption for Elementary and Middle School.

File Attachments

- [9799_Certificate of Incumbency NUSD.pdf](#) (217 KB)
- [9799_Master Lease Agreement_NUSD.pdf](#) (229 KB)
- [9799_Notice and Acknowledgement of Assignment NUSD.pdf](#) (212 KB)
- [IFS - CDWG Asus Lease Proposal 7162024 NUSD.pdf](#) (164 KB)
- [Chromebook Purchase - Mesa - IPA Contract.pdf](#) (1,266 KB)
- [Chromebook Purchase - contract extension.pdf](#) (278 KB)

Motion & Voting

The recommendation is that the Board of Education approve a four (4) year lease of teacher Chromebooks and white glove services from CDW-G/Insight Financial Services.

Motion by Nancy Thomas, second by Katherine Jones.
 Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones

9.3 Resolution 2024.25.01 Committed Fund Balance

Type	Action
Recommended	The recommendation is that the Board of Education approve Resolution 2024.25.01
Action	Committed Fund Balance.

Purpose: To approve the designations to fund balances as presented in Resolution 2024.25.01 Committed Fund Balance.

Background: On June 25, 2024 the Board adopted Resolution 2023.24.48 Budget Adoption for 2024-25. As a result of aged facilities and needs for ongoing repairs/replacements and technology device refresh, Resolution 2023.24.01 designates \$1,550,000 in general funds as Committed Fund Balance.

File Attachments: Resolution - 2024.25.01 - Designating Committed Fund Balance to Operating Budget.pdf (64 KB)

Motion & Voting: The recommendation is that the Board of Education approve Resolution 2024.25.01 Committed Fund Balance. Motion by Katherine Jones, second by Nancy Thomas. Final Resolution: Motion Carries. Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones

10 CONSENT AGENDA: PERSONNEL ITEMS

10.1 PLACEHOLDER - One Consented Vote

Type	Action
Recommended	It is recommended that the Board of Education approve, under one consented vote, the
Action	agenda items under Consent-Personnel, except for agenda items:

Purpose: This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background: Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

10.2 Personnel Report

Type	Action
Fiscal Impact	Yes
Budgeted	Yes
Budget Source	General Fund/LCAP
Recommended	The recommendation is that the Board of Education ratify the personnel report as presented.
Action	
Goals	MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens. VISION: The Newark Unified School District, in partnership with the community, will be a model of world-class education that develops the unique abilities of every student.

Purpose: The purpose is for the Board of Education to ratify the Personnel Report as presented.

Background: All personnel activities including new hires, changes in status, resignation, leaves, and retirements are routinely submitted to the Board for ratification.

File Attachments: HR PAL 07.15.2024 BD.pdf (155 KB)

Motion & Voting: The recommendation is that the Board of Education ratify the personnel report as presented. Motion by Katherine Jones, second by Nancy Thomas. Final Resolution: Motion Carries. Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones

10.3 JOB DESCRIPTION: Director of Maintenance, Operations & Transportation

Type	Action
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Absolute Date	Jul 15, 2024
Budgeted	Yes
Recommended Action	The recommendation is for the Board of Education to approve the job description for Director of Maintenance, Operations & Transportation.

Purpose:
The purpose is for the Board to review the job description for Director of Maintenance, Operations & Transportation.

Background:
The item is for the Board to approve a job description for the position of Director of Maintenance, Operations & Transportation. This job description was last revised in November 2015. The new job description better reflects the duties and responsibilities of the position and is better aligned with the District's core mission.

File Attachments
[Director MOT Job Description Board Approved 11.17.2015.pdf](#) (100 KB)
[Director MOT Job Description Pending Board Approval 07.15.2024.pdf](#) (417 KB)

Motion & Voting
 The recommendation is for the Board of Education to approve the job description for Director of Maintenance, Operations & Transportation.
 Motion by Nancy Thomas, second by Katherine Jones.
 Final Resolution: Motion Carries
 Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones

11 CONSENT AGENDA: NON-PERSONNEL ITEMS

11.1 PLACEHOLDER - One Consented Vote

Type	Action
Recommended Action	It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent Non-Personnel, except for agenda items:

Purpose:
This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:
Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

11.2 POLICY UPDATE: Board Policy and Administrative Regulation 3550 Food Service/Child Nutrition Program

Type	Action, Procedural
Recommended Action	The recommendation is that the Board of Education approve the updated Board Policy and Administrative Regulation 3550 Food Service/Child Nutrition Program.

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation.

Background:
This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies.
 The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for an additional reading.
 Board Policy 3550 - Food Service/Child Nutrition Program
 CSBA Last Update: 2024-03-01 | NUSD Last Update: 2012-10-30
 Administrative Regulation 3550 - Food Service/Child Nutrition Program
 CSBA Last Update: 2024-03-01 | NUSD Last Update: 2012-10-30

File Attachments
[Policy 3550 - Food Service_Child Nutrition Program \(1\).pdf](#) (78 KB)
[Regulation 3550 - Food Service_Child Nutrition \(1\).pdf](#) (83 KB)

Motion & Voting

11.3 POLICY UPDATE: Board Policy and Administrative Regulation 3554 - Other Food Sales

Type	Action, Procedural
Recommended Action	The recommendation is that the Board of Education approve the updated Board Policy and Administrative Regulation 3554 - Other Food Sales.

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation.

Background:

This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for an additional reading.

File Attachments

[Regulation 3554 - Other Food Sales.pdf](#) (92 KB)

Motion & Voting

The recommendation is that the Board of Education approve the updated Board Policy and Administrative Regulation 3554 - Other Food Sales.

Motion by Katherine Jones, second by Phuong Nguyen.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones

11.4 POLICY UPDATE: Board Policy 4111/4211/4311 - Recruitment and Selection

Type	Action, Procedural
Recommended	The recommendation is that the Board of Education approve the updated Board Policy
Action	4111/4211/4311 - Recruitment and Selection.
Goals	MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens.

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated board policy.

Background:

This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policy. The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for an additional reading.

Board Policy 4111/4211/4311 - Recruitment and Selection updated updated to reflect NEW GUIDANCE from the California Department of Education and the Commission on Teacher Credentialing related to the benefit to students when district staff reflects the racial, ethnic, linguistic and cultural diversity of the district, and when the district's recruitment and selection process seeks to establish and maintain a diverse staff. Additionally, policy updated to include that the pay scale for an open position be included in the job posting. In addition, policy updated to include that discrimination against a person in hiring based on the person's use of cannabis off the job and away from the workplace is prohibited, and reflect NEW LAW (SB 700, 2023) which prohibits the district from requesting information from an applicant related to the applicant's prior use of cannabis, apart from the person's criminal history, unless the district is otherwise legally permitted to consider or inquire about that information. In addition, policy updated to provide that the district retains the right to maintain drug-free schools and to prohibit employees from possessing, being impaired by, or using cannabis while on the job. Policy also updated to include that, in addition to Governing Board approval and district needs, the provision of incentives to recruit teachers be in accordance with any applicable collective bargaining agreement.

File Attachments

- [Policy 4111 - Recruitment And Selection.pdf](#) (87 KB)
- [Policy 4211 - Recruitment And Selection.pdf](#) (87 KB)
- [Policy 4311 - Recruitment And Selection.pdf](#) (87 KB)

Motion & Voting

The recommendation is that the Board of Education approve the updated Board Policy 4111/4211/4311 - Recruitment and Selection.

Motion by Katherine Jones, second by Phuong Nguyen.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones

11.5 POLICY UPDATE: Administrative Regulation 4112.5/4212.5/4312.5 - Criminal Record Check

Type	Action, Procedural
Recommended	The recommendation is that the Board of Education approve the updated Administrative
Action	Regulation 4112.5/4212.5/4312.5 - Criminal Record Check.
Goals	MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens.

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated administrative

regulation.

Background:

This is the FIRST reading of the attached regulation. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved regulation.

The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the regulation will be brought back for an additional reading.

Administrative Regulation 4112.5/4212.5/4312.5 - Criminal Record Check updated to reference that discrimination against a person in hiring based on the person's use of cannabis off the job and away from the workplace is prohibited, including NEW LAW (SB 700, 2023) which prohibits the district from requesting information from an applicant related to the applicant's prior use of cannabis, apart from the person's criminal history, unless the district is otherwise legally permitted to consider or inquire about that information. Additionally, regulation updated for clarity.

File Attachments

- [Regulation 4112.5 - Criminal Record Check.pdf](#) (106 KB)
- [Regulation 4212.5 - Criminal Record Check.pdf](#) (106 KB)
- [Regulation 4312.5 - Criminal Record Check.pdf](#) (106 KB)

Motion & Voting

The recommendation is that the Board of Education approve the updated Administrative Regulation 4112.5/4212.5/4312.5 - Criminal Record Check.

Motion by Katherine Jones, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones

11.6 POLICY UPDATE: Board Policy 4117.3 - Personnel Reduction

Type	Action, Procedural
Recommended	The recommendation is that the Board of Education approve the recommended changes and
Action	approve the updated board policy.
Goals	MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens.

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated board policy.

Background:
This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policy.

The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for an additional reading
Board Policy 4117.3 - Personnel Reduction updated to clarify requirements related to the determination of the order of layoffs when it is necessary to reduce the number of certificated employees for economic reasons specified in law. Section on "Reappointment" revised to address priority for offering a laid-off employee first opportunity for substitute service during the period of preferred right to reappointment.

- File Attachments**
- [Policy 4117.3 - Personnel Reduction.pdf](#) (84 KB)

Motion & Voting
The recommendation is that the Board of Education approve the recommended changes and approve the updated board policy.
Motion by Katherine Jones, second by Phuong Nguyen.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones

11.7 POLICY UPDATE: Board Policy and Administrative Regulation 4218 - Dismissal/Suspension/Disciplinary Action

Type	Action, Procedural
Recommended	The recommendation is that the Board of Education approve the updated Board Policy and
Action	Administrative Regulation 4218 - Dismissal/Suspension/Disciplinary Action.
Goals	MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens.

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and regulation.

Background:
This is the FIRST reading of the attached policy and regulation. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These

notations will be removed from the final, Board approved policy and regulation.
 The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy and/or regulation will be brought back for an additional reading.
 Board Policy 4218 - Dismissal/Suspension/Disciplinary Action updated to add that the Governing Board expects all employees to serve as positive role models at school and in the community for consistency with expectations for certificated staff, generalize the material related to the basis for disciplinary action, and reflect NEW COURT DECISION (Visalia Unified School District v. PERB) which held that service as a union officer constitutes protected activity under the Educational Employment Relations Act for purposes of complaints of retaliation for union activities, and that retaliation solely for engaging in protected activities is prohibited. Additionally, policy updated to amend the list of what may be considered disciplinary actions to more closely align with law, clarify that if a timely request for a hearing is submitted, a third-party hearing officer is required to conduct the hearing if the Board has delegated such authority, and to add new section "Compulsory Leave of Absence" for consistency with law and the accompanying administrative regulation.
 Administrative Regulation 4218 - Dismissal/Suspension/Disciplinary Action updated to reference that discrimination against a person in termination or any term or condition of employment based on the person's use of cannabis when off the job or away from the workplace is prohibited. Additionally, regulation updated to delete outdated material and for clarity.

File Attachments

- [Policy 4218 - Dismissal_Suspension_Disciplinary Action.pdf](#) (102 KB)
- [Regulation 4218 - Dismissal_Suspension_Disciplinary Action.pdf](#) (106 KB)

Motion & Voting

The recommendation is that the Board of Education approve the updated Board Policy and Administrative Regulation 4218 - Dismissal/Suspension/Disciplinary Action.

Motion by Katherine Jones, second by Phuong Nguyen.
 Final Resolution: Motion Carries
 Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones

11.8 POLICY UPDATE: Board Policy 4231 - Staff Development

Type	Action, Procedural
Recommended Action	The recommendation is that the Board of Education approve the updated Board Policy 4231 - Staff Development.
Goals	MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens.

Purpose:
 The purpose is for the Board of Education to review the recommended changes and approve the updated board policy.

Background:
 This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policy.
 The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for an additional reading.
 Board Policy - Staff Development updated to reflect NEW LAW (SB 1060, 2014) which requires any district that offers a program of professional growth for classified employees involved in the direct instruction of students to evaluate professional learning based on specified criteria. Policy also updated to reflect SB 590 which requires any district that expends funds for staff development for an school site staff to consider the staff development needs of its classified school employees and lists topics that may be included in staff development for classified staff. Policy also adds optional paragraph re: staff development for classroom instructional aides and reflects NEW LAW (AB 97) which redirects funding for the Professional Development Block Grant into the LCFF. Policy revises and expands the list of topics that may be addressed in staff development, adds optional language encouraging involvement of classified staff and others in developing the staff development program, and adds new language re: using the evaluation process to identify individual needs for staff development. Updated regulation deletes section on Instructional Time and Staff Development Program, repealed by NEW LAW (AB 825 - categorical reform), and revises and expands allowable types of activities.

File Attachments

- [BP 4231 Staff Development 07.15.2024.pdf](#) (199 KB)

Motion & Voting

The recommendation is that the Board of Education approve the updated Board Policy 4231 - Staff Development.
 Motion by Katherine Jones, second by Phuong Nguyen.
 Final Resolution: Motion Carries
 Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones

11.9 California Department of Education Consolidated Application and Reporting System 2024-25 Spring Release Certification

Type	Action, Procedural
Recommended Action	The recommendation is that the Board of Education ratify the Consolidated Application and Reporting System (CARS), 2024-25 Spring Release Certification.
Goals	4. Fiscal Health

Purpose:

The purpose of this item is to provide the California Department of Education with the information needed to fund a wide variety of federal and state programs that bring supplementary funding into the school district.

Background:

The Consolidated Application and Reporting System (CARS) -- formerly known as Consolidated Application or "CON APP" for short -- is the state's mechanism for both funding of identified state and federal categorical programs and required reporting for many of them. It provides the entitlement amounts of these programs as well as required considerations for expenditures. The California Department of Education requires the local educational agency (LEA) to review and receive approval of their Application for Funding selections with their local governing Board. Each year, the programs included in the CARS change based on federal/state mandates and different methods of gaining or disseminating information. This is the 2024-25 Spring Release Certification. CARS brings funds into the school district for a variety of programs including Title I, Title II, Title III and Title IV. Each of the identified programs has specified guidelines or requirements for their expenditure. All titled programs are federally funded. Title I, Part A dollars are used to support the increased achievement of at-risk students, primarily in reading and math. (We currently have eight schools receiving these funds.) Title II, Part A (Teacher Quality) monies are used to support teacher evaluation, as well as teacher professional development. Title III English Learner and Immigrant are used to support our English language learners. Title IV is used to fund school improvement programs for student academic success.

File Attachments

CARS 23-24 Spring Data Collection and 24-25 Application.pdf (1,937 KB)

Motion & Voting

The recommendation is that the Board of Education ratify the Consolidated Application and Reporting System (CARS), 2024-25 Spring Release Certification.

Motion by Katherine Jones, second by Phuong Nguyen.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones

11.10 Williams Uniform Complaint Quarterly Report April 1, 2024 - June 30, 2024

Table with 2 columns: Type, Action. Row 1: Absolute Date, Jul 15, 2024. Row 2: Recommended, The recommendation is that the Board of Education approves the Williams Uniform Complaint Quarterly Report for the period of April 1, 2024 - June 30, 2024.

Purpose: The purpose is for the Board of Education to receive and approve the Williams Uniform Complaint Quarterly Report for the period of April 1, 2024 - June 30, 2024.

Background:

Education Code 35186 requires that the Superintendent of a school district report summarized data on the nature and resolution of all complaints filed under the Williams Uniform Complaint Procedures to the local Board of Education and the County Superintendent of Schools on a quarterly basis. The report must include the number of complaints by general area, the number of resolved and unresolved complaints, and be publicly presented at a regularly scheduled Board meeting. The attached report is presented to the Board for the period of April 1, 2024 - June 30, 2024.

File Attachments

Q423-24 UCP Report for Board 07.15.2024.pdf (403 KB)

Motion & Voting

The recommendation is that the Board of Education approves the Williams Uniform Complaint Quarterly Report for the period of April 1, 2024 - June 30, 2024.

Motion by Katherine Jones, second by Phuong Nguyen.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones

12 ADJOURNMENT

12.1 PLACEHOLDER - Extend Meeting

Table with 2 columns: Type, Action. Row 1: Recommended, The recommendation is that the Board of Education extends the meeting to ____ P.M.

Purpose: This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

12.2 Adjournment

Table with 2 columns: Type, Action. Row 1: Recommended, The recommendation is that the Board of Education adjourns this meeting.

Purpose:

No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time. This action will conclude the meeting.

Motion & Voting

The recommendation is that the Board of Education adjourns this meeting.

Motion by Katherine Jones, second by Nancy Thomas.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones

1 CALL TO ORDER

1.1 Meeting Practices and Information

Type Information, Procedural

In-person Meeting Information:

Please see the attached meeting information in English and Spanish.

Observe The Board Of Education Meeting:

Members of the public 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.

Public Comment:

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

File Attachments

[Board Meeting Protocols_ENG\(1\).pdf](#) (69 KB)

[Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf](#) (65 KB)

1.2 Roll Call

Type Procedural

Trustees:

President Aiden Hill

Vice President/Clerk Katherine Jones

Member Phuong Nguyen

Member Carina V. Plancarte

Member Nancy Thomas

Student Board Member:

Member Joy Lee

1.3 Public Comment on Closed Session Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and tries to make it convenient for members of the community to express their views to the Board.

If a constituent wishes to address the Board on any agenda item:

In-Person Comment: please submit a completed speaker card to the Board's Executive Assistant before the start of the meeting, or prior to the calling of the section for public comment.

Audio-Only Virtual Comment: please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org by 1:00 PM the day of the meeting. Please label your email as " AUDIO-ONLY PUBLIC COMMENT" and include your name as it will appear on Zoom, your phone number, email address, and the agenda item number related to your comment.

Please see detailed instructions for public comment on the link: <http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

File Attachments

[Board Meeting Protocols_ENG\(1\).pdf](#) (69 KB)

[Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf](#) (65 KB)

1.4 Recess to Closed Session

Type Procedural

Purpose:

The Board will recess to Closed Session, and reconvene to Open Session on or about 7:00 p.m.

2 CLOSED SESSION

2.1 Public Employee Appointment/Employment/Discipline/Dismissal/Release (Gov. Code, 54957, subd. (b)(1)): Assistant Superintendent of Business Services/CBO, Principals

Type Action, Discussion, Information

Purpose:
Information will be provided by the Interim Superintendent.

2.2 Conference with Legal Counsel regarding Anticipated Litigation - Significant exposure to litigation pursuant to Gov. Code, 54956.9, subd. (d)[(2) or (3)]: two cases

Type Action, Discussion
Preferred Date Jun 25, 2024

Purpose:
To discuss the following case(s): Case 2024NUSD003 and case 2024NUSD004

3 REPORT OF CLOSED SESSION ACTIONS

3.1 Report of Closed Session Actions

Type Action, Procedural

Purpose:
If available, a report of the closed session will be provided by the Board President.

4 RECONVENE TO OPEN SESSION

4.1 Pledge of Allegiance

Type Procedural

Purpose:
The Governance Team will recite the Pledge of Allegiance

4.2 Meeting Practices and Information

Type Information, Procedural

In-person Meeting Information:
Please see the attached meeting information in English and Spanish.

Observe The Board Of Education Meeting:
Members of the public 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.

Public Comment:
The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

File Attachments
[Board Meeting Protocols_ENG\(1\).pdf](#) (69 KB)
[Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf](#) (65 KB)

5 APPROVAL OF AGENDA

5.1 Approval of the Agenda

Type Action
Recommended Action The recommendation is that the Board of Education approve the agenda for this meeting.

Purpose:
Members of the Governance Team may request that the agenda be amended or approved as presented.

Motion & Voting

6 PUBLIC COMMENT

6.1 Public Comment on Non-Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

File Attachments

[Board Meeting Protocols_ENG\(1\).pdf](#) (69 KB)

[Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf](#) (65 KB)

6.2 Public Comment on Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

File Attachments

[Board Meeting Protocols_ENG\(1\).pdf](#) (69 KB)

[Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf](#) (65 KB)

7 SUPERINTENDENT REPORT

7.1 Superintendent Report

Type Information

Purpose:

The Interim Superintendent will provide the Board of Education with district information, updates, news, or anything in the jurisdiction of the board or the superintendent.

Background:

The presentation and information will be provided by the Interim Superintendent

8 STAFF REPORT

8.1 Presentation on the 2024-25 California Dashboard Local Indicators

Type Information
Goals 1a. Student Achievement

Purpose:

The administration presents California Dashboard Local Indicators for Newark Unified School District.

Background:

Each year the California Department of Education prepares and releases the California Accountability Dashboard, consisting of state and local indicators of status and growth for California schools and Districts. The State Board of Education (SBE) has approved standards for the local indicators that support school districts in measuring and reporting their progress within the appropriate priority area. For each local indicator, the performance standards are as follows:

- Annually measure its progress in meeting the requirements of the specific LCFF priority
- Report the results as part of a non-consent item at a regularly scheduled public meeting of the local governing board/body in conjunction with the adoption of the LCAP
- Report results to the public through the Dashboard utilizing the SBE-adopted self-reflection tools for each local indicator

Five indicators based on information collected by school districts, county offices of education and charter schools regarding LCFF priorities:

- Priority 1: Appropriately Assigned Teachers, Access to Curriculum-Aligned Instructional Materials and Safe, Clean and Functional School Facilities
- Priority 2: Implementation of State Academic Standards
- Priority 3: Parent Engagement

- Priority 6: School Climate
- Priority 7: Access to a Broad Course of Study

The collection and reflection on locally available information relevant to progress regarding local priority areas will support districts in completing the self-reflection tools, reporting in the Dashboard, and in local planning and improvement efforts.

File Attachments

- [2024_Local_Indicator_Self-Reflection_of_2023-24_Indicators_Newark_Unified_School_District_20240612 \(1\).pdf](#) (299 KB)
- [2024 California Dashboard and Local Indicator Results \(1\).pdf](#) (590 KB)

9 NEW BUSINESS

9.1 Approval of the 2024-25 Local Control and Accountability Plan (LCAP)

Type	Action
Fiscal Impact	Yes
Budgeted	Yes
Recommended	Staff recommends the Board of Education approve the 2024-25 Local Control and
Action	Accountability Plan as presented.

Purpose:

The administration presents the 2024-25 Local Control and Accountability Plan (LCAP) for approval.

Background:

Education Code 52062(b)(2) A governing board of a school district shall adopt an LCAP or annual update to the LCAP in a public meeting. This meeting shall be held after, but not on the same day as, the public hearing held pursuant to paragraph (1). This meeting shall be the same meeting as that during which the governing board of the school district adopts a budget pursuant to Education Code 42127 (a)(2).

Table of Contents:

- LCFF Budget Overview for Parents (pages 1-4)
- 2024 LCAP Annual Update for the 2023-24 (pages 5-49)
- Plan Summary (pages 50-59)
 - Brief description of Newark Unified School District's students and community Reflections
- Engaging Educational Partners (pages 60-68)
 - Involvement process for developing the 2024-25 LCAP
- Goals & Actions (pages 69-141)
 - Goal #1 (Student Achievement)
 - Goal #2 (Engagement and School Climate)
 - Goal #3 (Conditions of Learning)
 - Goal #4 (Ensure all students with disabilities are receiving appropriate accommodations and services)
- Increased or Improved Services for Foster Youth, English Learners and Low-income students (pages 172-173)
- Action Tables (pages 177-183)
- Instructions (pages 173-174)

File Attachments

- [2024-2025 LCAP NUSD FINAL.pdf](#) (1,903 KB)

9.2 2024-25 Budget Adoption - Resolution 2023.24.48

Type	Action
Recommended	The recommendation is that the Board of Education adopt the 2024-25 Budget, Resolution
Action	2023.24.48, and the Public Hearing Reserve Disclosure Certificate, and certify that the budget was developed using the State-adopted Criteria and Standards.
Goals	4. Fiscal Health

Purpose:

The purpose of this item is for the Board of Education to adopt the 2024-25 Proposed Budget prior to July 1, 2024.

Background:

Following a mandated public hearing, held June 18, 2024, on the 2024-25 Proposed Budget, the Board will consider adopting the District budget. The most significant items that will impact this budget are the final enacted State budget, the actual closing of the books for the 2023-24 fiscal year, and the actual 2024-25 enrollment and attendance in the Newark Unified School District.

Education Code 42127 requires the governing board of each school district to adopt a budget on or before July 1 of each year for the upcoming fiscal year. Staff recommends the Board adopt the 2024-25 budgets for the following funds: General Fund; Adult Education Fund; Child Development Fund; Cafeteria Fund; Special Reserve for Other Than Capital Outlay Fund; Building Fund; Capital Facilities Fund; Special Reserve Fund for Capital Outlay Projects; Bond Interest and Redemption Fund; and Self-Insurance Fund.

Once the Legislature reaches a compromise on the 202425 State Budget Act, each house will need to approve the budget bill by June 15. The Governor will then have 12 days to sign the budget bill as presented, approve the budget bill with line-item reductions, or veto the budget bill and send it back to the Legislature. The District will have 45 days from the date the Governor signs the budget to make public any significant revisions it decides to make to the Adopted Budget based upon the State's enacted budget.

File Attachments

- [Resolution 2023.24.48_Budget Adoption for 2024-25.pdf](#) (148 KB)
- [2024-25 Budget Book_6.25_FINAL.pdf](#) (5,715 KB)

[A7 Public Hearing Reserve Disclosure Certificate 2024-25.pdf](#) (137 KB)

[Motion & Voting](#)

9.3 Resolution 2023.24.41 Designating Certain General Funds as Committed Fund Balance for 2024-2025

Type	Action
Recommended	The recommendation is that the Board of Education adopt Resolution 2023.24.41 Designating
Action	Certain General Funds as Committed Fund Balance for 2024-2025.
Goals	4. Fiscal Health

Purpose:
To approve the commitments to fund balance as presented in the resolution.

Background:
As a result of the balance in the Public School System Stabilization Account, the statutory limitation on school district reserves has been triggered for the 2023-24 budget period, pursuant to Education Code (EC) section 42127.01(e). For the 2024-25 fiscal year, the district reserve cap requires that a school district's adopted or revised budget shall not contain a combined assigned or unassigned ending general fund balance of more than 10 percent of those funds. Assigned and unassigned balances within the Fund 17 Special Reserve Fund for Other than Capital Outlay and the General Fund may not exceed the 10 percent reserve cap. Committed fund balances are not included in the 10 percent reserve cap.

File Attachments
[Resolution 2023.24.41 Commit to Budget Balance Reserves for 2024-25 Fiscal Year.pdf](#) (14 KB)

9.4 Citizen's Bond Oversight Committee (CBOC) 2022-23 Annual Report

Type	Action
Recommended	The recommendation is that the Board of Education accepts the 2022-23 Citizens' Bond
Action	Oversight Committee Annual Report as presented.

Purpose:
The Citizens' Bond Oversight Committee (CBOC) Chair, Cary Knoop and Secretary, Cindy Parks will present the Annual Report for the 2022-23 school year.

Background:
Measure G requires an annual report from the Citizens' Bond Oversight Committee.

File Attachments
[2022-2023 - CBOC Report-003 - Final.pdf](#) (567 KB)

9.5 Bid Award: Newark Memorial High School Track and Field Project to O.C. Jones & Sons, Inc

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$4,422,222.00
Budgeted	Yes
Budget Source	Fund 25 Developer Fees
Recommended	The recommendation is that the Board of Education award a contract to O.C. Jones & Sons,
Action	Inc. for the Newark Memorial High School Track and Field Renovation Project (Bid No. 04-2023-24).

Purpose:
To authorize staff to award the Newark Memorial High School Track & Field Renovation Project to the lowest, responsible and responsive bidder, O.C. Jones & Sons, Inc.

Background:
The project has undergone a competitive bidding process. A Notice to Bidders was publicly advertised in the Argus Newspaper May 24, 2024, and May 31, 2024. A mandatory pre-bid conference occurred on June 4, 2024, with ten (10) contractors attending. Bids were publicly opened on June 18, 2024, with five (5) contractors responding. The total bid price of \$4,422,000.00 includes an unidentified conditions allowance of \$402,000.00. Any unused allowance will be credited to the District via deductive change order. At the Board of Education meeting on June 18, 2024, the Board approved the purchase of material for the football field and track from FieldTurf USA, Inc. at a total cost of \$1,212,400.00; for a total project cost of \$5,634,400.00.

File Attachments
[Bid 04-2023-24 NMHS Track & Field Renovation - Bid Summary.pdf](#) (9 KB)
[OC Jones & Sons, Inc_Agreement.pdf](#) (167 KB)

[Motion & Voting](#)

9.6 Audit Discussion- Stipends and Substitute Time

Type	Action, Discussion
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Fiscal Impact	Yes
Recommended	The recommendation is that the Board of Education have a discussion and provide direction to
Action	staff with regard to concerns for stipend review and expenditure. Substitute time and cost for the 23-24 school year.

Purpose:

The purpose is that the Board of Education have a discussion and provide direction to staff with regard to concerns for stipend review and expenditure. Substitute time and cost for the 23-24 school year.

Background:

It was recommended at June 18, 2024 Board meeting by a board member to bring this item forward for discussion and possible direction/action.

9.7 Healthy Use of Technology for Students

Type	Action, Discussion, Information
Recommended	The recommendation is that the Board of Education discuss our healthy use of technology for
Action	students.
Goals	2a. Safe, Secure and Healthy Learning Environments MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens.

Purpose:

The purpose is that the Board of Education discuss our healthy use of technology for students.

Background:

Recently the L.A. Unified School District has developed a resolution (press release here) that bans student use of cellphones and social media platforms during the entire school day. The policy, which will be implemented districtwide, "As the Surgeon General affirmed, social media is harming the mental health of our youth," Newsom said in a statement Tuesday. "Building on legislation I signed in 2019, I look forward to working with the Legislature to restrict the use of smartphones during the school day. When children and teens are in school, they should be focused on their studies not their screens."

9.8 Board Meeting Date Change for December

Type	Action, Discussion, Information, Procedural
Fiscal Impact	No
Recommended	The recommendation is that the Board of Education change their Tuesday, December 3, 2024
Action	meeting to Monday, December 2, 2024 due to a quorum concerns as the majority of the School Board and Superintendent will be attending the CSBA annual conference and pre-conference sessions (Delegate Assembly).

Purpose:

The purpose is that the Board of Education change their Tuesday, December 3, 2024 meeting to Monday, December 2, 2024 due to a quorum concerns as the majority of the School Board and Superintendent will be attending the CSBA annual conference and pre-conference sessions (Delegate Assembly).

Background:

The conference dates were unknown prior to scheduling The Board of Education meeting dates.

Motion & Voting

10 CONSENT AGENDA: PERSONNEL ITEMS

10.1 PLACEHOLDER - One Consented Vote

Type	Action
Recommended	It is recommended that the Board of Education approve, under one consented vote, the
Action	agenda items under Consent-Personnel, except for agenda items:

Purpose:

This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:

Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Motion & Voting

10.2 Personnel Report

Type	Action
------	--------

Absolute Date	Jun 25, 2024
Recommended Action	The recommendation is that the Board of Education ratify the personnel report as presented.

Purpose:
The purpose is for the Board of Education to ratify the Personnel Report as presented.

Background:
All personnel activities including new hires, changes in status, resignation, leaves, and retirements are routinely submitted to the Board for ratification.

File Attachments
[HR PAL 06-25-2024.pdf](#) (353 KB)

10.3 JOB DESCRIPTION: Personnel Manager

Type	Action
Absolute Date	Jun 25, 2024
Recommended Action	The recommendation is that the Board of Education approve the job description for Personnel Manager.

Purpose:
The purpose is for the Board to approve the proposed job description.

Background:
The Board of Education approved the restructure of the Personnel department on June 18, 2024. The job description for Personnel Manager is in alignment with this restructure. The annual salary is Range 68, \$101,505 - \$119,835. The job description will be attached prior to The Board of Education Meeting.

File Attachments
[HR-Personnel Manager 06.25.2024.pdf](#) (314 KB)

11 CONSENT AGENDA: NON-PERSONNEL ITEMS

11.1 PLACEHOLDER - One Consented Vote

Type	Action
Recommended Action	It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent Non-Personnel, except for agenda items:

Purpose:
This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:
Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Motion & Voting
It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent Non-Personnel, except for agenda items:

- Motion by Katherine Jones, second by Phuong Nguyen.
- Final Resolution: Motion Carries
- Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones
- Not Present at Vote: Carina V Plancarte

11.2 2024-25 MOU with Mark Bishop, Mental Health Clinician

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$103,680.00
Budgeted	Yes
Budget Source	Learning Recovery Emergency Block Grant
Recommended Action	The recommendation is that the Board of Education approve the 2024-25 Memorandum of Understanding with Mark Bishop, Mental Health Clinician for Newark Memorial High School.
Goals	2a. Safe, Secure and Healthy Learning Environments

Purpose:
Mr. Mark Bishop serves as a Mental Health Clinician supporting the students at Newark Memorial High School. This Memorandum of Understanding (MOU) is for his continued service and work for the 2024-2025 school year.

Background:
Newark Memorial High School (NMHS) will provide individual therapy to students as part of the school's Coordination of Services Team (COST) referral process. Mr. Mark Bishop, a Mental Health Clinician, will provide individual therapy with a caseload of 20-25 students and

will also support the school with crisis mental health support for the whole student body along with supporting the referrals from the COST. This work will be accomplished under the direction of the Principal.

[File Attachments](#)

[Mark Bishop-NUSD Agreement 2024-25.pdf](#) (100 KB)

[Motion & Voting](#)

11.3 2024-25 MOU with Jackie Melcher, Mental Health Clinician

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$106,424.00
Budgeted	Yes
Budget Source	Learning Recovery Emergency Block Grant
Recommended Action	The recommendation is that the Board of Education approve the 2024-25 Memorandum of Understanding with Jackie Melcher, Mental Health Clinician for Schilling and Coyote Hills Elementary Schools.

[Purpose:](#)

To provide Schilling and Coyote Hills Elementary students with an onsite behavioral health consultant who will support Tier I and Tier II needs. The clinician, Ms. Jackie Melcher, will also support the implementation of Positive Behavioral Interventions and Support (PBIS) and work at the school five (5) days a week.

[Background:](#)

This support role meets the ongoing needs of students and the implementation of PBIS and their Coordination of Services Team (COST).

[File Attachments](#)

[Jackie Melcher_contract for Schilling & CHE 24-25.pdf](#) (250 KB)

[Motion & Voting](#)

11.4 RGM Kramer Merger into Cummings Management Group

Type	Action
Recommended Action	The recommendation is that the Board of Education
Goals	4. Fiscal Health

[Purpose:](#)

To authorize the Interim Superintendent to sign the Notice of Merger and Consent to Assignment from Cummings Management Group for the Service Agreement (with RGM Kramer), dated December 6, 2022 for Projects: KR-NWK01.40, 23-00863.KR, and KR-NWK03.00.

[Background:](#)

Cumming Management Group notified the district that, "effective on or about July 1, 2024, it is our intention to merge RGM Kramer, INC. ("RGMK") into its parent entity, CUMMING MANAGEMENT GROUP, INC. ("CUMMING"), which as of that date will assume all duties and obligations of RGMK. Thereafter, RGMK will be doing business as CUMMING. Accordingly, all assets of RGMK, including the Agreement and any proposals, will then be assigned to and vested in CUMMING."

[File Attachments](#)

[Newark USD Consent to Assignment - RGMK - 5.2024.pdf](#) (356 KB)

[Motion & Voting](#)

11.5 2024-2025 Signature Card Board Members

Type	Action
Recommended Action	The recommendation is that the Board of Education continue the Board signers or authorized agents Signature Card Board Members as there has been no change since the last resolution.

[Purpose:](#)

All Board signers or authorized agents remain unchanged from the prior fiscal year. Resolution 2022.23.37 is the current list of signers for the 2024-25 "Signature Card" to be kept on file at the Alameda County Office of Education

[Background:](#)

This reflects that there is no change to the designated Board Members for the Alameda County Superintendent of Schools, and it is a county requirement that we update this each year. The Alameda County Office of Education recommends that the governing board take necessary action for the completion of the attached notice no later than the first board meeting of the fiscal year.

[File Attachments](#)

[2024-2025_Signature Card_Board Members.pdf](#) (112 KB)

[Motion & Voting](#)

11.6 RESOLUTION 2023.24.44 Signature Card - Authorized Agents Official Documents & Reports

Type	Action
Recommended Action	The recommendation is that the Board of Education adopt Resolution 2023.24.44 Authorized Agents to Sign Official Documents and Reports.

Purpose:
 The purpose is to adopt Resolution 2023.24.44, Authorized Agents to Sign Official Documents and Reports. It is the "Signature Card" to be kept on file at the Alameda County Office of Education.

Background:
 Whenever a change in the official signers of the District occurs, the County Superintendent of Schools requires certification in the form of a resolution from the Board of Education naming the new official signers for reports on behalf of the District. This resolution reflects those designated to sign on reports to the County and State on behalf of the District. The Executive Cabinet members are the designated signers for reports. This authorization is in place for all official documents of the District, and it is a county requirement. The Alameda County Office of Education recommends that the governing board take necessary action for completion of the attached resolution no later than the first board meeting of the fiscal year.

File Attachments
[Resolution 2023.24.44_Signature Card_Official Documents & Reports 2024-25.pdf](#) (29 KB)

Motion & Voting

11.7 RESOLUTION 2023.24.45 Signature Card-Authorized Agents Payroll Warrants & Disbursements

Type	Action
Recommended Action	The recommendation is that the Board of Education adopt Resolution 2023.24.45 Authorized Agents to Sign Payroll Warrants and Disbursements.

Purpose:
 The purpose is to adopt Resolution 2023.24.45, Authorized Agents to Sign Payroll Warrants and Disbursements. It is the 2023-24 "Signature Card" to be kept on file at the Alameda County Office of Education.

Background:
 Pursuant to Education Code Section 42632 for Education, each order drawn on the funds of the School District shall be signed by at least a majority of the members of the governing board of the district or by a person(s) authorized by the governing board to sign orders in its name. This resolution reflects those designated to sign on the payroll warrants and disbursements to the Alameda County Superintendent of Schools. This authorization is in place for all disbursements for payroll and accounts payable, and it is a county requirement. Alameda County Office of Education recommends that the governing board take necessary action for completion of the attached resolution no later than the first board meeting of the fiscal year.

File Attachments
[Resolution 2023.24.45 Signature Card_Payroll Warrants & Disbursements 24-25.pdf](#) (33 KB)

Motion & Voting

11.8 Contract: Lozano Smith Attorneys at Law - Agreement for Legal Services 2024- 2025

Type	Action
Fiscal Impact	Yes
Budgeted	Yes
Budget Source	General Fund
Recommended Action	The recommendation is that the Board of Education approve the Agreement for Legal Services for Lozano Smith Attorneys at Law for 2024-2025.

Purpose:
 To renew the legal services agreement with Lozano Smith Attorneys at Law for legal services in the 2024-2025 fiscal year.

Background:
 Lozano Smith has served as the District's legal counsel for 24 years. They have provided NUSD with legal counsel in a wide variety of areas, including general legal services, business and contract services, construction advice, developer fees, litigation, procurement, and governance. The hourly rate schedule has been updated for 2023-2024. The hourly rate ranges for different attorney groups are \$275-350 per hour which is an increase of up to \$45 dollars per group compared to last year. a 2-3% increase in Associate and Paralegal/Law Clerk rates and the Consultant rate went from \$135-\$195 per hour to \$200-\$395 per hour.

File Attachments
[LozanoSmith 23-24 Agreement.pdf](#) (296 KB)

Motion & Voting

11.9 Agreement with Curriculum Associates, LLC Agreement for I-Ready Services 2024-25

Type	Action
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Fiscal Impact	Yes
Dollar Amount	\$149,815.50
Budgeted	Yes
Budget Source	LCAP
Recommended Action	The recommendation is that the Board of Education approve the agreement with Curriculum Associates, LLC. Goals.
Goals	1a. Student Achievement

Purpose:

This 2024-25 school year agreement will provide diagnostics and student licenses in English Language Arts (ELA) and Mathematics for Kindergarten to 5th-grade students, as well as licenses for English Language Learners to use at the middle school, grades 6-8.

Background:

This is a part of the district-wide assessment program. This is the seventh year of implementation of I-Ready; this continuity allows staff the ability to identify trends in student data results and adjust instructional planning accordingly at the site level. The cost for the district will be \$149,815.50.

File Attachments

[iReady Newark USD 1 YR Quote353950.8.pdf \(765 KB\)](#)

Motion & Voting

11.10 Service Agreement between NUSD and BaySci (2024-2025)

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$55,000.00
Budgeted	Yes
Budget Source	LCAP funding
Recommended Action	The purpose is for the Board of Education to approve the Service Agreement between NUSD and BaySci for the 2024-2025 school year.
Goals	3a. Parent and Community Engagement and Communication MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens.

Purpose:

The purpose of this item is for the Board of Education to approve the Service Agreement between the Regents of the University of California, Berkeley - Lawrence Hall of Science and Newark Unified School District. This Service Agreement outlines the services to be provided by BaySci for 2024-2025 to support district Science initiatives and curriculum development and implementation.

Background:

Description/ Scope of Work

BaySci at the Lawrence Hall of Science , University of California, Berkeley supports the development and deepening of district-wide capacities for equitable, high-quality science education and environmental literacy. BaySci is dedicated to leadership, innovation and excellence in STEM education and learning, and has a long history of addressing the needs of groups who are situated at the margins of equitable, high-quality instruction in science, math, engineering, and environmental education.

In 2023-2024, BaySci will

1. Provide support for the Newark Unified School District (District) Science Leadership Team to develop and refine an implementation plan for Districtwide coherence across the disciplines of science, computer science, and environmental literacy and in connection to other district initiatives and efforts overseen by District Educational Services department.
2. Provide support for partnerships with community-based organizations as part of a Districtwide, coherent science, computer science, and environmental literacy program.
3. Provide support for meaningful teacher collaboration, building off District structures and lessons learned to sustain teacher collaboration around science, environmental literacy and computational thinking.

The BaySci Model- District Leadership Seminars, Planning Meetings & Technical Assistance

Leadership Seminars: These meetings are held three to four times per year and attended by District Science Leadership Team. They focus on examination of the District capacities, specifically related to designing at the margins for equitable, high quality science education, environmental literacy, and computational thinking. A major goal of the leadership seminars is to develop a collaborative learning community of science education stakeholders focused on long-range designs and planning for science, critical elements for an equitable and effective science program, and support for equitable science through concrete strategies. The Leadership Seminars also develop a collaborative learning community of science education leaders focused on long-range planning for science, critical elements for an effective science program, linking their in-school and out of school programs, and supporting groups situated at the margins in concrete ways (such as multilingual learners).

Planning Meetings: University's BaySci staff meet with top-level District leadership, including the superintendent, three to four times each year to address topics related to yearly priorities, milestones, needs, and challenges of the District's plan for designing at the margins and implementation of equitable improvement designs. Planning meetings will also be used to determine the highest priorities for the use of technical assistance.

Technical Assistance: Based on the District's plan for designing at the margins and the yearly priorities identified during planning meetings, University staff respond to individual District needs through consultation and customized support for these plans. Each year, University staff will dedicate 3-4 days of technical assistance to the District that includes customized support and planning/delivering Districtwide professional learning initiatives (e.g., hybrid, in-person, and remote teaching and distance learning strategies), centering Districts goals. In Newark this may include lesson study; school site principal-specific support for environmental literacy and outdoor learning; K- 12 computational thinking improvement strategies, elementary-specific and secondary-specific remote teaching/distance learning support, if needed; and planning and support

for the transition to hybrid and in-person teaching/learning schedules with an emphasis on the outdoors, environmental literacy, and computational thinking.

File Attachments

[BaySci Agreement 24-25.pdf](#) (239 KB)

Motion & Voting

11.11 Mission Valley Special Education Local Plan (SELPA)

Type	Action (Consent)
Preferred Date	Jun 25, 2024
Absolute Date	Jun 25, 2024
Fiscal Impact	No
Recommended Action	The Board of Education is requested to approve the Mission Valley Special Education Local Plan (SELPA)

Purpose:
The purpose is for the Board of Education to approve the Mission Valley Special Education Local Plan Area (SELPA).

Background:
Special Education Local Plan Area (SELPA), develops local plans describing how it intends to provide special education services as required for California Department of Education. The attached Local Plan describes how we will facilitate high quality educational programs and services for special needs students and training for parents and educators. Mission Valley SELPA collaborates with county agencies and school districts to develop and maintain healthy and enriching environments in which special needs students and families can live and succeed. The format for the recently approved Local Plan has changed from prior years. The attached Local Plan was approved by the SELPA Regional Policy Board on June 11, 2024 and will be sent to the Alameda County Office of Education once board approval is obtained.

File Attachments

[Local Area Plan 2023-24.pdf](#) (2,974 KB)

11.12 Contract with Anova Center for Education, Non-Public School (NPS)

Type	Action
Preferred Date	Jun 25, 2024
Absolute Date	Jun 25, 2024
Fiscal Impact	Yes
Dollar Amount	\$72,590.00
Budgeted	Yes
Budget Source	Resource 6500 - Special Education
Recommended Action	The recommendation is that the Board of Education approve the contract with Anova Center for Education.

Purpose:
For the Board of Education to approve the contract with Anova Center for Education for day treatment services for the 2024-25 school year.

Background:
NUSD student's least restrictive environment per IDEA was determined to be placed in a Non-Public School (NPS) setting due to a significant disability, behavioral, or programmatic need that has impacted their current ability to be successful within the general education setting.

Motion & Voting

11.13 Contract with Pacific Autism Center for Education (PACE), Non-Public School (NPS)

Type	Action
Preferred Date	Jun 25, 2024
Absolute Date	Jun 25, 2024
Fiscal Impact	Yes
Dollar Amount	\$152,852.00
Budgeted	Yes
Budget Source	Resource 6500 - Special Education
Recommended Action	The recommendation is that the Board of Education approve the contract with Pacific Autism Center for Education (PACE).

Purpose:
For the Board of Education to approve the contract with Pacific Autism Center for Education for day treatment services for the 2024-25 school year.

Background:
NUSD students' least restrictive environment per IDEA was determined to be placed in a Non-Public School (NPS) setting due to a significant disability, behavioral, or programmatic need that has impacted their current ability to be successful within the general education setting.

[File Attachments](#)

- [PACE ISA 24-25_Redacted.pdf](#) (189 KB)
- [PACE_NUSD Contract 24-25.pdf](#) (603 KB)

[Motion & Voting](#)

11.14 Contract with UpFront Interpreting for Special Education Services

Type	Action
Preferred Date	Jun 25, 2024
Absolute Date	Jun 25, 2024
Fiscal Impact	Yes
Dollar Amount	\$162,000.00
Budgeted	Yes
Budget Source	Resource 6500 - Special Education
Recommended	The recommendation is that the Board of Education approve the contract with UpFront
Action	Interpreting.

Purpose:
 For the Board of Education to approve the contract with UpFront Interpreting for American Sign Language (ASL) Aide services for the 2023-2024 school year.

Background:
 In order to meet the communication needs of the students in particular, it was determined by the Individualized Educational Program team that the students require the assistance of a paraeducator who can sign in order to access their education and maintain safety.

- [File Attachments](#)
- [Upfront_NUSD Contract 24-25.pdf](#) (236 KB)

[Motion & Voting](#)

11.15 Contract with Effective School Solutions for Special Education Services

Type	Action, Information
Preferred Date	Jun 18, 2024
Absolute Date	Jun 25, 2024
Fiscal Impact	Yes
Dollar Amount	\$840,000.00
Budgeted	Yes
Budget Source	Resource 6500 - Special Education
Recommended	The recommendation is that the Board of Education approve the contract with Effective School
Action	Solutions for mental health services in our Counseling Enriched programs.

Purpose:
 To approve the contract with Effective School Solutions for mental health services for the 2024-25 and the 2025-26 school year in the amount of \$840,000 for mental health services in our Counseling Enriched programs..

Background:
 This is a two year contract to ensure a freeze on the cost rate and provide consistency to our students. Opting for ESS over a Non-Public Agency (NPA) brings significant cost savings. The estimated savings are \$75,000 for the first year, totaling \$150,000 over the proposed two-year contract. These savings allow us to allocate resources more efficiently while maintaining the quality of our special education program.
 Additionally, by contracting with ESS, we can proactively address the needs of students who might otherwise require Non-Public School (NPS) or residential placements in the future. Having a qualified special education counselors on staff ensures that we can provide the necessary interventions and support early on, potentially reducing the need for more intensive and costly services down the line.
 This proactive approach not only benefits our budget but also enhances our ability to meet the diverse needs of our students, fostering a supportive and inclusive educational environment meeting the boards goals.
 The attached presentation is informational only.

YEAR	AMOUNT
2024-	
25	\$420,000
2025-	
26	\$420,000

- [File Attachments](#)
- [Newark Unified School DistrictCA-Report Card 5.2024.pdf](#) (645 KB)
 - [Effective School Solutions_NUSD Contract 24-26.pdf](#) (169 KB)

[Motion & Voting](#)

11.16 Contract with Wellness Together

Type	Action
Dollar Amount	\$295,611.12
Budgeted	Yes
Budget Source	LCAP 2.5
Recommended	The recommendation is that the Board of Education approve the Wellness Together and
Action	HearYou.org Contract for 24-25.
Goals	2a. Safe, Secure and Healthy Learning Environments

Purpose:
Staff is seeking the approval of Wellness Together contracts in alignment with the LCAP Goals and Actions (LCAP 2.5).

Background:
As a result of engagement with numerous educational partners, LCAP PAC and District identified mental health and wellness as a priority for continued support in our LCAP for the 22/23-23/24 school years. The Community identified the following in their feedback:

1. Ensure that ALL students in need have access to mental health services (vacancies, health insurance barriers, etc.) and increase the frequency of support from academic counselors.
2. Continue to fund (increase and/or address vacancy issues that we experienced this year) in order to provide mental health services for ALL.
3. Increase frequency of counselor-student conferences.

The following contract provides details about the contracts for Wellness Together for the 2024-25 school year.

File Attachments
[Wellness Together - Newark Unified School District 2024-2025 SBT Agreement - Signed v5.pdf](#) (499 KB)

Motion & Voting

11.17 Contract with Ed Theory Staffing Services for Special Education Teacher

Type	Action
Preferred Date	Jun 25, 2024
Fiscal Impact	Yes
Dollar Amount	\$156,800.00
Budgeted	Yes
Budget Source	Resource 6500 - Special Education
Recommended	The recommendation is that the Board of Education approve the contract with Ed Theory
Action	Staffing Services.

Purpose:
To approve a contract for a special education teacher as a precautionary measure to ensure classroom coverage at the start of the school year in August.

Background:
This proactive step is intended to address potential staffing needs and guarantee that our students receive the necessary support and services. The contracted teacher would fill a vacant position for the 2024-25 school year only.

File Attachments
[Ed Theory_NUSD Contract 24-25.pdf](#) (138 KB)

Motion & Voting

11.18 POLICY UPDATE: Board Policy 3300 Expenditures and Purchases

Type	Action, Procedural
Recommended	The recommendation is that the Board of Education approve the updated Board Policy 3300
Action	Expenditures and Purchases.

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated board policy.

Background:
This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies.
The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for an additional reading.
Board Policy 3300 Expenditures and Purchases
CSBA Last Update: 1996-12-10 | NUSD Last Update: 2022-11-03

File Attachments
[BP 3300_ Expenditures And Purchases.pdf](#) (118 KB)

Motion & Voting

11.19 POLICY UPDATE: Administrative Regulation 3311 Bids

Type Action, Procedural
Recommended The recommendation is that the Board of Education approve the updated Administrative
Action Regulation 3311 Bids.

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated administrative
regulation.

Background:
This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association.
California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will
be removed from the final, Board approved policies.
The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made
revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for an
additional reading.

Administrative Regulation 3311 - Bids
CSBA Last Update: 2023-09-01 | NUSD Last Update: 2018-05-15
Regulation updated to reference the bid limit for 2023, add that for lease-leaseback, design-build, and alternative design-
build projects the notice which solicits the call for bids is required to specify that the project is subject to skilled and trained
workforce requirements, and reflect NEW LAW (AB 185, 2022) which adds, until January 1, 2029, the alternative design-build
construction delivery method for projects in excess of \$5,000,000. Regulation also updated to reflect the State Allocation
Board's (SAB) notification to districts which provides that modular school facilities must be competitively bid and that districts
that use piggyback contracts for modular facilities are ineligible for state funding from SAC administered programs.

File Attachments
Regulation 3311 - Bids.pdf (276 KB)

Motion & Voting

11.20 POLICY UPDATE: Board Policy and Administrative Regulation 3516 Emergencies and Disaster Preparedness Plan

Type Action, Procedural
Recommended The recommendation is that the Board of Education approve the updated Board Policy and
Action Administrative Regulation 3516 Emergencies and Disaster Preparedness Plan.

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and
administrative regulation.

Background:
This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association.
California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will
be removed from the final, Board approved policies.
The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made
revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for an
additional reading.

Board Policy 3516 - Emergency and Disaster Preparedness Plan
CSBA Last Update: 2024-03-01 | NUSD Last Update: NEW
Administrative Regulation 3516 - Emergency and Disaster Preparedness Plan
CSBA Last Update: 2024-03-01 | NUSD Last Update: NEW

File Attachments
Policy 3516 - Emergencies And Disaster Preparedness Plan.pdf (154 KB)
Regulation 3516 - Emergencies And Disaster Preparedness Plan.pdf (112 KB)

Motion & Voting

11.21 POLICY UPDATE: Administrative Regulation 5141.21 - Administering Medication and Monitoring Health Conditions

Type Action
Fiscal Impact No
Recommended The recommendation is that the Board of Education discuss and approve the updated
Action Administrative Regulation 5141.21 - Administering Medication and Monitoring Health
Conditions

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated board bylaw.

Background:
This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association.
California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will

be removed from the final, Board approved policies. The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for a Second reading.

Policy updated to reflect NEW LAW (AB 1283, 2023) which authorizes districts to provide emergency stock albuterol inhalers to school nurses or trained personnel who have volunteered, who may use the inhaler to provide emergency medical aid to person(s) suffering, or reasonably believed to be suffering, from respiratory distress, and NEW LAW (AB 1722, 2023) which authorizes districts to hire a licensed vocational nurse following Governing Board approval that a diligent search was conducted for a credentialed school nurse.

[File Attachments](#)

[Policy 5141.21 - Administering Medication And Monitoring Health Conditions.pdf](#) (116 KB)

[Motion & Voting](#)

11.22 POLICY UPDATE: Board Policy and Administrative Regulation 6115 - Ceremonies And Observance

Type	Action, Procedural
Fiscal Impact	No
Recommended Action	The recommendation is that the Board of Education approve the Board Policy and Administrative Regulation 6115 - Ceremonies And Observance

[Purpose:](#)

The purpose is for the Board of Education to review the recommended changes and approve the updated board bylaw.

[Background:](#)

This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies.

The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for an additional reading.

Policy updated to add events of present day significance to the Governing Board's recognition of the importance of students celebrating events of significance, as observances which districts are required to hold by law may include current laws and rights. Additionally, policy updated to reflect that specified commemorative exercises may be required by law and include educational components.

Administrative Regulation 6115 - Ceremonies and Observances

Regulation updated to reflect NEW LAW (AB 800, 2023) which requires districts to observe, during the week that includes April 28, "Workplace Readiness Week" by providing high school students with specified information on their rights as workers, and, for students in grades 11 and 12, for the observances to be integrated into the regular school program consistent with the history-social science framework. Additionally, regulation updated to reflect that specified commemorative exercises may be required by law. In addition, regulation updated to add to the list of when the national flag is required to fly at half-staff to include the death of a first responder in the state who dies while serving in the line of duty.

[File Attachments](#)

[Regulation 6115 - Ceremonies And Observances.pdf](#) (130 KB)

[_Policy 6115 - Ceremonies And Observances.pdf](#) (145 KB)

[Motion & Voting](#)

11.23 POLICY UPDATE: Board Policy and Administrative Regulation 6141.2 - Recognition Of Religious Beliefs And Customs

Type	Action
Fiscal Impact	No
Recommended Action	The recommendation is that the Board of Education discuss and approve the updated Board Policy and Administrative Regulation 6141.2 - Recognition Of Religious Beliefs And Customs

[Purpose:](#)

The purpose is for the Board of Education to review the recommended changes and approve the updated board bylaw.

[Background:](#)

This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies.

The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a second reading.

Board Policy 6141.2 - Recognition of Religious Beliefs and Customs

Policy updated to reflect NEW GUIDANCE from the U.S. Department of Education regarding constitutionally protected prayer and religious expression in public schools and Appendix F of the California Department of Education's History and Social Science Framework which offers guidance and support for educators regarding the recognition of religious beliefs and customs. Additionally, policy updated to add that instruction regarding the role of religion in society be consistent with adopted instructional materials and state standards. In addition, policy updated to reflect U.S. Supreme Court decision (Kennedy v. Bremerton) which held that the employee, a football coach, did not coerce students to pray when the employee knelt at midfield after games to offer a quiet personal prayer, rejected the district's argument that any visible religious conduct by a teacher or coach amounted to impermissible coercion on students, and concluded that the coach was acting in a private capacity and not in the capacity of an employee of the district when the prayer was offered during a time when school

employees were free to attend to personal matters. Policy also updated to reflect NEW COURT DECISION (Fellowship of Christian Athletes v. San Jose Unified School District) in which the Ninth Circuit U.S. Court of Appeals held that it would be discrimination for a district to fail to recognize a student club with religiously based leadership requirements upon a finding that multiple student clubs imposed certain requirements for membership or leadership positions--i.e., discriminated against certain students--but that the district only objected to the Fellowship of Christian Athletes' requirements because of the religious basis of the requirements.

Administrative Regulation 6141.2 - Recognition of Religious Beliefs and Customs
Regulation updated to reflect Appendix F of the California Department of Education's History and Social Science Framework which offers guidance and support for educators regarding the recognition of religious beliefs and customs.

File Attachments

- Policy 6141.2 - Recognition Of Religious Beliefs And Customs.pdf (95 KB)
- Regulation 6141.2 - Recognition Of Religious Beliefs And Customs.pdf (121 KB)

Motion & Voting

11.24 MINUTES: Minutes of the May 7, 2024 Regular Meeting of the Board of Education

Type Action, Minutes
Recommended The recommendation is that the Board of Education approve the minutes of the May 7, 2024
Action Regular Meeting of the Board of Education.

Purpose:
For the board to review and approve minutes of the May 7, 2024, Regular Meeting of the Board of Education.

Background:
The attached minutes are reflective of the May 7, 2024, Regular Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel HERE.

Motion & Voting

11.25 MINUTES: Minutes of the May 21, 2024, Regular Meeting of the Board of Education

Type Action, Minutes
Recommended The recommendation is that the Board of Education approve the minutes of the May 21, 2024
Action Regular Meeting of the Board of Education.

Purpose:
For the board to review and approve minutes of the May 21, 2024, Regular Meeting of the Board of Education.

Background:
The attached minutes are reflective of the May 21, 2024, Regular Meeting of the Board of Education.. The meeting may be viewed on the NUSD YouTube Channel HERE.

Motion & Voting

12 BOARD OF EDUCATION: COMMITTEE REPORTS, ANNOUNCEMENTS, REQUESTS, DEBRIEF

12.1 Board of Education Committee Reports, Announcements, Requests, Debrief and Discussion

AND DISCUSSION

Type Action, Discussion, Information

Purpose:
COMMITTEE REPORTS: The Trustees will provide an update, if available, on the committees of which they are members.
ANNOUNCEMENTS: The Trustees may acknowledge or recognize specific programs, activities, or personnel at this time.
REQUESTS: This is an opportunity for the Board of Education to suggest items for placement on future agendas and to review Board requests.

Approval from the majority of the Board will be required for direction to be provided to the Superintendent.

DEBRIEF AND DISCUSSION: The Trustees may debrief and discuss items.

Background:

Each year the Board of Education members liaise with schools and committees in order to build relationships, hear from staff, students, and families, and act as a conduit for information to and from the schools.

Board Committees 2023-24

Board Adopted on 12/14/2023
Mission Valley Regional Occupational Center/Program (ROC/P) Representative 1. Nancy Thomas Alternate 1. Carina V. Plancarte
Executive Board

Regional Policy Board of Special Education Local Plan Area (SELPA) 1. Katherine Jones 1. Phuong Nguyen
Newark Teacher Induction Advisory Council (Formally EBIC) 1. Aiden Hill 1. Carina V. Plancarte

Audit Committee 1. Nancy Thomas 2. Katherine Jones 1. Phuong Nguyen

Bond/Parcel Tax Committee 1. Phuong Nguyen 2. Carina V. Plancarte 1. Aiden Hill
The following derives directly from the Board approved

1. Phuong Nguyen "Governance Team

Authority is

Collective, Not Individual:

The only authority to direct action rests with the Board as a whole when seated at a regular or special board meeting. Outside of this meeting, there is no authority.

A majority Board vote provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction.

Bringing New Ideas Forward

The Board will be open to having "brainstorming" discussions, or study sessions, around any idea that a Trustee may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Trustee, at their initiative or at the request of a constituent, which was previously discussed during a board meeting.

Trustees will first notify the Board President and Superintendent of their interest in bringing forward a new idea at a board meeting.

When initially agendized, the preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.

Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea. The Superintendent will decide on the delegation of assignments to District staff.

The new idea may be agendized for discussion only. The Board majority will decide if the new idea should be further developed and studied by staff. The Board majority will decide if staff time should be invested in the "fleshing out" of new ideas.

Individual Trustees, in the course of interactions with constituents, will be careful not to make or imply the commitment of the full Board to explore or proceed with implementing new ideas.

13 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

13.1 Superintendent's Concluding Comments, Updates, and Future Agenda Items

AGENDA REQUESTS

Type Information

Purpose:

This is an opportunity for the Interim Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

14 ADJOURNMENT

14.1 PLACEHOLDER - Extend Meeting

Type Action

Recommended Action The recommendation is that the Board of Education extends the meeting to ____ P.M.

Purpose:

This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

14.2 Adjournment

Type Action

Recommended Action The recommendation is that the Board of Education adjourns this meeting.

Purpose:

No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time. This action will conclude the meeting.

1 CALL TO ORDER

1.1 Roll Call

Type Procedural

Trustees:

- President Aiden Hill
Vice President/Clerk Katherine Jones
Member Phuong Nguyen
Member Carina V. Plancarte
Member Nancy Thomas

Student Board Member:

- Member Joy Lee

1.2 Meeting Practices and Information

Type Information, Procedural

In-person Meeting Information:

Please see the attached meeting information in English and Spanish.

Observe The Board Of Education Meeting:

Members of the public 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.

Public Comment:

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

File Attachments

[Board Meeting Protocols_ENG\(1\).pdf](#) (69 KB)

[Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf](#) (65 KB)

1.3 Public Comment on Closed Session Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and tries to make it convenient for members of the community to express their views to the Board.

If a constituent wishes to address the Board on any agenda item:

In-Person Comment: please submit a completed speaker card to the Board's Executive Assistant before the start of the meeting, or prior to the calling of the section for public comment.

Audio-Only Virtual Comment: please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org by 1:00

PM the day of the meeting. Please label your email as "AUDIO-ONLY PUBLIC COMMENT" and include your name as it will appear on Zoom, your phone number, email address, and the agenda item number related to your comment.

Please see detailed instructions for public comment on the link: <http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

File Attachments

[Board Meeting Protocols_ENG\(1\).pdf](#) (69 KB)

[Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf](#) (65 KB)

1.4 Recess to Closed Session

Type Procedural

Purpose:

The Board will recess to Closed Session, and reconvene to Open Session on or about 7:00 p.m.

2 CLOSED SESSION Subject 2.1 Conference with Legal Counsel regarding Existing Litigation (GC

2.1 Conference with Legal Counsel regarding Existing Litigation (GC 54956.9(d) (1)): one case

Type Action, Discussion, Procedural

Absolute Date Jun 18, 2024

Purpose:

Information may be provided regarding significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: ratification of the Settlement Agreement with California Employees Association, Chapter 208 (CSEA).

2.2 Conference with Legal Counsel regarding Anticipated Litigation - Significant exposure to litigation pursuant to Gov. Code, 54956.9, subd. (d)[(2) or (3)]: two cases

Type Action, Discussion, Procedural

Preferred Date Jun 18, 2024

Purpose:

Information may be provided regarding significant exposure to litigation: Case No. 2024NUSD002, Work Case Investigation

Background:

2.3 STUDENT EXPULSION (Ed. Code, 48918)

Type Discussion, Information, Procedural

Purpose:

For the Board to review expulsion cases that are eligible for readmission.

Background:

California Education Code Section 48916 requires that "an expulsion order shall remain in effect until the governing board orders a readmission of the pupil."

The following expulsions are up for termination or readmission. Staff recommends the following actions:

e2122-14 - Terminate Expulsion.

e2324-05 - Terminate Expulsion.

e2324-06 - Terminate Expulsion.

e2324-04 - Continue Suspended Enforcement of Expulsion.

e2324-07 - Continue Suspended Enforcement of Expulsion.

3 REPORT OF CLOSED SESSION ACTIONS

3.1 Report of Closed Session Actions

Type Action, Procedural

Purpose:

If available, a report of the closed session will be provided by the Board President.

Motion & Voting

4 RECONVENE TO OPEN SESSION

4.1 Pledge of Allegiance

Type Procedural

Purpose:

The Governance Team will recite the Pledge of Allegiance

4.2 Meeting Practices and Information

Type Information, Procedural

In-person Meeting Information:

Please see the attached meeting information in English and Spanish.

Observe The Board Of Education Meeting:

Members of the public 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.

Public Comment:

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

File Attachments

[Board Meeting Protocols_ENG\(1\).pdf](#) (69 KB)

[Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf](#) (65 KB)

5 APPROVAL OF AGENDA

5.1 Approval of the Agenda

Type Action

Recommended Action The recommendation is that the Board of Education approve the agenda for this meeting.

Purpose:

Members of the Governance Team may request that the agenda be amended or approved as presented.

Motion & Voting

6 STUDENT REPORT

6.1 Student Report: Student Board Member, Joy Lee

Purpose:

The Student Report gives the Board of Education and the public an opportunity to hear the highlights, achievements, and initiatives from the viewpoint of the student board member.

Background:

The information will be provided by the Student Board Member, Joy Lee.

7 EMPLOYEE ORGANIZATIONS

7.1 Employee Organizations

Type Information

Purpose:

At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Background:

Discussion items are limited to updates, celebrations, and upcoming events.

1. NTA
2. CSEA
3. NEWMA

8 PUBLIC COMMENT

8.1 Public Comment on Non-Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

File Attachments

- [Board Meeting Protocols_ENG\(1\).pdf](#) (69 KB)
- [Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf](#) (65 KB)

8.2 Public Comment on Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

File Attachments

- [Board Meeting Protocols_ENG\(1\).pdf](#) (69 KB)
- [Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf](#) (65 KB)

9 SUPERINTENDENT REPORT

9.1 Superintendent Report

Type Information

Purpose:

The Interim Superintendent will provide the Board of Education with district information, updates, news, or anything in the jurisdiction of the board or the superintendent.

Background:

The presentation and information will be provided by the Interim Superintendent

10 STAFF REPORT

10.1 2024 Bond Feasibility Update

Type	Action
Fiscal Impact	No
Budgeted	Yes
Budget Source	General Fund
Recommended Action	The recommendation is that the Board of Education support staff in planning towards the 2024 Bond election.

Purpose:

To review and present the results of the 2024 bond feasibility community survey conducted by Godbe Research.

Background:

The Board approved a contract with Godbe Research, a survey consultant, to conduct a survey on the feasibility of NUSD putting a general obligation (GO) bond on the ballot in November of 2024. The survey was conducted from April 25, 2022 to May 6, 2022. Results of this survey would provide the Board of Education data from a wide base of participants with respect to support for placing a GO Bond on the 2024 ballot. The survey model is considered hybrid and includes both telephone survey and electronic email survey. Brian Godbe will be presenting survey results. In addition, Bonnie Moss from CliffordMoss will provide an update on the timelines and next steps.

File Attachments

CliffordMossDeck NewarkUSD 061824F1.pdf (1,787 KB)

10.2 2023-24 Local Control and Accountability Plan (LCAP) Annual Update

Type	Information
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Purpose:

To provide the Board of Education with an update on the use of federal and state funds as well as engagement, actions, and outcomes related to these funds.

Background:

Staff will present the 2023-24 end of year report to the NUSD governing board related to engagement on and implementation of the LCAP. It should be noted that in 2021-22, California Assembly Bill 130 and the American Rescue Plan Act of 2021 required all LEAs to submit a Supplement to the Annual Update to the LCAP, and that this is no longer a requirement for 22-23 and future years. However, we continue this practice this year in order to keep the governing board and the public informed regarding progress on LCAP goals and actions. The 2024-25 LCAP Hearing will be presented later in this agenda and the final adoption by the Board of Education of the LCAP is scheduled on the June 25, 2024 Board agenda.

File Attachments

2024_LCAP_Annual_Update_for_the_2023-24_Newark_Unified_School_District.pdf (467 KB)
Updated_2024_LCAP_Annual_Update_for_the_2023-24_Newark_Unified_School_District_20240617.pdf (469 KB)

10.3 2024-2025 Proposed Local Control and Accountability Plan (LCAP)

Type	Discussion, Information
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Purpose:

To present the 2024-25 Local Control and Accountability Plan (LCAP) to the public and the Newark Unified School District Board of Education.

Background:

The 2024-25 LCAP is available for public inspection as an attachment to this agenda and also in person at the Business Services office. Education Code 52062(b)(2) A governing board of a school district shall adopt an LCAP or annual update to the LCAP in a public meeting. This meeting shall be held after, but not on the same day as, the public hearing held pursuant to paragraph (1). This meeting shall be the same meeting as that during which the governing board of the school district adopts a budget pursuant to Education Code 42127 (a)(2). The public hearing on the proposed LCAP was held earlier in this meeting. Staff will recommend the adoption of the 2024-25 LCAP at the Board's meeting on June 25, 2024.

File Attachments

2024_Local_Control_and_Accountability_Plan_Newark_Unified_School_District (1).pdf (906 KB)
2024_LCFF_Budget_Overview_for_Parents_Newark_Unified_School_District_20240612.pdf (623 KB)
Response to Comments on Newark LCAP.pdf (24 KB)
LCAP Public Hearing BOE Presentation 2024.06.18.pdf (1,534 KB)
2024-25 LCAP Required Actions_ Newark - Newark (3).pdf (97 KB)

10.4 Budget Update

Purpose:

Staff will provide an update on the District's budget.
The NUSD 2024-25 Budget Book added June 14, 2024.

File Attachments

[2024-25 Budget Book_6.18_FINAL.pdf](#) (5,224 KB)

11 PUBLIC HEARINGS

11.1 Public Hearing on the 2024-25 Local Control and Accountability Plan (LCAP)

Type Procedural

Purpose:

To present the 2024-25 Local Control and Accountability Plan (LCAP) to the public and the Newark Unified School District Board of Education, and for the Board to conduct a Public Hearing. Staff will recommend the adoption of the 2024-25 LCAP at the Board's meeting on June 25, 2024.

Background:

Notice of the public hearing was posted in English and Spanish at all NUSD school sites and the District Office on June 3, 2024 (see attached).

The 2024-25 LCAP is available for public inspection as an attachment to this agenda and also in person at the Business Services office.

Education Code 52062(b)(1) A governing board of a school district shall hold at least one public hearing to solicit the recommendations and comments of members of the public regarding the specific actions and expenditures proposed to be included in the LCAP or annual update to the LCAP. The agenda for the public hearing shall be posted at least 72 hours before the public hearing and shall include the location where the LCAP or annual update to the LCAP will be available for public inspection. The public hearing shall be held at the same meeting as the public hearing for the budget to be adopted as required by Education Code 42127(a)(1).

Education Code 52062(b)(2) A governing board of a school district shall adopt an LCAP or annual update to the LCAP in a public meeting. This meeting shall be held after, but not on the same day as, the public hearing held pursuant to paragraph (1). This meeting shall be the same meeting as that during which the governing board of the school district adopts a budget pursuant to Education Code 42127 (a)

File Attachments

[2024-25 LCAP and Budget Public Hearing Notice_English & Spanish_posted 6-3-24.pdf](#) (78 KB)

[2024_Local_Control_and_Accountability_Plan_Newark_Unified_School_District \(1\).pdf](#) (906 KB)

11.2 Public Hearing on the 2024-2025 Proposed Budget

Type Procedural

Purpose:

To present the 2024-25 Proposed Budget to the public and Newark Unified School District Board of Education, and for the Board to conduct a Public Hearing.
Staff will recommend the adoption of the 2024-25 Budget at the Board's meeting on June 25, 2024.

Background:

Notice of the public hearing was posted in English and Spanish at all NUSD school sites and the District Office on June 3, 2024 (see attached).

The 2024-25 Proposed Budget is available for public inspection as an attachment to this agenda and also in person at the Business Services office.

In accordance with Education Code 42103, the Governing Board of each school district shall hold a Public Hearing on the proposed budget.

Education Code 42127 requires the Board of each school district to adopt a budget on or before July 1 of each year for the upcoming fiscal year.

Staff will recommend the Board adopt the 2024-25 budget at the June 25, 2024 meeting for the following funds: General Fund; Adult Education Fund; Child Development Fund; Cafeteria Fund; Special Reserve Fund for Other Than Capital Outlay Projects; Building Fund; Capital Facilities Fund; Special Reserve Fund for Capital Outlay Projects; Bond Interest and Redemption Fund; Self Insurance Fund.
The NUSD 2024-25 Budget Book added June 14, 2024.

File Attachments

[2024-25 LCAP and Budget Public Hearing Notice_English & Spanish_posted 6-3-24.pdf](#) (78 KB)

[2024-25 Budget Book_6.18_FINAL.pdf](#) (5,224 KB)

11.3 Public Hearing on NUSD Initial Proposal to CSEA for Reopeners for the 2024- 2025 School Year

Purpose:

The purpose is to publicly disclose or "sunshine" the proposal for reopeners at which time the public has an opportunity to provide input on the proposal prior to the commencement of negotiations between the Newark Unified School District (NUSD) and the California School Employees Association (CSEA).

Background:

The California Education Code requires parties to publicly disclose or "sunshine" their proposal for reopeners at which time the public has an opportunity to provide input on the proposal prior to the commencement of negotiations. Newark Unified School District's proposal for reopeners is attached and is "sunshined" at this meeting. Copies of the proposal are made available to the public. This is the public's second opportunity to express itself regarding this proposal.

File Attachments

[NUSD Initial Proposal to CSEA 05.21.2024.pdf](#) (46 KB)

11.4 Public Hearing on NTA Initial Proposal to NUSD for Reopeners for the 2024- 2025 School Year

Purpose:

The purpose is to publicly disclose or "sunshine" the proposal for reopeners at which time the public has an opportunity to provide input on the proposal prior to the commencement of negotiations between the Newark Unified School District (NUSD) and the Newark Teachers Association (NTA).

Background:

The California Education Code requires parties to publicly disclose or "sunshine" their proposal for reopeners at which time the public has an opportunity to provide input on the proposal prior to the commencement of negotiations. Newark Teachers Association's proposal for reopeners is attached and is "sunshined" at this meeting. Copies of the proposal are made available to the public. This is the public's second opportunity to express itself regarding this proposal.

File Attachments

[NTA SUNSHINE 2024.pdf](#) (98 KB)

11.5 Public Hearing on NUSD Initial Proposal to NTA for Reopeners for the 2024- 2025 School Year

Purpose:

The purpose is to publicly disclose or "sunshine" the proposal for reopeners at which time the public has an opportunity to provide input on the proposal prior to the commencement of negotiations between the Newark Unified School District (NUSD) and the Newark Teachers Association (NTA).

Background:

The California Education Code requires parties to publicly disclose or "sunshine" their proposal for reopeners at which time the public has an opportunity to provide input on the proposal prior to the commencement of negotiations. Newark Unified School District's proposal for reopeners is attached and is "sunshined" at this meeting. Copies of the proposal are made available to the public. This is the public's second opportunity to express itself regarding this proposal.

File Attachments

[District Proposal to NTA.pdf](#) (98 KB)

12 NEW BUSINESS

12.1 Programs and Contracts Funded by ESSER

Type Information

Purpose:

Staff will provide a snapshot update on the programs and contracts funded by ESSER III.

Background:

School districts, county offices of education, or charter schools, collectively known as LEAs, that receive Elementary and Secondary School Emergency Relief (ESSER) funds under the American Rescue Plan Act, referred to as ESSER III funds, were required to develop a plan for how they will use their ESSER III funds. In the plan, an LEA explains how it intends to use its ESSER III funds to address students' academic, social, emotional, and mental health needs, as well as any opportunity gaps that existed before, and were worsened by, the COVID-19 pandemic. An LEA may also use its ESSER III funds in other ways, as detailed in the Fiscal Requirements section of the instructions. Future ESSER programs have not been funded and the district is required to expend all remaining ESSER III funds by September 30, 2024. Many of the services that were funded by the ESSER III are still necessary, and the district has found alternative funding and partnerships to support essential services for students to ensure their academic, social, emotional, and mental health needs are addressed. The ESSER III Expenditure Plan was approved by the Board at the October 21, 2021 meeting.

File Attachments

[ESSER Analysis Pie Chart_2024.pdf](#) (45 KB)
[ESSER Analysis By Resource.pdf](#) (208 KB)

12.2 Contract: Inspectacon Corporation Inspector of Record for Newark Memorial High School Track & Field and Kennedy Fence Projects

Type Action
Fiscal Impact Yes

Dollar Amount	\$84,240.00
Budgeted	Yes
Budget Source	Developer Fees (Track and Field) and General Fund (Kennedy Fence)
Recommended Action	The recommendation is that the Board of Education approve entering into a contract with Inspectacon Corporation for Division of the State Architect Inspector of Record Services for the Newark Memorial High School Track & Field Renovation and Kennedy Elementary School New Fencing projects.

Purpose:
 To authorize staff to enter into a contract with Inspectacon Corporation to be the Division of the State Architect (DSA) Inspector of Record for the Newark Memorial High School Track & Field Renovation and Kennedy Elementary School New Fencing projects.

Background:
 Formal bids are currently being sought for the Newark Memorial High School Track & Field Renovation and Kennedy Elementary School New Fencing projects, with bids opening on June 18, 2024. It is required that the District have a DSA Inspector of Record for these projects.
 The hourly rate for these services is \$140.00 per hour, with a total estimate of \$84,280.00 for both projects.

File Attachments
[Inspectacon Proposal - IOR NMHS Track and Field and Kennedy Fence.pdf](#) (1,354 KB)
[Inspectacon_IOR Agreement NMHS Track and Field and Kennedy Fence.pdf](#) (595 KB)

Motion & Voting

12.3 Newark Memorial High School Track & Field Renovation Purchase of Material FieldTurf USA Inc. - CMAS

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$1,212,400.54
Budgeted	Yes
Budget Source	Developer Fees
Recommended Action	The recommendation is that the Board of Education approve the purchase of material for the Newark Memorial High School Track & Field Renovation project from FieldTurf USA Inc., utilizing CMAS Contract #4-06-78-0031A.

Purpose:
 The purpose is to have the Board approve the purchase of material for the Newark Memorial High School Track & Field Renovation project from FieldTurf USA Inc., utilizing their California Multiple Awards Schedule (CMAS) Contract #4-06-78-0031A, at a total estimated cost of \$1,212,400.54.

Background:
 Public Contract Code Section 12100 allows the District to utilize existing contracts through the State of California without formally bidding. FieldTurf currently has a CMAS contract with the State of California that can be utilized for the purchase of material for this project. The formal bid for installation will open on June 18, 2024, at 2:00 p.m.
 CMAS is a State contract which has been bid to ensure best prices. CMAS ensure districts receive the best prices for commonly bought items by most school districts. In addition, ordering the materials now will save 4-6 weeks on the schedule.

File Attachments
[FieldTurf_Material Only_NMHS Track & Field.pdf](#) (339 KB)
[FieldTurf CMAS Contract 4-06-78-0031A,_8.pdf](#) (265 KB)

Motion & Voting
 The recommendation is that the Board of Education approve the purchase of material for the Newark Memorial High School Track & Field Renovation project from FieldTurf USA Inc., utilizing CMAS Contract #4-06-78-0031A.
 Motion by Phuong Nguyen, second by Katherine Jones.
 Final Resolution: Motion Carries
 Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones

12.4 Bid Award: Alcal Specialty Contracting, Inc. - Bid Award for the Child Nutrition Center Re-Roofing Project

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$161,716.50
Budgeted	Yes
Recommended Action	The recommendation is that the Board of Education award a contract to Alcal Specialty Contracting, Inc. for the Child Nutrition Center Re-Roofing Project (Bid No. 03-2023-24).

Purpose:
 To authorize staff to award the Child Nutrition Center Re-Roofing Project to the lowest, responsible and responsive bidder, Alcal Specialty Contracting, Inc. The Project includes replacement of the roof.

Background:
 The project has undergone a competitive bidding process. A Notice to Bidders was publicly advertised in the Tri City

Voice/Daily Journal on May 14, 2024, and May 21, 2024. A mandatory pre-bid conference occurred on May 23, 2024, where fourteen (14) contractors attended. Bids were publicly opened on May 30, 2024, with seven (7) contractors responding. The total bid price of \$161,716.50 includes an unidentified conditions allowance of \$14,701.50. Any unused allowance will be credited to the District via deductive change order.

File Attachments

- [03-2023-24 Bid Summary Sheet.pdf](#) (47 KB)
- [Alcal Agreement.pdf](#) (161 KB)

Motion & Voting

12.5 Title Change of Job Description from Deputy Superintendent to Assistant Superintendent

Type	Action
Preferred Date	Jun 18, 2024
Fiscal Impact	Yes
Budgeted	Yes
Budget Source	General Fund
Recommended	The recommendation is for the Board of Education to approve the title change of the job
Action	description from Deputy Superintendent of Business Services/CBO to Assistant Superintendent of Business Services/CBO.

Purpose:

The purpose of this item is to change the title of the job description from Deputy Superintendent of Business Services/CBO to Assistant Superintendent of Business Services/CBO.

Background:

The Board approved a new job description for Deputy Superintendent of Business Services/CBO on November 7, 2023. We would like to change the title of this job description to Assistant Superintendent of Business Services/CBO. The salary for the Deputy Superintendent was \$250,000. The salary for the Assistant Superintendent is \$220,908. The title change will result in a cost savings of \$29,092.

File Attachments

- [Assistant Superintendent of Business Services CBO_pending Board approval.pdf](#) (192 KB)

Motion & Voting

12.6 Reorganization of Human Resources Department

Type	Action
Absolute Date	Jun 18, 2024
Recommended	The purpose of this agenda item is for the Board of Education to approve the Interim
Action	Superintendent's recommendation to reorganize the Human Resources Department.

Purpose:

The purpose of this agenda item is for the Board of Education to approve the Interim Superintendent's recommendation to reorganize the Human Resources Department.

Background:

In an effort to save precious resources during this time of economic uncertainty, the Interim Superintendent is recommending the reorganization of the Human Resources Department. The recommendation calls for a title change from Director of Operations, Human Resources to Manager, Human Resources to more accurately reflect the actual level of work and responsibility. Currently the Director of Operations, Human Resources is Range 135, Step E - \$178,743, annually. The proposed salary schedule for the Manager, Human Resources is Range 68, \$101,505 - \$119,835, annually. This will result in an annual savings of \$58,908 - \$77,238. In addition, the Interim Superintendent recommends moving Pupil Services from Educational Services to Human Resources.

File Attachments

- [Proposed HR Reorganization 06.18.2024.pdf](#) (111 KB)

Motion & Voting

13 CONSENT AGENDA: PERSONNEL ITEMS Subject 13.1 PLACEHOLDER - One Consented Vote

13.1 PLACEHOLDER - One Consented Vote

Type	Action
Recommended	It is recommended that the Board of Education approve, under one consented vote, the
Action	agenda items under Consent-Personnel, except for agenda items:

Purpose:

This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:

Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

13.2 Adopt the NUSD Initial Proposal to CSEA for Reopeners for the 2024-2025 School Year

Type Action

Recommended Action The recommendation is that the Board of Education adopt the NUSD Initial Proposal to CSEA for reopeners for the 2024-2025 school year.

Purpose:

The purpose is to publicly disclose or "sunshine" the proposals for reopeners at which time the public has an opportunity to provide input on the proposals prior to the commencement of negotiations between the Newark Unified School District (NUSD) and the California School Employees Association (CSEA).

Background:

Effective June 30, 2025, the current Collective Bargaining Agreement between the Newark Unified School District (NUSD) and the California School Employees Association (CSEA) is set to expire. The California Education Code requires parties to publicly disclose or "sunshine" their proposals for reopeners at which time the public has an opportunity to provide input on the proposals prior to the commencement of negotiations. CSEA sunshined their proposal at the April 16 and May 21 Board meetings. NUSD sunshined their proposal to CSEA at the May 21 and June 18 Board meetings. Copies of the proposal are made available to the public. This is the public's second opportunity to express itself regarding the proposal. Following the public hearing, the Board of Education must adopt the NUSD initial proposal to CSEA for reopeners for the 2024-2025 school year.

File Attachments

[NUSD Initial Proposal to CSEA 05.21.2024.pdf](#) (46 KB)

Motion & Voting

13.3 Receive NTA Initial Proposal to NUSD for Reopeners for the 2024-2025 School Year

Type Action

Recommended Action The recommendation is that the Board of Education receive the NTA initial proposal to NUSD for Reopeners for the 2024-2025 school year.

Purpose:

The purpose is for the Board of Education to receive the Newark Teachers Association (NTA) initial proposal to the Newark Unified School District (NUSD) for reopeners for the 2024-2025 school year.

Background:

The California Education Code requires parties to publicly disclose or "sunshine" their proposals for reopeners at which time the public has an opportunity to provide input on the proposals prior to the commencement of negotiations. The Newark Teachers Association (NTA) proposal for reopeners is "sunshined" at this meeting. Copies of the proposal are made available to the public. This is the public's second opportunity to express itself regarding this proposal. Following the public hearing, the Board of Education must receive the NTA initial proposal to NUSD for reopeners for the 2024-2025 school year.

File Attachments

[NTA SUNSHINE 2024.pdf](#) (98 KB)

Motion & Voting

13.4 Adopt the NUSD Initial Proposal to NTA for Reopeners for the 2024-2025 School Year

Type Action

Recommended Action The recommendation is that the Board of Education adopt the NUSD Initial Proposal to NTA for reopeners for the 2024-2025 school year.

Purpose:

The purpose is to publicly disclose or "sunshine" the proposals for reopeners at which time the public has an opportunity to provide input on the proposals prior to the commencement of negotiations between the Newark Unified School District (NUSD) and the Newark Teachers Association (NTA).

Background:

Effective June 30, 2025, the current Collective Bargaining Agreement between the Newark Unified School District (NUSD) and the Newark Teachers Association (NTA) is set to expire. The California Education Code requires parties to publicly disclose or "sunshine" their proposals for reopeners at which time the public has an opportunity to provide input on the proposals prior to the commencement of negotiations. Both NTA and NUSD sunshined their proposal at the May 21 and June 18 Board meetings. Copies of the proposal are made available to the public. This is the public's second opportunity to express itself regarding the proposal. Following the public hearing, the Board of Education must adopt the NUSD initial proposal to NTA for reopeners for the 2024-2025 school year.

File Attachments

[District Proposal to NTA.pdf](#) (98 KB)

Motion & Voting

13.5 Personnel Report

Type	Action
Absolute Date	Jun 18, 2024
Recommended	The recommendation is that the Board of Education ratify the personnel report as presented.
Action	

Purpose:
The purpose is for the Board of Education to ratify the Personnel Report as presented.

Background:
All personnel activities including new hires, changes in status, resignation, leaves, and retirements are routinely submitted to the Board for ratification.

File Attachments
[HR PAL 06-18-2024.pdf](#) (364 KB)

Motion & Voting

14 CONSENT AGENDA: NON-PERSONNEL ITEMS

14.1 PLACEHOLDER - One Consented Vote

Type	Action
Recommended	It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent Non-Personnel, except for agenda items:
Action	

Purpose:
This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:
Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Motion & Voting

14.2 Report: Warrant Report for May 2024

Type	Action
Fiscal Impact	Yes
Budgeted	Yes
Recommended	The recommendation is that the Board of Education approve the Warrant Report as presented.
Action	

Purpose:
The purpose of this item is to present warrants, for the total amount of \$2,704,421.45 made from District funds for May 2024.

Background:
The warrant registers represent a complete listing of all payments made from District funds for a month. Because Newark Unified School District is a fiscally dependent District, each warrant must pass through two separate audits; first by the Districts Fiscal Services department, and second by the County Office of Education. No warrant can be paid until such time as it is examined and approved by the County Office of Education.

File Attachments
[Warrant Report May 2024.pdf](#) (445 KB)

Motion & Voting

14.3 Report: Monthly Purchase Order Report

Type	Action
Recommended	The recommendation is that the Board of Education receive the Monthly Purchase Order Report as presented.
Action	

Purpose:
The purpose of this item is to present a monthly report on Purchase Order transactions per Board Policy 3300, Expenditures and Purchases.

Background:

Based on the discussion at the Board's Study Session on January 6, 2022, staff is providing a monthly report on Purchase Order transactions per Board Policy 3300, Expenditures and Purchases. The policy states that "The Board shall review all transactions entered into by the Superintendent or designee on behalf of the Board every 60 days." This month's report includes 167 PO's dated 4/26/24 through 6/9/24 for a total of \$503,927.16.

File Attachments

Monthly Purchase Order Report 06-18-2024.pdf (115 KB)

Motion & Voting

14.4 Updated & Corrected School Meal Prices 2024-2025

Type	Action
Recommended	The recommendation is that the Board of Education approve the updated fees for all second
Action	school meals, effective for the 2024-2025 school year, as presented.
Goals	4. Fiscal Health

Purpose: To increase all second meal prices in order to be in compliance with the 2024-2025 USDA Nonprogram Foods Tool. At this time, NUSD Child Nutrition is not meeting the required second meal price of \$3.94 for Breakfast, and \$5.54 for Lunch

Background: 2024-2025 Meal Price increases were approved by the Board on May 7, 2024. At that time, the Child Nutrition Services Department was utilizing the USDA Paid Lunch Equity Tool. Due to recent information provided by the California Department of Education, this is the incorrect way of determining the nonprogram food cost requirements. The U.S. Department of Agriculture (USDA) Food and Nutrition Services (FNS) Instruction 782-5, rev. 1, states that breakfasts and lunches served to adults must be priced so that the adult payment is sufficient to cover the overall cost of the lunch. This includes the value of any USDA Foods used to prepare the meal. School food authorities (SFA) must ensure that federal reimbursements, children's payments, and other non designated nonprofit food service revenues do not subsidize meals served to adults.

Although this law specifically mentions adult meals, it is a requirement that all non-reimbursable meals meet these minimum income requirements. As a result, we are requesting that all second meals for students, be priced to allow for the entire income to be collected at the time of service. The new, and corrected, increase for second meal prices will now collect the minimum requirement per the USDA tool. All second meals for students (Elementary, Middle and High School) will be the same cost.

- Second Breakfast Prices will now be \$4.00
- Second Lunch Prices will now be \$5.75

Increasing second breakfast and second lunch prices will increase revenues in the National School Lunch Program and that will ensure more monies to the nonprofit school food service account and allow them to avoid impinging on the general fund. This increase will also follow the USDA requirement that all non-program meals are cost effective and meet the minimum income requirements.

Students will continue to receive free meals based on the current California Department of Education guidance which allows for free meals to all students no matter their status. We are requesting to increase the prices for all second breakfast and second lunches in order to remain in compliance with the USDA guidance from the Paid Lunch Equity tool.

Motion & Voting

14.5 Resolution 2023.24.40 Regarding the Education Protection Account (EPA) Use of Funds 2024-25

Type	Action
Recommended	The recommendation is that the Board of Education approve Resolution 2023.24.40 Regarding
Action	the Education Protection Account.
Goals	4. Fiscal Health

Purpose: The purpose of this item is for the Board to approve Resolution 2023.24.40 Regarding the Education Protection Account to fulfill the requirements of Propositions 30 and 55, which created and extended the Education Protection Account.

Background: Pursuant to Article XIII Section 36 of the California Constitution, School Districts, County Offices of Education, and Community College Districts are required to determine how the money received from the Education Protection Account (EPA) will be spent in the schools within its jurisdiction, provided that the governing board makes the spending determinations in an open session of a public meeting. The language in the constitutional amendment requires that funds shall not be used for the salaries and benefits of administrators or any other administrative costs.

Resolution 2023.24.40 Regarding the Education Protection Account fulfills the spending determination requirement. All districts must also post on their website annually an accounting of how much money was received from the EPA and how it was spent.

File Attachments

Resolution 2023.24.40 Regarding the Education Protection Account.pdf (159 KB)
EPA_2024-25_Spending Plan.pdf (54 KB)

Motion & Voting

14.6 Resolution 2023.24.47 Budget Transfers for 2024-25 (New Fiscal Year)

Type	Action
Recommended	The recommendation is that the Board of Education adopt Resolution 2023.24.47 Budget
Action	Transfers for the Fiscal Year 2024-25 (New Fiscal Year).
Goals	4. Fiscal Health

Purpose:
 The resolution allows the Interim Superintendent and the Business Consultant, or designee thereof, to authorize and make necessary budget transfers to allow for the payment of obligations incurred by the District during the upcoming 2024-25 school year.

Background:
 Education Code Section 42600-42602 and 42610 provide the Board the authority to request from the County Office of Education through their designee any needed transfers as may be necessary to permit the payment of obligations incurred during the school year.

File Attachments
[Resolution 2023.24.47 Budget Transfers, New Year 24-25.pdf](#) (115 KB)

[Motion & Voting](#)

14.7 Resolution 2023.24.46 Budget Transfers for 2023-24 (Year End)

Type	Action, Procedural
Recommended	The recommendation if that the Board of Education adopt Resolution 2023.24.46 Budget
Action	Transfers for 2023-24 (Year End).
Goals	4. Fiscal Health

Purpose:
 The resolution allows the Interim Superintendent and the Business Consultant, or designee thereof, to authorize and make necessary budget transfers to allow for the payment of obligations incurred by the District during the end of the 2023-24 school year.

Background:
 Education Code Section 42600-42602 and 42610 provide the Board the authority to request from the County Office of Education through their designee any needed transfers as may be necessary to permit the payment of obligations incurred during the school year.

File Attachments
[Resolution 2023.24.46_Budget Transfers, Year End 23-24.pdf](#) (110 KB)

[Motion & Voting](#)

14.8 Signature Card Mid Year Revision

Type	Action
Recommended	The recommendation is that the Board of Education approve the Signature Card Mid-Year
Action	Revision for the Assistant Superintendent of Educational Services.
Goals	4. Fiscal Health

Purpose:
 To update the Signature Card of Authorized Agents as required by the Alameda County Office of Education (ACOE) for the following:
 Payroll, Warrants, and Disbursements
 Official Documents and Reports

Background:
 The Board approved a contract for the Assistant Superintendent of Educational Services at the May 7, 2024 meeting, effective May 22, 2024.
 A mid-year revision to update the signature for the Assistant Superintendent of Educational Services is required by ACOE.

File Attachments
[Signature Card_Mid-Year_Payroll Warrants and Disbursements_Official Documents and Reports_Allard.pdf](#) (188 KB)

[Motion & Voting](#)

14.9 Approval of Single Plan for Student Achievement (SPSA), Part 1

Type	Action (Consent), Information
Fiscal Impact	Yes
Budget Source	LCFF, Title 1, and LRE
Recommended	The recommendation is that the Board approve the Single Plans for Student Achievement
Action	(SPSAs) for 2024-25 as presented.
Goals	2a. Safe, Secure and Healthy Learning Environments

1a. Student Achievement

Purpose:

Purpose: We seek the Board of Education's approval of the Single Plan for Student Achievement for the following schools; Birch Grove Intermediate, Coyote Hills Elementary, Lincoln Elementary, Schilling Elementary, Newark Middle School, Bridgepoint Continuation High School, Crossroads Independent Study School, and Newark Memorial High School. The remaining schools will be presented at the June 25th Board of Education Meeting. The dollar amount presented represents the total SPSAs dollar allocations across all NUSD school sites (part I and part II).

Background:

The School Plan for Student Achievement (SPSA) is a plan of action to improve student academic performance by coordinating all educational services and resources. Pursuant to California Education Code Section 64001, schools that receive state and federal funds are required to consolidate all school plans into a SPSA. SPSA specifics are also included in the Federal Program Monitoring process. The SPSA is used to meet planning requirements for Title I School wide Programs (SWP), Comprehensive Support and Improvement (CSI), Targeted Support and Improvement (TSI), and Additional Targeted Support and Improvement (ATSI).

California Education Code (EC) Section 64001 requires that a School Site Council (SSC) develop the SPSA.

It is the goal of Newark Unified School District (NUSD) to provide equitable opportunities to each of our students and school sites. Each site-specific SPSA and the district-wide Local Control and Accountability Plan (LCAP) is a roadmap created in partnership with all district stakeholders to achieve our vision and mission.

The SPSAs are informed by data. Each goal area includes data analysis on current measures across student subgroups and on outcome measures to determine progress. Local and State data are used to develop each goal and research is used to identify best practices to address student needs. Progress is evaluated through the School Site Councils (SSCs). The SSCs meet to review SPSA goals, actions, and budgets. California Dashboard data and other local data is used to measure the impact of actions on student achievement. The principal and staff evaluate academic progress at minimum three times a year through an academic Professional Learning Community (PLC) model with benchmark data. Educational Partners are key in the development of the SPSAs. California Education Code Section 64001 requires that the School Site Council (SSC) develop the SPSA. The SSC's responsibilities include approving the plan, recommending it to the local governing board for approval, monitoring its implementation, and evaluating the effectiveness of the plan at least annually. The SSC must seek the review, advice, and certification of applicable advisory committees, including the English Learner Advisory Committee (ELAC).

File Attachments

- [2024_School_Plan_for_Student_Achievement_Birch_Grove_Intermediate_School.pdf](#) (750 KB)
- [2024_School_Plan_for_Student_Achievement_Coyote_Hills_Elementary_School.pdf](#) (726 KB)
- [2024_School_Plan_for_Student_Achievement_Lincoln_Elementary_School.pdf](#) (736 KB)
- [2024_School_Plan_for_Student_Achievement_August_Schilling_Elementary_School.pdf](#) (792 KB)
- [2024_School_Plan_for_Student_Achievement_Newark_Middle_High_School.pdf](#) (675 KB)
- [2024_School_Plan_for_Student_Achievement_Bridgepoint.pdf](#) (781 KB)
- [2024_School_Plan_for_Student_Achievement_Crossroads_High_School.pdf](#) (755 KB)
- [2024_School_Plan_for_Student_Achievement_Newark_Memorial_High_School.pdf](#) (794 KB)

14.10 University of Massachusetts Global Clinical Practice Agreement for Student Teachers and Interns

Type	Action
Recommended	The recommendation is that the Board of Education approve the University of Massachusetts
Action	Global Clinical Practice Agreement for student teachers and interns.

Purpose: The purpose of this item is for the Board of Education to approve the University of Massachusetts Global Clinical Practice Agreement for student teachers and interns.

Background: The District works closely with local institutes of higher education (IHE) and supports student teacher placements and interns. Agreements between Newark Unified School District and a university must be in place before a student teacher or intern can be placed at a school site in the District. Student teachers and interns in training do fieldwork in our schools and are supervised by the administrators who provide supervision and training. Student teachers and interns are able to learn, practice teaching, and fine-tune their craft under the direct supervision of a master teacher. The opportunity to student teach or intern in the District benefits both the student teacher and the District. As vacancies become available in the district, it is invaluable to have the opportunity to observe directly student teachers and interns who may be eligible to interview for vacancies and observe how well they fit into the culture of Newark.

- File Attachments**
- [Univ of Mass Global Agreement.pdf](#) (136 KB)

Motion & Voting

14.11 Addendum to the 2023-24 Contract with Ed Sped Solutions

Type	Action
Preferred Date	Jun 18, 2024
Absolute Date	Jun 18, 2024
Fiscal Impact	Yes
Dollar Amount	\$189,227.00
Budgeted	Yes

Budget Source Resource 6500 - Special Education
 Recommended Action The recommendation is that the Board of Education approve the addendum to the the contract with Ed Sped Solutions.

Purpose:
 To approve the addendum to contract with Ed Sped Solutions for Special Education services in the amount of \$189,227.

Background:
 The district contracts with non-public agencies when necessary to provide related services to students with Individual Education Programs (IEPs). Ed Sped Solutions provided the following personnel to support related services to Students With Disabilities (SWDs) needed for unfilled positions for the 2023-2024 school year.
 1 FTE Special Education Teacher
 5 FTE Instructional Aides

File Attachments
[Addendum Ed Sped 5_28_24.docx.pdf](#) (32 KB)
[Ed Sped Contract 23-24 SIGNED.pdf](#) (660 KB)

[Motion & Voting](#)

14.12 Contract with Ascend Rehab Services Inc. for Special Education Services

Type	Action
Preferred Date	Jun 18, 2024
Absolute Date	Jun 25, 2024
Fiscal Impact	Yes
Dollar Amount	\$1,902,480.00
Budgeted	Yes
Budget Source	Resource 6500 - Special Education
Recommended Action	The recommendation is that the Board of Education approve the contract with Ascend Rehab Services Inc.

Purpose:
 The purpose is for the Board of Education to approve the contract with Ascend Rehab Services Inc. for Special Education services for the 2024-25 school year in the amount of \$1,902,480.

Background:
 The District contracts with non-public agencies (NPAs) when necessary to provide related services to students with Individual Education Programs (IEPs). Ascend Rehab Services Inc. will provide the following personnel to support related services to Students With Disabilities (SWDs) needed for unfilled positions for the 2024-25 school year including Extended School Year (ESY):
 1 FTE Special Education Teacher
 6 FTE Instructional Aides
 8 FTE Speech Therapists
 Bilingual Assessments
 There is an increase from last year. Last year's contract was \$1,746,660. For the 24-25 school year, we need to increase the speech language pathologist FTE to cover unfilled positions and we have added for bilingual speech language assessments, after the resignation of our sole Bilingual Speech Language Pathologist.

File Attachments
[ASCEND_NUSD Contract 24-25.pdf](#) (459 KB)

[Motion & Voting](#)

14.13 Contract with Amergis Educational Staffing for Special Education Services

Type	Action
Preferred Date	Jun 18, 2024
Absolute Date	Jun 25, 2024
Fiscal Impact	Yes
Dollar Amount	\$694,800.00
Budgeted	Yes
Budget Source	Resource 6500 - Special Education
Recommended Action	The recommendation is that the Board of Education approve the contract with Amergis Educational Staffing.

Purpose:
 To approved the contract with Amergis Educational Staffing for special education services for the 2024-2025 school year.

Background:
 The district contracts with non-public agencies (NPAs) when necessary to provide related services to students with Individual Education Programs (IEPs). Amergis Educational Staffing will provide the following personnel to support related services to Students With Disabilities (SWDs) needed for unfilled positions for the 2024-2025 school year.
 10 Instructional Aides
 2 ASL Aides

Deaf and Hard of Hearing Specialist

[File Attachments](#)

[Amergis Healthcare Staffing Contract 2024-25.docx.pdf](#) (459 KB)

[Motion & Voting](#)

14.14 Contract with Ed Sped Solutions Inc. for Special Education Services

Type	Action
Preferred Date	Jun 18, 2024
Absolute Date	Jun 25, 2024
Fiscal Impact	Yes
Dollar Amount	\$1,050,200.00
Budgeted	Yes
Budget Source	Resource 6500 - Special Education
Recommended	The recommendation is that the Board of Education approved the contract with Ed Sped
Action	Solutions.

[Purpose:](#)

To approve the contract with Ed Sped Solutions for Special Education services for the 2024-2025 school year in the amount of \$1,050,200.

[Background:](#)

The district contracts with non-public agencies when necessary to provide related services to students with Individual Education Programs (IEPs). Ed Sped Solutions will provide the following personnel to support related services to Students With Disabilities (SWDs) needed for unfilled positions for the 2024-2025 school year including the Extended School Year Program (ESY).

- 10 Instructional Aides
- 0.6 FTE Case Manager
- 1 FTE Assessment Teacher
- 10 Psycho-educational Assessments

[File Attachments](#)

[Ed Sped Contract 2024-25.docx.pdf](#) (436 KB)

[Motion & Voting](#)

14.15 Contract with Pawar Transportation, LLC for District-Wide Transportation for Special Education

Type	Action
Preferred Date	Jun 18, 2024
Absolute Date	Jun 25, 2024
Fiscal Impact	Yes
Dollar Amount	\$710,000.00
Budgeted	Yes
Budget Source	Resource 6500 - Special Education
Recommended	The recommendation is that the Board of Education approve the agreement with Pawar
Action	Transportation.

[Purpose:](#)

The purpose is to provide transportation to students in Special Education identified as needing transportation as a related service to access their Free Appropriate Public Education (FAPE) for the 2024-25 school year, including ESY.

[Background:](#)

The Special Education Department recommends that the Board of Education approve the contract for Pawar Transportation LLC. Pawar Transportation has provided dependable, safe, and affordable transportation for our Special Education students with IEP-recommended transportation in the 2023-24 school year.

[File Attachments](#)

[NUSD_PawarTransportation_Contract_2024.pdf](#) (641 KB)

[Motion & Voting](#)

14.16 Contract with The Stepping Stones Group for Special Education Services

Type	Action
Preferred Date	Jun 18, 2024
Absolute Date	Jun 25, 2024
Fiscal Impact	Yes
Dollar Amount	\$210,620.00
Budgeted	Yes
Budget Source	Resource 6500 - Special Education
Recommended	The recommendation is that the Board of Education approve the contract with The Stepping
Action	Stones Group.

Purpose:

For the Board of Education to approve the contract with The Stepping Stones Group for the 2024-25 school year.

Background:

The District contracts with Non-Public Agencies (NPA) when necessary to provide assessments and related services to students with Individual Education Programs (IEPs). The Stepping Stones Group will provide the following personnel to support related services to Students With Disabilities (SWDs).

Assistive Technology/Augmentative Alternative Communication Specialist
 Certificated School Nurse

In accordance with California Education Code Section 49452/49452.5, public school districts are mandated to provide vision and hearing screenings for students in grades TK through 12. This code emphasizes the importance of early detection and intervention for vision and hearing impairments to support optimal learning and academic success.

File Attachments

[Stepping Stones Contract 24-25.docx.pdf](#) (459 KB)

Motion & Voting

14.17 Contract with Welldom Inc. for Special Education Services

Type	Action
Preferred Date	Jun 18, 2024
Absolute Date	Jun 25, 2024
Fiscal Impact	Yes
Dollar Amount	\$186,880.00
Budgeted	Yes
Budget Source	Resource 6500 - Special Education
Recommended Action	The recommendation is that the Board of Education approve the contract with Welldom Inc.

Purpose:

For the Board of Education to approve the contract with Welldom Inc. for physical therapy services and assessment for the 2024-25 school year, including ESY, in the amount of \$186,880.

Background:

Welldom Inc. provides physical therapy services and assessments to ensure compliant practices in supporting students' Individual Education Programs (IEPs). Physical therapy services and assessments are legally mandated per the Individual Disability Education Act (IDEA). Without Welldom Inc.'s services, Newark Unified School District would be out of compliance.

File Attachments

[Welldom_NUSD Contract 24-25.pdf](#) (459 KB)

Motion & Voting

14.18 Contract with Think Together for After-School Programming 24-25

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$2,088,492.00
Budgeted	Yes
Budget Source	ELOP and ASES
Recommended Action	The recommendation is that the Board approve the Think Together contract in support of our approved ELO-P plan, adopted February 3, 2022 and in alignment with the guidelines in AB 130 for 2024-25.
Goals	3b. Parent and Community Engagement and Communication 2a. Safe, Secure and Healthy Learning Environments

Purpose:

We are seeking the approval of the Think Together contract in order to execute the ELO-P plan. The District is dedicated to carrying out the Board-approved plan for providing an extended day to our TK-6, unduplicated students as outlined in the Expanding Learning Opportunities Program (ELO-P) plan that was presented and approved by the Board on February 3, 2022. These funds will assist in providing additional academic and social-emotional support to students through a 9-hour extended learning day to our student populations that are historically underserved.

Background:

In July of 2021, Governor Newsome signed Assembly Bill (AB) 130, which included many budgetary and programmatic changes for this school year. One of these changes was to provide comprehensive, district-wide, after-school, and summer school enrichment programs for transitional kindergarten through sixth grade students that are English learners, foster youth, and/or unhoused. This captures our ELOP ASES Replication (BGP, BGI, Kennedy, and Lincoln) and our ELOP Core Program Expansion as well as the added PLs to Schilling & CHE to serve additional UPP students. Think Together was selected as the primary partner for this work because it supports the district's intention to create a single, comprehensive program. Think Together has been a strong partner, providing our ASES services in Newark for multiple years, and they have proven both within the District and

across the state to be an effective program, providing mentorship and care for our students. An additional contract for the subsequent school year and summer school services will be presented at a future board meeting

File Attachments

- [Newark USD EXLP Services and Additional PLs FY25 Proposal.pdf](#) (345 KB)
- [Newark & Think Together Numbers YoY.pdf](#) (291 KB)

Motion & Voting

14.19 Contract: Construction Testing Services (CTS) Testing Services for NMHS Track & Field Renovation Project

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$80,000.00
Budgeted	Yes
Budget Source	Developer Fees
Recommended	The recommendation is that the Board of Education enter into a contract with Construction
Action	Testing Services (CTS) for construction testing services for the Newark Memorial High School Track & Field Renovation project.

Purpose:
To authorize staff to enter into a contract with Construction Testing Services (CTS) to be the construction testing services lab for the Newark Memorial High School Track & Field Renovation project.

Background:
Formal bids are currently being sought for the Newark Memorial High School Track & Field Renovation project, with bids opening on June 18, 2024. It is required that the District have a construction testing services lab for this project. The total estimated cost for these services is \$80,000, which includes a 10% administrative fee, per the proposal.

File Attachments

- [Construction Testing Services_NMHS Track and Field.pdf](#) (677 KB)

Motion & Voting

14.20 Contract Amendment: MGT EH&A Investor, LLC for Fiscal Consultants

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$81,000.00
Budgeted	Yes
Budget Source	General Fund
Recommended	The recommendation is that the Board of Education approve the Contract Amendment with
Action	MGT EH&A Investor, LLC for the Fiscal Consultants.
Goals	4. Fiscal Health

Purpose:
To approve the Contract Amendment with MGT EH&A Investor, LLC for the Fiscal Consultants.

Background:
A Master Engagement Agreement with MGT EH&A Investor, LLC is for \$49,000.00 from April 12, 2024 through June 30,2024; derived for approximately 710 hours for three Fiscal Consultant at a rate of \$225.00 per hour. The amendment agreement includes a 10% reduction in hourly rate, not to exceed \$81,000.00. The Director of Fiscal Services position is being approved at this meeting. Additional Fiscal Consultants' time may be needed to support Business Services until all positions are filled.

File Attachments

- [MGT EH&A Investor_23-24_Fiscal_Final_fully executed.pdf](#) (504 KB)
- [Newark USD - Amendment 1 - 06.12.24 \(v2\) Fiscal Supp.pdf](#) (162 KB)

Motion & Voting

14.21 Contract Amendment: MGT EH&A Investor, LLC for Business Consultant

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$76,500.00
Budgeted	Yes
Budget Source	General Fund
Recommended	The recommendation is that the Board of Education approve the Contract Amendment with
Action	MGT EH&A Investor, LLC for the Business Consultant.
Goals	4. Fiscal Health

Purpose:
To approve the Contract Amendment with MGT EH&A Investor, LLC for the Business Consultant.

Background:

A Master Engagement Agreement with MGT EH&A Investor, LLC is for \$49,000.00 from April 1, 2024 through June 30,2024; derived for approximately 415 hours for the Business Consultant at a rate of \$230.00 per hour. The amendment agreement includes a 10% reduction in hourly rate, not to exceed \$76,500.00.

The Assistant Superintendent of Business Services/CBO position is currently posted, and we anticipate being able to fill the position, but not by June 30, 2024. Additional Business Consultant time is needed to continue working in the interim.

File Attachments

- MGT EH&A Investor_23-24_CBO_Final_fully_executed.pdf (507 KB)
Newark USD - Amendment 1 - 06.12.24 (v2) CBO.pdf (189 KB)

Motion & Voting

14.22 Contract Amendment: Interim Director of Fiscal Services - Professional Services Agreement with Mary McElhinney Stark,

Table with 2 columns: Type, Action. Rows include Fiscal Impact (Yes), Dollar Amount (\$12,100.00), Budgeted (Yes), Budget Source (General Fund), Recommended (The recommendation is that the Board of Education approve the contract amendment for Action Mary McElhinney Stark, LLC.), Goals (4. Fiscal Health).

Purpose:

The purpose is for the Board to approve the professional services amendment with Mary McElhinney Stark, LLC, to provide school finance expertise to Business Services.

Background:

On November 7, 2023 the Board approved a \$50,000 contract with Mary McElhinney Stark, LLC to provide professional services to support the FY 2023-24 First Interim Report, the independent audit for the period ending June 30, 2023, and to assist in transition with the newly selected Director of Fiscal Services, as requested. The amendment increases compensation by \$12,100 for a total contract of \$62,100.00.

File Attachments

- Mary McElhinney Stark, LLC_23-24_fully_executed.pdf (243 KB)
Mary McElhinney Stark, LLC_23-24_Amendment 1.pdf (253 KB)

Motion & Voting

14.23 POLICY UPDATE: Administrative Regulation 3311.2 - Lease-Leaseback Contracts

Table with 2 columns: Type, Action, Procedural. Rows include Recommended (The recommendation is that the Board of Education approve the updated Administrative Action Regulation 3311.2 - Lease-Leaseback Contracts.)

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated administrative regulation.

Background:

This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies.

The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for an additional reading.

Administrative Regulation 3311.2
CSBA Last Update: 2021-03-01 | NUSD Last Update: 2018-05-15
(AR revised 3/21)

Regulation updated to (1) include the maximum term for the lease-leaseback contract as specified in law, (2) reflect the requirement for site and plan approval prior to entering into an agreement, (3) add optional language for a board resolution declaring the intent to enter into a lease-leaseback contract, and (4) move evaluation criteria into the list of items that must be included in the request for sealed proposals. Regulation also reflects NEW LAW (AB 2311, 2020) which requires districts to include in all bid documents and construction contracts a notice that the project is subject to state "skilled and trained workforce" requirements.

File Attachments

- Regulation 3311.2 - Lease-Leaseback Contracts.pdf (101 KB)

Motion & Voting

14.24 POLICY UPDATE: Board Policy 3312 Contracts

Type Action
Recommended Action The recommendation is that the Board of Education discuss and approve the updated Board Policy 3312 Contracts.

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated board policy.

Background:
This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies.

The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for an additional reading.

CSBA Last Update: 2023-09-01 | NUSD Last Update: 2016-02-02

Policy updated to reflect NEW LAW (SB 1439, 2022) related to conflict of interest from campaign contributions and NEW LAW (SB 34, 2022) related to bribery of a public official, and include a general statement requiring Governing Board members and district employees who are involved in the making of contracts on behalf of the district to comply with the district's conflict of interest policy.

File Attachments
Policy 3312 - Contracts.pdf (146 KB)

Motion & Voting

14.25 POLICY UPDATE: Regulation 3543 - Transportation Safety And Emergencies

Type Action, Procedural
Recommended Action The recommendation is that the Board of Education approve the updated Regulation 3543 - Transportation Safety And Emergencies.

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated board bylaw.

Background:
This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies.

The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for an additional reading.

The NUSD board policy has not been revised since 2009. The language has been replaced to match the sample board policy provided by the California School Board Association.

CSBA Language

Regulation 3543 - Transportation Safety And Emergencies

CSBA Last Update: 2018-12-01 | NUSD Last Update: 2009-01-27

File Attachments
Regulation 3543 - Transportation Safety And Emergencies.pdf (142 KB)

Motion & Voting

14.26 POLICY UPDATE: Board Policy and Regulation 3551 Food Service Operations/Cafeteria Fund

Type Action, Procedural
Recommended Action The recommendation is that the Board of Education approve the updated Board Policy and Regulation 3551 Food Service Operations/Cafeteria Fund.

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and regulation.

Background:
This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies.

The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for an additional reading.

Administrative Regulation 3551 - Food Service Operations/Cafeteria Fund

Board Policy 3551 Food Service Operations/Cafeteria Fund

CSBA Last Update: 2024-03-01 | NUSD Last Update: 1996-02-06

Policy updated to reflect NEW LAW (SB 490, 2022) which requires districts participating in the National School Lunch and/or Breakfast Program, with annual reimbursement of \$1,000,000 or more, to (1) specify in the solicitation for bids and contracts for an agricultural food product that only the purchase of agricultural food products grown, packed, or processed domestically is authorized, unless a specific exception applies, including if the quality of the domestic product is inferior to the quality of the nondomestic product or if the bid or price of the nondomestic product is more than 25 percent lower than the bid or price of the domestic product, and (2) retain documentation justifying the use of the exception for three years from the date of purchase. Policy also updated to reflect NEW LAW (AB 778, 2022) which requires a district to accept a bid or price for an agricultural food product grown in California before accepting a bid or price for a domestic agricultural food product that is grown outside the state, when certain conditions are met.

[File Attachments](#)

- [Policy 3551 - Food Service Operations_Cafeteria Fund.pdf](#) (100 KB)
- [Regulation 3551 - Food Service Operations_Cafeteria Fund.pdf](#) (86 KB)

[Motion & Voting](#)

14.27 POLICY UPDATE: Board Policy and Administrative Regulation 3553 - Free and Reduced Price

Type Action, Procedural
Recommended The recommendation is that the Board of Education approve the updated Board Policy and
Action Administrative Regulation 3553 - Free and Reduced Price.

Purpose:
 The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation.

Background:
 This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies.
 The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for an additional reading.

CSBA Language
 Board Policy 3553 - Free and Reduced Price
 CSBA Last Update: 2024-03-01 | NUSD Last Update: 2012-04-03
 Meals Policy updated to reflect NEW LAW (AB 130, 2021) which requires districts to provide a nutritionally adequate breakfast and lunch to any student who requests a meal, regardless of the student's free and/or reduced-price meal eligibility. Updated policy includes general requirements applicable to federal National School Lunch and Breakfast Programs as well as the state Universal Meal Program. Updated Policy also includes revision to the "Confidentiality/Release of Records" section to permit the use of student information to facilitate the provision of targeted educational services to a student based on the local control and accountability plan, as clarified in the California Department of Education's Management Bulletin SNP-02- 2018
 Administrative Regulation 3553 - Free and Reduced Price Meals
 CSBA Last Update: 2024-03-01 | NUSD Last Update: 2012-04-03
 Regulation updated to reflect NEW LAW (AB 130, 2021) which requires districts to provide a nutritionally adequate breakfast and lunch to any student who requests a meal, regardless of the student's free and/or reduced-price meal eligibility, and includes program implementation changes to "Verification of Eligibility" and "Nondiscrimination Plan" sections and the deletion of the "Prices" section which is no longer necessary.

[File Attachments](#)

- [Policy 3553 - Free And Reduced Price Meals.pdf](#) (102 KB)
- [Regulation 3553 - Free And Reduced Price Meals.pdf](#) (100 KB)

[Motion & Voting](#)

14.28 POLICY UPDATE: Board Policy 3555 Nutrition Program Compliance

Type Action, Procedural
Recommended The recommendation is that the Board of Education approve the updated Board Policy 3555
Action Nutrition Program Compliance.

Purpose:
 The purpose is for the Board of Education to review the recommended changes and approve the updated board bylaw.

Background:
 This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies.
 The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for an additional reading.

CSBA Language
 Board Policy 3555 Nutrition Program Compliance
 CSBA Last Update: 2024-03-01 | NUSD Last Update: 2012-04-03

[File Attachments](#)

[Policy 3555 - Nutrition Program Compliance.pdf](#) (146 KB)

[Motion & Voting](#)

14.29 POLICY UPDATE: Board Policy 5127 - Graduation Ceremonies And Activities

Type	Action, Procedural
Fiscal Impact	No
Recommended	The recommendation is that the Board of Education approve the updated Board Policy 5127 -
Action	Graduation Ceremonies And Activities.

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated board bylaw.

Background:
This is the SECOND reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for an additional reading.
Board Policy 5127 - Graduation Ceremonies And Activities
The NUSD administrative regulation has not been revised since 2006. The language has been replaced to match the sample board policy provided by the California School Board Association.

[File Attachments](#)

[Board Policy 5127 - Graduation Ceremonies And Activities.pdf](#) (111 KB)

[Motion & Voting](#)

14.30 POLICY UPDATE: Board Policy 6170.1 - Transitional Kindergarten

Type	Action, Procedural
Fiscal Impact	No
Recommended	The recommendation is that the Board of Education approve the Board Policy 6170.1 -
Action	Transitional Kindergarten

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated board bylaw.

Background:
This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies.
The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for an additional reading.
Board Policy 6170.1 - Transitional Kindergarten
CSBA Last Update: 2023-12-01 | NUSD Last Update: missing
Policy updated to clarify that a child's eligibility for transitional kindergarten (TK) enrollment may not impact family eligibility for a preschool or childcare program and that the district may admit into the TK program a child whose fifth birthday is after the date specified for admittance for the applicable year provided that upon the recommendation of the Superintendent or designee, the Governing Board determines that enrollment in a TK program is in the child's best interest and the child's parents/guardians approve. Policy also updated to reflect NEW LAW (SB 141, 2023) which (1) requires a district that offers TK to early enrollment children to concurrently offer enrollment in a California State Preschool Program, if offered by the district and space permitting, and (2) requires any classroom that includes an early enrollment child to maintain a classroom enrollment that does not exceed 20 students and an adult-to-student ratio of at least one adult to every 10 students. Additionally, policy updated to include that average TK class size enrollment does not include students who are continuously enrolled in and meet the minimum day requirements for independent study for more than 14 school days in a school year.

[File Attachments](#)

[Board Policy 6170.1 - Transitional Kindergarten.pdf](#) (125 KB)

[Motion & Voting](#)

14.31 POLICY UPDATE: Board Policy 6173.1 and Administrative Regulation 6173.1 - Education For Foster Youth

Type	Action, Procedural
Fiscal Impact	No
Recommended	The recommendation is that the Board of Education discuss and approve the updated Board
Action	Policy 6173.1 and Administrative Regulation 6173.1 - Education For Foster Youth

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative

regulation.

Background:

This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The updated board policy and administrative regulation has been reviewed by the Board Liaison Committee, Superintendent, and presented to the secondary ASB members for recommended updates for accuracy. Revisions reflect these engagements and district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a second reading.

Board Policy 6173.1 - Education For Foster Youth

The NUSD board policy has not been revised since 2023. The language has been replaced to match the sample board policy provided by the California School Board Association.

Administrative Regulation 6173.1 - Education For Foster Youth

The NUSD administrative regulation has not been revised since 2023. The language has been replaced to match the sample board policy provided by the California School Board Association.

CSBA Language:

Board Policy 6173.1 - Education for Foster Youth Policy updated to move material regarding a safe learning environment toward the beginning of the policy as it is philosophical in nature and has general implications, and reflect NEW LAW (SB 532, 2022) which requires districts to annually report to the California Department of Education regarding the number of foster youth who, for the prior school year, graduated with an exemption from district-established graduation requirements that are in addition to statewide coursework requirements.

Administrative Regulation 6173.1 - Education for Foster Youth Regulation updated to reflect NEW LAW (AB 181, 2022) which (1) amends the definition of foster youth, and (2) requires districts that provide home-to-school transportation and other transportation expressly provided by in law to waive transportation fees for foster youth. Regulation also updated to align the definition of "school of origin" with code language, reflect NEW LAW (AB 740, 2022) which provides that a foster youth's educational rights holder, attorney, and county social worker have the same rights as a parent/guardian to receive a suspension notice, expulsion notice, manifestation determination notice, involuntary transfer notice, and other documents and related information and NEW LAW (SB 532, 2022) which provides, when a foster youth transfers into a district school, for additional requirements regarding the transfer of coursework and credits, exemptions from district-established graduation requirements, and for the option to remain in school to complete district-established or statewide course requirements.

File Attachments

[Administrative Regulation 6173.1 - Education For Foster Youth.pdf](#) (247 KB)

[Board Policy 6173.1 - Education For Foster Youth.pdf](#) (70 KB)

Motion & Voting

14.32 POLICY UPDATE: Board Policy 6176 - Weekend/Saturday Classes

Type	Action, Procedural
Fiscal Impact	No
Recommended	The recommendation is that the Board of Education discuss and approve the updated Board
Action	Policy Board Policy 6176 - Weekend/Saturday Classes.

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated board policy.

Background:

This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The updated board policy and administrative regulation has been reviewed by the Board Liaison Committee, Superintendent, and presented to the secondary ASB members for recommended updates for accuracy. Revisions reflect these engagements and district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a second reading.

Board Policy 6176 - Weekend/Saturday Classes

The NUSD board policy has not been revised since 2014. The language has been replaced to match the sample board policy provided by the California School Board Association.

File Attachments

[Board Policy 6176 - Weekend. Saturday Classes.pdf](#) (74 KB)

Motion & Voting

14.33 POLICY UPDATE: Board Policy and Administrative Regulation 7150 Site Selection and Development

Type	Action
Recommended	The recommendation is that the Board of Education approve the updated Board Policy and
Action	Administrative Regulation 7150 Site Selection and Development.

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation.

Background:

This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association.

California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies.

The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for an additional reading.

CSBA Language

Board Policy 7150 Site Selection and Development

CSBA Last Update: 2022-09-01 | NUSD Last Update: 1996-11-05

Policy updated to add material regarding the Governing Board's obligations when evaluating property prior to acquiring a new school or an addition to an existing school site, and reflect NEW LAW (AB 819, 2021) which requires the district to post specified environmental review documents.

Administrative Regulation 7150 Site Selection and Development

CSBA Last Update: 2022-09-01 | NUSD Last Update: 1996-11-05

Regulation updated to specify that the request for information to evaluate the safety of a proposed site be in writing, and reflect NEW LAW (AB 819, 2021) which requires the district to post specified environmental review documents.

[File Attachments](#)

[Policy 7150 - Site Selection And Development.pdf](#) (59 KB)

[Regulation 7150 - Site Selection And Development.pdf](#) (87 KB)

[Motion & Voting](#)

15 STUDENT EXPULSION

15.1 Termination Student Expulsion (Ed Code. 48918) Case# e2122-14

Type Action

Recommended Action The recommendation is that the Board of Education terminate student expulsion as it relates to the Expulsion Case e2122-14.

Purpose:

For the Board to take action on expulsion case e2122-14.

Background:

California Education Code Section 48916 requires that "an expulsion order shall remain in effect until the governing board orders a readmission of the pupil."

[Motion & Voting](#)

15.2 Termination Student Expulsion (Ed Code. 48918) Case# e2324-05

Type Action

Recommended Action The recommendation is that the Board of Education terminate student expulsion as it relates to the Expulsion Case e2324-05.

Purpose:

For the Board to take action on expulsion case e2324-05.

Background:

California Education Code Section 48916 requires that "an expulsion order shall remain in effect until the governing board orders a readmission of the pupil."

[Motion & Voting](#)

15.3 Termination Student Expulsion (Ed Code. 48918) Case# e2324-06

Type Action

Recommended Action The recommendation is that the Board of Education terminate student expulsion as it relates to the Expulsion Case e2324-06.

Purpose:

For the Board to take action on expulsion case e2324-06.

Background:

California Education Code Section 48916 requires that "an expulsion order shall remain in effect until the governing board orders a readmission of the pupil."

[Motion & Voting](#)

15.4 Continue Suspended Enforcement of Student Expulsion (Ed Code. 48918) Case# e2324-04.

Type Action

Recommended Action The recommendation is that the Board of Education continue suspended enforcement of

Action expulsion as it relates to the Expulsion Case e2324-04.

Purpose: For the Board to take action on expulsion case e2324-04.

Background: California Education Code Section 48916 requires that "an expulsion order shall remain in effect until the governing board orders a readmission of the pupil."

Motion & Voting

15.5 Continue Suspended Enforcement of Student Expulsion (Ed Code. 48918) Case# e2324-07.

Type Action Recommended Action The recommendation is that the Board of Education continue suspended enforcement of expulsion as it relates to the Expulsion Case e2324-07.

Purpose: For the Board to take action on expulsion case e2324-07.

Background: California Education Code Section 48916 requires that "an expulsion order shall remain in effect until the governing board orders a readmission of the pupil."

Motion & Voting

16 BOARD OF EDUCATION: COMMITTEE REPORTS, ANNOUNCEMENTS, REQUESTS, DEBRIEF

16.1 Board of Education Committee Reports, Announcements, Requests, Debrief and Discussion

AND DISCUSSION

Type Action, Discussion, Information

Purpose: COMMITTEE REPORTS: The Trustees will provide an update, if available, on the committees of which they are members. ANNOUNCEMENTS: The Trustees may acknowledge or recognize specific programs, activities, or personnel at this time. REQUESTS: This is an opportunity for the Board of Education to suggest items for placement on future agendas and to review Board requests.

Approval from the majority of the Board will be required for direction to be provided to the Superintendent.

DEBRIEF AND DISCUSSION: The Trustees may debrief and discuss items.

Background:

Each year the Board of Education members liaise with schools and committees in order to build relationships, hear from staff, students, and families, and act as a conduit for information to and from the schools.

Board Committees 2023-24

Board Adopted on 12/18/2023 Representative Alternate Mission Valley Regional Occupational Center/Program (ROC/P) 1. Nancy Thomas 1. Carina V. Plancarte Executive Board

Regional Policy Board of Special Education Local Plan Area (SELPA) 1. Katherine Jones 1. Phuong Nguyen

Newark Teacher Induction Advisory Council (Formally EBIC) 1. Aiden Hill 1. Carina V. Plancarte

Audit Committee 1. Nancy Thomas 2. Katherine Jones 1. Phuong Nguyen

Bond/Parcel Tax Committee 1. Phuong Nguyen 2. Carina V. Plancarte 1. Aiden Hill

City of Newark NUSD Liaison Committee 1. Phuong Nguyen 2. Aiden Hill 1. Katherine Jones

The following derives directly from the Board approved "Governance Team Handbook"

Authority is Collective, Not Individual:

The only authority to direct action rests with the Board as a whole when seated at a regular or special board meeting. Outside of this meeting, there is no authority.

A majority Board vote provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction.

Bringing New Ideas Forward

The Board will be open to having "brainstorming" discussions, or study sessions, around any idea that a Trustee may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Trustee, at their initiative or at the request of a constituent, which was previously discussed during a board meeting.

Trustees will first notify the Board President and Superintendent of their interest in bringing forward a new idea at a board meeting.

When initially agendized, the preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.

Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea. The Superintendent will decide on the delegation of assignments to District staff.

The new idea may be agendized for discussion only. The Board majority will decide if the new idea should be further developed and studied by staff. The Board majority will decide if staff time should be invested in the "fleshing out" of new ideas.

Individual Trustees, in the course of interactions with constituents, will be careful not to make or imply the commitment of the full Board to explore or proceed with implementing new ideas.

17 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

17.1 Superintendent's Concluding Comments, Updates, and Future Agenda Items

AGENDA REQUESTS

Type Information

Purpose:

This is an opportunity for the Interim Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

18 ADJOURNMENT

18.1 PLACEHOLDER - Extend Meeting

Type Action

Recommended Action The recommendation is that the Board of Education extends the meeting to ____ P.M.

Purpose:

This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

Motion & Voting

18.2 Adjournment

Type Action

Recommended Action The recommendation is that the Board of Education adjourns this meeting.

Purpose:

No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time. This action will conclude the meeting.

Motion & Voting

1 CALL TO ORDER

1.1 Roll Call

Type Procedural

Trustees:

- President Aiden Hill
- Vice President/Clerk Katherine Jones
- Member Phuong Nguyen
- Member Carina V. Plancarte
- Member Nancy Thomas

Student Board Member:

- Member Joy Lee

1.2 Meeting Practices and Information

Type Information, Procedural

In-person Meeting Information:

Please see the attached meeting information in English and Spanish.

Observe The Board Of Education Meeting:

Members of the public 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.

Public Comment:

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

File Attachments

[Board Meeting Protocols_ENG\(1\).pdf](#) (69 KB)

[Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf \(65 KB\)](#)

1.3 Public Comment on Closed Session Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and tries to make it convenient for members of the community to express their views to the Board.

If a constituent wishes to address the Board on any agenda item:

In-Person Comment: please submit a completed speaker card to the Board's Executive Assistant before the start of the meeting, or prior to the calling of the section for public comment.

Audio-Only Virtual Comment: please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org by 1:00 PM the day of the meeting. Please label your email as " AUDIO-ONLY PUBLIC COMMENT" and include your name as it will appear on Zoom, your phone number, email address, and the agenda item number related to your comment.

Please see detailed instructions for public comment on the link: <http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

File Attachments

[Board Meeting Protocols_ENG\(1\).pdf \(69 KB\)](#)

[Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf \(65 KB\)](#)

1.4 Recess to Closed Session

Type Procedural

Purpose:

The Board will recess to Closed Session, and reconvene to Open Session on or about 7:00 p.m.

2 CLOSED SESSION

2.1 Public Employee Appointment/Discipline/Dismissal/Release/Complaint(Gov. Code, 54957.6): Administrative Law Hearing Update and two (2) Classified Grievances

Type Information

Goals MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens.
VISION: The Newark Unified School District, in partnership with the community, will be a model of world-class education that develops the unique abilities of every student.

Information will be provided by the Interim Superintendent and Interim Assistant Superintendent of Human Resources with update on administrative law hearing and classified grievances.

2.2 STUDENT EXPULSION (Ed. Code, 48918)

Type Discussion, Information, Procedural

Purpose:

For the Board to review the Expulsion Panel Recommendation.

Background:

A Expulsion Panel Hearing was held on May 13, 2024. A Panel Hearing was conducted in accordance with Board Policy and Administrative Regulation 5144.1 and, if applicable, 5144.2 for students with disabilities.

The Board will discuss this in closed session and then take action in open session. The administration asks for approval of the recommendation for Case# e2324-10 (Ed Code. 48918).

3 REPORT OF CLOSED SESSION ACTIONS

3.1 Report of Closed Session Actions

Type Action, Procedural

Purpose:

If available, a report of the closed session will be provided by the Board President.

4 RECONVENE TO OPEN SESSION

4.1 Pledge of Allegiance

Type Procedural

Purpose:

The Governance Team will recite the Pledge of Allegiance

4.2 Meeting Practices and Information

Type Information, Procedural

In-person Meeting Information:

Please see the attached meeting information in English and Spanish.

Observe The Board Of Education Meeting:

Members of the public 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.

Public Comment:

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

File Attachments

[Board Meeting Protocols_ENG\(1\).pdf](#) (69 KB)

[Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf](#) (65 KB)

5 APPROVAL OF AGENDA

5.1 Approval of the Agenda

Type Action

Recommended The recommendation is that the Board of Education approve the agenda for this meeting.
Action

Purpose:

Members of the Governance Team may request that the agenda be amended or approved as presented.

Motion & Voting

The recommendation is that the Board of Education approve the agenda for this meeting.

Motion by Nancy Thomas, second by Katherine Jones.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones

6 STUDENT REPORT

6.1 Student Report: Student Board Member, Joy Lee

Purpose:

The Student Report gives the Board of Education and the public an opportunity to hear the highlights, achievements, and initiatives from the viewpoint of the student board member.

Background:

The information will be provided by the Student Board Member, Joy Lee.

7 EMPLOYEE ORGANIZATIONS

7.1 Employee Organizations

Type Information

Purpose:

At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Background:

Discussion items are limited to updates, celebrations, and upcoming events.

1. NTA
2. CSEA
3. NEWMA

8 PUBLIC COMMENT

8.1 Public Comment on Non-Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

File Attachments

[Board Meeting Protocols_ENG\(1\).pdf](#) (69 KB)
[Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf](#) (65 KB)

8.2 Public Comment on Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

File Attachments

[Board Meeting Protocols_ENG\(1\).pdf](#) (69 KB)
[Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf](#) (65 KB)

9 SUPERINTENDENT REPORT

9.1 Superintendent Report

Type Information

Purpose:

The Interim Superintendent will provide the Board of Education with district information, updates, news, or anything in the jurisdiction of the board or the superintendent.

Background:

The presentation and information will be provided by the Interim Superintendent

10 STAFF REPORT

10.1 Governor's Revised 2024-25 Budget

Type Information
Goals 4. Fiscal Health

Purpose:

The Business Consultant will update the Board on the Governor's revised State budget for 2024-2025.

Background:

On January 10, 2024, the Governor released his 2024-25 State of California proposed budget. On January 30, 2024, Capital Advisors Group presented the impact of the Governor's Budget on K-12 education at the Alameda County Office of Education (ACOE). On May 21, 2024, the Governor released his May revision to the budget. Staff will highlight key differences between the January proposal and the May Revision.

10.2 Curriculum and Assessment Update Ethnic Studies

Type Information

Purpose:

Report out on the progress made by the Ethnic Studies Curriculum Committee towards course adoption in 25/26 school year.

Background:

In October 2021, the Legislature passed and Governor Gavin Newsom signed into law Assembly Bill 101 a historic bill which makes California the first state to require Ethnic Studies as a high school graduation requirement. The law requires that students in the class of 2030 complete one semester of ethnic studies, and schools must offer these courses starting in the

2025-2026 school year.
Presentation will be given by Heather Decker, Coordinator of Equity and Access.

[File Attachments](#)
[Staff Report_Ethnic Studies Curriculum Creation Update.pdf](#) (2,422 KB)

10.3 Parent Engagement /COST/PBIS

Type Information

Purpose:
To inform the Board and public about the work that Parent Partners are providing to the district, families, and community.

Background:
Family and community partnerships are necessary components of high-quality and culturally responsive instructional programs. They are also critical to students' social and emotional learning and health and wellbeing. To address this need and district priority, NUSD has established a robust Coordination of Services Team (COST) that includes Parent Partners and connects both site-based and district-level initiatives. This presentation serves to provide a brief summary of this work.
Presentation will be given by Ashley Acosta, Manager of Parent Engagement and Health Services.

[File Attachments](#)
[NUSD School and Community Resources_2023-24.pdf](#) (88 KB)
[Parent Engagement Spotlight - 2023_24.pdf](#) (1,845 KB)

11 PUBLIC HEARINGS

11.1 Public Hearing on CSEA Initial Proposal to NUSD for Reopeners for the 2024- 2025 School Year

Purpose:
The purpose is to publicly disclose or "sunshine" the proposal for reopeners at which time the public has an opportunity to provide input on the proposal prior to the commencement of negotiations between the Newark Unified School District (NUSD) and the California School Employees Association (CSEA).

Background:
The California Education Code requires parties to publicly disclose or "sunshine" their proposal for reopeners at which time the public has an opportunity to provide input on the proposal prior to the commencement of negotiations. The California School Employees Association (CSEA) proposal for reopeners is attached and is "sunshined" at this meeting. Copies of the proposal are made available to the public. This is the public's second opportunity to express itself regarding this proposal.

[File Attachments](#)
[CSEA Initial Proposal.pdf](#) (76 KB)

11.2 Public Hearing on NUSD Initial Proposal to CSEA for Reopeners for the 2024- 2025 School Year

Purpose:
The purpose is to publicly disclose or "sunshine" the proposal for reopeners at which time the public has an opportunity to provide input on the proposal prior to the commencement of negotiations between the Newark Unified School District (NUSD) and the California School Employees Association (CSEA).

Background:
The California Education Code requires parties to publicly disclose or "sunshine" their proposal for reopeners at which time the public has an opportunity to provide input on the proposal prior to the commencement of negotiations. Newark Unified School District's proposal for reopeners is attached and is "sunshined" at this meeting. Copies of the proposal are made available to the public. This is the public's first opportunity to express itself regarding this proposal.

[File Attachments](#)
[NUSD Initial Proposal to CSEA 05.21.2024.pdf](#) (46 KB)

11.3 Public Hearing on NTA Initial Proposal to NUSD for Reopeners for the 2024- 2025 School Year

Purpose:
The purpose is to publicly disclose or "sunshine" the proposal for reopeners at which time the public has an opportunity to provide input on the proposal prior to the commencement of negotiations between the Newark Unified School District (NUSD) and the Newark Teachers Association (NTA).

Background:
The California Education Code requires parties to publicly disclose or "sunshine" their proposal for reopeners at which time the public has an opportunity to provide input on the proposal prior to the commencement of negotiations. Newark Teachers Association's proposal for reopeners is attached and is "sunshined" at this meeting. Copies of the proposal are made available to the public. This is the public's first opportunity to express itself regarding this proposal.

[File Attachments](#)
[NTA SUNSHINE 2024.pdf](#) (98 KB)

11.4 Public Hearing on NUSD Initial Proposal to NTA for Reopeners for the 2024- 2025 School Year

Purpose:

The purpose is to publicly disclose or "sunshine" the proposal for reopeners at which time the public has an opportunity to provide input on the proposal prior to the commencement of negotiations between the Newark Unified School District (NUSD) and the Newark Teachers Association (NTA).

Background:

The California Education Code requires parties to publicly disclose or "sunshine" their proposal for reopeners at which time the public has an opportunity to provide input on the proposal prior to the commencement of negotiations. Newark Unified School District's proposal for reopeners is attached and is "sunshined" at this meeting. Copies of the proposal are made available to the public. This is the public's first opportunity to express itself regarding this proposal.

File Attachments

[District Proposal to NTA.pdf](#) (98 KB)

12 NEW BUSINESS

12.1 Approve Extra Work Days for Interim Superintendent for 2023-24

Type	Action
Fiscal Impact	Yes
Budgeted	Yes
Recommended	The recommendation is that the Board of Education approve 10 Extra Work Days for Interim Superintendent for 2023-24.
Action	

Purpose:

To approve 10 Extra Work Days for Interim Superintendent for 2023-24.

Background:

The Interim Superintendent will exhaust her 224 days of service on or about May 28, 2024. The board recognizes that Ms. Vackar worked during holidays in an effort to support the district with the first interim report and also cancelled non-workdays in order to support the district in the absence of the executive leadership team. These additional 10 days of service are needed to support the district through June 30, 2024. Payment for these 10 additional days will be paid from the salary savings from the former superintendent (Ed. Code, 44977) as the Deputy Superintendent provided these leadership services including instructional, business and Human Resources in the absence of the Superintendent. This results in an estimated savings of \$25,699.

Motion & Voting

The recommendation is that the Board of Education approve 10 Extra Work Days for Interim Superintendent for 2023-24.

Motion by Nancy Thomas, second by Katherine Jones.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Katherine Jones

Nay: [Phuong Nguyen](#)

12.2 ELA/ELD Curriculum Adoption K-8

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$792,110.09
Budgeted	Yes
Budget Source	Textbook Adoption
Recommended	The recommendation is that the Board of Education approve the adoption of ELA/ELD
Action	Curriculum Adoption K-8 as presented.
Goals	1a. Student Achievement

Purpose:

Report out on the ELA adoption process this year and make a recommendation to the board on what curriculum should be adopted.

Background:

NUSD Curriculum & Assessment Council has received feedback from the teachers and community that a new ELA curriculum for grades TK-8 needs to be adopted. A ELA adoption committee was formed to review state adopted curriculum options and pilot them in classes to make a recommendation to the board. Pilot was completed in 2024. The cost of the adoption is \$792,110.09 and is coming out of funds set aside for textbook adoption in the Second Interim.

Presentation will be given by Heather Decker, Coordinator of Equity and Access and Olivia Rangel, Director of Special Education.

File Attachments

[ELA Adoption_Board Presentation.pdf](#) (944 KB)

Motion & Voting

The recommendation is that the Board of Education approve the adoption of ELA/ELD Curriculum Adoption K-8 as presented.

Motion by Phuong Nguyen, second by Katherine Jones.
 Final Resolution: Motion Carries
 Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones

12.3 Resolution No. 2023.24.39 - Resolution Regarding Proposed Decision of Administrative Law Judge and Implementing Classified Layoffs

Type	Action
Absolute Date	May 21, 2024
Recommended Action	The recommendation is that the Board of Education adopt Resolution No. 2023.24.39 - Resolution Regarding Proposed Decision of Administrative Law Judge and Implementing Classified Layoffs.

Purpose:
 The purpose of this item is to adopt Resolution No. 2023.24.39 - Resolution Regarding Proposed Decision of Administrative Law Judge and Implementing Classified Layoffs

Background:
 On March 7, 2024, the Governing Board adopted Resolution No. 2023.24.24 to reduce or eliminate classified services. To implement the resolution, by March 15, 2024, impacted employees were served with preliminary layoff notices and were notified of their right to request a hearing on their layoff. Employees who timely requested a hearing were served with a statement of reduction in force, as required by law. Employees who timely submitted a notice of participation were eligible to participate in a layoff hearing. Pursuant to Education Code section 45117, a hearing was held before an Administrative Law Judge, the Honorable Carl Corbin, on May 6, 2024.
 The Administrative Law Judge's proposed decision to the Board was received by the Board on or before May 20, 2024. The Board, at this meeting, will consider the proposed decision by its Resolution No. 2023.24.39. Once the resolution is adopted, the Board will determine whether final layoff notices shall be served on the affected employees as required by law.

File Attachments
[Resolution 2023.24.39.pdf](#) (179 KB)

Motion & Voting
 The recommendation is that the Board of Education adopt Resolution No. 2023.24.39 - Resolution Regarding Proposed Decision of Administrative Law Judge and Implementing Classified Layoffs.
 Motion by Katherine Jones, second by Nancy Thomas.
 Final Resolution: Motion Carries
 Yea: Nancy Thomas, Aiden Hill, Katherine Jones
 Nay: Phuong Nguyen

12.4 Declaration of Need for Fully Qualified Educators

Type	Action
Absolute Date	May 21, 2024
Recommended Action	The recommendation is that the Board of Education approve the Declaration of Need for Fully Qualified Educators as presented.

Purpose:
 The California Commission on Teacher Credentialing requires that each school district file a Declaration of Need for Fully Qualified Educators for the pending academic year.

Background:
 The declaration specifies the number of teachers the school district anticipates hiring in designated subjects and at designated levels on emergency permits and the number of interns the school district anticipates hiring. The declaration is valid for one academic year and is a prerequisite to the issuance of any emergency permits to the school district from the Commission on Teacher Credentialing. The declaration may be amended throughout the academic year as needed.

File Attachments
[c1500 Declaration of Need 05.21.2024.pdf](#) (209 KB)
[c1505a Annual Statement of Need 05.21.2024.pdf](#) (104 KB)

Motion & Voting
 The recommendation is that the Board of Education approve the Declaration of Need for Fully Qualified Educators as presented.
 Motion by Katherine Jones, second by Phuong Nguyen.
 Final Resolution: Motion Carries
 Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones

12.5 Contract: Ruhnau Clarke Architects for Newark Memorial High School Track & Field Project

Type	Action
Fiscal Impact	Yes
Dollar Amount Budgeted	\$139,250.00
	Yes

Budget Source	Fund 25 Developer Fees
Recommended Action	The recommendation is that the Board of Education approve the contract with Ruhnau Clarke Architects for the Newark Memorial High School Track & Field Project.
Goals	MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens. VISION: The Newark Unified School District, in partnership with the community, will be a model of world-class education that develops the unique abilities of every student.

Purpose:
To approve the contract with Ruhnau Clarke Architects for the Newark Memorial High School Track & Field Project.

Background:
The Newark Memorial High School Track & Field project have been identified as a priority of the District. On December 5, 2022, the Board of Trustees approved the Newark Memorial High School Track and Field Project. The approved scope of work for this project includes demolition of the existing track and field, grading, drainage, concrete, fencing and gates, field striping & logos, synthetic track, artificial turf and new goal posts. This contract will prepare specifications for bid, ensure most cost effective plans, and assist with any design issues during the whole project.
An architect is required for this project, as plans and specifications are required to be reviewed by the Division of the State Architect.
Funds will be paid out of Fund 25, Developer Fees, which is restricted capital dollars.

File Attachments
[Ruhnau Clarke Architects_NMHS Track and Field Project.pdf](#) (233 KB)

Motion & Voting
The recommendation is that the Board of Education approve the contract with Ruhnau Clarke Architects for the Newark Memorial High School Track & Field Project.
Motion by Nancy Thomas, second by Katherine Jones.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Katherine Jones
Nay: **Phuong Nguyen**

12.6 Contract: Ruhnau Clarke Architects for Kennedy Fence Project

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$24,000.00
Budgeted	Yes
Budget Source	Fund 25 Developer Fees
Recommended Action	The recommendation is that the Board of Education approve the contract with Ruhnau Clarke Architects for the Kennedy Fence Project.
Goals	2a. Safe, Secure and Healthy Learning Environments

Purpose:
To approve the contract with Ruhnau Clarke Architects for the Kennedy Fence Project as presented.

Background:
The Kennedy Fence project have been identified as a priority of the District. On March 16, 2023 the Board approved the preliminary project cost estimate of \$435,375 for the Kennedy Fence project. The cost includes planning, design, engineering, inspection, testing and construction. On May 7, 2024 an updated plan was approved which reduced the scope and saved potentially \$101,800.
This contract will prepare specifications for bid, ensure most cost effective plans, and assist with any design issues during the whole project.
An architect is required for this project, as plans and specifications are required to be reviewed by the Division of the State Architect.
Funds will be paid out of Fund 25, Developer Fees, which is restricted capital dollars.

File Attachments
[Ruhnau Clarke Architects_Kennedy Fence Project.pdf](#) (1,487 KB)

Motion & Voting
The recommendation is that the Board of Education approve the contract with Ruhnau Clarke Architects for the Kennedy Fence Project.
Motion by Nancy Thomas, second by Katherine Jones.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones

12.7 Proposal: Kitchell for Construction Management Services for the Kennedy Fence Project and the Newark Memorial High School Track and Field Project

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$158,532.00
Budgeted	Yes
Budget Source	Fund 25 Developer Fees

Recommended Action	The recommendation is that the Board of Education approve the proposal with Kitchell for Construction Management services for the Kennedy Fence Project and the Newark Memorial High School Track and Field Project.
Goals	MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens. VISION: The Newark Unified School District, in partnership with the community, will be a model of world-class education that develops the unique abilities of every student. 2a. Safe, Secure and Healthy Learning Environments

Purpose:

To approve the proposal for construction management services with Kitchell for the Kennedy Fence Project and the Newark Memorial High School Track and Field Project.

Background:

The NMHS Track & Field Renovation and Kennedy Fencing projects have been identified as a priority of the District. It is necessary for the District to utilize a construction management company to oversee these projects during the construction phase. Staff has identified a more cost effective and efficient method to manage these projects. Kitchell's proposal includes hourly rates of \$185.00 and \$215.00, for a total estimated cost of \$158,532, which includes a 10% contingency. Funds will come from Fund 25, Developer Fees, which is a restricted capital resource.

File Attachments

[Kitchell_Proposal_Kennedy Fence and NMHS Track and Field.pdf](#) (194 KB)

Motion & Voting

The recommendation is that the Board of Education approve the proposal with Kitchell for Construction Management services for the Kennedy Fence Project and the Newark Memorial High School Track and Field Project.

Motion by Katherine Jones, second by Aiden Hill.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Katherine Jones

Nay: **Phuong Nguyen**

13 CONSENT AGENDA: PERSONNEL ITEMS

13.1 PLACEHOLDER - One Consented Vote

Type	Action
Recommended Action	It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent-Personnel, except for agenda items:

Purpose:

This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:

Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

13.2 Personnel Report

Type	Action
Absolute Date	May 21, 2024
Recommended Action	The recommendation is that the Board of Education ratify the personnel report as presented.

Purpose:

The purpose is for the Board of Education to ratify the Personnel Report as presented.

Background:

All personnel activities including new hires, changes in status, resignation, leaves, and retirements are routinely submitted to the Board for ratification.

File Attachments

[HR PAL 05-21-2024.pdf](#) (361 KB)

Motion & Voting

The recommendation is that the Board of Education ratify the personnel report as presented.

Motion by Phuong Nguyen, second by Katherine Jones.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones

13.3 Receive CSEA Initial Proposal to NUSD for Reopeners for the 2024-2025 School Year

Type	Action
Absolute Date	May 21, 2024

Recommended Action The recommendation is that the Board of Education receive the CSEA initial proposal to NUSD for Reopeners for the 2024-2025 school year.

Purpose:

The purpose is for the Board of Education to receive the California School Employees Association (CSEA) initial proposal to the Newark Unified School District (NUSD) for reopeners for the 2024-2025 school year.

Background:

The California Education Code requires parties to publicly disclose or "sunshine" their proposals for reopeners at which time the public has an opportunity to provide input on the proposals prior to the commencement of negotiations. The California School Employees Association (CSEA) proposal for reopeners is "sunshined" at this meeting. Copies of the proposal are made available to the public. This is the public's second opportunity to express itself regarding this proposal. Following the public hearing, the Board of Education must receive the CSEA initial proposal to NUSD for reopeners for the 2024-2025 school year.

File Attachments

[CSEA Initial Proposal.pdf](#) (76 KB)

Motion & Voting

The recommendation is that the Board of Education receive the CSEA initial proposal to NUSD for Reopeners for the 2024-2025 school year.

Motion by Katherine Jones, second by Nancy Thomas.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones

14 CONSENT AGENDA: NON-PERSONNEL ITEMS

14.1 PLACEHOLDER - One Consented Vote

Type Action
Recommended Action It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent Non-Personnel, except for agenda items:

Purpose:
This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:
Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

14.2 Report: Warrant Report for April 2024

Type Action
Fiscal Impact No
Recommended Action The recommendation is that the Board of Education approve the Warrant Report as presented.
Goals 4. Fiscal Health

Purpose:
The purpose of this item is to present warrants, for the total amount of \$2,188,300.39, made from District funds for April 2024.

Background:
The warrant registers represent a complete listing of all payments made from District funds for a month. Because Newark Unified School District is a fiscally dependent District, each warrant must pass through two separate audits; first by the Districts Fiscal Services department, and second by the County Office of Education. No warrant can be paid until such time as it is examined and approved by the County Office of Education.

File Attachments
[Warrant Report April 2024.pdf](#) (417 KB)

Motion & Voting

14.3 Resolution No. 2023.24.38 - Specifications of the Election Order

Type Action
Recommended Action The recommendation is that the Board of Education adopt Resolution No. 2023.24.38 - Specifications of the Election Order.
Goals MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens.
VISION: The Newark Unified School District, in partnership with the community, will be a model of world-class education that develops the unique abilities of every student.

Purpose:

For the Board to adopt Resolution No. 2023.24.38 - Notice of School Board Election Consolidation with General Election, November 5, 2024.

Background:

The terms of three Board of Education Trustees expire on December 17, 2024. Pursuant to Education Code Section 5322, notice is to be given that the School Board election will be consolidated with the November 5, 2024, General Election. To fulfill the requirements of Education Code 5322, each district's governing board, or an authorized officer thereof, must deliver specifications of the election order in the form of a resolution to the County Superintendent of Schools. Conforms with Board Policy 9220.

File Attachments

[Resolution No 2023.24.38 Specifications of the Election Order Nov 5 2024.pdf](#) (71 KB)

14.4 Ohlone Connections and Dual Enrollment MOU 2024-2026

Type	Action
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Preferred Date	Jan 19, 2023
Fiscal Impact	No
Recommended Action	The recommendation is that the Board of Education approves the Ohlone Community College District agreements for College Connections and Dual Enrollment for 2024-2026.

Purpose:

This is an updated MOU with the new Ohlone Community College District administration (OCCD) that has been in place since the 2018-19 school year. These agreements continue to offer Newark Memorial High School students dual enrollment opportunities at Ohlone Community College.

Background:

Newark Unified School District and the Ohlone College administration engaged in efforts to update the MOU currently in place in order to maintain our partnership and continue to offer Newark Unified students dual enrollment moving forward. Dual enrollment has proven to be an effective strategy to help advanced high school students begin college early. Dual enrollment also allows a broader range of students, particularly students from backgrounds for which a college education is not a given, to transition from high school to college. NUSD and Ohlone are both committed to maintaining a strong partnership in alignment with Assembly Bill 288. With the new Ohlone administration in place, both dual enrollment and college connection agreements have been finalized for approval. AB 288 was voted into law in the fall of 2015, with the intent to facilitate the development and promotion of K-12 and community college dual enrollment partnerships and programs that target a broader range of high school students.

File Attachments

[NUSD Dual Enrollment CCAP 24-26.pdf](#) (264 KB)

14.5 Pacific Oaks Education Corporation Agreement Regarding an Internship Program

Type	Action
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Absolute Date	May 21, 2024
Recommended Action	The recommendation is for the Board of Education to approve the Pacific Oaks Education Corporation agreement regarding an Internship Program.

Purpose:

The purpose of this item is for the Board of Education to approve the agreement between Pacific Oaks Education Corporation and Newark Unified School District regarding an internship program commencing May 21, 2024 and ending June 30, 2025.

Background:

The District works closely with local institutes of higher education (IHE) and supports student teacher placements and interns. Agreements between Newark Unified School District and a university must be in place before a student teacher or intern can be placed at a school site in the District. Student teachers and interns in training do fieldwork in our schools and are supervised by the administrators who provide supervision and training. Student teachers and interns are able to learn, practice teaching, and fine-tune their craft under the direct supervision of a master teacher. The opportunity to student teach or intern in the District benefits both the student and the District. As vacancies become available in the district, it is invaluable to have the opportunity to observe directly student teachers and interns who may be eligible to interview for vacancies and observe how well they fit into the culture of Newark.

File Attachments

[NEWARK UNIFIED SCHOOL DISTRICT \(POC\) Intern MOU.pdf](#) (93 KB)

14.6 Field Placement Affiliation Agreement Between GCU and NUSD

Type	Action
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Absolute Date	May 21, 2024
Recommended Action	The recommendation is for the Board of Education to approve the Field Placement Affiliation Agreement between Grand Canyon University and Newark Unified School District.

Purpose:

The purpose of this item is for the Board of Education to approve the Field Placement Affiliation Agreement between Grand

Canyon University and Newark Unified School District.

Background:

The District works closely with local institutes of higher education (IHE) and supports student teacher placements and interns. Agreements between Newark Unified School District and a university must be in place before a student teacher or intern can be placed at a school site in the District. Student teachers and interns in training do fieldwork in our schools and are supervised by the administrators who provide supervision and training. Student teachers and interns are able to learn, practice teaching, and fine-tune their craft under the direct supervision of a master teacher. The opportunity to student teach or intern in the District benefits both the student and the District. As vacancies become available in the district, it is invaluable to have the opportunity to observe directly student teachers and interns who may be eligible to interview for vacancies and observe how well they fit into the culture of Newark.

File Attachments

[GCU Field Placement Affiliation Agreement.pdf](#) (549 KB)

14.7 Addendum to the Contract with Pawar Transportation LLC, for District-Wide Special Education Transportation

Type	Action
Preferred Date	May 21, 2024
Absolute Date	May 21, 2024
Fiscal Impact	Yes
Dollar Amount	\$177,000.00
Budgeted	Yes
Budget Source	Resource 6500 - Special Education
Recommended	The recommendation is that the Board of Education approve the agreement with Pawar
Action	Transportation.

Purpose:

The purpose is to increase the contract amount for special education transportation services provided by Pawar Transportation.

Background:

At the beginning of the school year, Pawar provided a quote of \$500,000 for our special education transportation for the 2023-24 school year. However, as we approach the final three months of the academic year, it has become evident that this initial allocation is insufficient to meet the end of year transportation services. This adjustment is essential to meet the educational and safety requirements of our students as we conclude the school year. In the 23-24 school year, Newark Unified decided to solely contract with Pawar and created a contract for \$500,000. The current need for the remainder of the year is \$177,000. This is still a reduction of cost for transportation by \$135,999 from the 22-23 school year.

File Attachments

[Pawar Addendum 5.21.24.pdf](#) (32 KB)

14.8 School Based Medi-Cal Administrative Activities Program (SMAA) Agreement

Type	Action
Fiscal Impact	Yes
Budgeted	Yes
Budget Source	General Fund
Recommended	The recommendation is that the Board of Education approve the School Based Medi-Cal
Action	Administrative Activities Program (SMAA) agreement for 2024-25 to allow NUSD to continue in the MAA reimbursement program.

Purpose:

To approve the School Based Medi-Cal Administrative Activities Program (SMAA) Agreement for 2024-25 to allow NUSD to continue in the MAA reimbursement program.

Background:

Contra Costa County Office of Education (CCCOE) is one of four county offices that serve as regional coordinators of the SMAA program; CCCOE serves Alameda County. The amount we pay is 12 percent of the SMAA billings.

File Attachments

[Contra Consta COE_Medi-Cal Administrative Agreement 2024-25.pdf](#) (444 KB)

14.9 CBOC Member Reappointment (Ms. Cindy Parks)

Type	Action
Recommended	The recommendation is that the Board of Education reappoint Cindy Parks to the Citizens'
Action	Bond Oversight Committee (CBOC).
Goals	4. Fiscal Health

Purpose:

By taking this action, the Board will reappoint one member, Cindy Parks, to the Citizens' Bond Oversight Committee (CBOC) for a third term beginning July 1, 2024, and expiring June 30, 2026.

Background:

NUSD Board Administrative Regulation 7214 (for General Obligation Bonds) permits members of the CBOC to serve a maximum of three 2-year terms. Ms. Parks has expressed an interest in returning for a third term. The Board meeting at which she was appointed for the second term was June 7, 2022. Her community representation is as an At-Large Community Member. She is the current Secretary of the CBOC.

14.10 POLICY UPDATE: Board Policy, Administrative Regulation and Exhibit 1330 Use of School Facilities

Type Action, Procedural
Recommended The recommendation is that the Board of Education discuss and approve the updated Board
Action Policy, Administrative Regulation and Exhibit 1330 Use of School Facilities.

Purpose:
 The purpose is for the Board of Education to review the recommended changes and approve the updated board policy, administrative regulation and exhibit.

Background:
 This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies.
 The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for an additional reading.
Board Policy 1330 Use of School Facilities
 The NUSD board policy has not been revised since 2018. The language has been replaced to match the sample board policy provided by the California School Board Association. Per CSBA, the policy is to be updated to state which activities and organizations shall be charged an amount not to exceed direct costs; rules for management, direction, and control of school facilities.

Administrative Regulation 1330 Use of School Facilities
 The NUSD regulation has not been revised since 2018. The language has been replaced to match the sample board policy provided by the California School Board Association.

Exhibit 1330 Use of School Facilities
 The NUSD exhibit has not been revised since 1995. The language has been replaced to match the sample board policy provided by the California School Board Association.

CSBA Language
Board Policy 1330 Use of School Facilities
 CSBA Last Update: 2023-09-01 | NUSD Last Update: 2018-05-01
 Policy updated to caution districts when charging religious groups direct costs for use of district facilities when those costs are not charged to other groups due to the potential conflict between a U.S. Supreme Court decision and state law. Policy also updated to add that the Governing Board may authorize the use of a school building as a vote center on election day and/or during the 10 days preceding election day, as well as during key dates necessary for drop-off, set-up, and pickup of election materials, as determined by the election official.

Administrative Regulation 1330
 CSBA Last Update: 2023-09-01 | NUSD Last Update: 2018-05-01
 Regulation updated to encourage districts to create a facilities use application and agreement for the use of school facilities and grounds by any entity other than the district, add that anyone applying to use school facilities do so as specified in district procedures and in accordance with law, and reflect NEW LAW (AB 2028, 2022) which authorizes the Governing Board to allow district facilities to be used by local law enforcement, public agencies, nonprofit associations, or organizations for bicycle, scooter, electric bicycle, motorized bicycle, or motorized scooter safety instruction for district students.

- File Attachments**
[Policy 1330 - Use Of School Facilities.pdf](#) (105 KB)
[Regulation 1330 - Use Of School Facilities.pdf](#) (114 KB)
[Exhibit \(PDF\) 1330-E PDF\(1\) Use Of School Facilities.pdf](#) (62 KB)

Motion & Voting

14.11 POLICY UPDATE: Board Policy and Administrative Regulation 3230 Federal Grant Funds

Type Action, Procedural
Recommended The recommendation is that the Board of Education discuss and approve the updated Board
Action Policy and Administrative Regulation 3230 Federal Grant Funds.

Purpose:
 The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation.

Background:
 This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies.
 The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for an

additional reading.

Board Policy 3230 Federal Grant Funds

The NUSD board policy has not been revised since 2020. The language has been replaced to match the sample board policy provided by the California School Board Association.

Administrative Regulation 3230 Federal Grant Funds

The NUSD administrative regulation has not been revised since 2020. The language has been replaced to match the sample board policy provided by the California School Board Association.

CSBA Language

Board Policy 3230 - Federal Grant Funds

CSBA Last Update: 2021-03-01 | NUSD Last Update: 2020-08-20

Policy updated to reflect NEW FEDERAL REGULATIONS (85 Fed. Reg. 49506), effective November 12, 2020, which clarify and renumber requirements for the use and accounting of federal grant funds pursuant to the Office of Management and Budget's Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (commonly called the "Uniform Guidance"). Policy reflects an amendment to the Uniform Guidance which extends the timeframe for submitting the final performance report from 90 to 120 calendar days after the ending date of the grant.

Administrative Regulation 3230 - Federal Grant Funds

CSBA Last Update: 2021-03-01 | NUSD Last Update: 2020-08-20

Regulation updated to reflect NEW FEDERAL REGULATIONS (85 Fed. Reg. 49506), effective November 12, 2020, which clarify and renumber requirements for the use and accounting of federal grant funds pursuant to the Uniform Guidance. Regulation reflects amendments to the Uniform Guidance which (1) extend the timeframe for paying all obligations of federal funds from 90 to 120 calendar days after the end of the funding period; (2) require districts to give a preference to the purchase, acquisition, or use of goods, products, or materials from the United States as practicable; and (3) increase the threshold for "micropurchases" and "small purchases" that qualify for simplified procurement procedures. Regulation also adds the requirement to provide for disciplinary actions to be applied when officers, employees, or representatives of the district violate conflict of interest standards. Section on "Personnel" revised to (1) add the district's responsibility to check employee records and ensure that the charges are accurate, allowable, and properly allocated and (2) clarify the documentation requirements for employees whose salary is paid with state or local funds but is used to meet a cost-sharing or matching requirement of the federal grant.

[File Attachments](#)

[Policy 3230 - Federal Grant Funds.pdf](#) (68 KB)

[Regulation 3230 - Federal Grant Funds.pdf](#) (153 KB)

14.12 POLICY UPDATE: Administrative Regulation 3311 Bids

Type Action, Procedural

Recommended Action The recommendation is that the Board of Education discuss and approve the updated Administrative Regulation 3311 Bids.

[Purpose:](#)

The purpose is for the Board of Education to review the recommended changes and approve the administrative regulation.

[Background:](#)

This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies.

The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for an additional reading.

Board Policy 3311 Bids

The NUSD board policy has not been revised since 2018 and will be brought to a future meeting.

Administrative Regulation 3311 Bids

The NUSD regulation has not been revised since 2018. The language has been replaced to match the sample board policy provided by the California School Board Association.

CSBA Language

Administrative Regulation 3311 - Bids

CSBA Last Update: 2023-09-01 | NUSD Last Update: 2018-05-15

Regulation updated to reference the bid limit for 2023, add that for lease-leaseback, design-build, and alternative design-build projects the notice which solicits the call for bids is required to specify that the project is subject to skilled and trained workforce requirements, and reflect NEW LAW (AB 185, 2022) which adds, until January 1, 2029, the alternative design-build construction delivery method for projects in excess of \$5,000,000. Regulation also updated to reflect the State Allocation Board's (SAB) notification to districts which provides that modular school facilities must be competitively bid and that districts that use piggyback contracts for modular facilities are ineligible for state funding from SAC administered programs.

[File Attachments](#)

[Regulation 3311 - Bids.pdf](#) (202 KB)

14.13 POLICY UPDATE: Board Policy 5143 Insurance

Type Action, Procedural

Recommended Action The recommendation is that the Board of Education discuss and approve the updated Board Policy 5143 Insurance.

[Purpose:](#)

The purpose is for the Board of Education to review the recommended changes and approve the updated board policy.

Background:

This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies.

The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for an additional reading.

Board Policy 5143 Insurance

The NUSD board policy has not been revised since 1996. The language has been replaced to match the sample board policy provided by the California School Board Association.

CSBA Language

Board Policy 5143 Insurance

CSBA Last Update: 2006-11-01 | NUSD Last Update: 1996-08-27

File Attachments

5143 - BP - Insurance.docx.pdf (66 KB)

14.14 POLICY UPDATE: Board Policy and Administrative Regulation 5144 - Discipline

Type	Action, Procedural
Fiscal Impact	No
Recommended	The recommendation is that the Board of Education approve the updated Board Policy and
Action	Administrative Regulation 5144 - Discipline

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated board bylaw.

Background:

This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies.

The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for an additional reading.

Board Policy 5144 - Discipline

CSBA Last Update: 2024-03-01 | NUSD Last Update: 1996-07-16

Policy updated to reflect NEW LAW (SB 291, 2023) which, beginning with the 2024-25 school year, prohibits a school staff member from denying a student's recess unless the student's participation poses an immediate threat to the physical safety of the student or one or more of the student's peers. Additionally, policy updated to clarify that the Governing Board may, but is not required, to review approved discipline rules for consistency with Board policy and state law. In addition, policy updated to include interventions and supports to students as a priority in determining appropriate discipline. Administrative Regulation 5144 - Discipline

Administrative Regulation 5144 - Discipline

CSBA Last Update: 2024-03-01 | NUSD Last Update: 2014-10-07

Regulation updated to clarify that "junior high" and "high school students" are interpreted to mean students in grades 7-12, which affects the list of representatives for the development of site-level disciplinary rules, and that supervised suspension is one of the means of discipline that may be used when other means of correction have failed to bring about proper conduct. Additionally, regulation updated to reflect NEW LAW (SB 10, 2023) which expresses the legislative intent that districts use alternatives to a referral of a student to a law enforcement agency in response to an incident involving the student's misuse of an opioid to the extent that the alternative is not in conflict with any other law requiring a referral, and that a multi-tiered system of supports may be utilized, NEW LAW (AB 1165, 2023) which encourages districts to have a student who has been suspended, or for whom other means of correction have been implemented, for an incident of racist bullying, harassment, or intimidation, and the victim, to engage in a restorative justice practice suitable to address the needs of both of the students, engage the perpetrator in a culturally sensitive program, and to regularly check on the victim to ensure that the victim is not in danger of suffering from any long-lasting mental health issues, and NEW LAW (SB 291, 2023) which, beginning with the 2024-25 school year, prohibits a school staff member from denying a student's recess unless the student's participation poses an immediate threat to the physical safety of the student or one or more of the student's peers.

File Attachments

AR 5144 Discipline.pdf (140 KB)

BP 5144 Discipline.pdf (108 KB)

14.15 POLICY UPDATE: Board Policy 6151- Class Size

Type	Action, Procedural
Fiscal Impact	No
Recommended	The recommendation is that the Board of Education approve the updated Board Policy 6151-
Action	Class Size

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated board bylaw.

Background:

This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies.

The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for an additional reading.

Board Policy 6151 Class Size
CSBA Last Update: 2015-10-01 | NUSD Last Update: 2015-03-17

[File Attachments](#)

[Board Policy 6151 - Class Size.pdf](#) (65 KB)

14.16 POLICY UPDATE: Board Policy 6152 - Class Assignment

Type	Action, Procedural
Fiscal Impact	No
Recommended	The recommendation is that the Board of Education approve the updated Board Policy 6152 -
Action	Class Assignment

[Purpose:](#)

The purpose is for the Board of Education to review the recommended changes and approve the updated board bylaw.

[Background:](#)

This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies.

The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for an additional reading.

Board Policy 6152 Class Assignment
CSBA Last Update: 2016-03-01 | NUSD Last Update: 1996-09-17

[File Attachments](#)

[Board Policy 6152 - Class Assignment.pdf](#) (71 KB)

14.17 POLICY UPDATE: Board Policy 6164.2 - Guidance/Counseling Services

Type	Action, Procedural
Fiscal Impact	No
Recommended	The recommendation is that the Board of Education approve the updated Board Policy 6164.2
Action	- Guidance/Counseling Services.

[Purpose:](#)

The purpose is for the Board of Education to review the recommended changes and approve the updated board bylaw.

[Background:](#)

This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies.

The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for an additional reading.

Board Policy 6164.2 Guidance/Counseling Services
CSBA Last Update: 2022-09-01 | NUSD Last Update: 2015-06-16

Policy updated to expand the Governing Board's philosophical statement to include student well-being, and reflect NEW LAW (AB 2508, 2022) which (1) urges districts to adopt a comprehensive educational counseling program and, for districts that provide such services, to implement a structured and coherent counseling program within a Multi-Tiered Systems of Support framework, (2) revises the definition of "educational counseling," (3) amends the legislative intent of the responsibilities of school counselors, (4) requires educational counseling to include specified postsecondary services, and (5) revises the components that educational counseling is required and authorized to include. Policy also updated to reflect NEW LAW (AB 643, 2021) which encourages districts to host apprenticeship and/or career technical education fair events, such as college and career fairs and for districts that do hold such events to notify apprenticeship programs in their county, as specified. Additionally, policy updated to move material regarding early identification and intervention plans for students who may be at risk for violence.

[File Attachments](#)

[BP 6164.2 - Guidance. Counseling Services.pdf](#) (95 KB)

14.18 POLICY UPDATE: Administrative Regulation 6173.3 - Education for Juvenile Court School Students

Type	Action, Procedural
Fiscal Impact	No
Recommended	The recommendation is that the Board of Education approve the Administrative Regulation
Action	6173.3 - Education for Juvenile Court School Students.

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated board bylaw.

Background:

This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies.

The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for an additional reading.

Administrative Regulation 6173.3 - Education for Juvenile Court School Students

CSBA Last Update: 2023-12-01 | NUSD Last Update: missing

Regulation updated to reflect NEW LAW (SB 532, 2022) which provides, when a juvenile court school student transfers into a district school, for additional requirements regarding the transfer of coursework and credits, exemptions from district-established graduation requirements, and for the option to remain in school to complete district-established or statewide course requirements.

File Attachments

[Administrative Regulation 6173.3 - Education For Juvenile Court School Students.pdf](#) (124 KB)

14.19 POLICY UPDATE: Board Policy and Administrative Regulation 6175 - Migrant Education Program

Type	Action, Procedural
Recommended	The recommendation is that the Board of Education approve the updated Board Policy and
Action	Administrative Regulation 6175 - Migrant Education Program.

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated board bylaw.

Background:

This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies.

The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for an additional reading.

Board Policy 6175 - Migrant Education Program

CSBA Last Update: 2023-12-01 | NUSD Last Update: missing

Administrative Regulation 6175 Migrant Education Program

CSBA Last Update: 2023-12-01 | NUSD Last Update: missing

File Attachments

[Administrative Regulation 6175 - Migrant Education Program.pdf](#) (157 KB)

[Board Policy 6175 - Migrant Education Program.pdf](#) (73 KB)

14.20 Minutes of the September 5, 2023, Regular Meeting of the Board of Education

Type	Action, Minutes
Fiscal Impact	No
Budgeted	No
Recommended	The recommendation is that the Board of Education approve the minutes of the September 5,
Action	2023 Regular Meeting of the Board of Education.

Purpose:

For the board to review and approve minutes of the September 5, 2023, Regular Meeting of the Board of Education.

Background:

The attached minutes are reflective of the September 5, 2023, Regular Meeting of the Board of Education.. The meeting may be viewed on the NUSD YouTube Channel [HERE](#).

14.21 MINUTES: Minutes of the September 19, 2023 Regular Meeting of the Board of Education

Type	Action, Minutes
Recommended	The recommendation is that the Board of Education approve the minutes of the September
Action	19, 2023 Regular Meeting of the Board of Education.

Purpose:

For the board to review and approve minutes of the September 19, 2023, Regular Meeting of the Board of Education.

Background:

The attached minutes are reflective of the September 19, 2023, Regular Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel [HERE](#).

15 STUDENT EXPULSION

15.1 Student Expulsion (Ed Code. 48918) Case# e2324-10

Type Action
 Recommended Action The recommendation is that the Board of Education approve the Panel recommendation regarding the expulsion case number e2324-10.

Purpose:
 For the Board to take action on expulsion case e2324-10.

Background:
 A Expulsion Panel Hearing was held on May 13, 2024. A Panel Hearing was conducted in accordance with Board Policy and Administrative Regulation 5144.1 and, if applicable, 5144.2 for students with disabilities. The administration asks for approval of this agreement for Case# e2324-10. (Ed Code. 48918).

Motion & Voting
 The recommendation is that the Board of Education approve the Panel recommendation regarding the expulsion case number e2324-10.

Motion by Nancy Thomas, second by Katherine Jones.
 Final Resolution: Motion Carries
 Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones

16 BOARD OF EDUCATION: COMMITTEE REPORTS, ANNOUNCEMENTS, REQUESTS, DEBRIEF

16.1 Board of Education Committee Reports, Announcements, Requests, Debrief and Discussion

AND DISCUSSION

Type Action, Discussion, Information

Purpose:
 COMMITTEE REPORTS: The Trustees will provide an update, if available, on the committees of which they are members.
 ANNOUNCEMENTS: The Trustees may acknowledge or recognize specific programs, activities, or personnel at this time.
 REQUESTS: This is an opportunity for the Board of Education to suggest items for placement on future agendas and to review Board requests.
 Approval from the majority of the Board will be required for direction to be provided to the Superintendent.
 DEBRIEF AND DISCUSSION: The Trustees may debrief and discuss items.

Background:
 Each year the Board of Education members liaise with schools and committees in order to build relationships, hear from staff, students, and families, and act as a conduit for information to and from the schools.

Board Committees 2022-23	Representative	Alternate
Board Adopted on 12/15/2022		
Mission Valley Regional Occupational Center/Program (ROC/P)	1. Nancy Thomas	1. Carina V. Plancarte
Executive Board		
Regional Policy Board of Special Education Local Plan Area (SELPA)	1. Katherine Jones	1. Phuong Nguyen
Newark Teacher Induction Advisory Council (Formally EBIC)	1. Aiden Hill	1. Carina V. Plancarte
Audit Committee	1. Aiden Hill	2. Katherine Jones
Bond/Parcel Tax Committee	1. Phuong Nguyen	2. Carina V. Plancarte
	1. Phuong Nguyen	1. Aiden Hill
City of Newark NUSD Liaison Committee	2. Nancy Thomas	1. Katherine Jones

The following derives directly from the Board approved "Governance Team Handbook"
 Authority is Collective, Not Individual:
 The only authority to direct action rests with the Board as a whole when seated at a regular or special board meeting. Outside of this meeting, there is no authority.
 A majority Board vote provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction.

Bringing New Ideas Forward
 The Board will be open to having "brainstorming" discussions, or study sessions, around any idea that a Trustee may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Trustee, at their initiative or at the request of a constituent, which was previously discussed during a board meeting.
 Trustees will first notify the Board President and Superintendent of their interest in bringing forward a new idea at a board meeting.
 When initially agendized, the preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.
 Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea. The Superintendent will decide on the delegation of assignments to District staff.
 The new idea may be agendized for discussion only. The Board majority will decide if the new idea should be further developed and studied by staff. The Board majority will decide if staff time should be invested in the "fleshing out" of new ideas.
 Individual Trustees, in the course of interactions with constituents, will be careful not to make or imply the commitment of the full Board to explore or proceed with implementing new ideas.

17 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

17.1 Superintendent's Concluding Comments, Updates, and Future Agenda Items

AGENDA REQUESTS

Type Information

Purpose:

This is an opportunity for the Interim Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

18 ADJOURNMENT

18.1 PLACEHOLDER - Extend Meeting

Type Action

Recommended Action The recommendation is that the Board of Education extends the meeting to ____ P.M.

Purpose:

This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

18.2 Adjournment

Type Action

Recommended Action The recommendation is that the Board of Education adjourns this meeting.

Purpose:

No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time. This action will conclude the meeting.

1 CALL TO ORDER

1.1 Roll Call

Type Procedural

Trustees:

- President Aiden Hill
- Vice President/Clerk Katherine Jones
- Member Phuong Nguyen
- Member Carina V. Plancarte
- Member Nancy Thomas

Student Board Member:

- Member Joy Lee

1.2 Meeting Practices and Information

Type Information, Procedural

In-person Meeting Information:

Please see the attached meeting information in English and Spanish.

Observe The Board Of Education Meeting:

Members of the public 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.

Public Comment:

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

File Attachments

- Board Meeting Protocols_ENG(1).pdf (69 KB)
- Protocolos de la Reunion de la Mesa Directiva_ESP (1).pdf (65 KB)

1.3 Public Comment on Closed Session Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and tries to make it convenient for members of the community to express their views to the Board.

If a constituent wishes to address the Board on any agenda item:

In-Person Comment: please submit a completed speaker card to the Board's Executive Assistant before the start of the meeting, or prior to the calling of the section for public comment.

Audio-Only Virtual Comment: please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org by 1:00 PM the day of the meeting. Please label your email as " AUDIO-ONLY PUBLIC COMMENT" and include your name as it will appear on Zoom, your phone number, email address, and the agenda item number related to your comment.

Please see detailed instructions for public comment on the link: <http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

File Attachments

[Board Meeting Protocols_ENG\(1\).pdf](#) (69 KB)

[Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf](#) (65 KB)

1.4 Recess to Closed Session

Type Procedural

Purpose:

The Board will recess to Closed Session, and reconvene to Open Session on or about 7:00 p.m.

2 CLOSED SESSION

2.1 Conference with Legal Counsel Anticipated Litigation: initiation of litigation pursuant to 54956.9(c): Three Cases: Keenan Claim No 628143, Keenan Claim No. 633795; Keenan Claim No. 637391

Type Action, Information

Purpose:

To discuss the following cases: Keenan Claim No. 628143, Keenan Claim No. 633795; Claim No. 637391

2.2 Public Employee Appointment/Discipline/Dismissal/Release/Complaint(Gov. Code, 54957.6) Title: Assistant Superintendent of Educational Services, Deputy Superintendent of Business Services/CBO, High School Principal, Alternative Program Administrator/Principal - MacGregor Campus, Middle School Principal, Elementary School Principal(s)

Type Action, Information, Procedural

Goals MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens.

VISION: The Newark Unified School District, in partnership with the community, will be a model of world-class education that develops the unique abilities of every student.

Information will be provided by the Interim Superintendent and Interim Assistant Superintendent of Human Resources regarding appointment of the Assistant Superintendent of Educational Services, Deputy Superintendent of Business Services/CBO, High School Principal, Alternative Program Administrator/Principal - MacGregor Campus, Middle School Principal, Elementary School Principal(s)

2.3 Conference with labor negotiators (Gov. Code 54957.6) Unrepresented employee: Deputy Superintendent of Business Services/CBO, Assistant Superintendent of Educational Services

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code 54957.6)

Agency representatives: Tracey Vackar, Interim Superintendent

Unrepresented employees: Deputy Superintendent of Business Services/CBO, Assistant Superintendent of Educational Services

3 REPORT OF CLOSED SESSION ACTIONS

3.1 Report of Closed Session Actions

Type Action, Procedural

Purpose:

If available, a report of the closed session will be provided by the Board President.

4 RECONVENE TO OPEN SESSION

4.1 Pledge of Allegiance

Type Procedural

Purpose:

The Governance Team will recite the Pledge of Allegiance

4.2 Meeting Practices and Information

Type Information, Procedural

In-person Meeting Information:

Please see the attached meeting information in English and Spanish.

Observe The Board Of Education Meeting:

Members of the public 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.

Public Comment:

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

File Attachments

[Board Meeting Protocols_ENG\(1\).pdf](#) (69 KB)

[Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf](#) (65 KB)

5 APPROVAL OF AGENDA

5.1 Approval of the Agenda

Type Action

Recommended Action The recommendation is that the Board of Education approve the agenda for this meeting.

Purpose:

Members of the Governance Team may request that the agenda be amended or approved as presented.

Motion & Voting

The recommendation is that the Board of Education approve the agenda for this meeting including item 12.5.

Motion by Phuong Nguyen, second by Nancy Thomas.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones

Not Present at Vote: Carina V Plancarte, Joy Lee

6 STUDENT REPORT

6.1 Student Report: Student Board Member, Joy Lee

Purpose:

The Student Report gives the Board of Education and the public an opportunity to hear the highlights, achievements, and initiatives from the viewpoint of the student board member.

Background:

The information will be provided by the Student Board Member, Joy Lee.

7 RECOGNITIONS AND CELEBRATIONS

7.1 Resolution No. 2023.24.32 Day of the Teacher

Type Action

Absolute Date May 07, 2024

Recommended Action The recommendation is that the Board of Education adopt Resolution No. 2023.24.32 Day of the Teacher.

Purpose:

The purpose of this item is to adopt Resolution No. 2023.24.32 recognizing Day of the Teacher, May 8, 2024.

Background:

Newark teachers continue to provide outstanding instruction and learning opportunities for each Newark student. Students, parents, administrators, and the Board of Education appreciate the efforts of our credentialed instructional staff. Newark teachers are dedicated professionals who commit long hours beyond the school day in the interest of our students. Our teachers continue to study and prepare themselves to provide for the success of all of our students. Resolution No. 2022.23.29 acknowledges the contributions of the District's certificated employees.

File Attachments

[Res. No. 2023.24.32 Day of the Teacher.pdf](#) (33 KB)

Motion & Voting

The recommendation is that the Board of Education adopt Resolution No. 2023.24.32 Day of the Teacher.

Motion by Nancy Thomas, second by Katherine Jones.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Joy Lee

Not Present at Vote: Carina V Plancarte

7.2 Resolution No. 2023.24.33 Classified School Employees Week

Type Action
Recommended Action The recommendation is that the Board of Education adopt Resolution No. 2023.24.33 Classified School Employees Week.

Purpose:
The purpose of this item is to adopt Resolution No. 2022.23.30 recognizing Classified School Employees Week, May 19-25, 2024.

Background:
Classified employees continue to provide valuable services to support the district's mission to ensure success for all students. The valuable contributions of our dedicated classified support staff have a broad impact on students, classrooms, offices, maintenance, grounds, cafeterias, and other support areas. This year, the week of May 19-25 has been designated as Classified Employees Week. Classified employees provide support to both students and staff in the Newark Unified School District. Students, teachers, administrators, and the Board of Education appreciate their efforts. Resolution No. 2022.23.30 acknowledges the contributions of the District's classified employees.

File Attachments
[Res. No. 2023.24.33 Classified Employees Week.pdf](#) (34 KB)

Motion & Voting
The recommendation is that the Board of Education adopt Resolution No. 2023.24.33 Classified School Employees Week.
Motion by Katherine Jones, second by Phuong Nguyen.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Joy Lee
Not Present at Vote: Carina V Plancarte

8 EMPLOYEE ORGANIZATIONS

8.1 Employee Organizations

Type Information

Purpose:
At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Background:
Discussion items are limited to updates, celebrations, and upcoming events.
1. NTA
2. CSEA
3. NEWMA

9 PUBLIC COMMENT

9.1 Public Comment on Non-Agenda Items

Type Procedural

Purpose:
The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:
Please see the instructions on the link below for public comment information on non-agenda items and agenda items.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

File Attachments
[Board Meeting Protocols_ENG\(1\).pdf](#) (69 KB)
[Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf](#) (65 KB)

9.2 Public Comment on Agenda Items

Type Procedural

Purpose:
The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:
Please see the instructions on the link below for public comment information on non-agenda items and agenda items.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

File Attachments

[Board Meeting Protocols_ENG\(1\).pdf](#) (69 KB)
[Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf](#) (65 KB)

10 SUPERINTENDENT REPORT

10.1 Superintendent Report

Type Information

Purpose:
The Interim Superintendent will provide the Board of Education with district information, updates, news, or anything in the jurisdiction of the board or the superintendent.

Background:
The presentation and information will be provided by the Interim Superintendent

11 STAFF REPORT

11.1 Teaching and Learning with STEAM

Type Information

Purpose:
Present the accomplishments of the STEAM Initiatives for 23-24

Background:
The STEAM Resolution of 2018 laid the foundation for the STEAM Initiative established in 2020. Two components of the STEAM Initiative are: STAR & NewGO!
Science Technology Aerospace and Robotics (STAR) is focused on the establishing a TK-12 focus on computer science by developing computational thinking and engineering. Newark Goes Outdoors (NewGO!) is grounded on the Newark USD Environmental Literacy Plan. It's vision states: All students will have access to high-quality environmental literacy learning experiences based in inquiry, reflection, and real-life applications, utilizing safe and available outdoor spaces (e.g. school gardens, parks adjacent to schools) that engage students in engineering and design thinking to prototype solutions for real-world environmental justice issues in the community.
The main goals for STAR in 23-24 were:
1. Provide professional learning in opportunities in computer science and/or computational thinking for ALL
2. Expand recruitment of NMHS students through CS4ALL
3. Use Vex IQ Robotics in Newark Middle School
4. Expand collaboration between Technology TOSA and elementary classroom teachers to integrate computational thinking, unplugged and plugged computer science activities.
The main goals for the Environmental Literacy Plan for 23-24 were
1. Continue coordinating outdoor learning experiences for all elementary students.
2. Implement Phase 2 of the Environmental Literacy Plan at Lincoln Elementary
In August of 2024, Dr. De Leon updated the goals to focus on the integration of STAR & NewGO! to STEAM & put a stronger emphasis on the integration computational thinking

File Attachments
[Teaching & Learning with STEAM.pdf](#) (31,543 KB)

11.2 Special Education Update

Type Information

Purpose:
To provide an overview of the Special Education Department including services, staff, programs, areas of growth, and upcoming events.

Background:
This presentation comes as a board request. The presentation will provide a brief overview of Special Education in Newark Unified School District. Special education services are provided to students aged preschool through twenty-two years of age in Newark Unified. California provides specially designed instruction, at no cost to parents, to meet the unique needs of children with disabilities. This instruction is provided in a variety of settings that allow students to be educated with their peers as much as possible; that is, in the least restrictive environment. Special education services are available in a variety of settings, including preschool, regular classrooms, classrooms that emphasize specially designed instruction, the community, and the work environment.

File Attachments
[Board of Education SPED 2024-2025.pdf](#) (2,980 KB)

11.3 Budget Reduction Plan

Type Information

Goals
MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens.
VISION: The Newark Unified School District, in partnership with the community, will be a model of world-class education that develops the unique abilities of every student.

4. Fiscal Health

Purpose:

Budget Reduction Plan to include cost savings for 2024-25 which includes staffing.

Background:

In order to ensure health and solvency the District continues to monitor, reduce our multiple year projections to ensure that our expenditures align with the projected budget.

File Attachments

[NUSD Financial Restructuring Overview and Strategies.pdf](#) (571 KB)

11.4 Letter from the Alameda County Office of Education Regarding the 2023-24 Second Interim Budget Report

Type Action, Discussion, Information

Purpose:

The Interim Superintendent will discuss and review the letter from the Alameda County Office of Education (ACOE) regarding the Newark Unified School District (NUSD) 2023-24 Second Interim Budget Report.

Background:

The Governing Board approved a Positive Certification of NUSD's Second Interim Budget Report on March 5, 2024. Based on the Alameda County Office of Education's (ACOE) required review and analysis, the Second Interim Budget Report approved by NUSD's Board on March 5, 2024, accurately reflects the financial status of the district based on the budget assumptions and the Board's actions committing to budget balancing solutions in fiscal years 2023-24 and 2024-25. ACOE concurs with the District's POSITIVE certification. On April 23, the Board of Education heard a presentation from Michael Fine with FCMAT on the importance of the Second Interim and MYP, and continued concerns noted in the ACOE Second Interim Letter.

File Attachments

[NUSD 2023-24 2nd Interim Report - FINAL.pdf](#) (191 KB)

12 NEW BUSINESS

12.1 Presentation by Bonnie Moss

Type Discussion, Information

- Goals**
- MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens.
 - VISION: The Newark Unified School District, in partnership with the community, will be a model of world-class education that develops the unique abilities of every student.
 - 1a. Student Achievement
 - 1b. Student Achievement
 - 2a. Safe, Secure and Healthy Learning Environments
 - 3a. Parent and Community Engagement and Communication
 - 4. Fiscal Health

Purpose:

Provide the community and board with an update of the ongoing bond exploration and timelines for consideration of a school bond measure for November 2024.

Background:

The Board of Education at a prior meeting approved the contract services of Bonnie Moss and Associates to assist the District with providing information to the community regarding the NUSD facility needs and to provide factual transparent communication.

12.2 Approval of Updated Fence Plan for Kennedy Elementary

Type Action

- Fiscal Impact Yes
- Budgeted Yes
- Recommended Action The recommendation is that the Board of Education approve the updated cost estimate for the Kennedy Fence Project as presented.
- Goals 4. Fiscal Health

Purpose:

To approve updated fence plan for Kennedy Elementary.

Background:

On March 16, 2023 the Board approved architectural services for the Kennedy fence project. After reviewing the original specifications from the architect, staff is making several changes to reduce scope and cost while at the same time providing the needed fencing. The original total cost was \$900K and the reduced scope will save potentially \$101,800.

File Attachments

[15304_KennedyES_FencingProject_VE.pdf](#) (837 KB)

Motion & Voting

The recommendation is that the Board of Education approve the updated cost estimate for the Kennedy Fence Project as presented.

Motion by Katherine Jones, second by Phuong Nguyen.
 Final Resolution: Motion Carries
 Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones
 Not Present at Vote: Carina V Plancarte, Joy Lee

12.3 Dashboard Alternative School Status (DASS) for Bridgepoint

Type	Action
Fiscal Impact	No
Recommended Action	The recommendation is that the Board of Education approve of DASS status for Bridgepoint High School.
Goals	1a. Student Achievement MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens.

Purpose:
 The local district governing board must certify that the school's enrollment meets the Dashboard Alternative School Status (DASS) criteria.

Background:
 This is a process introduced with the new California Dashboard accountability system to give school districts an opportunity to see alternative high school data separate from the overall district data. DASS gives specific data for selected students to see a clearer picture of the needs of our high-risk students. Schools participating in the DASS program will be required to re-certify high-risk student enrollments every three years.

Motion & Voting

The recommendation is that the Board of Education approve of DASS status for Bridgepoint High School.

Motion by Phuong Nguyen, second by Nancy Thomas.
 Final Resolution: Motion Carries
 Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones
 Not Present at Vote: Carina V Plancarte, Joy Lee

12.4 Resolution No. 2023.24.36 Final Resolution Ordering the Dismissal of Certain Certificated Staff Due to Layoff

Type	Action
Absolute Date	May 07, 2024
Recommended Action	The recommendation is that the Board of Education adopt Resolution No. 2023.24.36 Final Resolution Ordering the Dismissal of Certain Certificated Staff Due to Layoff.
Goals	4. Fiscal Health

Purpose:
 The purpose of this item is to adopt Resolution No. 2023.24.36 Final Resolution Ordering the Dismissal of Certain Certificated Staff Due to Layoff.

Background:
 Due to the expiration of one-time funds, programmatic changes, and ensuring fiscal solvency, on March 7, 2024, the Governing Board adopted Resolution No. 2023.24.26 to reduce or eliminate particular kinds of certificated services. To implement the resolution, by March 15, 2024, impacted employees were served with preliminary layoff notices and were notified of their right to request a hearing on their layoff. Employees who timely requested a hearing were served with a statement of reduction in force, as required by law. Employees who timely submitted a notice of participation were eligible to participate in a layoff hearing, but the district did not receive a request for a final hearing. Under Education Code section 44955, final layoff notices must be issued to impacted employees before May 15, 2024. By adopting this final layoff resolution, the Board is directing the Superintendent or his/her designee to serve final layoff notices to the impacted employees identified in Exhibit A to the resolution. Laid off employee shall be entitled to reemployment rights provided by law.

File Attachments

Newark USD - Final Layoff Resolution - Certificated 4893-9637-7273 1.pdf (162 KB)

Motion & Voting

The recommendation is that the Board of Education adopt revised resolution Resolution No. 2023.24.36 Final Resolution Ordering the Dismissal of Certain Certificated Staff Due to Layoff correcting Employee 531 from 1.0 to .6 FTE.

Motion by Katherine Jones, second by Nancy Thomas.
Final Resolution: Motion Fails
 Yea: Nancy Thomas, Aiden Hill, Katherine Jones
 Nay: Phuong Nguyen
 Abstain: Joy Lee
 Not Present at Vote: Carina V Plancarte

12.5 Resolution No. 2023.24.37 Final Resolution Ordering the Dismissal of Certain Classified Staff Due to Layoff

Type	Action
Absolute Date	May 07, 2024
Recommended Action	The recommendation is that the Board of Education adopt Resolution No. 2023.24.37 Final Resolution Ordering the Dismissal of Certain Classified Staff Due to Layoff.

Goals 4. Fiscal Health

Purpose:

The purpose of this item is to adopt Resolution No. 2023.24.37 Final Resolution Ordering the Dismissal of Certain Classified Staff Due to Layoff.

Background:

Due to the expiration of one-time funds, programmatic changes, and ensuring fiscal solvency, on March 7, 2024, the Governing Board adopted Resolution No. 2023.24.24 to reduce or eliminate classified services. To implement the resolution, by March 15, 2024, impacted employees were served with preliminary layoff notices and were notified of their right to request a hearing on their layoff. Employees who timely requested a hearing were served with a statement of reduction in force, as required by law. Employees who timely submitted a notice of participation were eligible to participate in a layoff hearing. Three classified employees requested a hearing. One voluntarily withdrew their request for a hearing; one resigned prior to the layoff hearing; and one has commenced a layoff hearing. Under Education Code section 45117, final layoff notices must be issued to impacted employees before May 15, 2024. By adopting this final layoff resolution, the Board is directing the Superintendent or his/her designee to serve final layoff notices to the impacted employees identified in Exhibit A to the resolution. Laid off employee shall be entitled to reemployment rights provided by law.

File Attachments

Newark USD - Final Layoff Resolution - Classified 4890-3121-1193 4.pdf (164 KB)

Motion & Voting

The recommendation is that the Board of Education adopt Resolution No. 2023.24.37 Final Resolution Ordering the Dismissal of Certain Classified Staff Due to Layoff.

Motion by Phuong Nguyen, second by Katherine Jones.
 Final Resolution: Motion Carries
 Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones
 Not Present at Vote: Carina V Plancarte, Joy Lee

13 CONSENT AGENDA: PERSONNEL ITEMS

13.1 PLACEHOLDER - One Consented Vote

Type	Action
Recommended Action	It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent-Personnel, except for agenda items:

Purpose:
 This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:
 Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Motion & Voting
 It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent-Personnel, except for agenda items: except 13.2, 13.3, 13.4.
 Motion by Nancy Thomas, second by Katherine Jones.
 Final Resolution: Motion Carries
 Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones
 Not Present at Vote: Carina V Plancarte, Joy Lee

13.2 Verbal summary of the financial terms of the Assistant Superintendent of Educational Services's Employment Agreement

Type	Information
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Purpose:
 The Board President will read out the financial terms of the Assistant Superintendent of Educational Services's Employment Agreement.

13.3 Employment Contract, Assistant Superintendent of Educational Services

Type	Action
Absolute Date	May 07, 2024
Fiscal Impact	Yes
Dollar Amount	\$220,908.00
Budgeted	Yes
Recommended Action	The recommendation is for the Board of Education to approve the contract for employment of services between Newark Unified School District and the Assistant Superintendent of Educational Services.

Purpose:
 The purpose is for the Board of Education to approve the employment contract between Newark Unified School District and Karen Allard the Assistant Superintendent of Educational Services.

Background:

The Newark Unified School District is offering an employment contract to the newly appointed Assistant Superintendent, Educational Services Karen Allard effective May 22, 2024. The term of the contract is for 3-years and 1 month ending June 30, 2027.

- Annual salary of \$220,908.
- 224 work days
- Health benefits on the same terms as other Certificated Management.
- Early Termination Severance 6-months
- Certificated

File Attachments

[Assistant Supt Ed Svces_Employment_Agreement_050724.pdf](#) (130 KB)

Motion & Voting

The recommendation is for the Board of Education to approve the contract for employment of services between Newark Unified School District and the Assistant Superintendent of Educational Services.

Motion by Katherine Jones, second by Nancy Thomas.

Final Resolution: Motion Fails

Yea: Nancy Thomas, Aiden Hill, Katherine Jones

Nay: Phuong Nguyen

Abstain: Joy Lee

Not Present at Vote: Carina V Plancarte

13.4 Personnel Report

Type Action

Absolute Date May 07, 2024

Recommended Action The recommendation is that the Board of Education ratify the personnel report as presented.

Purpose:

The purpose is for the Board of Education to ratify the Personnel Report as presented.

Background:

All personnel activities including new hires, changes in status, resignation, leaves, and retirements are routinely submitted to the Board for ratification.

File Attachments

[HR PAL 05-07-2024.pdf](#) (355 KB)

Motion & Voting

The recommendation is that the Board of Education ratify the personnel report as presented.

Motion by Katherine Jones, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones

Abstain: Joy Lee

Not Present at Vote: Carina V Plancarte

13.5 Updated 2023-24 Management Salary Schedule

Type Action

Recommended Action The recommendation is that the Board of Education approve the updated 2023-24 Management Salary Schedule to include the Information Technology Director position.

Purpose:

To approve the updated 2023-24 Management Salary Schedule to include the Information Technology Director.

Background:

At the regular Board meeting on January 23, 2024 the Board of Education approve the revised job description and salary schedule 128 of for Information Technology Director. The new Information Technology Director started on April 8, 2024.

File Attachments

[Classified Management_Confidential_Supervisory Salary Schedult 2324b 4 pct approved TBD.pdf](#) (124 KB)

[Classified Management_Confidential_Supervisory Salary Schedule_CalPERS_ 2324b 4 pct approved TBD.pdf](#) (115 KB)

13.6 Declaration of Need for Fully Qualified Educators

Type Action

Absolute Date May 07, 2024

Budgeted Yes

Recommended Action The recommendation is that the Board of Education approve the Declaration of Need for Fully Qualified Educators as presented.

Goals MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens.
VISION: The Newark Unified School District, in partnership with the community, will be a model of world-class education that develops the unique abilities of every student.

Purpose:

The California Commission on Teacher Credentialing requires that each school district file a Declaration of Need for Fully Qualified Educators for the pending academic year.

Background:

The declaration specifies the number of teachers the school district anticipates hiring in designated subjects and at designated levels on emergency permits and the number of interns the school district anticipates hiring. The declaration is valid for one academic year and is a prerequisite to the issuance of any emergency permits to the school district from the Commission on Teacher Credentialing. The declaration may be amended throughout the academic year as needed.

File Attachments

- c1500 Declaration of Need 05.07.2024.pdf (209 KB)
- c1505a Annual Statement of Need 05.07.2024.pdf (104 KB)

13.7 Release of Special Term, Retirees, and/or Long-Term Guest Teachers

Type	Action
Absolute Date	May 07, 2024
Recommended Action	The recommendation is that the Board of Education approve the release of Special Term, Retirees, and/or Long-Term Guest Teachers.

Purpose: The purpose is for the Board of Education to approve the release of Special Term, Retirees, and/or Long-Term Guest Teachers.

Background: Each year certificated staff is hired to fill positions for permanent staff that may be on a leave of absence, in a job share, or in a special assignment. Permanent teachers have the right to return the following year to an assignment for which they are credentialed. Special Term, Retirees, and Long-Term Guest Teachers do not have automatic rehire rights and may be released by the district at the conclusion of their assignment. Attached is a list of certificated employees to be released as per California Education Code 44954.

File Attachments

- California Education Code.pdf (110 KB)
- HR Long Term Sub Release 05.07.2024.pdf (345 KB)

14 CONSENT AGENDA: NON-PERSONNEL ITEMS

14.1 PLACEHOLDER - One Consented Vote

Type	Action
Recommended Action	It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent Non-Personnel, except for agenda items:

Purpose: This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background: Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Motion & Voting

It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent Non-Personnel.

- Motion by Phuong Nguyen, second by Katherine Jones.
- Final Resolution: Motion Carries
- Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones
- Abstain: Joy Lee
- Not Present at Vote: Carina V Plancarte

14.2 Approved Regular Board Meeting Dates Revised for June 2024

Type	Action
Fiscal Impact	No
Recommended Action	The recommendation is that the Board of Education approve the revised dates of the regular meetings for the June 2024.
Goals	MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens. VISION: The Newark Unified School District, in partnership with the community, will be a model of world-class education that develops the unique abilities of every student. 3b. Parent and Community Engagement and Communication 3a. Parent and Community Engagement and Communication 2b. Safe, Secure and Healthy Learning Environments 2a. Safe, Secure and Healthy Learning Environments 1b. Student Achievement 1a. Student Achievement 4. Fiscal Health

Purpose:

The Board shall approve the dates of the regular board meetings for the school year.

Background:

Board Policy 9100: ORGANIZATION

Annual Organizational Meeting

The Board shall hold an annual organizational meeting within the time limits prescribed by law. (Education Code 35143)

At this meeting the Board shall:

1. Elect a president and a clerk from its members.
2. Authorize signatures.
3. Develop a schedule of regular meetings for the year.
4. Develop a Board calendar for the year.
5. Designate Board representatives.

(cf. 9140 - Board Representatives)

(cf. 9320 - Meetings)

Election of Officers

The Board shall each year elect its entire slate of officers.

(cf. 9224 - Oath or Affirmation)

RECOMMENDED BOARD OF EDUCATION MEETING DATES for the School Year 2024-25

Previously Scheduled:

June 4, 2024

New Date to replace June 4, 2024:

June 25, 2024

14.3 Report: Monthly Purchase Order Report

Type	Action
Recommended Action	The recommendation is that the Board of Education receive the Monthly Purchase Order Report as presented.
Goals	4. Fiscal Health

Purpose:

The purpose of this item is to present a monthly report on Purchase Order transactions per Board Policy 3300, Expenditures and Purchases.

Background:

Based on the discussion at the Board's Study Session on January 6, 2022, staff is providing a monthly report on Purchase Order transactions per Board Policy 3300, Expenditures and Purchases. The policy states that "The Board shall review all transactions entered into by the Superintendent or designee on behalf of the Board every 60 days."

This month's report includes 100 PO's dated 4/8/24 through 4/25/24 for a total of \$1,346,517.30.

File Attachments

[Monthly Purchase Order Report 05-07-2024.pdf](#) (82 KB)

14.4 Resolution 2023.24.34 Declaring Surplus Equipment

Type	Action
Recommended Action	The recommendation is that the Board of Education approves Resolution 2023.24.34 - Declaring Surplus Equipment.

Purpose:

The purpose of this item is to obtain Board approval of Resolution 2023.24.34- Declaring Surplus Equipment, which lists items to be declared as surplus equipment as recommended.

Background:

Surplus materials will be disposed of per Board Policy and Administrative Regulation 3270 Sale And Disposal Of Books, Equipment And Supplies. Education Code, Section 17546 states that if the Governing Board, by a unanimous vote of those members present, finds that the property, whether one or more items, does not exceed the value of \$2,500, it may be sold at private sale without advertising, by a District employee empowered for that purpose by the Board; the property may be donated to a charitable organization, or it may be disposed of in a public disposal facility.

The property as described in Resolution 2023.24.34 includes equipment used at Newark Adult School and Child Nutrition Services. Staff determined that items are obsolete and/or beyond economical repair.

File Attachments

[Resolution 2023.24.34 Declaring Surplus Equipment.pdf](#) (15 KB)

14.5 Signature Card Mid Year Revision

Type	Action
Recommended Action	The recommendation is that the Board of Education approve the Signature Card Mid-Year Revision for the Interim Superintendent, Interim Chief Business Official and Interim Assistant Superintendent of Human Resources.

Purpose:

To update the Signature Card of Authorized Agents as required by the Alameda County Office of Education (ACOE) for the following:

Payroll, Warrants, and Disbursements
Official Documents and Reports

Background:

The Board approved a contract for the Interim Superintendent at the April 16, 2024 meeting, effective April 30, 2024. The interim positions for Chief Business Official and Assistant Superintendent of Human Resources have also been filled.

A mid-year revision to update the signature for the Interim Superintendent is required by the ACOE.

A mid-year revision to update the signature for the Interim Chief Business Official is required by ACOE.

A mid-year revision to update the signature for the Interim Assistant Superintendent of Human Resources is required by ACOE.

The "Signature Card" is kept on file at the ACOE.

File Attachments

Signature Card_Mid Year_Payroll Warrants and Disbursements_Official Documents and Reports_Vackar.pdf (156 KB)

Signature Card_Mid Year_Payroll Warrants and Disbursements_Official Documents and Reports_Olien.pdf (137 KB)

Signature Card_Mid Year_Payroll Warrants and Disbursements_Official Documents and Reports_Williams.pdf (137 KB)

14.6 Updated School Meal Prices 2024-2025

Type Action

Recommended Action The recommendation is that the Board of Education approve the updated fees for all second school meals, effective for the 2024-2025 school year, as presented.

Goals 4. Fiscal Health

Purpose:

To increase all second meal prices in order to be in compliance with the 2024-2025 USDA Paid Lunch Equity Requirement.

At this time, NUSD Child Nutrition is not meeting the required weighted average of \$3.81.

Background:

Regulation 7 CFR 210.14 (e) requires school food authorities (SFAs) participating in the National School Lunch Program to ensure sufficient funds are provided to the nonprofit school food service account for meals served to students not eligible for free or reduced-price meals. There are two ways to meet this requirement: changing the prices charged for "paid" meals, or through other non-Federal sources provided to the nonprofit school food service account.

The prices for our Breakfast Program have not been increased in several years. Due to the change in regulations, under the Healthy Hungry Free Kids Act of 2010, students are now required to take a minimum of one-half cup of fruit with each meal. They are also required to have foods that are made with 51% or more whole-grain. Fruit increases in price regularly, and there are limited options available. We also have to follow other requirements, including required vegetable requirements, and this has resulted in larger amounts of money being spent on the foods for our students to have healthy meals.

Elementary School Second Breakfast Prices will increase from \$2.50 to \$2.75 (\$0.25 increase)

Elementary School Second Lunch Prices will increase from \$3.50 to \$3.75 (\$0.25 increase)

Newark Middle School Second Breakfast Prices will increase from \$2.75 to \$3.00 (\$0.25 increase)

Newark Middle School Second Lunch Prices will increase from \$3.75 to \$4.00 (\$0.25 increase)

Newark Memorial High School Second Breakfast Prices will increase from \$2.75 to \$3.00 (\$0.25 increase)

Newark Memorial High School Second Lunch Prices will increase from \$4.00 to \$4.25 (\$0.25 increase)

Increasing second breakfast and second lunch prices will increase revenues in the National School Lunch Program and that will ensure more monies to the nonprofit school food service account and allow them to avoid impinging on the general fund.

Although students will continue to receive free meals based on the current California Department of Education guidance which allows for free meals to all students no matter their status. We are requesting to increase the prices for all second breakfast and second lunches in order to remain in compliance with the USDA guidance from the Paid Lunch Equity tool.

Motion & Voting

The recommendation is that the Board of Education approve the updated fees for all second school meals, effective for the 2024-2025 school year, as presented.

Motion by Phuong Nguyen, second by Katherine Jones.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones

Abstain: Joy Lee

Not Present at Vote: Carina V Plancarte

14.7 California State University MOU and Agreement Regarding CalStateTEACH Internship Program

Type Action

Absolute Date May 07, 2024

Recommended Action Staff recommends the Board of Education approve the California State University's MOU and Agreement regarding CalStateTEACH Internship Program.

Purpose:

The purpose of this item is for the Board of Education to approve the MOU and agreement between California State University and Newark Unified School District regarding CalStateTEACH Internship Program commencing August 1, 2024 and ending July 31, 2027.

Background:

The District works closely with local institutes of higher education (IHE) and supports student teacher placements and interns. Agreements between Newark Unified School District and a university must be in place before a student teacher or intern can be placed at a school site in the District.

Student teachers and interns in training do fieldwork in our schools and are supervised by the administrators who provide supervision and training.

Student teachers and interns are able to learn, practice teaching, and fine-tune their craft under the direct supervision of a master teacher. The opportunity to student teach or intern in the District benefits both the student and the District. As vacancies become available in the district, it is invaluable to have the opportunity to observe directly student teachers and interns who may be eligible to interview for vacancies and observe how well they fit into the culture of Newark.

[File Attachments](#)

[CSUEB CalStateTeach Intern Agreement.pdf](#) (205 KB)

14.8 California State University MOU and Agreement Regarding CalStateTEACH Student Teacher Placements

Type Action
Absolute Date May 07, 2024
Recommended Action The recommendation is that the Board of Education approve the California State University MOU and Agreement regarding CalStateTEACH student teacher placements.

Purpose:

The purpose of this item is for the Board of Education to approve the MOU and agreement between California State University and Newark Unified School District regarding CalStateTEACH student teacher placements beginning August 1, 2024 and ending July 31, 2027.

Background:

The District works closely with local institutes of higher education (IHE) and supports student teacher placements and interns. Agreements between Newark Unified School District and a university must be in place before a student teacher or intern can be placed at a school site in the District.

Student teachers and interns in training do fieldwork in our schools and are supervised by the administrators who provide supervision and training.

Student teachers and interns are able to learn, practice teaching, and fine-tune their craft under the direct supervision of a master teacher.

The opportunity to student teach or intern in the District benefits both the student teacher and the District.

As vacancies become available in the district, it is invaluable to have the opportunity to observe directly student teachers and interns who may be eligible to interview for vacancies and observe how well they fit into the culture of Newark.

[File Attachments](#)

[CSUEB CalStateTeach Student Teacher Agreement.pdf](#) (195 KB)

14.9 POLICY UPDATE: Board Policy, Administrative Regulation, and Exhibit 6145.2 - Athletic Competition

Type Action, Procedural
Recommended Action The recommendation is that the Board of Education discuss and approve the updated Board Policy, Administrative Regulation, and Exhibit 6145.2 - Athletic Competition

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation.

Background:

This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies.

The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for an additional reading.

Board Policy 6145.2 Athletic Competition

CSBA Last Update: 2018-10-01 | NUSD Last Update: 2015-05-19

Administrative Regulation 6145.2 Athletic Competition

CSBA Last Update: 2019-07-01 | NUSD Last Update: 2015-05-19

Exhibit (PDF) 6145.2-E PDF(1): Athletic Competition - Interscholastic Competition

The NUSD Exhibit has not been reviewed since 2019. No language change is needed at this time for this Exhibit.

[File Attachments](#)

[AR - 6145.2 - Athletic Competition.pdf](#) (163 KB)

[BP - 6145.2 - Athletic Competition.pdf](#) (114 KB)

[NUSD Exhibit \(PDF\) 6145.2-E PDF\(1\) Athletic Competition - Interscholastic Competition.pdf](#) (87 KB)

14.10 POLICY UPDATE: Board Policy and Administrative Regulation 6145.5 - Student Organizations And Equal Access

Type Action, Procedural
Recommended Action The recommendation is that the Board of Education discuss and approve the updated Board Policy and Administrative Regulation 6145.5 - Student Organizations And Equal Access.

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation.

Background:

This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies.

The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for an additional reading

Board Policy 6145.5 Student Organizations and Equal Access

CSBA Last Update: 2008-03-01 | NUSD Last Update: 1996-09-17

Administrative Regulation 6145.5 Student Organizations and Equal Access
CSBA Last Update: 2008-03-01 | NUSD Last Update: 1996-09-17

File Attachments

- [BP - 6145.5 - Student Organizations And Equal Access.pdf \(75 KB\)](#)
- [AR - 6145.5 - Student Organizations And Equal Access.pdf \(87 KB\)](#)

14.11 POLICY UPDATE: Board Bylaw 9323.2 - Actions by the Board

Type	Action, Procedural
Fiscal Impact	No
Budgeted	No
Recommended Action	The recommendation is that the Board of Education discuss and approve the updated Board Bylaw 9323.2 - Actions by the Board

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated board bylaw.

Background:
This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for an additional reading.
Board Bylaw 9323.2 - Actions by the Board
CSBA Last Update: 2024-03-01 | NUSD Last Update: 2013-05-07

File Attachments

- [_ Bylaw 9323.2 - Actions By The Board.pdf \(86 KB\)](#)

14.12 FIELD TRIP : Non-Curricular Trip for Lincoln Elementary Transitional Kindergarten, Kindergarten and First Grade classes to travel to Newark, CA

Type	Action
Preferred Date	May 07, 2024
Absolute Date	May 07, 2024
Fiscal Impact	No
Budget Source	N/A
Recommended Action	The recommendation is that the Board of Education approve the non-curricular trip for Lincoln Elementary Transitional Kindergarten, Kindergarten and First Grade classes to travel to Newark, CA

Purpose:
The Lincoln Elementary Principal requests permission to take Lincoln Elementary Transitional Kindergarten, Kindergarten and First Grade classes to travel to Newark, CA. This will be a walking field trip for a celebration for end of year celebration.
School: Lincoln Elementary
Dates: May 23, 2024
Location: Newark, CA (Bridgepointe Park)
Additional requirements include the following:
Grade K-3, one adult for every 5-8 students; Grades 4-12, one adult for every 10 students; Board Policy requires at least two adults on every trip regardless of the number of students (BP 6153 and AR 6153)
No student will be denied due to a lack of funds

Background:
According to Board Policy 6153, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. The Lincoln Elementary Principal requests permission to take Lincoln Elementary Transitional Kindergarten, Kindergarten and First Grade classes on a non-curricular trip to Newark, CA.

14.13 FIELD TRIP: Non-Curricular Trip for Lincoln Elementary Third Class to travel to Newark, CA

Type	Action
Preferred Date	May 07, 2024
Absolute Date	May 07, 2024
Fiscal Impact	No
Budget Source	N/A
Recommended Action	The recommendation is that the Board of Education approve the non-curricular trip for Lincoln Elementary Third Grade classes to Newark, CA.

Purpose:
The Lincoln Elementary Principal requests permission to take Lincoln Elementary Third Graders on a non-curricular trip to Newark, CA. This will be a walking field for an End of Year picnic to Newark, CA.
School: Lincoln Elementary
Dates: May 23, 2024
Location: Newark, CA (Bridgepointe Park)
Additional requirements include the following:
Grade K-3, one adult for every 5-8 students; Grades 4-12, one adult for every 10 students; Board Policy requires at least two adults on every trip regardless of the number of students (BP 6153 and AR 6153)

No student will be denied due to a lack of funds

Background:

According to Board Policy 6153, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. Lincoln Elementary Principal requests permission to take Lincoln Elementary Third Classes on a non-curricular trip to Newark, CA.

14.14 FIELD TRIP: Non-Curricular Trip for Kennedy Elementary First Grade Class to travel to Newark, CA

Type	Action
Preferred Date	May 07, 2024
Absolute Date	May 07, 2024
Fiscal Impact	No
Budget Source	N/A
Recommended Action	The recommendation is that the Board of Education approve the non-curricular trip for Kennedy Elementary First Grade classes to Newark, CA.

Purpose:
 The Kennedy Elementary Principal requests permission to take Kennedy Elementary First Graders on a non-curricular trip to Newark, CA. This will be a walking field for an End of Year picnic to Newark, CA.
 School: Kennedy Elementary
 Dates: May 21, 2024
 Location: Newark, CA (Newark Community Center Park)
 Additional requirements include the following:
 Grade K-3, one adult for every 5-8 students; Grades 4-12, one adult for every 10 students; Board Policy requires at least two adults on every trip regardless of the number of students (BP 6153 and AR 6153)
 No student will be denied due to a lack of funds

Background:
 According to Board Policy 6153, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. Kennedy Elementary Principal requests permission to take Kennedy Elementary First Grades Class on a non-curricular trip to Newark, CA.

14.15 FIELD TRIP: Non-Curricular Trip for Kennedy Elementary Second Grade Classes to travel to Newark, CA

Type	Action
Preferred Date	May 07, 2024
Absolute Date	May 07, 2024
Fiscal Impact	No
Budget Source	N/A
Recommended Action	The recommendation is that the Board of Education approve the non-curricular trip for Kennedy Elementary Second Grade class to Newark, CA.

Purpose:
 The Kennedy Elementary Principal requests permission to take Kennedy Elementary Second Graders on a non-curricular trip to Newark,CA. This will be a walking field trip for a celebration for end of year celebration.
 School: Kennedy Elementary
 Dates: May 23, 2024
 Location: Newark, CA (Newark Community Center)
 Additional requirements include the following:
 Grade K-3, one adult for every 5-8 students; Grades 4-12, one adult for every 10 students; Board Policy requires at least two adults on every trip regardless of the number of students (BP 6153 and AR 6153)
 No student will be denied due to a lack of funds

Background:
 According to Board Policy 6153, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. Kennedy Elementary Principal requests permission to take Kennedy Elementary Second Grade Classes on a non-curricular trip to Newark, CA.

14.16 FIELD TRIP: Non-Curricular Trip for Kennedy Elementary Third, Fourth, and Fifth Grade Class to travel to Newark, CA

Type	Action
Preferred Date	May 07, 2024
Absolute Date	May 07, 2024
Fiscal Impact	No
Budget Source	N/A
Recommended Action	The recommendation is that the Board of Education approve the non-curricular trip for Kennedy Elementary Third, Fourth, and Fifth grade classes to Newark, CA.

Purpose:
 The Kennedy Elementary Principal requests permission to take Kennedy Elementary Third, Fourth and Fifth graders on a non-curricular trip to Newark,CA. This will be a walking field for an End of Year picnic to Newark, CA.
 School: Kennedy Elementary
 Dates: May 23, 2024
 Location: Newark, CA (Newark Community Center Park)
 Additional requirements include the following:
 Grade K-3, one adult for every 5-8 students; Grades 4-12, one adult for every 10 students; Board Policy requires at least two adults on every trip regardless of the number of students (BP 6153 and AR 6153)

No student will be denied due to a lack of funds

Background:

According to Board Policy 6153, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. Kennedy Elementary Principal requests permission to take Kennedy Elementary Third, Fourth and fifth graders on a non-curricular trip to Newark, CA.

14.17 FIELD TRIP: Curricular and Non-Curricular Trip for Kennedy Elementary Fourth Grade Classes to travel to Newark, CA

Type	Action
Preferred Date	May 07, 2024
Absolute Date	May 07, 2024
Fiscal Impact	Yes
Dollar Amount	\$660.00
Budgeted	Yes
Budget Source	Spellathon Funds
Recommended Action	The recommendation is that the Board of Education approve the non-curricular trip for Kennedy Elementary Fourth Grade classes to Newark, CA.

Purpose:

The Kennedy Elementary Principal requests permission to take Kennedy Elementary Fourth Graders on a non-curricular trip to Newark, CA. The students will be transported by private vehicle.

School: Kennedy Elementary

Dates: May 28, 2024

Location: Newark, CA (AMC Theater & Newark Community Center Park)

Additional requirements include the following:

Grade K-3, one adult for every 5-8 students; Grades 4-12, one adult for every 10 students; Board Policy requires at least two adults on every trip regardless of the number of students (BP 6153 and AR 6153)

No student will be denied due to a lack of funds

Background:

According to Board Policy 6153, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. Kennedy Elementary Principal requests permission to take Kennedy Elementary Fourth Grade Classes on a non-curricular trip to Newark, CA.

14.18 FIELD TRIP : Non-Curricular Trip for Kennedy Elementary School Fourth and Fifth Graders to travel to Fremont, CA

Type	Action
Preferred Date	May 07, 2024
Absolute Date	May 07, 2024
Fiscal Impact	Yes
Dollar Amount	\$1,892.00
Budgeted	Yes
Budget Source	Spellathon Class Funds
Recommended Action	The recommendation is that the Board of Education approve the non-curricular trip for Kennedy Elementary Fourth and Fifth Grade classes to Fremont, CA.

Purpose:

The Kennedy Elementary Principal requests permission to take Kennedy Elementary Fourth and Fifth graders on a non-curricular trip to Fremont, CA. Students will be transported by Private Vehicle to Fremont, CA.

School: Kennedy Elementary

Dates: May 22, 2024

Location: Fremont, CA (Aqua Adventure Water Park)

Additional requirements include the following:

Grade K-3, one adult for every 5-8 students; Grades 4-12, one adult for every 10 students; Board Policy requires at least two adults on every trip regardless of the number of students (BP 6153 and AR 6153)

No student will be denied due to a lack of funds

Background:

According to Board Policy 6153, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. Kennedy Elementary Principal requests permission to take Kennedy Elementary Fourth and Fifth Classes on a non-curricular trip to Fremont, CA.

14.19 FIELD TRIP : Non-Curricular Trip for Kennedy Elementary School the Third through Fifth Grade Classes to travel to

Type	Action
Preferred Date	May 07, 2024
Absolute Date	May 07, 2024
Fiscal Impact	Yes
Dollar Amount	\$330.00
Budgeted	Yes
Budget Source	PTA
Recommended Action	The recommendation is that the Board of Education approve the non-curricular trip for Kennedy Elementary Third through Fifth Grade classes to Newark, CA.

Purpose:

The Kennedy Elementary Principal requests permission to take Kennedy Elementary Third through Fifth Graders on a non-curricular trip to Fremont, CA. The students will be transported by private vehicle.

School: Kennedy Elementary
 Dates: May 22, 2024
 Location: Fremont, CA (Aqua Adventure Water Park)

Additional requirements include the following:

Grade K-3, one adult for every 5-8 students; Grades 4-12, one adult for every 10 students; Board Policy requires at least two adults on every trip regardless of the number of students (BP 6153 and AR 6153)
 No student will be denied due to a lack of funds

Background:

According to Board Policy 6153, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. Kennedy Elementary Principal requests permission to take Kennedy Elementary Third through Fifth graders on a non-curricular trip to Fremont, CA.

14.20 FIELD TRIP: Non-Curricular Trip for Coyote Hills Elementary First Grade Classes to travel to Newark, CA

Type	Action
Preferred Date	May 07, 2024
Absolute Date	May 07, 2024
Budget Source	N/A
Recommended Action	The recommendation is that the Board of Education approve the non-curricular trip for Coyote Hills Elementary First Grade classes to Newark, CA (Mayhews Landing Park).

Purpose:
 The Coyote Hills Elementary Principal requests permission to take Coyote Hills Elementary First Graders on a non-curricular trip to Newark, CA. This will be a walking field for an End of Year picnic to Newark, CA.

School: Coyote Hills Elementary
 Dates: May 21, 2024
 Location: Newark, CA (Mayhews Landing)

Additional requirements include the following:

Grade K-3, one adult for every 5-8 students; Grades 4-12, one adult for every 10 students; Board Policy requires at least two adults on every trip regardless of the number of students (BP 6153 and AR 6153)
 No student will be denied due to a lack of funds

Background:

According to Board Policy 6153, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. Coyote Hills Elementary Principal requests permission to take Coyote Hills Elementary First Grade Classes on a non-curricular trip to Newark, CA.

14.21 FIELD TRIP: Non-Curricular Trip for Coyote Hills Elementary Fourth Class to travel to Newark, CA

Type	Action
Preferred Date	May 07, 2024
Absolute Date	May 07, 2024
Fiscal Impact	No
Budget Source	N/A
Recommended Action	The recommendation is that the Board of Education approve the non-curricular trip for Coyote Hills Elementary fourth grade classes to Newark, CA (Mayhews Landing).

Public Content

Purpose:
 The Coyote Hills Elementary Principal requests permission to take Coyote Hills Elementary fourth graders on a non-curricular trip to Newark, CA. This will be a walking field for an End of Year picnic to Newark, CA.

School: Coyote Hills Elementary
 Dates: May 20, 2024
 Location: Newark, CA (Mayhews Landing)

Additional requirements include the following:

Grade K-3, one adult for every 5-8 students; Grades 4-12, one adult for every 10 students; Board Policy requires at least two adults on every trip regardless of the number of students (BP 6153 and AR 6153)
 No student will be denied due to a lack of funds

Background:

According to Board Policy 6153, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. Coyote Hills Elementary Principal requests permission to take Coyote Hills Elementary Fourth Classes on a non-curricular trip to Newark, CA.

14.22 FIELD TRIP: Non-Curricular Trip for Birch Grove Primary Second Grade Classes to travel to Newark, CA

Type	Action
Preferred Date	May 07, 2024
Absolute Date	May 07, 2024
Fiscal Impact	Yes
Dollar Amount	\$575.00
Budgeted	Yes
Budget Source	Donations
Recommended Action	The recommendation is that the Board of Education approve the non-curricular trip for Birch Grove Primary second grade classes to Newark, CA.

Purpose:

The Birch Grove Primary Principal requests permission to take Birch Grove Primary Second Graders on a non-curricular trip to Newark, CA. This will be a walking field trip. Students will be able to visit the campus they will attend in 3rd grade. They will tour the campus and visit a 3rd grade classroom to become familiar with the campus and ease the transition to Birch Grove Intermediate.

School: Birch Grove Primary

Dates: May 20, 2024

Location: Newark, CA (Birch Grove Park and Birch Grove Intermediate)

Additional requirements include the following:

Grade K-3, one adult for every 5-8 students; Grades 4-12, one adult for every 10 students; Board Policy requires at least two adults on every trip regardless of the number of students (BP 6153 and AR 6153)

No student will be denied due to a lack of funds

Background:

According to Board Policy 6153, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. Coyote Hills Elementary Principal requests permission to take Coyote Hills Elementary Second Grade Class on a non-curricular trip to Newark, CA.

14.23 FIELD TRIP: Curricular Overnight Trip for Newark Memorial High School Rocketry Club to travel to Great Meadow and Manassas, VA.

Type	Action
Preferred Date	May 07, 2024
Absolute Date	May 07, 2024
Fiscal Impact	Yes
Dollar Amount	\$14,047.00
Budgeted	Yes
Budget Source	Rocketry Club
Recommended Action	The recommendation is that the Board of Education approve the non-curricular trip for Newark Memorial High School Rocketry Club to travel to Great Meadow and Manassas, VA.

Purpose:

The Newark Memorials High School Principal and Director of Student Activities request permission to take the Rocketry Club on a non-curricular trip to Great Meadow and Manassas, VA. Transportation will be by airfare and private vehicle. The Rocketry Club has qualified for the national championship (American Rocketry Challenge).

School: Newark Memorial High School

Dates: May 15-20, 2024

Location: Great Meadow and Manassas, VA.

Additional requirements include the following:

Grade K-3, one adult for every 5-8 students; Grades 4-12, one adult for every 10 students; Board Policy requires at least two adults on every trip regardless of the number of students (BP 6153 and AR 6153)

No student will be denied due to a lack of funds

Background:

According to Board Policy 6153, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. The Newark Memorial High School Principal and Director of Student Activities request permission to take the Rocketry Club on a non-curricular trip to Great Meadow and Manassas, VA.

14.24 Minutes of the November 07, 2023, Regular Meeting of the Board of Education

Type	Action, Minutes
Fiscal Impact	No
Recommended Action	The recommendation is that the Board of Education approve the minutes of the November 7, 2023 Regular Meeting of the Board of Education.

Purpose:

For the board to review and approve minutes of the November 07, 2023, Regular Meeting of the Board of Education.

Background:

The attached minutes are reflective of the November 07, 2023, Regular Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel [HERE](#).

14.25 Minutes of the December 5, 2023, Regular Meeting of the Board of Education

Type	Action, Minutes
Fiscal Impact	No
Budgeted	No
Recommended Action	The recommendation is that the Board of Education approve the minutes of the December 5, 2023 Regular Meeting of the Board of Education.

Purpose:

For the board to review and approve minutes of the December 5, 2023, Regular Meeting of the Board of Education.

Background:

The attached minutes are reflective of the December 5, 2023, Regular Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel [HERE](#).

14.26 Minutes of the January 11, 2024, Special Meeting of the Board of Education.

Type	Action, Minutes
Fiscal Impact	No
Budgeted	No
Recommended Action	The recommendation is that the Board of Education approve the minutes of the January 11, 2024, Special Meeting of the Board of Education.

Purpose:
For the board to review and approve minutes of the January 11, 2024, Special Meeting of the Board of Education.

Background:
The attached minutes are reflective of the January 11, 2024, Special Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel [HERE](#).

14.27 Minutes of the January 23, 2024, Regular Meeting of the Board of Education

Type	Action, Minutes
Fiscal Impact	No
Budgeted	No
Recommended Action	The recommendation is that the Board of Education approve the minutes of the January 23, 2024 Regular Meeting of the Board of Education.

Purpose:
For the board to review and approve minutes of the January 23, 2024, Regular Meeting of the Board of Education.

Background:
The attached minutes are reflective of the January 23, 2024, Regular Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel [HERE](#).

14.28 Minutes of the February 06, 2024, Regular Meeting of the Board of Education

Type	Action, Minutes
Fiscal Impact	No
Budgeted	No
Recommended Action	The recommendation is that the Board of Education approve the minutes of the February 06, 2024 Regular Meeting of the Board of Education.

Purpose:
For the board to review and approve minutes of the February 06, 2024, Regular Meeting of the Board of Education.

Background:
The attached minutes are reflective of the February 06, 2024, Regular Meeting of the Board of Education.. The meeting may be viewed on the NUSD YouTube Channel [HERE](#).

14.29 Minutes of the February 20, 2024, Regular Meeting of the Board of Education

Type	Action, Minutes
Fiscal Impact	No
Budgeted	No
Recommended Action	The recommendation is that the Board of Education approve the minutes of the February 20, 2024 Regular Meeting of the Board of Education.

Purpose:
For the board to review and approve minutes of the February 20, 2024, Regular Meeting of the Board of Education.

Background:
The attached minutes are reflective of the February 20, 2024, Regular Meeting of the Board of Education.. The meeting may be viewed on the NUSD YouTube Channel [HERE](#).

15 BOARD OF EDUCATION: COMMITTEE REPORTS, ANNOUNCEMENTS, REQUESTS, DEBRIEF

15.1 Board of Education Committee Reports, Announcements, Requests, Debrief and Discussion

DISCUSSION

Type	Action, Discussion, Information
Fiscal Impact	No
Budgeted	No
Goals	VISION: The Newark Unified School District, in partnership with the community, will be a model of world-class education that develops the unique abilities of every student. MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens.

Purpose:

COMMITTEE REPORTS: The Trustees will provide an update, if available, on the committees of which they are members.
 ANNOUNCEMENTS: The Trustees may acknowledge or recognize specific programs, activities, or personnel at this time.
 REQUESTS: This is an opportunity for the Board of Education to suggest items for placement on future agendas and to review Board requests.
 Approval from the majority of the Board will be required for direction to be provided to the Superintendent.
 DEBRIEF AND DISCUSSION: The Trustees may debrief and discuss items.

Background:

Each year the Board of Education members liaise with schools and committees in order to build relationships, hear from staff, students, and families, and act as a conduit for information to and from the schools.

Board Committees 2022-23

	Representative	Alternate
Board Adopted on 12/15/2022		
Mission Valley Regional Occupational Center/Program (ROC/P)	1. Nancy Thomas	1. Carina V. Plancarte
Executive Board		
Regional Policy Board of Special Education Local Plan Area (SELPA)	1. Katherine Jones	1. Phuong Nguyen
Newark Teacher Induction Advisory Council (Formally EBIC)	1. Aiden Hill	1. Carina V. Plancarte
Audit Committee	1. Aiden Hill	1. Phuong Nguyen
Bond/Parcel Tax Committee	1. Phuong Nguyen	2. Carina V. Plancarte
City of Newark NUSD Liaison Committee	1. Phuong Nguyen	1. Aiden Hill
	2. Nancy Thomas	1. Katherine Jones

The following derives directly from the Board approved "Governance Team Handbook"

Authority is Collective, Not Individual:

The only authority to direct action rests with the Board as a whole when seated at a regular or special board meeting. Outside of this meeting, there is no authority.

A majority Board vote provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction.

Bringing New Ideas Forward

The Board will be open to having "brainstorming" discussions, or study sessions, around any idea that a Trustee may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Trustee, at their initiative or at the request of a constituent, which was previously discussed during a board meeting.

Trustees will first notify the Board President and Superintendent of their interest in bringing forward a new idea at a board meeting.

When initially agendized, the preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.

Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea. The Superintendent will decide on the delegation of assignments to District staff.

The new idea may be agendized for discussion only. The Board majority will decide if the new idea should be further developed and studied by staff.

The Board majority will decide if staff time should be invested in the "fleshing out" of new ideas.

Individual Trustees, in the course of interactions with constituents, will be careful not to make or imply the commitment of the full Board to explore or proceed with implementing new ideas.

16 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

16.1 Superintendent's Concluding Comments, Updates, and Future Agenda Items

REQUESTS

Type Information

Purpose:

This is an opportunity for the Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

17 ADJOURNMENT

17.1 PLACEHOLDER - Extend Meeting

Type Action
 Recommended Action The recommendation is that the Board of Education extends the meeting to ____ P.M.

Purpose:

This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

Motion & Voting

The recommendation is that the Board of Education extends the meeting to 12:00 P.M.

Motion by Aiden Hill, second by Nancy Thomas.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones

Not Present at Vote: Carina V Plancarte, Joy Lee

17.2 Adjournment

Type Action
 Recommended Action The recommendation is that the Board of Education adjourns this meeting.

Purpose:

No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time. This action will conclude the meeting.

Motion & Voting

The recommendation is that the Board of Education adjourns this meeting.

Motion by Phuong Nguyen, second by Katherine Jones.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones
Abstain: Joy Lee
Not Present at Vote: Carina V Plancarte

1 CALL TO ORDER

1.1 Roll Call

Type Procedural

Trustees:

President Aiden Hill
Vice President/Clerk Katherine Jones
Member Phuong Nguyen
Member Carina V. Plancarte
Member Nancy Thomas

Student Board Member:

Member Joy Lee

2 OPEN SESSION

2.1 Pledge of Allegiance

Type Procedural

Purpose:

The Governance Team will recite the Pledge of Allegiance

2.2 Meeting Practices and Information

Type Information, Procedural

In-person Meeting Information:

Please see the attached meeting information in English and Spanish.

Observe The Board Of Education Meeting:

Members of the public 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.

Public Comment:

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

File Attachments

Board Meeting Protocols_ENG(1).pdf (69 KB)
Protocolos de la Reunion de la Mesa Directiva_ESP (1).pdf (65 KB)

3 APPROVAL OF AGENDA

3.1 Approval of the Agenda

Type Action

Recommended The recommendation is that the Board of Education approve the agenda for this meeting.
Action

Purpose:

Members of the Governance Team may request that the agenda be amended or approved as presented.

4 PUBLIC COMMENT

4.1 Public Comment on Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

File Attachments

- [Board Meeting Protocols_ENG\(1\).pdf](#) (69 KB)
- [Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf](#) (65 KB)

5 SUPERINTENDENT REPORT

5.1 Superintendent Report

Type Information

Purpose:

The Acting Superintendent will provide the Board of Education with district information, updates, news, or anything in the jurisdiction of the board or the superintendent.

Background:

The presentation and information will be provided by the Acting Superintendent

6 NEW BUSINESS

6.1 Report: Fiscal Crisis and Management Assistance Team (FCMAT)

Type Discussion, Information
Goals 4. Fiscal Health

Purpose:

To provide Newark Unified School District and the Board of Education with a fiscal update.

Background:

Michael Fine, Chief Executive Officer for Fiscal Crisis and Management Assistance Team will provide an update to the District.
FCMAT has provided three (3) reports to NUSD in the past: 2020, 2017 and 2009.

File Attachments

- [2020_FCMAT_Analysis Report.pdf](#) (627 KB)
- [2017_FCMAT_Analysis Report.pdf](#) (1,920 KB)
- [2009_FCMAT_Analysis Report.pdf](#) (1,618 KB)

7 CONSENT AGENDA: PERSONNEL ITEMS

7.1 Employment Ratification of Interim Assistant Superintendent of Human Resources

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$220,000.00
Budgeted	Yes
Budget Source	General Fund
Recommended	It is recommended that the Board of Education ratify the employment of Christopher Williams
Action	as Interim Assistant Superintendent of Human Resources.
Goals	4. Fiscal Health

Purpose:

To support the District with Human Resources services during the recruitment transition of the Assistant Superintendent of Human Resources.

Background:

To be funded from the current salary savings from the vacant Assistant Superintendent of Human Resources currently advertised on Ed Join. Due to the time sensitivity and transparency this item could not wait for the PAL Report on May 7, 2024. The Interim Assistant Superintendent position will serve as a substitute employee of the district and the salary of \$220,000 will be prorated by 225 days. The Interim Assistant Superintendent will serve at will until a new Assistant Superintendent starts. The Interim Assistant Superintendent as a

substitute position will receive CalSTRS benefits, mileage and per diem at the District rate for any overnight stays.

* Revised the Purpose and Background with added information on April 22, 2024.

8 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

8.1 Superintendent's Concluding Comments, Updates, and Future Agenda Items

AGENDA REQUESTS

Type Information

Purpose:

This is an opportunity for the Acting Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

9 ADJOURNMENT

9.1 PLACEHOLDER - Extend Meeting

Type Action

Recommended Action The recommendation is that the Board of Education extends the meeting to ____ P.M.
Action

Purpose:

This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

9.2 Adjournment

Type Action

Recommended Action The recommendation is that the Board of Education adjourns this meeting.
Action

Purpose:

No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time. This action will conclude the meeting.

1 CALL TO ORDER

1.1 Roll Call

Type Procedural

Trustees:

- President Aiden Hill
- Vice President/Clerk Katherine Jones
- Member Phuong Nguyen
- Member Carina V. Plancarte
- Member Nancy Thomas

Student Board Member:

- Member Joy Lee

1.2 Meeting Practices and Information

Type Information, Procedural

In-person Meeting Information:

Please see the attached meeting information in English and Spanish.

Observe The Board Of Education Meeting:

Members of the public 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.

Public Comment:

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

File Attachments

- Board Meeting Protocols_ENG(1).pdf (69 KB)
- Protocolos de la Reunion de la Mesa Directiva_ESP (1).pdf (65 KB)

1.3 Public Comment on Closed Session

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

File Attachments

- [Board Meeting Protocols_ENG\(1\).pdf](#) (69 KB)
- [Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf](#) (65 KB)

1.4 Recess to Closed Session

Type Procedural

Purpose:

The Board will recess to Closed Session, and reconvene to Open Session on or about 7:00 p.m.

2 CLOSED SESSION

2.1 CONFERENCE WITH LEGAL COUNSEL: EXISTING LITIGATION (Gov. Code, 54956.9, subd. (d)(1)): OAH Case No. 2024020183, Keenan Claim No 634914

Type Action, Discussion, Procedural

Purpose:

To discuss the following case: OAH Case No. 2024020183, Keenan Claim No 634914

Motion & Voting

2.2 Conference with labor negotiators (Gov. Code 54957.6) Employees organization: Unrepresented employee: Interim

Conference with labor negotiators (Gov. Code 54957.6) Employees organization: Unrepresented employee
District Negotiators: Board President
Position: Interim Superintendent

2.3 Public Employee Appointment/Discipline/Dismissal/Release (Gov. Code, 54957): Interim Superintendent

Type Action, Information, Procedural

Public Employee Appointment or Employment, Discipline, Dismissal, Release (GC54957) Interim Superintendent,
Tracey B. Vackar
Public Employee Appointment

3 REPORT OF CLOSED SESSION ACTIONS

3.1 Report of Closed Session Actions

Type Action, Procedural

Purpose:

If available, a report of the closed session will be provided by the Board President.

4 RECONVENE TO OPEN SESSION

4.1 Pledge of Allegiance

Type Procedural

Purpose:

The Governance Team will recite the Pledge of Allegiance

4.2 Meeting Practices and Information

Type Information, Procedural

In-person Meeting Information:

Please see the attached meeting information in English and Spanish.

Observe The Board Of Education Meeting:

Members of the public 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.

Public Comment:

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

File Attachments

[Board Meeting Protocols_ENG\(1\).pdf](#) (69 KB)

[Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf](#) (65 KB)

5 APPROVAL OF AGENDA

5.1 Approval of the Agenda

Type Action

Recommended Action The recommendation is that the Board of Education approve the agenda for this meeting.

Purpose:

Members of the Governance Team may request that the agenda be amended or approved as presented.

Motion & Voting

6 STUDENT REPORT

6.1 Student Report: Student Board Member, Joy Lee

Purpose:

The Student Report gives the Board of Education and the public an opportunity to hear the highlights, achievements, and initiatives from the viewpoint of the student board member.

Background:

The information will be provided by the Student Board Member, Joy Lee.

7 EMPLOYEE ORGANIZATIONS

7.1 Employee Organizations

Type Information

Purpose:

At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Background:

Discussion items are limited to updates, celebrations, and upcoming events.

1. NTA
2. CSEA
3. NEWMA

8 SUPERINTENDENT REPORT

8.1 Superintendent Report

Type Information

Purpose:

The Deputy Superintendent of Business Services/CBO will provide the Board of Education with district information, updates, news, or anything in the jurisdiction of the board or the superintendent.

Background:

The presentation and information will be provided by the Deputy Superintendent of Business Services/CBO.

9 PUBLIC COMMENT

9.1 Public Comment on Non-Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

File Attachments

[Board Meeting Protocols_ENG\(1\).pdf](#) (69 KB)

[Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf](#) (65 KB)

9.2 Public Comment on Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

File Attachments

[Board Meeting Protocols_ENG\(1\).pdf](#) (69 KB)

[Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf](#) (65 KB)

10 STAFF REPORT

10.1 MVROP Presentation

Type Procedural

Purpose:

Mr. Tom Hanson, Superintendent of Mission Valley ROP will provide a program update.

Background:

On a regular basis, an update regarding the program is provided to the Board from our partners at Mission Valley ROP.

11 PUBLIC HEARINGS

11.1 Public Hearing on Developer Fees Increase

Type Procedural
Goals 4. Fiscal Health

Purpose:

To conduct a public hearing on approval of the Developer Fee Justification Study dated March 2024, and Resolution 2023.24.31 to increase school developer fees on new residential and commercial/industrial construction.

Background:

Government Code section 65995 provides that the maximum fees which may be levied on development projects shall be increased in 2000 and every two years thereafter according to the adjustment for inflation set forth in the statewide cost index for Class B construction as determined by the State Allocation Board (SAB). The SAB at its January 24, 2024 meeting, set the maximum fee to \$5.17 per square foot for residential development; to \$0.84 per square foot for commercial/industrial development; and to \$0.06 per square foot for self storage. The new fees for residential and commercial developments are an increase of what is currently being collected by the Newark Unified School District.

The Developer Fee Justification Study provides justification for the Newark Unified School District to levy Level 1 developer fees on new residential, commercial, and industrial construction not under mitigation agreement with the District. Level 1 fees are the current statutory fees allowed under Education Code 17620. This code section provides the basic authority for school districts to levy a fee against residential and commercial construction for the purpose of funding school construction or reconstruction of facilities. These developer fees are subject to a biennial inflationary adjustment in an amount equal to the change in the statewide cost index for Class B construction.

Notice of this public hearing ran in the East Bay Times (Argus) on March 29, 2024, and April 5, 2024.

A fee of \$4.79 per square foot for residential construction and a fee of \$0.78 per square foot for commercial/industrial construction is currently assessed on applicable permits pulled in the District. The study provides the justification for the District to levy the maximum developer fee. The new fee amounts are \$5.17 per square foot for residential construction, \$0.84 per square foot for commercial/industrial construction and \$0.06 per square foot for public storage. This proposed increase represents \$0.38 per square foot and \$0.06 per square foot for residential and commercial/industrial construction, respectively and a decrease of \$0.01 per square foot for self storage.

The following table shows the impacts of the new fee amounts:

Total	Previous	New	Change
Residential	\$4.79	\$5.17	\$0.38
Commercial/Industrial	\$0.78	\$0.84	\$0.06
Self Storage	\$0.07	\$0.06	(\$0.01)

Fees will become effective June 15, 2024, 60 days after the adoption of Resolution 2023.24.31.

File Attachments

- [2024_Developer Fee Justification Study Newark Unified School District.pdf](#) (6,041 KB)
- [2024_Developer Fee Increase Public Hearing Notice_ENG & SP.pdf](#) (151 KB)
- [Proof of Publication_Argus_3.29.24 and 4.5.24.pdf](#) (190 KB)

11.2 Public Hearing on CSEA Initial Proposal to NUSD for Reopeners for the 2024- 2025 School Year

Type Procedural

Purpose:

The purpose is to publicly disclose or "sunshine" the proposal for reopeners at which time the public has an opportunity to provide input on the proposal prior to the commencement of negotiations between the Newark Unified School District (NUSD) and the California School Employees Association (CSEA).

Background:

The California Education Code requires parties to publicly disclose or "sunshine" their proposal for reopeners at which time the public has an opportunity to provide input on the proposal prior to the commencement of negotiations. The California School Employees Association (CSEA) proposal for reopeners is attached and is "sunshined" at this meeting. Copies of the proposal are made available to the public. This is the public's first opportunity to express itself regarding this proposal.

File Attachments

- [CSEA Initial Proposal.pdf](#) (76 KB)

12 OLD BUSINESS

12.1 Listening Tour Update

Type Information

Goals

- 4. Fiscal Health
- 3a. Parent and Community Engagement and Communication
- 2a. Safe, Secure and Healthy Learning Environments
- 1a. Student Achievement

Purpose:
Informational only.

Background:

This is an opportunity for the Board of Education to listen to important educational topics and hear feedback, concerns and ideas from the community.

12.2 POLICY UPDATE: Bylaw 9150 - Student Board Members

Type Action, Discussion, Procedural

Fiscal Impact No

Recommended Action The recommendation is that the Board of Education discuss amendments and approve the updated Bylaw 9150 - Student Board Members as reviewed by the Board Liaison Committee.

Purpose:
The purpose is for the Board of Education to discuss and review the recommended changes and approve the updated board bylaw as reviewed by the Board Liaison Committee.

Background:

This is the SECOND reading of the attached bylaw. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved bylaw. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice.

Bylaw updated to reflect NEW LAW (AB 824, 2021) which specifies circumstances under which a governing board may adjust the term of a student board member. Bylaw also updated to enhance legal accuracy and clarity.

CSBA Last Update: 2021-12-01 | NUSD Last Update: 2019-10-25

File Attachments

13 NEW BUSINESS

13.1 Verbal summary of the financial terms of the Interim Superintendent's Employment Agreement

Type Information

Purpose:

The Board President will read out the financial terms of the Interim Superintendent's Employment Agreement.

13.2 Contract: Interim Superintendent

Type	Action, Discussion
Fiscal Impact	Yes
Budgeted	Yes
Budget Source	General Fund
Recommended	The recommendation is that the Board of Education approve the contract with Tracey B. Vackar for Interim Superintendent.
Action	Vackar for Interim Superintendent.
Goals	1a. Student Achievement 2b. Safe, Secure and Healthy Learning Environments 3a. Parent and Community Engagement and Communication 4. Fiscal Health

Purpose:

To approve the contract with Tracey B. Vackar for Interim Superintendent.

Background:

Due to the retirement of Penelope DeLeon, Superintendent effective 4/29/2024, the Board of Education is appointing an Interim Superintendent.

File Attachments

[Interim Superintendent Agreement -T. Vackar 4_16_24.pdf \(43 KB\)](#)

Motion & Voting

13.3 Resolution No. 2023.24.30 Child Abuse Prevention Month

Type	Action
Absolute Date	Apr 16, 2024
Recommended	The recommendation is that the Board of Education adopts Resolution No. 2023.24.30
Action	recognizing April as Child Abuse Prevention Month.

Purpose:

The purpose is for the Board of Education to review and adopt Resolution No 2023.24.30 Child Abuse Prevention Month.

Background:

A presidential proclamation in 1983 declared April as Child Abuse Prevention Month. Since then, April has been a time to acknowledge the importance of families and communities working together to prevent child abuse. We are joining forces with other districts and cities to promote the well-being of all children by participating in the National Child Abuse Prevention Month in April 2024.

File Attachments

[Resolution No. 2023.24.30 Child Abuse Prevention.pdf \(13 KB\)](#)

Motion & Voting

13.4 Resolution 2023.24.31 Developer Fees Increase

Type	Action
Fiscal Impact	Yes
Budget Source	Capital Facilities Fund (Fund 25) - Fiscal impact dependent on sizes of structures built
Recommended	The recommendation is that the Board of Education adopt Resolution 2023.24.xx approving
Action	an increase to developer fees on new residential and commercial/industrial construction.
Goals	4. Fiscal Health

Purpose:

To adopt Resolution 2023.24.31 approving an increase to developer fees on new residential and commercial/industrial construction.

Background:

A public hearing about increasing developer fees was held earlier in this Board meeting. Government Code section 65995 provides that the maximum fees which may be levied on development projects shall be increased in 2000 and every two years thereafter according to the adjustment for inflation set forth in the statewide cost

index for Class B construction as determined by the State Allocation Board (SAB). The SAB at its January 24, 2024 meeting, set the maximum fee to \$5.17 per square foot for residential development; to \$0.84 per square foot for commercial/industrial development; and to \$0.06 per square foot for self storage. The new fees for residential and commercial developments are an increase of what is currently being collected by the Newark Unified School District. The Developer Fee Justification Study provides justification for the Newark Unified School District to levy Level 1 developer fees on new residential, commercial, and industrial construction not under mitigation agreement with the District. Level 1 fees are the current statutory fees allowed under Education Code 17620. This code section provides the basic authority for school districts to levy a fee against residential and commercial construction for the purpose of funding school construction or reconstruction of facilities. These developer fees are subject to a biennial inflationary adjustment in an amount equal to the change in the statewide cost index for Class B construction.

Notice of this public hearing ran in the East Bay Times (Argus) on March 29, 2024 and April 5, 2024.

A fee of \$4.79 per square foot for residential construction and a fee of \$0.78 per square foot for commercial/industrial construction is currently assessed on applicable permits pulled in the District. The study provides the justification for the District to levy the maximum developer fee. The new fee amounts are \$5.17 per square foot for residential construction, \$0.84 per square foot for commercial/industrial construction and \$0.06 per square foot for public storage. This proposed increase represents \$0.38 per square foot and \$0.06 per square foot for residential and commercial/industrial construction, respectively and a decrease of \$0.01 per square foot for self storage.

The following table shows the impacts of the new fee amounts:

Total	Previous	New	Change
Residential	\$4.79	\$5.17	\$0.38
Commercial/Industrial	\$0.78	\$0.84	\$0.06
Self Storage	\$0.07	\$0.06	(\$0.06)

Fees will become effective June 15, 2024, 60 days after the adoption of Resolution 2023.24.31.

File Attachments

- [Resolution 2023.24.31 Developer Fee Increase.pdf](#) (141 KB)
- [2024_Developer Fee Justification Study Newark Unified School District.pdf](#) (6,041 KB)
- [2024_Developer Fee Increase Public Hearing Notice_ENG & SP.pdf](#) (151 KB)
- [Proof of Publication_Argus_3.29.24 and 4.5.24.pdf](#) (190 KB)

Motion & Voting

13.5 Contract: Jones Hall - November 2024 Bond Legal Services

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$97,000.00
Budgeted	Yes
Budget Source	General Fund
Recommended	The recommendation is that the Board of Education approve the contract for Jones Hall to
Action	provide legal services for the November 2024 Bond.
Goals	1a. Student Achievement 3a. Parent and Community Engagement and Communication 2a. Safe, Secure and Healthy Learning Environments VISION: The Newark Unified School District, in partnership with the community, will be a model of world-class education that develops the unique abilities of every student. 4. Fiscal Health

Purpose:

To provide legal services to the NUSD staff and ensure compliance with the law on all matters related and necessary for Bond compliance, transparency, and public disclosure.

Background:

- Compensation Fees:
- Bond Counsel Services: Bond Issuance minimum \$40,000 and a maximum \$70,000
 - Disclosure Counsel Services: Bond Issuance \$20,000 per series
 - Reimbursable Closing and/or Travel Expenses: \$2000 per issue
 - Election Services: \$5000 per measure
 - Refinancing: \$5000 per series
 - Estimated fees
 - 2023-2024 \$10,000
 - 2024-2025- \$75,000

File Attachments

- [Jones Hall_LegalServiceAgreement-Bonds-Nov2024.pdf](#) (117 KB)

Motion & Voting

13.6 Proposal: Clifford Moss, LLC

Type	Action, Discussion, Information
Fiscal Impact	Yes
Dollar Amount	\$100,000.00
Recommended	The recommendation is that the Board of Education approve the contract for the contract as
Action	presented.

Goals 4. Fiscal Health

Purpose:

The district and sub-committee recommend approval to contract with Bonnie Moss and Associates to provide information through communication services to inform the community about our schools and district.

Background:

The board ad hoc-committee made up of board members C. Plancarte and P. Nguyen interviewed communications company's to represent that board and are recommending Bonnie Moss and Associates due to the experience, style and successful campaign style that best represents the Newark Unified School District.

File Attachments

CliffordMoss Proposal_NewarkUSD 030724F3Final.pdf (6,382 KB)

Motion & Voting

13.7 Board of Education Property and Land Use Management Ad Hoc Committee

Type	Action, Discussion
Fiscal Impact	No
Budgeted	No
Recommended	The recommendation is that the Board of Education approve a two (2) person ad hoc
Action	committee to review and assess recommendations for property and land use.
Goals	4. Fiscal Health 2a. Safe, Secure and Healthy Learning Environments

Purpose:

The recommendation is that the Board of Education identify and approve a two (2) person ad hoc committee to review and support the planning process for district property and land use management.

Background:

As the district moves forward with their facility master plan, this ad hoc committee would support the process to identify and review strategies select related to property and land use management and make recommendations to the School Board.

Motion & Voting

The recommendation is that the Board of Education approve a two (2) person ad hoc committee to review and assess recommendations for property and land use: Nancy Thomas and Aiden Hill.

Motion by Nancy Thomas, second by Katherine Jones.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

14 CONSENT AGENDA: PERSONNEL ITEMS

14.1 PLACEHOLDER - One Consented Vote

Type	Action
Recommended	It is recommended that the Board of Education approve, under one consented vote, the
Action	agenda items under Consent-Personnel, except for agenda items:

Purpose:

This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:

Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

14.2 Salary Schedule of Contracted Executive Cabinet

Type	Action
Preferred Date	Jan 09, 2024
Recommended	The recommendation is that the Board of Education approve the 2023-24 Contracted
Action	Executive Cabinet Salary Schedule.
Goals	4. Fiscal Health

Purpose:

For the Board of Education to approve the 2023-24 Contracted Executive Cabinet Salary Schedule to be consistent with the compensation in the Executive Cabinet contracts.

Background:

The District's Executive Cabinet includes the Superintendent, Deputy Superintendent of Business Services/CBO (formerly CBO) Assistant Superintendent of Educational Services, and Assistant Superintendent of Human Resources (formerly Executive Director of Human Resources). Individuals serving in these positions are offered a contract.

History: On May 4, 2023, the Board of Education approved an employment agreement with the Superintendent. On June 1, 2023, the

Board of Education approved an amended employment agreement with the Assistant Superintendent of Educational Services. On November 7, 2023, the Board of Education approved the new position, job description and employment agreement for the Deputy Superintendent of Business Services/CBO..

File Attachments

[ECAB 2324b approved TBD 240129.pdf](#) (78 KB)

Motion & Voting

14.3 Personnel Report

Type	Action
Absolute Date	Apr 16, 2024
Recommended	The recommendation is that the Board of Education ratify the personnel report as presented.
Action	

Purpose:
The purpose is for the Board of Education to ratify the Personnel Report as presented.

Background:
All personnel activities including new hires, changes in status, resignation, leaves, and retirements are routinely submitted to the Board for ratification.

File Attachments

[HR PAL 04-16-2024.pdf](#) (358 KB)

Motion & Voting

15 CONSENT AGENDA: NON-PERSONNEL ITEMS

15.1 PLACEHOLDER - One Consented Vote

Type	Action
Recommended	It is recommended that the Board of Education approve, under one consented vote, the
Action	agenda items under Consent Non-Personnel, except for agenda items:

Purpose:
This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:
Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

15.2 Quarterly Report on Contracts - Q3 Quarter 2023-24

Type	Action
Fiscal Impact	Yes
Budgeted	Yes
Budget Source	Various Funds Per Contract
Recommended	The recommendation is that the Board of Education ratify the contracts as presented.
Action	
Goals	4. Fiscal Health

Purpose:
For the Board to ratify the contracts presented on the quarterly report.

Background:
The Board has requested a report of all contracts for professional services under \$57,250 (50% of formal bid limit) be reviewed by the Board on a quarterly basis. This report only includes contracts that have not been previously approved by the Board. (Reference Board Policy 3312)
Contracts are on file in the Business Office.

File Attachments

- [Quarterly Report on Contracts Q3 2023-24.pdf](#) (18 KB)
- [Asif Khan_SpEd contract_2023-24_fully executed_redacted.pdf](#) (250 KB)
- [Seneca Family of Agencies_MC 23-24_fully executed.pdf](#) (1,008 KB)
- [DLS_Developmental Learning Solutions_MC 23-24_fully executed.pdf](#) (965 KB)
- [Joseph Ayala_2024_fully executed_redacted.pdf](#) (368 KB)
- [Professional Tutors of America MC_23-24_fully executed.pdf](#) (622 KB)
- [Godbe Research_NUSD Voter Survey Agreement_2024_fully executed.pdf](#) (397 KB)
- [Fieldman, Rolapp & Associates_fully executed.pdf](#) (764 KB)
- [Roseanne Lascano_2023_fully executed_redacted.pdf](#) (551 KB)
- [Roseanne Lascano_2023_Amended_fully executed_redacted.pdf](#) (380 KB)

- [California Education Group_JC_fully executed.pdf](#) (310 KB)
- [California Education Group_PU_fully executed.pdf](#) (307 KB)
- [EPIC Special Education Staffing_MSA_23-24_NUSD signed.pdf](#) (697 KB)
- [ESC_Every Special Child, LLC_2024_fully executed_redacted.pdf](#) (415 KB)

15.3 Report: Monthly Purchase Order Report

Type	Action
Fiscal Impact	Yes
Budgeted	Yes
Recommended	The recommendation is that the Board of Education receive the Monthly Purchase Order
Action	Report as presented.
Goals	3b. Parent and Community Engagement and Communication 3a. Parent and Community Engagement and Communication 2a. Safe, Secure and Healthy Learning Environments 2b. Safe, Secure and Healthy Learning Environments 1b. Student Achievement 1a. Student Achievement VISION: The Newark Unified School District, in partnership with the community, will be a model of world-class education that develops the unique abilities of every student. MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens. 4. Fiscal Health

Purpose:
 The purpose of this item is to present a monthly report on Purchase Order transactions per Board Policy 3300, Expenditures and Purchases.

Background:
 Based on the discussion at the Board's Study Session on January 6, 2022, staff is providing a monthly report on Purchase Order transactions per Board Policy 3300, Expenditures and Purchases. The policy states that "The Board shall review all transactions entered into by the Superintendent or designee on behalf of the Board every 60 days."
 This month's report includes 251 PO's dated 2/28/24 through 4/7/24 for a total of \$946,786.72.

File Attachments
[Monthly Purchase Order Report 04-16-2024.pdf](#) (119 KB)

15.4 Report: Williams Uniform Complaint Quarterly Report January 1, 2024 - March 31, 2024

Type	Action
Absolute Date	Apr 16, 2024
Recommended	The recommendation is that the Board of Education approves the Williams Uniform Complaint
Action	Quarterly Report for the period of January 1, 2024 - March 31, 2024.

Purpose:
 The purpose is for the Board of Education to receive and approve the Williams Uniform Complaint Quarterly Report for the period of January 1, 2024 - March 31, 2024.

Background:
 Education Code 35186 requires that the Superintendent of a school district report summarized data on the nature and resolution of all complaints filed under the Williams Uniform Complaint Procedures to the local Board of Education and the County Superintendent of Schools on a quarterly basis. The report must include the number of complaints by general area, the number of resolved and unresolved complaints, and be publicly presented at a regularly scheduled Board meeting. The attached report is presented to the Board for the period of January 1, 2024 - March 31, 2024.

File Attachments
[Q323-24 UCP Report for Board 04.16.2024.pdf](#) (196 KB)

15.5 Report: Warrant Report for March 2024

Type	Action
Fiscal Impact	No
Recommended	The recommendation is that the Board of Education approve the Warrant Report as presented.
Action	
Goals	4. Fiscal Health

Purpose:
 The purpose of this item is to present warrants, for the total amount of \$5,122,799.58 made from District funds for March 2024.

Background:
 The warrant registers represent a complete listing of all payments made from District funds for a month. Because Newark Unified School District is a fiscally dependent District, each warrant must pass through two separate audits; first by the District's Fiscal Services department, and second by the County Office of Education. No warrant can be paid until such time as it is examined and approved by the County Office of Education.

[File Attachments](#)

[Warrant Report March 2024.pdf](#) (408 KB)

15.6 Report: Donations Report

Type	Action
Fiscal Impact	Yes
Budgeted	Yes
Budget Source	General Fund (Fund 010) Donations
Recommended	The recommendation is that the Board of Education accept the Donations Report as
Action	presented.
Goals	4. Fiscal Health

Purpose:
The purpose is to acknowledge receipt of donations to the District.

Background:
Throughout the year community members, groups, parents and other individuals make monetary and in-kind (supplies and equipment) donations to NUSD. The exact nature of the source of the donation is submitted to the Business Office on a standard form. It is critical that any restrictions on the funding be indicated and the budget developed based on the donor restrictions. If there is no indication of the school or use of the funding, any proceeds or cash donations received are placed in the NUSD local revenue in the unrestricted general fund. It is recommended that the donations be processed through the Business Office and ultimately approved by the Board so that the funding can be publicly acknowledged and budgeted properly according to donor restrictions. There is acknowledged and budgeted properly according to donor restrictions. There is acknowledgement at the public Board meeting and a letter of thanks is sent to the donor by the Business Office for NUSD.

[File Attachments](#)

[Donations Summary Report 4-16-2024.pdf](#) (19 KB)

15.7 United States University MOU and Agreement to Provide Teaching Interns

Type	Action
Preferred Date	Apr 16, 2024
Recommended	The recommendation is that the Board of Education approve the United States University MOU
Action	and Agreement to Provide Teaching Interns.

Purpose:
The purpose of this item is for the Board of Education to approve the MOU and agreement between United States University and Newark Unified School District to provide teaching interns.

Background:
The District works closely with local institutes of higher education (IHE) and supports education specialist and teaching intern placements. Agreements between Newark Unified School District and a university must be in place before an intern can be placed at a school site in the District.
Interns do fieldwork in our schools and are supervised by the administrators who volunteer to provide supervision and training.
Interns are able to learn, practice teaching, and fine-tune their craft under the direct supervision of a master teacher. The opportunity to intern in the District benefits both the student and the District.
As vacancies become available in the district, it is invaluable to have the opportunity to observe directly interns who may be eligible to interview for vacancies and observe how well they fit into the culture of Newark.

[File Attachments](#)

[United States University MOU.pdf](#) (181 KB)

15.8 Mission Valley ROP JPA CTEIG Agreement

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$3,500,000.00
Budgeted	Yes
Recommended	The recommendation is that the Board of Education approve the MOU for the Mission Valley
Action	ROC/P and Joint Powers Authority members for participation in the 2023-24 Career Technical Education Incentive Grant (CTEIG).
Goals	4. Fiscal Health

Purpose:
Mission Valley ROP has been awarded \$3.05 million in CTEIG funds for the 2023-24 fiscal year; however, the California Department of Education (CDE) requires a written agreement to identify all funding commitments from participating districts prior to releasing funds. The attached Memorandum of Understanding (MOU) establishes the Joint Powers Authority (JPA) member districts participation in the CTEIG program. Upon approval by the MVROP Governing Council, the MOU will be presented for approval to each member district's Governing Board.

Background:
The California Career Technical Education Incentive Grant (CTEIG) program was established as a state education, economic, and

workforce development initiative with the goal of providing pupils in kindergarten through grade twelve, inclusive, with the knowledge and skills necessary to transition to employment and postsecondary education. The purpose of this program is to encourage the development of new career technical education (CTE) programs and enhance and maintain current CTE programs during implementation of the school district and charter school local control funding formula (LCFF) pursuant to California Education Code (EC) Section 42238.02.

[File Attachments](#)

[MVROP CTEIG JPA MOU_2023-2024_fully executed.pdf](#) (261 KB)

15.9 CONTRACT AMENDMENT: Think Together for ASES for 2024-25

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$370,522.12
Budget Source	ELO-P
Recommended Action	The recommendation is that the Board of Education approve the renewal of the agreement with THINK Together for ASES (After School Educational and Safety) for the 2024-2025 school year.

Purpose:

The purpose is to renew the agreement with THINK Together for running the ASES (After School Educational and Safety) program for 2024-25 at Schilling Elementary, Coyote Hills Elementary, and Newark Middle School for the term of July 1, 2024 to June 30, 2025. This was approved in the December 5, 2023 meeting but is being brought back with correct serves selected on page 1.

Background:

NUSD has contracted with Think Together to run the ASES (After School Educational and Safety) program since 2013-14. Students at the three identified schools take part in a daily program that starts after classes end for the day until 6pm and includes academic support and enrichment opportunities. The District is dedicated to carrying out the Board-approved plan for providing an extended day to our TK-6, unduplicated students as outlined in the Expanding Learning Opportunities Program (ELO-P) plan that was presented and approved by the Board on February 3, 2022. Braiding ASES and ELO-P funds allows NUSD to provide additional academic and social-emotional support to students through a 9-hour extended learning day to all of our elementary schools, with as focus on our student populations that are historically underserved.

[File Attachments](#)

[Newark ASES 24-25.pdf](#) (593 KB)

[23-24 Certificate COI - Newark Unified School District.pdf](#) (813 KB)

15.10 FIELD TRIP : Non-Curricular Trip for Birch Grove Intermediate 4th Grade classes to travel to Newark, CA

Type	Action
Preferred Date	Apr 16, 2024
Absolute Date	Apr 16, 2024
Fiscal Impact	No
Budgeted	No
Budget Source	N/A
Recommended Action	The recommendation is that the Board of Education approve the non-curricular trip for Birch Grove Intermediate (fourth grade classes) to Newark, CA.

Purpose:

The Birch Grove Intermediate Principal requests permission to take Birch Grove Intermediate fourth graders on a non-curricular trip to Newark, CA. This will be a walking field trip for a celebration for end of year celebration for the fourth grade class.

School: Birch Grove Intermediate

Dates: May 23, 2024

Location: Newark, CA (Birch Grove Park)

Additional requirements include the following:

Grade K-3, one adult for every 5-8 students; Grades 4-12, one adult for every 10 students; Board Policy requires at least two adults on every trip regardless of the number of students (BP 6153 and AR 6153)

No student will be denied due to a lack of funds

Background:

According to Board Policy 6153, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. Birch Grove Intermediate Principal requests permission to take Birch Grove Intermediate fourth graders on a non-curricular trip to Newark, CA.

15.11 FIELD TRIP : Non-Curricular Trip for Birch Grove Intermediate Third Grade classes to travel to Newark, CA

Type	Action
Preferred Date	Apr 16, 2024
Absolute Date	Apr 16, 2024
Fiscal Impact	No
Budgeted	No
Recommended Action	The recommendation is that the Board of Education approve the non-curricular trip for Birch Grove Intermediate (third grade classes) to Newark, CA.

Purpose:

The Birch Grove Intermediate Principal requests permission to take Birch Grove Intermediate third graders on a non-curricular trip to Newark, CA. This will be a walking field trip for a celebration for end of year celebration for the third grade classes.

School: Birch Grove Intermediate

Dates: May 28, 2024

Location: Newark, CA (Birch Grove Park)

Additional requirements include the following:

Grade K-3, one adult for every 5-8 students; Grades 4-12, one adult for every 10 students; Board Policy requires at least two adults on every trip regardless of the number of students (BP 6153 and AR 6153)

No student will be denied due to a lack of funds

Background:

According to Board Policy 6153, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. Birch Grove Intermediate Principal requests permission to take Birch Grove Intermediate third graders on a non-curricular trip to Newark, CA.

15.12 FIELD TRIP: Non-Curricular Trip for Birch Grove Intermediate Fifth Grade Class to travel to Newark, CA

Type	Action
Preferred Date	Apr 16, 2024
Absolute Date	Apr 16, 2024
Fiscal Impact	No
Budgeted	No
Budget Source	N/A
Recommended Action	The recommendation is that the Board of Education approve the non-curricular trip for Birch Grove Intermediate fifth grade class to Newark, CA (Birch Grove Park).

Purpose:

The Birch Grove Intermediate Principal requests permission to take Birch Grove Intermediate fifth graders on a non-curricular trip to Newark, CA. This will be a walking field trip for a celebration for end of year celebration for the fifth grade class going on to the middle school.

School: Birch Grove Intermediate

Dates: May 32, 2024

Location: Newark, CA (Birch Grove Park)

Additional requirements include the following:

Grade K-3, one adult for every 5-8 students; Grades 4-12, one adult for every 10 students; Board Policy requires at least two adults on every trip regardless of the number of students (BP 6153 and AR 6153)

No student will be denied due to a lack of funds

Background:

According to Board Policy 6153, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. Birch Grove Intermediate Principal requests permission to take Birch Grove Intermediate fifth graders on a non-curricular trip to Newark, CA.

15.13 FIELD TRIP: Non-Curricular Trip for Bridgepoint High School Leadership Team to travel to Livermore, CA.

Type	Action
Preferred Date	Apr 16, 2024
Absolute Date	Apr 16, 2024
Fiscal Impact	No
Budgeted	No
Budget Source	N/A
Recommended Action	The recommendation is that the Board of Education approve the non-curricular trip for Bridgepoint High School Leadership Team to travel to Livermore, CA.

Purpose:

The Bridgepoint High School Principal requests permission to take

Purpose:

The Bridgepoint High School Principal requests permission to take Bridgepoint High School Leadership Team to travel to Livermore, CA for an end of year celebration.

School: Bridgepoint High School

Dates: May 10, 2024

Location: Livermore, CA.

Additional requirements include the following:

Grade K-3, one adult for every 5-8 students; Grades 4-12, one adult for every 10 students; Board Policy requires at least two adults on every trip regardless of the number of students (BP 6153 and AR 6153)

No student will be denied due to a lack of funds

Background:

According to Board Policy 6153, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. The Bridgepoint High School Principal requests permission to take Bridgepoint High School Leadership Team to travel to Livermore, CA.

15.14 FIELD TRIP: Non-Curricular Trip for Birch Grove Intermediate Fifth Grade Class to travel to Fremont, CA

Type	Action
Preferred Date	Apr 16, 2024
Absolute Date	Apr 16, 2024

Fiscal Impact	Yes
Dollar Amount	\$5,600.00
Budgeted	Yes
Budget Source	Student Donations & 5th Grade Funds
Recommended Action	The recommendation is that the Board of Education approve the non-curricular trip for Birch Grove Intermediate fifth grade class to Fremont, CA

Purpose:

The Birch Grove Intermediate Principal requests permission to take Birch Grove Intermediate fifth graders on a non-curricular trip to Fremont, CA. This will be a chartered field trip for a Fifth Grade end-of-year trip given as a reward for those students who have met academic and behavioral goals in fifth grade.

School: Birch Grove Intermediate

Dates: May 28, 2024

Location: Fremont, CA (Sky Zone)

Additional requirements include the following:

Grade K-3, one adult for every 5-8 students; Grades 4-12, one adult for every 10 students; Board Policy requires at least two adults on every trip regardless of the number of students (BP 6153 and AR 6153)

No student will be denied due to a lack of funds

Background:

According to Board Policy 6153, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. Birch Grove Intermediate Principal requests permission to take Birch Grove Intermediate fifth graders on a non-curricular trip to Fremont, CA.

15.15 FIELD TRIP: Non-Curricular Trip for Schilling Elementary Kindergarten and First Grade Classes to travel to Newark, CA

Type	Action
Preferred Date	Apr 16, 2024
Absolute Date	Apr 16, 2024
Fiscal Impact	No
Budget Source	N/A
Recommended Action	The recommendation is that the Board of Education approve the non-curricular trip for Schilling Elementary Kindergarten and First Grade Classes to travel to Newark, CA

Purpose:

The Schilling Elementary Principal requests permission to take Schilling Elementary kindergarten and first grade on a non-curricular trip to Newark, CA. This will be a walking field trip for kinder community building celebration and completion of academic year.

School: Schilling Elementary

Dates: May 28, 2024

Location: Newark, CA Jerry Raber Ash Street Park

Additional requirements include the following:

Grade K-3, one adult for every 5-8 students; Grades 4-12, one adult for every 10 students; Board Policy requires at least two adults on every trip regardless of the number of students (BP 6153 and AR 6153)

No student will be denied due to a lack of funds

Background:

According to Board Policy 6153, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. Schilling Elementary Principal requests permission to take Kindergarten and First Grade on a non-curricular trip to Newark, CA.

15.16 FIELD TRIP: Curricular and Non-Curricular Trip for Kennedy Elementary Fifth Grade Class to travel to Santa Clara, CA

Type	Action
Preferred Date	Apr 16, 2024
Absolute Date	Apr 16, 2024
Fiscal Impact	Yes
Dollar Amount	\$9,513.12
Budgeted	Yes
Budget Source	ASB Funds
Recommended Action	The recommendation is that the Board of Education approve the non-curricular trip for Kennedy Elementary fifth grade class to Santa Clara, CA.

Purpose:

The Kennedy Elementary Principal requests permission to take Kennedy Elementary fifth graders on a non-curricular trip to Santa Clara, CA. The students will be transported by private vehicle.

School: Kennedy Elementary

Dates: May 17, 2024

Location: Santa Clara, CA

Additional requirements include the following:

Grade K-3, one adult for every 5-8 students; Grades 4-12, one adult for every 10 students; Board Policy requires at least two adults on every trip regardless of the number of students (BP 6153 and AR 6153)

No student will be denied due to a lack of funds

Background:

According to Board Policy 6153, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. Kennedy Elementary Principal requests permission to take Kennedy Elementary Fifth Grade Class on a non-curricular trip to Santa Clara, CA.

15.17 FIELD TRIP: Non-Curricular Trip for Coyote Hills Elementary Fifth Grade Class to travel to Newark, CA.

Type	Action
Preferred Date	Apr 16, 2024
Absolute Date	Apr 16, 2024
Fiscal Impact	No
Budgeted	No
Budget Source	N/A
Recommended Action	The recommendation is that the Board of Education approve the non-curricular trip for Coyote Hills Elementary fifth grade class to Newark, CA (Mayhews Landing).

Purpose:
 The Coyote Hills Elementary Principal requests permission to take Coyote Hills Elementary fifth graders on a non-curricular trip to Newark, CA. This will be a walking field trip for a celebration for end of elementary school & Fifth Grade.

School: Coyote Hills Elementary
 Dates: May 21, 2024
 Location: Newark, CA (Mayhews Landing)

Additional requirements include the following:
 Grade K-3, one adult for every 5-8 students; Grades 4-12, one adult for every 10 students; Board Policy requires at least two adults on every trip regardless of the number of students (BP 6153 and AR 6153)
 No student will be denied due to a lack of funds

Background:
 According to Board Policy 6153, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. Coyote Hills Elementary Principal requests permission to take Coyote Hills Elementary Fifth Grade Class on a non-curricular trip to Newark, CA.

15.18 FIELD TRIP: Non-Curricular Trip for Coyote Hills Elementary Kindergarten Classes to travel to Newark, CA

Type	Action
Preferred Date	Apr 16, 2024
Absolute Date	Apr 16, 2024
Budgeted	No
Budget Source	N/A
Recommended Action	The recommendation is that the Board of Education approve the non-curricular trip for Coyote Hills Elementary kindergarten class to Newark, CA (Mayhews Landing).

Purpose:
 The Coyote Hills Elementary Principal requests permission to take Coyote Hills Elementary kindergarten class on a non-curricular trip to Newark, CA. This will be a walking field trip for a celebration for end of the year picnic.

School: Coyote Hills Elementary
 Dates: May 21, 2024
 Location: Newark, CA (Mayhews Landing)

Additional requirements include the following:
 Grade K-3, one adult for every 5-8 students; Grades 4-12, one adult for every 10 students; Board Policy requires at least two adults on every trip regardless of the number of students (BP 6153 and AR 6153)
 No student will be denied due to a lack of funds

Background:
 According to Board Policy 6153, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. Coyote Hills Elementary Principal requests permission to take Coyote Hills Elementary Kindergarten Class on a non-curricular trip to Newark, CA.

POLICY UPDATE: Board Policy 0430 and Administrative Regulation 0430 - Comprehensive Local Plan For Special Education

Type	Action (Consent), Procedural
Preferred Date	Apr 16, 2024
Fiscal Impact	No
Recommended Action	The recommendation is that the Board of Education discuss and approve the updated Board Policy 0430 and Administrative Regulation 0430 - Comprehensive Local Plan For Special Education

Purpose:
 The purpose is for the Board of Education to discuss and review the recommended changes and approve the updated board policy and administrative regulation as reviewed by the Board Liaison Committee.

Background:
 The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice as reviewed by the Board Liaison Committee.
 Board Policy 0430 and Administrative Regulation 0430 - Comprehensive Local Plan For Special Education
 The NUSD board policy has not been revised since 2011. The language has been replaced to match the sample board policy provided by the California School Board Association.
 CSBA Language:

Policy updated to reflect NEW LAW (AB 181, 2022) requiring the State Superintendent of Public Instruction to make publicly available the special education funding each local educational agency (LEA) generates for their Special Education Local Plan Area (SELPA), and for the SELPA, to report to member LEA's the amount of funding each LEA generates for the SELPA.

File Attachments

- [BP 0430 Comprehensive Local Plan For Special Education.pdf](#) (90 KB)
- [AR 0430 Comprehensive Local Plan For Special Education.pdf](#) (127 KB)

15.20 POLICY UPDATE: Board Policy and Administrative Regulation 0460 - Local Control And Accountability Plan

Type	Action
Fiscal Impact	No
Recommended	The recommendation is that the Board of Education approve the updated Board Policy and
Action	Administrative Regulation 0460 - Local Control And Accountability Plan.

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation.

Background:

This is the FIRST reading of the attached regulation. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a second reading.

Board Policy 0460 - Local Control And Accountability Plan

The NUSD board policy has not been revised since 2022. The language has been replaced to match the sample board policy provided by the California School Board Association.

Administrative Regulation 0460 - Local Control And Accountability Plan

The NUSD board policy has not been revised since 2022. The language has been replaced to match the sample board policy provided by the California School Board Association.

CSBA Policy Guidesheet December 2023 states:

Board Policy 0460 - Local Control and Accountability Plan Policy updated to reflect NEW LAW (SB 114, 2023) which (1) requires numerous changes to the local control and accountability plan (LCAP) for use in the 2024-25 school year, and (2) adds "long-term English learners," defined by NEW LAW (SB 141, 2023) as a student who has not attained English language proficiency within seven years of initial classification as an English learner, as a numerically significant subgroup. Policy also updated to add headers for clarity, align the structure of the policy with the LCAP process, and clarify references to the annual update and budget overview for parents/guardians.

Administrative Regulation 0460 - Local Control and Accountability Plan Regulation updated to reflect NEW LAW (SB 114, 2023) which (1) requires numerous changes to the local control and accountability plan (LCAP) for use in the 2024-25 school year, and (2) adds "long-term English learners," defined by NEW LAW (SB 141, 2023) as a student who has not attained English language proficiency within seven years of initial classification as an English learner, as a numerically significant subgroup. Regulation also updated to add "Timeline" section to provide greater specificity regarding required LCAP dates and recommended dates based on best practice, and reflect NEW LAW (SB 609, 2023) which requires districts to post the LCAP on the performance overview portion of the California School Dashboard.

File Attachments

- [Board Policy 0460 - Local Control And Accountability Plan.pdf](#) (138 KB)
- [Administrative Regulation 0460 - Local Control And Accountability Plan.pdf](#) (106 KB)

15.21 POLICY UPDATE: Board Policy 0500 - Accountability

Type	Action
Recommended	The recommendation is that the Board of Education discuss and approve the updated Board
Action	Policy 0500 - Accountability.

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated board policy.

Background:

This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a second reading.

Board Policy 0500 - Accountability

The NUSD board policy has not been revised since 2022. The language has been replaced to match the sample board policy provided by the California School Board Association.

CSBA Language:

BP - Policy updated to reflect that the U.S. Department of Education declined the California Department of Education's (CDE) waiver request that would have allowed for the continued use of modified methods for calculating the Academic and Graduation Rate Indicators, resulting in the California School Dashboard no longer including any modified methods applied to state indicators and all Dashboard Alternative School Status schools being treated the same as all other schools on the Dashboard. Policy also updated to reflect NEW LAW (SB 114, 2023) which (1) adds "long-term English learners," defined by NEW LAW (SB 141, 2023) as a student who has not attained English language proficiency within seven years of initial classification as an English learner, as a numerically significant subgroup, (2) creates a new basis for technical assistance when the district fails to meet specified data submission requirements, and (3) specifies when the California Collaborative for Educational Excellence (CCEE) will consult with the district and any provider of technical assistance

to determine if assistance from CCEE is necessary.

[File Attachments](#)

[Board Policy 0500 - Accountability.pdf](#) (65 KB)

15.22 POLICY UPDATE: [Board Policy 1431 - Waivers](#)

Type	Action
Fiscal Impact	No
Recommended	The recommendation is that the Board of Education discuss and approve the updated Board
Action	Policy 1431 - Waivers.

Purpose:

The purpose is for the Board of Education to discuss and review the recommended changes and approve the updated board policy.

Background:

This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The updated board policy and administrative regulation has been reviewed by the Board Liaison Committee, Superintendent, and presented to the secondary ASB members for recommended updates for accuracy. Revisions reflect these engagements and district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a second reading.

Board Policy 1431 - Waivers

The NUSD board policy has not been revised since 2018. The language has been replaced to match the sample board policy provided by the California School Board Association.

CSBA Language:

BP - Policy updated to reference NEW LAW (SB 114, 2023) which prohibits a waiver request for transitional kindergarten and kindergarten requirements provided for in specified Education Code sections. Policy also updated to provide that advertisement of the notice for the public hearing which is required prior to the Governing Board submitting a waiver request to the State Board of Education includes publishing it on the district's website.

[File Attachments](#)

[Board Policy 1431 - Waivers.pdf](#) (65 KB)

15.23 POLICY UPDATE: [Administrative Regulation 4117.5 - Termination Agreements](#)

Type	Action, Procedural
Recommended	The recommendation is that the Board of Education discuss and approve and adopt the
Action	updated Administrative Regulation 4117.5 - Termination Agreements.

Purpose:

The purpose is for the Board of Education to discuss and review the recommended changes and approve and adopt the updated administrative regulation as reviewed by the Board Liaison Committee.

Background:

This is the first reading of the attached regulation. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved regulation. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the regulation will be brought back to the Board of Education for a second reading.

[File Attachments](#)

[Regulation 4117.5 - Termination Agreements.pdf](#) (45 KB)

15.24 POLICY UPDATE: [Board Policy 4121 - Temporary/Substitute Personnel](#)

Type	Action, Procedural
Recommended	The recommendation is that the Board of Education discuss and approve and adopt the
Action	updated Board Policy 4121 - Temporary/Substitute Personnel.

Purpose:

The purpose is for the Board of Education to discuss and review the recommended changes and approve and adopt the updated board policy as reviewed by the Board Liaison Committee.

Background:

This is the first reading of the attached regulation. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved regulation. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the regulation will be brought back to the Board of Education for a second reading.

[File Attachments](#)

[Policy 4121 - Temporary_Substitute Personnel.pdf](#) (134 KB)

15.25 POLICY UPDATE: Board Policy 4216 - Probationary/Permanent Status

Type Action, Procedural
Recommended Action The recommendation is that the Board of Education discuss and approve and adopt the updated Board Policy 4216 - Probationary/Permanent Status.

Purpose: The purpose is for the Board of Education to discuss and review the recommended changes and approve and adopt the updated board policy as reviewed by the Board Liaison Committee.

Background: This is the first reading of the attached regulation. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved regulation. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the regulation will be brought back to the Board of Education for a second reading.

File Attachments Policy 4216 - Probationary_Permanent Status.pdf (47 KB)

15.26 POLICY UPDATE: Board Policy 4219.21 - Professional Standards

Type Action, Procedural
Recommended Action The recommendation is that the Board of Education discuss and approve and adopt the updated Board Policies 4119.21, 4219.21 and 4319.21 - Professional Standards.

Purpose: The purpose is for the Board of Education to discuss and review the recommended changes and approve and adopt the updated board policies as reviewed by the Board Liaison Committee.

Background: This is the first reading of the attached regulation. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved regulation. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the regulation will be brought back to the Board of Education for a second reading.

File Attachments Policy 4119.21 - Professional Standards.pdf (82 KB)
Policy 4219.21 - Professional Standards.pdf (82 KB)
Policy 4319.21 - Professional Standards.pdf (82 KB)

15.27 POLICY UPDATE: Administrative Regulation 4222 - Teacher Aides/Paraprofessionals

Type Action, Procedural
Recommended Action The recommendation is that the Board of Education discuss and approve and adopt the updated Administrative Regulation 4222 -Teacher Aides/Paraprofessionals.

Purpose: The purpose is for the Board of Education to discuss and review the recommended changes and approve and adopt the updated administrative regulation as reviewed by the Board Liaison Committee.

Background: This is the first reading of the attached regulation. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved regulation. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the regulation will be brought back to the Board of Education for a second reading.

File Attachments Regulation 4222 - Teacher Aides_Paraprofessionals.pdf (69 KB)

15.28 POLICY UPDATE: Update Board Policy 5119 - and Rescind Administrative Regulation 5119 - Students Expelled From

Type Action
Fiscal Impact No
Recommended Action The recommendation is that the Board of Education discuss and approve the updated Board Policy 5119 and Rescind Administrative Regulation 5119 - Students Expelled From Other Districts

Purpose: The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and rescind Administrative Regulation.

Background:

This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The updated board policy has been reviewed by the Board Liaison Committee, Superintendent, and presented to the secondary ASB members for recommended updates for accuracy. Revisions reflect these engagements and district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a SECOND reading.

Board Policy 5119 - Students Expelled From Other Districts

The NUSD board policy has not been revised since 1996. The language has been updated to reflect California State Board Association language.

Administrative Regulation 5119 - Students Expelled From Other Districts

CSBA recommends rescinding Administrative Regulation 5119 on 3/07 "Delete AR. Material formerly in deleted regulation moved to policy."

File Attachments

Board Policy 5119 - Students Expelled From Other Districts.pdf (54 KB)

Administrative Regulation 5119 Students Expelled From Other Districts.pdf (49 KB)

15.29 POLICY UPDATE: Board Policy 5127 - Graduation Ceremonies And Activities

Type	Action
Fiscal Impact	No
Recommended	The recommendation is that the Board of Education discuss and approve the updated Board
Action	Policy 5127 - Graduation Ceremonies And Activities.

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated board policy.

Background:

This is the SECOND reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The updated board policy and administrative regulation has been reviewed by the Board Liaison Committee, Superintendent, and presented to the secondary ASB members for recommended updates for accuracy. Revisions reflect these engagements and district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a THIRD reading.

Board Policy 5127 - Graduation Ceremonies And Activities

The NUSD administrative regulation has not been revised since 2006. The language has been replaced to match the sample board policy provided by the California School Board Association.

File Attachments

Board Policy 5127 - Graduation Ceremonies And Activities.pdf (87 KB)

15.30 POLICY UPDATE: Administrative Regulation 5141.21 - Administering Medication And Monitoring Health Conditions

Type	Action
Recommended	The recommendation is that the Board of Education discuss and approve the updated
Action	Administrative Regulation 5141.21 - Administering Medication And Monitoring Health Conditions

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated administrative regulation.

Background:

This is the FIRST reading of the attached regulation. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a second reading.

Administrative Regulation 5141.21 - Administering Medication And Monitoring Health Conditions

The NUSD board policy has not been revised since 2022. The language has been replaced to match the sample board policy provided by the California School Board Association.

CSBA Policy Guidesheet December 2023 states:

Administrative Regulation 5141.21 - Administering Medication and Monitoring Health Conditions Regulation updated to reference NEW LAW (AB 1722, 2023) which authorizes districts to hire a licensed vocational nurse following Governing Board approval that a diligent search was conducted for a suitable credentialed nurse, include definitions that pertain to new legislation, and reflect NEW LAW (AB 1651, 2023) which (1) includes holders of an Activity Supervisor Clearance Certificate as those for whom districts are required to provide epinephrine auto-injectors if they have volunteered to administer them in an emergency and have received training, and (2) requires schools that provide epinephrine auto-injectors to store them in an accessible location and include that location in annual notices to staff. Regulation also updated to reflect NEW LAW (AB 1283, 2023) which authorizes districts to provide emergency stock albuterol inhalers to school nurses or trained personnel who have volunteered, who may use the inhaler to provide emergency medical aid to person(s) suffering, or reasonably believed to be suffering, from respiratory distress, NEW LAW (SB 114, 2023) which appropriates funding to county offices of education for the purpose of purchasing and maintaining a sufficient stock of opioid antagonists for districts, NEW LAW (AB 1166, 2023) which provides that employees and volunteers who render emergency treatment at the scene of an opioid overdose or suspected opioid overdose by administering an opioid antagonist will not be liable for civil damages resulting from an act or

omission, unless such act constitutes gross negligence or willful or wanton misconduct, and NEW LAW (AB 1810, 2022) which authorizes a school nurse or a volunteer designated and trained to administer emergency anti-seizure medication to a student diagnosed with seizures, a seizure disorder, or epilepsy who has been prescribed such medication from a health care provider and is suffering from a seizure.

File Attachments

[Administrative Regulation 5141.21 - Administering Medication And Monitoring Health Conditions.pdf](#) (244 KB)

16 BOARD OF EDUCATION: COMMITTEE REPORTS, ANNOUNCEMENTS, REQUESTS, DEBRIEF

16.1 Board of Education Committee Reports, Announcements, Requests, Debrief and Discussion

AND DISCUSSION

Type Action, Discussion, Information

Purpose:

COMMITTEE REPORTS: The Trustees will provide an update, if available, on the committees of which they are members.
 ANNOUNCEMENTS: The Trustees may acknowledge or recognize specific programs, activities, or personnel at this time.
 REQUESTS: This is an opportunity for the Board of Education to suggest items for placement on future agendas and to review Board requests.

Approval from the majority of the Board will be required for direction to be provided to the Superintendent.

DEBRIEF AND DISCUSSION: The Trustees may debrief and discuss items.

Background:

Each year the Board of Education members liaise with schools and committees in order to build relationships, hear from staff, students, and families, and act as a conduit for information to and from the schools.

Board Committees 2022-23

Board Adopted on 12/14/2023	Representative	Alternate
Mission Valley Regional Occupational Center/Program (ROC/P)	1. Nancy Thomas	1. Carina V. Plancarte
Executive Board		
Regional Policy Board of Special Education Local Plan Area (SELPA)	1. Katherine Jones	1. Phuong Nguyen
Newark Teacher Induction Advisory Council (Formally EBIC)	1. Aiden Hill	1. Carina V. Plancarte
Audit Committee	1. Aiden Hill	2. Katherine Jones
Bond/Parcel Tax Committee	1. Phuong Nguyen	2. Carina V. Plancarte
City of Newark NUSD Liaison Committee	2. Nancy Thomas	1. Katherine Jones

The following derives directly from the Board approved "Governance Team Handbook"

Authority is Collective, Not Individual:

The only authority to direct action rests with the Board as a whole when seated at a regular or special board meeting. Outside of this meeting, there is no authority.

A majority Board vote provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction.

Bringing New Ideas Forward

The Board will be open to having "brainstorming" discussions, or study sessions, around any idea that a Trustee may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Trustee, at their initiative or at the request of a constituent, which was previously discussed during a board meeting.

Trustees will first notify the Board President and Superintendent of their interest in bringing forward a new idea at a board meeting.

When initially agendized, the preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.

Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea. The Superintendent will decide on the delegation of assignments to District staff.

The new idea may be agendized for discussion only. The Board majority will decide if the new idea should be further developed and studied by staff. The Board majority will decide if staff time should be invested in the "fleshing out" of new ideas.

Individual Trustees, in the course of interactions with constituents, will be careful not to make or imply the commitment of the full Board to explore or proceed with implementing new ideas.

17 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

17.1 Superintendent's Concluding Comments, Updates, and Future Agenda Items

AGENDA REQUESTS

Type Information

Purpose:

This is an opportunity for the Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

18 ADJOURNMENT

18.1 PLACEHOLDER - Extend Meeting

Type Action

Recommended Action The recommendation is that the Board of Education extends the meeting to ____ P.M.

Purpose:
This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

18.2 Adjournment

Type Action
Recommended Action The recommendation is that the Board of Education adjourns this meeting.

Purpose:
No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time.
This action will conclude the meeting.

1 CALL TO ORDER

1.1 Roll Call

Type Procedural

Trustees:
President Aiden Hill
Vice President/Clerk Katherine Jones
Member Phuong Nguyen
Member Carina V. Plancarte
Member Nancy Thomas

Student Board Member:
Member Joy Lee

1.2 Public Comment on Closed Session Items

Type Procedural

Purpose:
The Board of Education encourages the community's participation in its deliberations and tries to make it convenient for members of the community to express their views to the Board.
If a constituent wishes to address the Board on any agenda item:
In-Person Comment: please submit a completed speaker card to the Board's Executive Assistant before the start of the meeting, or prior to the calling of the section for public comment.
Audio-Only Virtual Comment: please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org by 1:00 PM the day of the meeting. Please label your email as " AUDIO-ONLY PUBLIC COMMENT" and include your name as it will appear on Zoom, your phone number, email address, and the agenda item number related to your comment.
Please see detailed instructions for public comment on the link: <http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

File Attachments
[Board Meeting Protocols_ENG\(1\).pdf](#) (69 KB)
[Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf](#) (65 KB)

1.3 Meeting Practices and Information

Type Information, Procedural

In-person Meeting Information:
Please see the attached meeting information in English and Spanish.

Observe The Board Of Education Meeting:
Members of the public 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.

Public Comment:
The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

File Attachments
[Board Meeting Protocols_ENG\(1\).pdf](#) (69 KB)
[Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf](#) (65 KB)

1.4 Recess to Closed Session

Type Procedural

Purpose:

The Board will recess to Closed Session, and reconvene to Open Session on or about 7:00 p.m.

2 CLOSED SESSION

2.1 Conference with Legal Counsel Anticipated Litigation: initiation of litigation pursuant to 54956.9(c): Three Cases: Keenan Claim No 628143, Keenan Claim No. 633795; Keenan Claim No. 637391

Type Action, Information

Purpose:

To discuss the following cases: Keenan Claim No. 628143, Keenan Claim No. 633795; Claim No. 637391

2.2 Public Employee Appointment/Discipline/Dismissal/Release/Complaint(Gov. Code, 54957.6) Title: Assistant Superintendent of Educational Services, Deputy Superintendent of Business Services/CBO, High School Principal, Alternative Program Administrator/Principal - MacGregor Campus, Middle School Principal, Elementary School Principal(s)

Type Action, Information, Procedural

Goals

MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens.

VISION: The Newark Unified School District, in partnership with the community, will be a model of world-class education that develops the unique abilities of every student.

Information will be provided by the Interim Superintendent and Interim Assistant Superintendent of Human Resources regarding appointment of the Assistant Superintendent of Educational Services, Deputy Superintendent of Business Services/CBO, High School Principal, Alternative Program Administrator/Principal - MacGregor Campus, Middle School Principal, Elementary School Principal(s)

2.3 Conference with labor negotiators (Gov. Code 54957.6) Unrepresented employee: Deputy Superintendent of Business Services/CBO, Assistant Superintendent of Educational Services

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code 54957.6)

Agency representatives: Tracey Vackar, Interim Superintendent

Unrepresented employees: Deputy Superintendent of Business Services/CBO, Assistant Superintendent of Educational Services

3 REPORT OF CLOSED SESSION ACTIONS

3.1 Report of Closed Session Actions

Type Action, Procedural

Purpose:

If available, a report of the closed session will be provided by the Board President.

4 RECONVENE TO OPEN SESSION

4.1 Pledge of Allegiance

Type Procedural

Purpose:

The Governance Team will recite the Pledge of Allegiance

4.2 Meeting Practices and Information

Type Information, Procedural

In-person Meeting Information:

Please see the attached meeting information in English and Spanish.

Observe The Board Of Education Meeting:

Members of the public 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.

Public Comment:

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by

submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

File Attachments

- Board Meeting Protocols_ENG(1).pdf (69 KB)
- Protocolos de la Reunion de la Mesa Directiva_ESP (1).pdf (65 KB)

5 APPROVAL OF AGENDA

5.1 Approval of the Agenda

Type	Action
Recommended	The recommendation is that the Board of Education approve the agenda for this meeting.
Action	

Purpose:
Members of the Governance Team may request that the agenda be amended or approved as presented.

Motion & Voting
The recommendation is that the Board of Education approve the agenda for this meeting including item 12.5.
Motion by Phuong Nguyen, second by Nancy Thomas.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones
Not Present at Vote: Carina V Plancarte, Joy Lee

6 STUDENT REPORT

6.1 Student Report: Student Board Member, Joy Lee

Purpose:
The Student Report gives the Board of Education and the public an opportunity to hear the highlights, achievements, and initiatives from the viewpoint of the student board member.

Background:
The information will be provided by the Student Board Member, Joy Lee.

7 RECOGNITIONS AND CELEBRATIONS

7.1 Resolution No. 2023.24.32 Day of the Teacher

Type	Action
Absolute Date	May 07, 2024
Recommended	The recommendation is that the Board of Education adopt Resolution No. 2023.24.32 Day of the Teacher.
Action	

Purpose:
The purpose of this item is to adopt Resolution No. 2023.24.32 recognizing Day of the Teacher, May 8, 2024.

Background:
Newark teachers continue to provide outstanding instruction and learning opportunities for each Newark student. Students, parents, administrators, and the Board of Education appreciate the efforts of our credentialed instructional staff. Newark teachers are dedicated professionals who commit long hours beyond the school day in the interest of our students. Our teachers continue to study and prepare themselves to provide for the success of all of our students. Resolution No. 2022.23.29 acknowledges the contributions of the District's certificated employees.

File Attachments
Res. No. 2023.24.32 Day of the Teacher.pdf (33 KB)

Motion & Voting
The recommendation is that the Board of Education adopt Resolution No. 2023.24.32 Day of the Teacher.
Motion by Nancy Thomas, second by Katherine Jones.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Joy Lee
Not Present at Vote: Carina V Plancarte

7.2 Resolution No. 2023.24.33 Classified School Employees Week

Type	Action
Recommended	The recommendation is that the Board of Education adopt Resolution No. 2023.24.33
Action	Classified School Employees Week.

Purpose:

The purpose of this item is to adopt Resolution No. 2022.23.30 recognizing Classified School Employees Week, May 19-25, 2024.

Background:

Classified employees continue to provide valuable services to support the district's mission to ensure success for all students. The valuable contributions of our dedicated classified support staff have a broad impact on students, classrooms, offices, maintenance, grounds, cafeterias, and other support areas. This year, the week of May 19-25 has been designated as Classified Employees Week. Classified employees provide support to both students and staff in the Newark Unified School District. Students, teachers, administrators, and the Board of Education appreciate their efforts. Resolution No. 2022.23.30 acknowledges the contributions of the District's classified employees.

File Attachments

Res. No. 2023.24.33 Classified Employees Week.pdf (34 KB)

Motion & Voting

The recommendation is that the Board of Education adopt Resolution No. 2023.24.33 Classified School Employees Week.

Motion by Katherine Jones, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Joy Lee

Not Present at Vote: Carina V Plancarte

8 EMPLOYEE ORGANIZATIONS

8.1 Employee Organizations

Type Information

Purpose:

At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Background:

Discussion items are limited to updates, celebrations, and upcoming events.

- 1. NTA
- 2. CSEA
- 3. NEWMA

9 PUBLIC COMMENT

9.1 Public Comment on Non-Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.

<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

File Attachments

Board Meeting Protocols_ENG(1).pdf (69 KB)

Protocolos de la Reunion de la Mesa Directiva_ESP (1).pdf (65 KB)

9.2 Public Comment on Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.

<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

File Attachments

Board Meeting Protocols_ENG(1).pdf (69 KB)

Protocolos de la Reunion de la Mesa Directiva_ESP (1).pdf (65 KB)

10 SUPERINTENDENT REPORT

10.1 Superintendent Report

Type Information

Purpose:

The Interim Superintendent will provide the Board of Education with district information, updates, news, or anything in the jurisdiction of the board or the superintendent.

Background:

The presentation and information will be provided by the Interim Superintendent

11 STAFF REPORT

11.1 Teaching and Learning with STEAM

Type Information

Purpose:

Present the accomplishments of the STEAM Initiatives for 23-24

Background:

The STEAM Resolution of 2018 laid the foundation for the STEAM Initiative established in 2020. Two components of the STEAM Initiative are: STAR & NewGO!

Science Technology Aerospace and Robotics (STAR) is focused on the establishing a TK-12 focus on computer science by developing computational thinking and engineering. Newark Goes Outdoors (NewGO!) is grounded on the Newark USD Environmental Literacy Plan. It's vision states: All students will have access to high-quality environmental literacy learning experiences based in inquiry, reflection, and real-life applications, utilizing safe and available outdoor spaces (e.g. school gardens, parks adjacent to schools) that engage students in engineering and design thinking to prototype solutions for real-world environmental justice issues in the community.

The main goals for STAR in 23-24 were:

1. Provide professional learning in opportunities in computer science and/or computational thinking for ALL
2. Expand recruitment of NMHS students through CS4ALL
3. Use Vex IQ Robotics in Newark Middle School
4. Expand collaboration between Technology TOSA and elementary classroom teachers to integrate computational thinking, unplugged and plugged computer science activities.

The main goals for the Environmental Literacy Plan for 23-24 were

1. Continue coordinating outdoor learning experiences for all elementary students.
2. Implement Phase 2 of the Environmental Literacy Plan at Lincoln Elementary

In August of 2024, Dr. De Leon updated the goals to focus on the integration of STAR & NewGO! to STEAM & put a stronger emphasis on the integration computational thinking

File Attachments

[Teaching & Learning with STEAM.pdf](#) (31,543 KB)

11.2 Special Education Update

Type Information

Purpose:

To provide an overview of the Special Education Department including services, staff, programs, areas of growth, and upcoming events.

Background:

This presentation comes as a board request. The presentation will provide a brief overview of Special Education in Newark Unified School District. Special education services are provided to students aged preschool through twenty-two years of age in Newark Unified. California provides specially designed instruction, at no cost to parents, to meet the unique needs of children with disabilities. This instruction is provided in a variety of settings that allow students to be educated with their peers as much as possible; that is, in the least restrictive environment. Special education services are available in a variety of settings, including preschool, regular classrooms, classrooms that emphasize specially designed instruction, the community, and the work environment.

File Attachments

[Board of Education SPED 2024-2025.pdf](#) (2,980 KB)

11.3 Budget Reduction Plan

Type Information

- Goals
 - MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens.
 - VISION: The Newark Unified School District, in partnership with the community, will be a model of world-class education that develops the unique abilities of every student.
 - 4. Fiscal Health

Purpose:

Budget Reduction Plan to include cost savings for 2024-25 which includes staffing.

Background:

In order to ensure health and solvency the District continues to monitor, reduce our multiple year projections to ensure that our expenditures align with the projected budget.

File Attachments

[NUSD Financial Restructuring Overview and Strategies.pdf](#) (571 KB)

11.4 Letter from the Alameda County Office of Education Regarding the 2023-24 Second Interim Budget Report

Type Action, Discussion, Information

Purpose:

The Interim Superintendent will discuss and review the letter from the Alameda County Office of Education (ACOE) regarding the Newark Unified School District (NUSD) 2023-24 Second Interim Budget Report.

Background:

The Governing Board approved a Positive Certification of NUSD's Second Interim Budget Report on March 5, 2024. Based on the Alameda County Office of Education's (ACOE) required review and analysis, the Second Interim Budget Report approved by NUSD's Board on March 5, 2024, accurately reflects the financial status of the district based on the budget assumptions and the Board's actions committing to budget balancing solutions in fiscal years 2023-24 and 2024-25. ACOE concurs with the District's POSITIVE certification. On April 23, the Board of Education heard a presentation from Michael Fine with FCMAT on the importance of the Second Interim and MYP, and continued concerns noted in the ACOE Second Interim Letter.

File Attachments

[NUSD 2023-24 2nd Interim Report - FINAL.pdf](#) (191 KB)

12 NEW BUSINESS

12.1 Presentation by Bonnie Moss

Type Discussion, Information

- Goals**
 - MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens.
 - VISION: The Newark Unified School District, in partnership with the community, will be a model of world-class education that develops the unique abilities of every student.
 - 1a. Student Achievement
 - 1b. Student Achievement
 - 2a. Safe, Secure and Healthy Learning Environments
 - 3a. Parent and Community Engagement and Communication
 - 4. Fiscal Health

Purpose:

Provide the community and board with an update of the ongoing bond exploration and timelines for consideration of a school bond measure for November 2024.

Background:

The Board of Education at a prior meeting approved the contract services of Bonnie Moss and Associates to assist the District with providing information to the community regarding the NUSD facility needs and to provide factual transparent communication.

12.2 Approval of Updated Fence Plan for Kennedy Elementary

Type Action

- Fiscal Impact Yes
- Budgeted Yes
- Recommended The recommendation is that the Board of Education approve the updated cost estimate for the
- Action Kennedy Fence Project as presented.
- Goals 4. Fiscal Health

Purpose:

To approve updated fence plan for Kennedy Elementary.

Background:

On March 16, 2023 the Board approved architectural services for the Kennedy fence project. After reviewing the original specifications from the architect, staff is making several changes to reduce scope and cost while at the same time providing the needed fencing. The original total cost was \$900K and the reduced scope will save potentially \$101,800.

File Attachments

[15304_KennedyES_FencingProject_VE.pdf](#) (837 KB)

Motion & Voting

The recommendation is that the Board of Education approve the updated cost estimate for the Kennedy Fence Project as presented.

Motion by Katherine Jones, second by Phuong Nguyen.
 Final Resolution: Motion Carries
 Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones
 Not Present at Vote: Carina V Plancarte, Joy Lee

12.3 Dashboard Alternative School Status (DASS) for Bridgepoint

Type	Action
Fiscal Impact	No
Recommended	The recommendation is that the Board of Education approve of DASS status for Bridgepoint
Action	High School.
Goals	1a. Student Achievement MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens.

Purpose:
 The local district governing board must certify that the school's enrollment meets the Dashboard Alternative School Status (DASS) criteria.

Background:
 This is a process introduced with the new California Dashboard accountability system to give school districts an opportunity to see alternative high school data separate from the overall district data. DASS gives specific data for selected students to see a clearer picture of the needs of our high-risk students. Schools participating in the DASS program will be required to re-certify high-risk student enrollments every three years.

Motion & Voting

The recommendation is that the Board of Education approve of DASS status for Bridgepoint High School.

Motion by Phuong Nguyen, second by Nancy Thomas.
 Final Resolution: Motion Carries
 Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones
 Not Present at Vote: Carina V Plancarte, Joy Lee

12.4 Resolution No. 2023.24.36 Final Resolution Ordering the Dismissal of Certain Certificated Staff Due to Layoff

Type	Action
Absolute Date	May 07, 2024
Recommended	The recommendation is that the Board of Education adopt Resolution No. 2023.24.36 Final
Action	Resolution Ordering the Dismissal of Certain Certificated Staff Due to Layoff.
Goals	4. Fiscal Health

Purpose:
 The purpose of this item is to adopt Resolution No. 2023.24.36 Final Resolution Ordering the Dismissal of Certain Certificated Staff Due to Layoff.

Background:
 Due to the expiration of one-time funds, programmatic changes, and ensuring fiscal solvency, on March 7, 2024, the Governing Board adopted Resolution No. 2023.24.26 to reduce or eliminate particular kinds of certificated services. To implement the resolution, by March 15, 2024, impacted employees were served with preliminary layoff notices and were notified of their right to request a hearing on their layoff. Employees who timely requested a hearing were served with a statement of reduction in force, as required by law. Employees who timely submitted a notice of participation were eligible to participate in a layoff hearing, but the district did not receive a request for a final hearing. Under Education Code section 44955, final layoff notices must be issued to impacted employees before May 15, 2024. By adopting this final layoff resolution, the Board is directing the Superintendent or his/her designee to serve final layoff notices to the impacted employees identified in Exhibit A to the resolution. Laid off employee shall be entitled to reemployment rights provided by law.

File Attachments

Newark USD - Final Layoff Resolution - Certificated 4893-9637-7273 1.pdf (162 KB)

Motion & Voting

The recommendation is that the Board of Education adopt Resolution No. 2023.24.36 Final Resolution Ordering the Dismissal of Certain Certificated Staff Due to Layoff.

Motion by Katherine Jones, second by Nancy Thomas.
 Final Resolution: Motion Carries
 Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones
 Not Present at Vote: Carina V Plancarte

12.5 Resolution No. 2023.24.37 Final Resolution Ordering the Dismissal of Certain Classified Staff Due to Layoff

Type	Action
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Absolute Date	May 07, 2024
Recommended	The recommendation is that the Board of Education adopt Resolution No. 2023.24.37 Final Resolution Ordering the Dismissal of Certain Classified Staff Due to Layoff.
Action	
Goals	4. Fiscal Health

Purpose:

The purpose of this item is to adopt Resolution No. 2023.24.37 Final Resolution Ordering the Dismissal of Certain Classified Staff Due to Layoff.

Background:

Due to the expiration of one-time funds, programmatic changes, and ensuring fiscal solvency, on March 7, 2024, the Governing Board adopted Resolution No. 2023.24.24 to reduce or eliminate classified services. To implement the resolution, by March 15, 2024, impacted employees were served with preliminary layoff notices and were notified of their right to request a hearing on their layoff. Employees who timely requested a hearing were served with a statement of reduction in force, as required by law. Employees who timely submitted a notice of participation were eligible to participate in a layoff hearing. Three classified employees requested a hearing. One voluntarily withdrew their request for a hearing; one resigned prior to the layoff hearing; and one has commenced a layoff hearing. Under Education Code section 45117, final layoff notices must be issued to impacted employees before May 15, 2024. By adopting this final layoff resolution, the Board is directing the Superintendent or his/her designee to serve final layoff notices to the impacted employees identified in Exhibit A to the resolution. Laid off employee shall be entitled to reemployment rights provided by law.

File Attachments

Newark USD - Final Layoff Resolution - Classified 4890-3121-1193 4.pdf (164 KB)

Motion & Voting

The recommendation is that the Board of Education adopt Resolution No. 2023.24.37 Final Resolution Ordering the Dismissal of Certain Classified Staff Due to Layoff.

Motion by Phuong Nguyen, second by Katherine Jones.
 Final Resolution: Motion Carries
 Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones
 Not Present at Vote: Carina V Plancarte, Joy Lee

13 CONSENT AGENDA: PERSONNEL ITEMS

13.1 PLACEHOLDER - One Consented Vote

Type	Action
Recommended	It is recommended that the Board of Education approve, under one consented vote, the
Action	agenda items under Consent-Personnel, except for agenda items:

Purpose:

This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:

Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Motion & Voting

It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent-Personnel, except for agenda items: except 13.2, 13.3, 13.4.

Motion by Nancy Thomas, second by Katherine Jones.
 Final Resolution: Motion Carries
 Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones
 Not Present at Vote: Carina V Plancarte, Joy Lee

13.2 Verbal summary of the financial terms of the Assistant Superintendent of Educational Services's Employment Agreement

Type	Information
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Purpose:

The Board President will read out the financial terms of the Assistant Superintendent of Educational Services's Employment Agreement.

13.3 Employment Contract, Assistant Superintendent of Educational Services

Type	Action
Absolute Date	May 07, 2024
Fiscal Impact	Yes
Dollar Amount	\$220,908.00
Budgeted	Yes
Recommended	The recommendation is for the Board of Education to approve the contract for employment of
Action	services between Newark Unified School District and the Assistant Superintendent of Educational Services.

Purpose:

The purpose is for the Board of Education to approve the employment contract between Newark Unified School District and Karen Allard the Assistant Superintendent of Educational Services.

Background:

The Newark Unified School District is offering an employment contract to the newly appointed Assistant Superintendent, Educational Services Karen Allard effective May 22, 2024. The term of the contract is for 3-years and 1 month ending June 30, 2027.

- Annual salary of \$220,908.
- 224 work days
- Health benefits on the same terms as other Certificated Management.
- Early Termination Severance 6-months
- Certificated

File Attachments

[Assistant Supt Ed Svces_Employment_Agreement_050724.pdf](#) (130 KB)

Motion & Voting

The recommendation is for the Board of Education to approve the contract for employment of services between Newark Unified School District and the Assistant Superintendent of Educational Services.

Motion by Katherine Jones, second by Nancy Thomas.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Katherine Jones

Nay: **Phuong Nguyen**

Not Present at Vote: Carina V Plancarte

13.4 Personnel Report

Type Action

Absolute Date May 07, 2024

Recommended The recommendation is that the Board of Education ratify the personnel report as presented.

Action

Purpose:

The purpose is for the Board of Education to ratify the Personnel Report as presented.

Background:

All personnel activities including new hires, changes in status, resignation, leaves, and retirements are routinely submitted to the Board for ratification.

File Attachments

[HR PAL 05-07-2024.pdf](#) (355 KB)

Motion & Voting

The recommendation is that the Board of Education ratify the personnel report as presented.

Motion by Katherine Jones, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones

Abstain: Joy Lee

Not Present at Vote: Carina V Plancarte

13.5 Updated 2023-24 Management Salary Schedule

Type Action

Recommended The recommendation is that the Board of Education approve the updated 2023-24

Action Management Salary Schedule to include the Information Technology Director position.

Purpose:

To approve the updated 2023-24 Management Salary Schedule to include the Information Technology Director.

Background:

At the regular Board meeting on January 23, 2024 the Board of Education approve the revised job description and salary schedule 128 of for Information Technology Director. The new Information Technology Director started on April 8, 2024.

File Attachments

[Classified Management_Confidential_Supervisory Salary Schedult 2324b 4 pct approved TBD.pdf](#) (124 KB)

[Classified Management_Confidential_Supervisory Salary Schedule_CalPERS_ 2324b 4 pct approved TBD.pdf](#) (115 KB)

Motion & Voting

The recommendation is that the Board of Education approve the updated 2023-24 Management Salary Schedule to include the Information Technology Director position.

Motion by Nancy Thomas, second by Katherine Jones.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones
Not Present at Vote: Carina V Plancarte

13.6 Declaration of Need for Fully Qualified Educators

Type	Action
Absolute Date	May 07, 2024
Budgeted	Yes
Recommended Action	The recommendation is that the Board of Education approve the Declaration of Need for Fully Qualified Educators as presented.
Goals	MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens. VISION: The Newark Unified School District, in partnership with the community, will be a model of world-class education that develops the unique abilities of every student.

Purpose:
The California Commission on Teacher Credentialing requires that each school district file a Declaration of Need for Fully Qualified Educators for the pending academic year.

Background:
The declaration specifies the number of teachers the school district anticipates hiring in designated subjects and at designated levels on emergency permits and the number of interns the school district anticipates hiring. The declaration is valid for one academic year and is a prerequisite to the issuance of any emergency permits to the school district from the Commission on Teacher Credentialing. The declaration may be amended throughout the academic year as needed.

- File Attachments**
- [c1500 Declaration of Need 05.07.2024.pdf \(209 KB\)](#)
 - [c1505a Annual Statement of Need 05.07.2024.pdf \(104 KB\)](#)

Motion & Voting
The recommendation is that the Board of Education approve the Declaration of Need for Fully Qualified Educators as presented.

Motion by Nancy Thomas, second by Katherine Jones.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones
Not Present at Vote: Carina V Plancarte

13.7 Release of Special Term, Retirees, and/or Long-Term Guest Teachers

Type	Action
Absolute Date	May 07, 2024
Recommended Action	The recommendation is that the Board of Education approve the release of Special Term, Retirees, and/or Long-Term Guest Teachers.

Purpose:
The purpose is for the Board of Education to approve the release of Special Term, Retirees, and/or Long-Term Guest Teachers.

Background:
Each year certificated staff is hired to fill positions for permanent staff that may be on a leave of absence, in a job share, or in a special assignment. Permanent teachers have the right to return the following year to an assignment for which they are credentialed. Special Term, Retirees, and Long-Term Guest Teachers do not have automatic rehire rights and may be released by the district at the conclusion of their assignment. Attached is a list of certificated employees to be released as per California Education Code 44954.

- File Attachments**
- [California Education Code.pdf \(110 KB\)](#)
 - [HR Long Term Sub Release 05.07.2024.pdf \(345 KB\)](#)

Motion & Voting
The recommendation is that the Board of Education approve the release of Special Term, Retirees, and/or Long-Term Guest Teachers.

Motion by Nancy Thomas, second by Katherine Jones.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones
Not Present at Vote: Carina V Plancarte

14 CONSENT AGENDA: NON-PERSONNEL ITEMS

14.1 PLACEHOLDER - One Consented Vote

Type	Action
Recommended	It is recommended that the Board of Education approve, under one consented vote, the

Action agenda items under Consent Non-Personnel, except for agenda items:

Purpose:

This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:

Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Motion & Voting

It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent Non-Personnel.

Motion by Phuong Nguyen, second by Katherine Jones.
 Final Resolution: Motion Carries
 Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones
 Abstain: Joy Lee
 Not Present at Vote: Carina V Plancarte

14.2 Approved Regular Board Meeting Dates Revised for June 2024

Type	Action
Fiscal Impact	No
Recommended	The recommendation is that the Board of Education approve the revised dates of the regular
Action	meetings for the June 2024.
Goals	MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens. VISION: The Newark Unified School District, in partnership with the community, will be a model of world-class education that develops the unique abilities of every student. 3b. Parent and Community Engagement and Communication 3a. Parent and Community Engagement and Communication 2b. Safe, Secure and Healthy Learning Environments 2a. Safe, Secure and Healthy Learning Environments 1b. Student Achievement 1a. Student Achievement 4. Fiscal Health

Purpose:

The Board shall approve the dates of the regular board meetings for the school year.

Background:

Board Policy 9100: ORGANIZATION
 Annual Organizational Meeting
 The Board shall hold an annual organizational meeting within the time limits prescribed by law. (Education Code 35143)
 At this meeting the Board shall:
 1. Elect a president and a clerk from its members.
 2. Authorize signatures.
 3. Develop a schedule of regular meetings for the year.
 4. Develop a Board calendar for the year.
 5. Designate Board representatives.
 (cf. 9140 - Board Representatives)
 (cf. 9320 - Meetings)
 Election of Officers
 The Board shall each year elect its entire slate of officers.
 (cf. 9224 - Oath or Affirmation)
 RECOMMENDED BOARD OF EDUCATION MEETING DATES for the School Year 2024-25
 Previously Scheduled:
 June 4, 2024
 New Date to replace June 4, 2024:
 June 25, 2024

Motion & Voting

The recommendation is that the Board of Education approve the revised dates of the regular meetings for the June 2024.

Motion by Phuong Nguyen, second by Katherine Jones.
 Final Resolution: Motion Carries
 Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones
 Not Present at Vote: Carina V Plancarte

14.3 Report: Monthly Purchase Order Report

Type	Action
Recommended	The recommendation is that the Board of Education receive the Monthly Purchase Order
Action	Report as presented.
Goals	4. Fiscal Health

Purpose:

The purpose of this item is to present a monthly report on Purchase Order transactions per Board Policy 3300, Expenditures and Purchases.

Background:

Based on the discussion at the Board's Study Session on January 6, 2022, staff is providing a monthly report on Purchase Order transactions per Board Policy 3300, Expenditures and Purchases. The policy states that "The Board shall review all transactions entered into by the Superintendent or designee on behalf of the Board every 60 days." This month's report includes 100 PO's dated 4/8/24 through 4/25/24 for a total of \$1,346,517.30.

File Attachments

[Monthly Purchase Order Report 05-07-2024.pdf](#) (82 KB)

Motion & Voting

The recommendation is that the Board of Education receive the Monthly Purchase Order Report as presented.

Motion by Phuong Nguyen, second by Katherine Jones.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones

Not Present at Vote: Carina V Plancarte

14.4 Resolution 2023.24.34 Declaring Surplus Equipment

Type Action

Recommended Action The recommendation is that the Board of Education approves Resolution 2023.24.34 - Declaring Surplus Equipment.

Purpose:

The purpose of this item is to obtain Board approval of Resolution 2023.24.34- Declaring Surplus Equipment, which lists items to be declared as surplus equipment as recommended.

Background:

Surplus materials will be disposed of per Board Policy and Administrative Regulation 3270 Sale And Disposal Of Books, Equipment And Supplies. Education Code, Section 17546 states that if the Governing Board, by a unanimous vote of those members present, finds that the property, whether one or more items, does not exceed the value of \$2,500, it may be sold at private sale without advertising, by a District employee empowered for that purpose by the Board; the property may be donated to a charitable organization, or it may be disposed of in a public disposal facility.

The property as described in Resolution 2023.24.34 includes equipment used at Newark Adult School and Child Nutrition Services. Staff determined that items are obsolete and/or beyond economical repair.

File Attachments

[Resolution 2023.24.34 Declaring Surplus Equipment.pdf](#) (15 KB)

Motion & Voting

The recommendation is that the Board of Education approves Resolution 2023.24.34 - Declaring Surplus Equipment.

Motion by Phuong Nguyen, second by Katherine Jones.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones

Not Present at Vote: Carina V Plancarte

14.5 Signature Card Mid Year Revision

Type Action

Recommended Action The recommendation is that the Board of Education approve the Signature Card Mid-Year Revision for the Interim Superintendent, Interim Chief Business Official and Interim Assistant Superintendent of Human Resources.

Purpose:

To update the Signature Card of Authorized Agents as required by the Alameda County Office of Education (ACOE) for the following:

- Payroll, Warrants, and Disbursements
- Official Documents and Reports

Background:

The Board approved a contract for the Interim Superintendent at the April 16, 2024 meeting, effective April 30, 2024. The interim positions for Chief Business Official and Assistant Superintendent of Human Resources have also been filled.

A mid-year revision to update the signature for the Interim Superintendent is required by the ACOE.

A mid-year revision to update the signature for the Interim Chief Business Official is required by ACOE.

A mid-year revision to update the signature for the Interim Assistant Superintendent of Human Resources is required by ACOE.

The "Signature Card" is kept on file at the ACOE.

File Attachments

[Signature Card_Mid Year_Payroll Warrants and Disbursements_Official Documents and Reports_Vackar.pdf](#) (156 KB)

Signature Card_Mid Year_Payroll Warrants and Disbursements_Official Documents and Reports_Olien.pdf (137 KB)
Signature Card_Mid Year_Payroll Warrants and Disbursements_Official Documents and Reports_Williams.pdf (137 KB)

Motion & Voting

The recommendation is that the Board of Education approve the Signature Card Mid-Year Revision for the Interim Superintendent, Interim Chief Business Official and Interim Assistant Superintendent of Human Resources.

Motion by Phuong Nguyen, second by Katherine Jones.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones
Not Present at Vote: Carina V Plancarte

14.6 Updated School Meal Prices 2024-2025

Type	Action
Recommended	The recommendation is that the Board of Education approve the updated fees for all second
Action	school meals, effective for the 2024-2025 school year, as presented.
Goals	4. Fiscal Health

Purpose:
To increase all second meal prices in order to be in compliance with the 2024-2025 USDA Paid Lunch Equity Requirement. At this time, NUSD Child Nutrition is not meeting the required weighted average of \$3.81.

Background:
Regulation 7 CFR 210.14 (e) requires school food authorities (SFAs) participating in the National School Lunch Program to ensure sufficient funds are provided to the nonprofit school food service account for meals served to students not eligible for free or reduced-price meals. There are two ways to meet this requirement: changing the prices charged for "paid" meals, or through other non-Federal sources provided to the nonprofit school food service account. The prices for our Breakfast Program have not been increased in several years. Due to the change in regulations, under the Healthy Hungry Free Kids Act of 2010, students are now required to take a minimum of one-half cup of fruit with each meal. They are also required to have foods that are made with 51% or more whole-grain. Fruit increases in price regularly, and there are limited options available. We also have to follow other requirements, including required vegetable requirements, and this has resulted in larger amounts of money being spent on the foods for our students to have healthy meals.

- Elementary School Second Breakfast Prices will increase from \$2.50 to \$2.75 (\$0.25 increase)
- Elementary School Second Lunch Prices will increase from \$3.50 to \$3.75 (\$0.25 increase)
- Newark Middle School Second Breakfast Prices will increase from \$2.75 to \$3.00 (\$0.25 increase)
- Newark Middle School Second Lunch Prices will increase from \$3.75 to \$4.00 (\$0.25 increase)
- Newark Memorial High School Second Breakfast Prices will increase from \$2.75 to \$3.00 (\$0.25 increase)
- Newark Memorial High School Second Lunch Prices will increase from \$4.00 to \$4.25 (\$0.25 increase)

Increasing second breakfast and second lunch prices will increase revenues in the National School Lunch Program and that will ensure more monies to the nonprofit school food service account and allow them to avoid impinging on the general fund. Although students will continue to receive free meals based on the current California Department of Education guidance which allows for free meals to all students no matter their status. We are requesting to increase the prices for all second breakfast and second lunches in order to remain in compliance with the USDA guidance from the Paid Lunch Equity tool.

Motion & Voting

The recommendation is that the Board of Education approve the updated fees for all second school meals, effective for the 2024-2025 school year, as presented.

Motion by Phuong Nguyen, second by Katherine Jones.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones
Abstain: Joy Lee
Not Present at Vote: Carina V Plancarte

14.7 California State University MOU and Agreement Regarding CalStateTEACH Internship Program

Type	Action
Absolute Date	May 07, 2024
Recommended	Staff recommends the Board of Education approve the California State University's MOU and
Action	Agreement regarding CalStateTEACH Internship Program.

Purpose:
The purpose of this item is for the Board of Education to approve the MOU and agreement between California State University and Newark Unified School District regarding CalStateTEACH Internship Program commencing August 1, 2024 and ending July 31, 2027.

Background:
The District works closely with local institutes of higher education (IHE) and supports student teacher placements and interns. Agreements between Newark Unified School District and a university must be in place before a student teacher or intern can be placed at a school site in the District. Student teachers and interns in training do fieldwork in our schools and are supervised by the administrators who provide supervision and training. Student teachers and interns are able to learn, practice teaching, and fine-tune their craft under the direct supervision of a master teacher. The opportunity to student teach or intern in the District benefits both the student and the District. As vacancies become available in the district, it is invaluable to have the opportunity to observe directly student teachers and interns who may be eligible to interview for vacancies and observe how well they fit into the culture of Newark.

File Attachments

CSUEB CalStateTeach Intern Agreement.pdf (205 KB)

Motion & Voting

Staff recommends the Board of Education approve the California State University's MOU and Agreement regarding CalStateTEACH Internship Program.

Motion by Phuong Nguyen, second by Katherine Jones.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones

Not Present at Vote: Carina V Plancarte

14.8 California State University MOU and Agreement Regarding CalStateTEACH Student Teacher Placements

Type Action

Absolute Date May 07, 2024

Recommended The recommendation is that the Board of Education approve the California State University

Action MOU and Agreement regarding CalStateTEACH student teacher placements.

Purpose:

The purpose of this item is for the Board of Education to approve the MOU and agreement between California State University and Newark Unified School District regarding CalStateTEACH student teacher placements beginning August 1, 2024 and ending July 31, 2027.

Background:

The District works closely with local institutes of higher education (IHE) and supports student teacher placements and interns. Agreements between Newark Unified School District and a university must be in place before a student teacher or intern can be placed at a school site in the District.

Student teachers and interns in training do fieldwork in our schools and are supervised by the administrators who provide supervision and training.

Student teachers and interns are able to learn, practice teaching, and fine-tune their craft under the direct supervision of a master teacher. The opportunity to student teach or intern in the District benefits both the student teacher and the District.

As vacancies become available in the district, it is invaluable to have the opportunity to observe directly student teachers and interns who may be eligible to interview for vacancies and observe how well they fit into the culture of Newark.

File Attachments

CSUEB CalStateTeach Student Teacher Agreement.pdf (195 KB)

Motion & Voting

The recommendation is that the Board of Education approve the California State University MOU and Agreement regarding CalStateTEACH student teacher placements.

Motion by Phuong Nguyen, second by Katherine Jones.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones

Not Present at Vote: Carina V Plancarte

14.9 POLICY UPDATE: Board Policy, Administrative Regulation, and Exhibit 6145.2 - Athletic Competition

Type Action, Procedural

Recommended The recommendation is that the Board of Education discuss and approve the updated Board

Action Policy, Administrative Regulation, and Exhibit 6145.2 - Athletic Competition

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation.

Background:

This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies.

The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for an additional reading.

Board Policy 6145.2 Athletic Competition

CSBA Last Update: 2018-10-01 | NUSD Last Update: 2015-05-19

Administrative Regulation 6145.2 Athletic Competition

CSBA Last Update: 2019-07-01 | NUSD Last Update: 2015-05-19

Exhibit (PDF) 6145.2-E PDF(1): Athletic Competition - Interscholastic Competition

The NUSD Exhibit has not been reviewed since 2019. No language change is needed at this time for this Exhibit.

File Attachments

AR - 6145.2 - Athletic Competition.pdf (163 KB)

BP - 6145.2 - Athletic Competition.pdf (114 KB)

NUSD Exhibit (PDF) 6145.2-E PDF(1) Athletic Competition - Interscholastic Competition.pdf (87 KB)

Motion & Voting

The recommendation is that the Board of Education discuss and approve the updated Board Policy, Administrative Regulation, and Exhibit 6145.2 - Athletic Competition

Motion by Phuong Nguyen, second by Katherine Jones.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones

Not Present at Vote: Carina V Plancarte

14.10 POLICY UPDATE: Board Policy and Administrative Regulation 6145.5 - Student Organizations And Equal Access

Type Action, Procedural
Recommended The recommendation is that the Board of Education discuss and approve the updated Board
Action Policy and Administrative Regulation 6145.5 - Student Organizations And Equal Access.

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation.

Background:
This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies.

The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for an additional reading

Board Policy 6145.5 Student Organizations and Equal Access
CSBA Last Update: 2008-03-01 | NUSD Last Update: 1996-09-17
Administrative Regulation 6145.5 Student Organizations and Equal Access
CSBA Last Update: 2008-03-01 | NUSD Last Update: 1996-09-17

File Attachments
BP - 6145.5 - Student Organizations And Equal Access.pdf (75 KB)
AR - 6145.5 - Student Organizations And Equal Access.pdf (87 KB)

Motion & Voting
The recommendation is that the Board of Education discuss and approve the updated Board Policy and Administrative Regulation 6145.5 - Student Organizations And Equal Access.

Motion by Phuong Nguyen, second by Katherine Jones.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones

Not Present at Vote: Carina V Plancarte

14.11 POLICY UPDATE: Board Bylaw 9323.2 - Actions by the Board

Type Action, Procedural
Fiscal Impact No
Budgeted No
Recommended The recommendation is that the Board of Education discuss and approve the updated Board
Action Bylaw 9323.2 - Actions by the Board

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated board bylaw.

Background:
This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies.

The Ad Hoc Policy subcommittee and the administration have reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back for an additional reading.

Board Bylaw 9323.2 - Actions by the Board
CSBA Last Update: 2024-03-01 | NUSD Last Update: 2013-05-07

File Attachments
_Bylaw 9323.2 - Actions By The Board.pdf (86 KB)

Motion & Voting
The recommendation is that the Board of Education discuss and approve the updated Board Bylaw 9323.2 - Actions by the Board

Motion by Phuong Nguyen, second by Katherine Jones.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones

Not Present at Vote: Carina V Plancarte

14.12 FIELD TRIP : Non-Curricular Trip for Lincoln Elementary Transitional Kindergarten, Kindergarten and First Grade classes to travel to Newark, CA

Type Action

Preferred Date May 07, 2024
 Absolute Date May 07, 2024
 Fiscal Impact No
 Budget Source N/A
 Recommended The recommendation is that the Board of Education approve the non-curricular trip for Lincoln
 Action Elementary Transitional Kindergarten, Kindergarten and First Grade classes to travel to Newark, CA

Purpose:

The Lincoln Elementary Principal requests permission to take Lincoln Elementary Transitional Kindergarten, Kindergarten and First Grade classes to travel to Newark, CA. This will be a walking field trip for a celebration for end of year celebration.

School: Lincoln Elementary
 Dates: May 23, 2024
 Location: Newark, CA (Bridgepointe Park)

Additional requirements include the following:

Grade K-3, one adult for every 5-8 students; Grades 4-12, one adult for every 10 students; Board Policy requires at least two adults on every trip regardless of the number of students (BP 6153 and AR 6153)
 No student will be denied due to a lack of funds

Background:

According to Board Policy 6153, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. The Lincoln Elementary Principal requests permission to take Lincoln Elementary Transitional Kindergarten, Kindergarten and First Grade classes on a non-curricular trip to Newark, CA.

Motion & Voting

The recommendation is that the Board of Education approve the non-curricular trip for Lincoln Elementary Transitional Kindergarten, Kindergarten and First Grade classes to travel to Newark, CA

Motion by Phuong Nguyen, second by Katherine Jones.
 Final Resolution: Motion Carries
 Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones
 Not Present at Vote: Carina V Plancarte

14.13 FIELD TRIP: Non-Curricular Trip for Lincoln Elementary Third Class to travel to Newark, CA

Type Action
 Preferred Date May 07, 2024
 Absolute Date May 07, 2024
 Fiscal Impact No
 Budget Source N/A
 Recommended The recommendation is that the Board of Education approve the non-curricular trip for Lincoln
 Action Elementary Third Grade classes to Newark, CA.

Purpose:

The Lincoln Elementary Principal requests permission to take Lincoln Elementary Third Graders on a non-curricular trip to Newark, CA. This will be a walking field for an End of Year picnic to Newark, CA.

School: Lincoln Elementary
 Dates: May 23, 2024
 Location: Newark, CA (Bridgepointe Park)

Additional requirements include the following:

Grade K-3, one adult for every 5-8 students; Grades 4-12, one adult for every 10 students; Board Policy requires at least two adults on every trip regardless of the number of students (BP 6153 and AR 6153)
 No student will be denied due to a lack of funds

Background:

According to Board Policy 6153, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. Lincoln Elementary Principal requests permission to take Lincoln Elementary Third Classes on a non-curricular trip to Newark, CA.

Motion & Voting

The recommendation is that the Board of Education approve the non-curricular trip for Lincoln Elementary Third Grade classes to Newark, CA.

Motion by Phuong Nguyen, second by Katherine Jones.
 Final Resolution: Motion Carries
 Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones
 Not Present at Vote: Carina V Plancarte

14.14 FIELD TRIP: Non-Curricular Trip for Kennedy Elementary First Grade Class to travel to Newark, CA

Type Action
 Preferred Date May 07, 2024
 Absolute Date May 07, 2024
 Fiscal Impact No
 Budget Source N/A
 Recommended The recommendation is that the Board of Education approve the non-curricular trip for
 Action Kennedy Elementary First Grade classes to Newark, CA.

Purpose:

The Kennedy Elementary Principal requests permission to take Kennedy Elementary First Graders on a non-curricular trip to Newark, CA. This will be a walking field for an End of Year picnic to Newark, CA.

School: Kennedy Elementary
Dates: May 21, 2024
Location: Newark, CA (Newark Community Center Park)

Additional requirements include the following:

Grade K-3, one adult for every 5-8 students; Grades 4-12, one adult for every 10 students; Board Policy requires at least two adults on every trip regardless of the number of students (BP 6153 and AR 6153)
No student will be denied due to a lack of funds

Background:

According to Board Policy 6153, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. Kennedy Elementary Principal requests permission to take Kennedy Elementary First Grades Class on a non-curricular trip to Newark, CA.

Motion & Voting

The recommendation is that the Board of Education approve the non-curricular trip for Kennedy Elementary First Grade classes to Newark, CA.

Motion by Phuong Nguyen, second by Katherine Jones.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones
Not Present at Vote: Carina V Plancarte

14.15 FIELD TRIP: Non-Curricular Trip for Kennedy Elementary Second Grade Classes to travel to Newark, CA

Type Action

Preferred Date May 07, 2024
Absolute Date May 07, 2024
Fiscal Impact No
Budget Source N/A
Recommended The recommendation is that the Board of Education approve the non-curricular trip for
Action Kennedy Elementary Second Grade class to Newark, CA.

Purpose:

The Kennedy Elementary Principal requests permission to take Kennedy Elementary Second Graders on a non-curricular trip to Newark, CA. This will be a walking field trip for a celebration for end of year celebration.

School: Kennedy Elementary
Dates: May 23, 2024
Location: Newark, CA (Newark Community Center)

Additional requirements include the following:

Grade K-3, one adult for every 5-8 students; Grades 4-12, one adult for every 10 students; Board Policy requires at least two adults on every trip regardless of the number of students (BP 6153 and AR 6153)
No student will be denied due to a lack of funds

Background:

According to Board Policy 6153, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. Kennedy Elementary Principal requests permission to take Kennedy Elementary Second Grade Classes on a non-curricular trip to Newark, CA.

Motion & Voting

The recommendation is that the Board of Education approve the non-curricular trip for Kennedy Elementary Second Grade class to Newark, CA.

Motion by Phuong Nguyen, second by Katherine Jones.
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones
Not Present at Vote: Carina V Plancarte

14.16 FIELD TRIP: Non-Curricular Trip for Kennedy Elementary Third, Fourth, and Fifth Grade Class to travel to Newark, CA

Type Action

Preferred Date May 07, 2024
Absolute Date May 07, 2024
Fiscal Impact No
Budget Source N/A
Recommended The recommendation is that the Board of Education approve the non-curricular trip for
Action Kennedy Elementary Third, Fourth, and Fifth grade classes to Newark, CA.

Purpose:

The Kennedy Elementary Principal requests permission to take Kennedy Elementary Third, Fourth and Fifth graders on a non-curricular trip to Newark, CA. This will be a walking field for an End of Year picnic to Newark, CA.

School: Kennedy Elementary
Dates: May 23, 2024
Location: Newark, CA (Newark Community Center Park)

Additional requirements include the following:

Grade K-3, one adult for every 5-8 students; Grades 4-12, one adult for every 10 students; Board Policy requires at least two adults on every trip regardless of the number of students (BP 6153 and AR 6153)
No student will be denied due to a lack of funds

Background:

According to Board Policy 6153, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. Kennedy Elementary Principal requests permission to take Kennedy Elementary Third, Fourth and fifth graders on a non-curricular trip to Newark, CA.

Motion & Voting

The recommendation is that the Board of Education approve the non-curricular trip for Kennedy Elementary Third, Fourth, and Fifth grade classes to Newark, CA.

Motion by Phuong Nguyen, second by Katherine Jones.
 Final Resolution: Motion Carries
 Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones
 Not Present at Vote: Carina V Plancarte

14.17 FIELD TRIP: Curricular and Non-Curricular Trip for Kennedy Elementary Fourth Grade Classes to travel to Newark, CA

Type	Action
Preferred Date	May 07, 2024
Absolute Date	May 07, 2024
Fiscal Impact	Yes
Dollar Amount	\$660.00
Budgeted	Yes
Budget Source	Spellathon Funds
Recommended	The recommendation is that the Board of Education approve the non-curricular trip for
Action	Kennedy Elementary Fourth Grade classes to Newark, CA.

Purpose:

The Kennedy Elementary Principal requests permission to take Kennedy Elementary Fourth Graders on a non-curricular trip to Newark, CA. The students will be transported by private vehicle.

School: Kennedy Elementary
 Dates: May 28, 2024
 Location: Newark, CA (AMC Theater & Newark Community Center Park)

Additional requirements include the following:

Grade K-3, one adult for every 5-8 students; Grades 4-12, one adult for every 10 students; Board Policy requires at least two adults on every trip regardless of the number of students (BP 6153 and AR 6153)
 No student will be denied due to a lack of funds

Background:

According to Board Policy 6153, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. Kennedy Elementary Principal requests permission to take Kennedy Elementary Fourth Grade Classes on a non-curricular trip to Newark, CA.

Motion & Voting

The recommendation is that the Board of Education approve the non-curricular trip for Kennedy Elementary Fourth Grade classes to Newark, CA.

Motion by Phuong Nguyen, second by Katherine Jones.
 Final Resolution: Motion Carries
 Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones
 Not Present at Vote: Carina V Plancarte

14.18 FIELD TRIP : Non-Curricular Trip for Kennedy Elementary School Fourth and Fifth Graders to travel to Fremont, CA

Type	Action
Preferred Date	May 07, 2024
Absolute Date	May 07, 2024
Fiscal Impact	Yes
Dollar Amount	\$1,892.00
Budgeted	Yes
Budget Source	Spellathon Class Funds
Recommended	The recommendation is that the Board of Education approve the non-curricular trip for
Action	Kennedy Elementary Fourth and Fifth Grade classes to Fremont, CA.

Purpose:

The Kennedy Elementary Principal requests permission to take Kennedy Elementary Fourth and Fifth graders on a non-curricular trip to Fremont, CA. Students will be transported by Private Vehicle to Fremont, CA.

School: Kennedy Elementary
 Dates: May 22, 2024
 Location: Fremont, CA (Aqua Adventure Water Park)

Additional requirements include the following:

Grade K-3, one adult for every 5-8 students; Grades 4-12, one adult for every 10 students; Board Policy requires at least two adults on every trip regardless of the number of students (BP 6153 and AR 6153)
 No student will be denied due to a lack of funds

Background:

According to Board Policy 6153, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. Kennedy Elementary Principal requests permission to take Kennedy Elementary Fourth and Fifth Classes on a non-curricular trip to Fremont, CA.

Motion & Voting

The recommendation is that the Board of Education approve the non-curricular trip for Kennedy Elementary Fourth and Fifth Grade classes to Fremont, CA.

Motion by Phuong Nguyen, second by Katherine Jones.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones
Not Present at Vote: Carina V Plancarte

14.19 FIELD TRIP : Non-Curricular Trip for Kennedy Elementary School the Third through Fifth Grade Classes to travel to

Table with 2 columns: Type, Action. Rows include Preferred Date (May 07, 2024), Absolute Date (May 07, 2024), Fiscal Impact (Yes), Dollar Amount (\$330.00), Budgeted (Yes), Budget Source (PTA), Recommended (The recommendation is that the Board of Education approve the non-curricular trip for Kennedy Elementary Third through Fifth Grade classes to Newark, CA.), Action.

Purpose:

The Kennedy Elementary Principal requests permission to take Kennedy Elementary Third through Fifth Graders on a non-curricular trip to Fremont, CA. The students will be transported by private vehicle.

School: Kennedy Elementary
Dates: May 22, 2024
Location: Fremont, CA (Aqua Adventure Water Park)

Additional requirements include the following:

Grade K-3, one adult for every 5-8 students; Grades 4-12, one adult for every 10 students; Board Policy requires at least two adults on every trip regardless of the number of students (BP 6153 and AR 6153)
No student will be denied due to a lack of funds

Background:

According to Board Policy 6153, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. Kennedy Elementary Principal requests permission to take Kennedy Elementary Third through Fifth graders on a non-curricular trip to Fremont, CA.

Motion & Voting

The recommendation is that the Board of Education approve the non-curricular trip for Kennedy Elementary Third through Fifth Grade classes to Newark, CA.

Motion by Phuong Nguyen, second by Katherine Jones.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones
Not Present at Vote: Carina V Plancarte

14.20 FIELD TRIP: Non-Curricular Trip for Coyote Hills Elementary First Grade Classes to travel to Newark, CA

Table with 2 columns: Type, Action. Rows include Preferred Date (May 07, 2024), Absolute Date (May 07, 2024), Budget Source (N/A), Recommended (The recommendation is that the Board of Education approve the non-curricular trip for Coyote Hills Elementary First Grade classes to Newark, CA (Mayhews Landing Park).), Action.

Purpose:

The Coyote Hills Elementary Principal requests permission to take Coyote Hills Elementary First Graders on a non-curricular trip to Newark, CA. This will be a walking field for an End of Year picnic to Newark, CA.

School: Coyote Hills Elementary
Dates: May 21, 2024
Location: Newark, CA (Mayhews Landing)

Additional requirements include the following:

Grade K-3, one adult for every 5-8 students; Grades 4-12, one adult for every 10 students; Board Policy requires at least two adults on every trip regardless of the number of students (BP 6153 and AR 6153)
No student will be denied due to a lack of funds

Background:

According to Board Policy 6153, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. Coyote Hills Elementary Principal requests permission to take Coyote Hills Elementary First Grade Classes on a non-curricular trip to Newark, CA.

Motion & Voting

The recommendation is that the Board of Education approve the non-curricular trip for Coyote Hills Elementary First Grade classes to Newark, CA (Mayhews Landing Park).

Motion by Phuong Nguyen, second by Katherine Jones.

Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones
Not Present at Vote: Carina V Plancarte

14.21 FIELD TRIP: Non-Curricular Trip for Coyote Hills Elementary Fourth Class to travel to Newark, CA

Type	Action
Preferred Date	May 07, 2024
Absolute Date	May 07, 2024
Fiscal Impact	No
Budget Source	N/A
Recommended Action	The recommendation is that the Board of Education approve the non-curricular trip for Coyote Hills Elementary fourth grade classes to Newark, CA (Mayhews Landing).
Public Content	

Purpose:
 The Coyote Hills Elementary Principal requests permission to take Coyote Hills Elementary fourth graders on a non-curricular trip to Newark, CA. This will be a walking field for an End of Year picnic to Newark, CA.
 School: Coyote Hills Elementary
 Dates: May 20, 2024
 Location: Newark, CA (Mayhews Landing)
 Additional requirements include the following:
 Grade K-3, one adult for every 5-8 students; Grades 4-12, one adult for every 10 students; Board Policy requires at least two adults on every trip regardless of the number of students (BP 6153 and AR 6153)
 No student will be denied due to a lack of funds

Background:
 According to Board Policy 6153, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. Coyote Hills Elementary Principal requests permission to take Coyote Hills Elementary Fourth Classes on a non-curricular trip to Newark, CA.

Motion & Voting
 The recommendation is that the Board of Education approve the non-curricular trip for Coyote Hills Elementary fourth grade classes to Newark, CA (Mayhews Landing).
 Motion by Phuong Nguyen, second by Katherine Jones.
 Final Resolution: Motion Carries
 Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones
 Not Present at Vote: Carina V Plancarte

14.22 FIELD TRIP: Non-Curricular Trip for Birch Grove Primary Second Grade Classes to travel to Newark, CA

Type	Action
Preferred Date	May 07, 2024
Absolute Date	May 07, 2024
Fiscal Impact	Yes
Dollar Amount	\$575.00
Budgeted	Yes
Budget Source	Donations
Recommended Action	The recommendation is that the Board of Education approve the non-curricular trip for Birch Grove Primary second grade classes to Newark, CA.

Purpose:
 The Birch Grove Primary Principal requests permission to take Birch Grove Primary Second Graders on a non-curricular trip to Newark, CA. This will be a walking field trip. Students will be able to visit the campus they will attend in 3rd grade. They will tour the campus and visit a 3rd grade classroom to become familiar with the campus and ease the transition to Birch Grove Intermediate.
 School: Birch Grove Primary
 Dates: May 20, 2024
 Location: Newark, CA (Birch Grove Park and Birch Grove Intermediate)
 Additional requirements include the following:
 Grade K-3, one adult for every 5-8 students; Grades 4-12, one adult for every 10 students; Board Policy requires at least two adults on every trip regardless of the number of students (BP 6153 and AR 6153)
 No student will be denied due to a lack of funds

Background:
 According to Board Policy 6153, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. Coyote Hills Elementary Principal requests permission to take Coyote Hills Elementary Second Grade Class on a non-curricular trip to Newark, CA.

Motion & Voting
 The recommendation is that the Board of Education approve the non-curricular trip for Birch Grove Primary second grade classes to Newark, CA.
 Motion by Phuong Nguyen, second by Katherine Jones.
 Final Resolution: Motion Carries
 Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones
 Not Present at Vote: Carina V Plancarte

14.23 FIELD TRIP: Curricular Overnight Trip for Newark Memorial High School Rocketry Club to travel to Great Meadow and Manassas, VA.

Type	Action
Preferred Date	May 07, 2024
Absolute Date	May 07, 2024
Fiscal Impact	Yes
Dollar Amount	\$14,047.00
Budgeted	Yes
Budget Source	Rocketry Club
Recommended Action	The recommendation is that the Board of Education approve the non-curricular trip for Newark Memorial High School Rocketry Club to travel to Great Meadow and Manassas, VA.

Purpose:

The Newark Memorials High School Principal and Director of Student Activities request permission to take the Rocketry Club on a non-curricular trip to Great Meadow and Manassas, VA. Transportation will be by airfare and private vehicle. The Rocketry Club has qualified for the national championship (American Rocketry Challenge).

School: Newark Memorial High School
 Dates: May 15-20, 2024
 Location: Great Meadow and Manassas, VA.

Additional requirements include the following:

Grade K-3, one adult for every 5-8 students; Grades 4-12, one adult for every 10 students; Board Policy requires at least two adults on every trip regardless of the number of students (BP 6153 and AR 6153)
 No student will be denied due to a lack of funds

Background:

According to Board Policy 6153, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. The Newark Memorial High School Principal and Director of Student Activities request permission to take the Rocketry Club on a non-curricular trip to Great Meadow and Manassas, VA.

Motion & Voting

The recommendation is that the Board of Education approve the non-curricular trip for Newark Memorial High School Rocketry Club to travel to Great Meadow and Manassas, VA.

Motion by Phuong Nguyen, second by Katherine Jones.
 Final Resolution: Motion Carries
 Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones
 Not Present at Vote: Carina V Plancarte

14.24 Minutes of the November 07, 2023, Regular Meeting of the Board of Education

Type	Action, Minutes
Fiscal Impact	No
Recommended Action	The recommendation is that the Board of Education approve the minutes of the November 7, 2023 Regular Meeting of the Board of Education.
Minutes	View Minutes for Nov 7, 2023 - Regular Meeting of the Board of Education

Purpose:

For the board to review and approve minutes of the November 07, 2023, Regular Meeting of the Board of Education.

Background:

The attached minutes are reflective of the November 07, 2023, Regular Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel [HERE](#).

Motion & Voting

The recommendation is that the Board of Education approve the minutes of the November 7, 2023 Regular Meeting of the Board of Education.

Motion by Phuong Nguyen, second by Katherine Jones.
 Final Resolution: Motion Carries
 Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones
 Not Present at Vote: Carina V Plancarte

14.25 Minutes of the December 5, 2023, Regular Meeting of the Board of Education

Type	Action, Minutes
Fiscal Impact	No
Budgeted	No
Recommended Action	The recommendation is that the Board of Education approve the minutes of the December 5, 2023 Regular Meeting of the Board of Education.
Minutes	View Minutes for Dec 5, 2023 - Regular Meeting of the Board of Education

Purpose:

For the board to review and approve minutes of the December 5, 2023, Regular Meeting of the Board of Education.

Background:

The attached minutes are reflective of the December 5, 2023, Regular Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel [HERE](#).

Motion & Voting

The recommendation is that the Board of Education approve the minutes of the December 5, 2023 Regular Meeting of the Board of Education.

Motion by Phuong Nguyen, second by Katherine Jones.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones
Not Present at Vote: Carina V Plancarte

14.26 Minutes of the January 11, 2024, Special Meeting of the Board of Education.

Type	Action, Minutes
Fiscal Impact	No
Budgeted	No
Recommended	The recommendation is that the Board of Education approve the minutes of the January 11, 2024, Special Meeting of the Board of Education.
Action	
Minutes	View Minutes for Jan 11, 2024 - Special Meeting of the Board of Education

Purpose:
For the board to review and approve minutes of the January 11, 2024, Special Meeting of the Board of Education.

Background:
The attached minutes are reflective of the January 11, 2024, Special Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel [HERE](#).

Motion & Voting

The recommendation is that the Board of Education approve the minutes of the January 11, 2024, Special Meeting of the Board of Education.

Motion by Phuong Nguyen, second by Katherine Jones.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones
Not Present at Vote: Carina V Plancarte

14.27 Minutes of the January 23, 2024, Regular Meeting of the Board of Education

Type	Action, Minutes
Fiscal Impact	No
Budgeted	No
Recommended	The recommendation is that the Board of Education approve the minutes of the January 23, 2024 Regular Meeting of the Board of Education.
Action	
Minutes	View Minutes for Jan 23, 2024 - Regular Meeting of the Board of Education

Purpose:
For the board to review and approve minutes of the January 23, 2024, Regular Meeting of the Board of Education.

Background:
The attached minutes are reflective of the January 23, 2024, Regular Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel [HERE](#).

Motion & Voting

The recommendation is that the Board of Education approve the minutes of the January 23, 2024 Regular Meeting of the Board of Education.

Motion by Phuong Nguyen, second by Katherine Jones.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones
Not Present at Vote: Carina V Plancarte

14.28 Minutes of the February 06, 2024, Regular Meeting of the Board of Education

Type	Action, Minutes
Fiscal Impact	No
Budgeted	No
Recommended	The recommendation is that the Board of Education approve the minutes of the February 06, 2024 Regular Meeting of the Board of Education.
Action	
Minutes	View Minutes for Feb 6, 2024 - Regular Meeting of the Board of Education

Purpose:
For the board to review and approve minutes of the February 06, 2024, Regular Meeting of the Board of Education.

Background:
The attached minutes are reflective of the February 06, 2024, Regular Meeting of the Board of Education.. The meeting may be viewed on the NUSD YouTube Channel [HERE](#).

Motion & Voting

The recommendation is that the Board of Education approve the minutes of the February 06, 2024 Regular Meeting of the Board of Education.

Motion by Phuong Nguyen, second by Katherine Jones.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones
Not Present at Vote: Carina V Plancarte

14.29 Minutes of the February 20, 2024, Regular Meeting of the Board of Education

Table with 2 columns: Type, Action, Minutes. Rows include Fiscal Impact, Budgeted, Recommended, Action, and Minutes.

Purpose: For the board to review and approve minutes of the February 20, 2024, Regular Meeting of the Board of Education.

Background: The attached minutes are reflective of the February 20, 2024, Regular Meeting of the Board of Education.. The meeting may be viewed on the NUSD YouTube Channel HERE.

Motion & Voting

The recommendation is that the Board of Education approve the minutes of the February 20, 2024 Regular Meeting of the Board of Education.

Motion by Phuong Nguyen, second by Katherine Jones.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones
Not Present at Vote: Carina V Plancarte

15 BOARD OF EDUCATION: COMMITTEE REPORTS, ANNOUNCEMENTS, REQUESTS, DEBRIEF

15.1 Board of Education Committee Reports, Announcements, Requests, Debrief and Discussion

AND DISCUSSION

Table with 2 columns: Type, Action, Discussion, Information. Rows include Fiscal Impact, Budgeted, and Goals.

Purpose: COMMITTEE REPORTS: The Trustees will provide an update, if available, on the committees of which they are members. ANNOUNCEMENTS: The Trustees may acknowledge or recognize specific programs, activities, or personnel at this time. REQUESTS: This is an opportunity for the Board of Education to suggest items for placement on future agendas and to review Board requests.

Approval from the majority of the Board will be required for direction to be provided to the Superintendent.

DEBRIEF AND DISCUSSION: The Trustees may debrief and discuss items.

Background:

Each year the Board of Education members liaise with schools and committees in order to build relationships, hear from staff, students, and families, and act as a conduit for information to and from the schools.

Board Committees 2022-23

Table with 4 columns: Board Adopted on 12/15/2022, Representative, Alternate, and various committee names like Mission Valley Regional Occupational Center/Program (ROC/P), Executive Board, etc.

City of Newark NUSD Liaison Committee 2. Nancy Thomas 1. Katherine Jones

The following derives directly from the Board approved "Governance Team Handbook"

Authority is Collective, Not Individual:

The only authority to direct action rests with the Board as a whole when seated at a regular or special board meeting. Outside of this meeting, there is no authority.

A majority Board vote provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction.

Bringing New Ideas Forward

The Board will be open to having "brainstorming" discussions, or study sessions, around any idea that a Trustee may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Trustee, at their initiative or at the request of a

constituent, which was previously discussed during a board meeting.

Trustees will first notify the Board President and Superintendent of their interest in bringing forward a new idea at a board meeting.

When initially agendized, the preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.

Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea. The Superintendent will decide on the delegation of assignments to District staff.

The new idea may be agendized for discussion only. The Board majority will decide if the new idea should be further developed and studied by staff. The Board majority will decide if staff time should be invested in the "fleshing out" of new ideas.

Individual Trustees, in the course of interactions with constituents, will be careful not to make or imply the commitment of the full Board to explore or proceed with implementing new ideas.

16 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

16.1 Superintendent's Concluding Comments, Updates, and Future Agenda Items

AGENDA REQUESTS

Type Information

Purpose:

This is an opportunity for the Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

17 ADJOURNMENT

17.1 PLACEHOLDER - Extend Meeting

Type Action
Recommended Action The recommendation is that the Board of Education extends the meeting to ____ P.M.

Purpose:

This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

Motion & Voting

The recommendation is that the Board of Education extends the meeting to 12:00 P.M.

Motion by Aiden Hill, second by Nancy Thomas.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones

Not Present at Vote: Carina V Plancarte, Joy Lee

17.2 Adjournment

Type Action
Recommended Action The recommendation is that the Board of Education adjourns this meeting.

Purpose:

No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time. This action will conclude the meeting.

Motion & Voting

The recommendation is that the Board of Education adjourns this meeting.

Motion by Phuong Nguyen, second by Katherine Jones.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones

Abstain: Joy Lee

Not Present at Vote: Carina V Plancarte

1 CALL TO ORDER

1.1 Roll Call

Type Procedural

Trustees:

President Aiden Hill

Vice President/Clerk Katherine Jones

Member Phuong Nguyen

Member Carina V. Plancarte

Member Nancy Thomas

Student Board Member:
Member Joy Lee

1.2 Meeting Practices and Information

Type Information, Procedural

In-person Meeting Information:
Please see the attached meeting information in English and Spanish.

Observe The Board Of Education Meeting:
Members of the public 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.

Public Comment:
The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

File Attachments
[Board Meeting Protocols_ENG\(1\).pdf](#) (69 KB)
[Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf](#) (65 KB)

1.3 Public Comment on Closed Session Items

Type Procedural

Purpose:
The Board of Education encourages the community's participation in its deliberations and tries to make it convenient for members of the community to express their views to the Board.
If a constituent wishes to address the Board on any agenda item:
In-Person Comment: please submit a completed speaker card to the Board's Executive Assistant before the start of the meeting, or prior to the calling of the section for public comment.
Audio-Only Virtual Comment: please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org by 1:00 PM the day of the meeting. Please label your email as " AUDIO-ONLY PUBLIC COMMENT" and include your name as it will appear on Zoom, your phone number, email address, and the agenda item number related to your comment.
Please see detailed instructions for public comment on the link: <http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

File Attachments
[Board Meeting Protocols_ENG\(1\).pdf](#) (69 KB)
[Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf](#) (65 KB)

1.4 Recess to Closed Session

Type Procedural

Purpose:
The Board will recess to Closed Session, and reconvene to Open Session on or about 7:00 p.m.

2 CLOSED SESSION

2.1 CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION Significant exposure to litigation pursuant to Gov. Code, 54956.9, subd. (d)[(2) or (3)]: three cases

Type Action, Discussion, Procedural

Purpose:
Information may be provided regarding significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: Three cases: Keenan Claim Number 629147, Keenan Claim Number 634914 and Special Education Number 2024NUSD001

2.2 PUBLIC EMPLOYEE APPOINTMENT/DISCIPLINE/DISMISSAL/RELEASE/COMPLAINT (Gov. Code, 54957, subd. (b)(1)) Title: Administrative Assistant

Type Action, Information, Procedural

Purpose:
Information will be provided by the Deputy Superintendent of Business Services/CBO and Interim Director of Human Resources regarding appointment of Administrative Assistant.

2.3 2.3 PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Gov. Code, 54957, subd. (b)(1)) Title: Superintendent

Type Action, Discussion, Information

Purpose:

For the Board to conduct/review the employee performance evaluation for the Superintendent.

3 REPORT OF CLOSED SESSION ACTIONS

3.1 Report of Closed Session Actions

Type Action, Procedural

Purpose:

If available, a report of the closed session will be provided by the Board President.

4 RECONVENE TO OPEN SESSION

4.1 Pledge of Allegiance

Type Procedural

Purpose:

The Governance Team will recite the Pledge of Allegiance

4.2 Meeting Practices and Information

Type Information, Procedural

In-person Meeting Information:

Please see the attached meeting information in English and Spanish.

Observe The Board Of Education Meeting:

Members of the public 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.

Public Comment:

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

File Attachments

[Board Meeting Protocols_ENG\(1\).pdf](#) (69 KB)

[Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf](#) (65 KB)

5 APPROVAL OF AGENDA

5.1 Approval of the Agenda

Type Action

Recommended Action The recommendation is that the Board of Education approve the agenda for this meeting.

Purpose:

Members of the Governance Team may request that the agenda be amended or approved as presented.

6 RECOGNITIONS AND CELEBRATIONS

6.1 Community Spotlight- NMHS Voter Registration Campaign: League of Woman Voters

Type Information

Purpose:

To recognize the wonderful partnership with the League of Woman Voters and the NUSD Team.

Background:

The presentation will be provided by the Deputy Superintendent.

6.2 School Spotlight: Newark Memorial High School

Type Information

Purpose:

The School Spotlight gives the Board of Education and the public an opportunity to hear highlights, achievements, and initiatives at each school directly from the principals.

Background:

The presentation and information will be provided by Newark Memorial High School, Interim Principal, Michael Murphy.

7 STUDENT REPORT

7.1 Student Report: Student Board Member, Joy Lee

Purpose:

The Student Report gives the Board of Education and the public an opportunity to hear the highlights, achievements, and initiatives from the viewpoint of the student board member.

Background:

The information will be provided by the Student Board Member, Joy Lee.

8 EMPLOYEE ORGANIZATIONS

8.1 Employee Organizations

Type Information

Purpose:

At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Background:

Discussion items are limited to updates, celebrations, and upcoming events.

1. NTA
2. CSEA
3. NEWMA

9 PUBLIC COMMENT

9.1 Public Comment on Non-Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.

<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

File Attachments

[Board Meeting Protocols_ENG\(1\).pdf](#) (69 KB)

[Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf](#) (65 KB)

9.2 Public Comment on Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.

<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

File Attachments

[Board Meeting Protocols_ENG\(1\).pdf](#) (69 KB)

[Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf](#) (65 KB)

10 SUPERINTENDENT REPORT

10.1 Superintendent Report

Type Information

Purpose:

The superintendent will provide the Board of Education with district information, updates, news, or anything in the jurisdiction of the board or the superintendent.

Background:

The presentation and information will be provided by the Superintendent

11 NEW BUSINESS

11.1 Home-To-School Transportation Plan

Type Action

Absolute Date Mar 19, 2024

Fiscal Impact Yes

Recommended The recommendation is that the Board of Education approve the Transportation Plan for 2023-

Action 24 as presented.

Goals 4. Fiscal Health

Purpose:

To approve the Home-to-School Transportation Plan by April 1, 2024 as required by Ed Code 39800.1 and AB 181.

Background:

The 2023-24 State Budget included funds that school districts can receive to offset costs associated with providing student home-to-school transportation services (reference Ed Code 41850.1). This funding is not for additional transportation services but rather a reimbursement for costs already incurred. In order to receive the funds, the District is required to approve a Transportation Plan by April 1, 2024.

If the district does not approve a Transportation Plan, it will result in an audit finding and funds will have to be returned to the State.

The district has an opportunity to be reimbursed for \$73,445 in transportation costs through this funding source.

The fiscal impact for this item will result in a decrease to the Special Education contribution from General Fund for transportation.

File Attachments

[NUSD Transportation Plan 2023-24.pdf](#) (155 KB)

[Transportation-Plan-Presentation-for-Board-3_19-24.pdf](#) (308 KB)

11.2 REPORT: 2022-23 Audit Report - Measure G Bond

Type Action

Recommended The recommendation is that the Board of Education accept the Measure G Financial and

Action Performance Audit Report for the year ended June 30, 2023.

Goals 4. Fiscal Health

Purpose:

The purpose of this item is for the Board to receive information and accept the Measure G Financial and Performance Audit Report for the fiscal year ended June 30, 2023.

Background:

On March 12, 2024, the Citizen's Bond Oversight Committee reviewed and accepted the Measure G Financial and Performance Audit Report for the fiscal year ended June 30, 2023.

In accordance with generally accepted auditing standards and Government Auditing Standards, the independent auditing firm of Christy White, Inc. has completed their Financial and Performance Audit Report of the Proposition 39 (Measure G) Bonds of the Newark Unified School District for the fiscal year ended June 30, 2023. There were no findings in the audit report.

File Attachments

[Measure G Bond Audit Report for Year Ended June 30, 2023_FINAL.pdf](#) (276 KB)

11.3 Audit Committee Member Appointment

Type Action

Recommended The recommendation is that the Board of Education appoint Aaron Weisz as the voting

Action member to the Audit Committee.

Purpose:

By taking this action, the Board will reappoint voting public (community) member, Aaron Weisz, to the Audit Committee for a second-term beginning March 19, 2024 and expiring January 31, 2026.

Background:

The Audit Committee currently has two members whose terms have expired. Their positions include the voting and non-voting community members. The request for Audit Committee membership applications was posted at the District Office and online on January 16, 2024. The application deadline was February 15, 2024. The Audit Committee reviewed (1) application for the voting member position and interviewed the applicant on February 28, 2024. The Audit Committee recommends Aaron Weisz be appointed by the Board of Education to the Audit Committee as a voting member. Mr. Weisz has been on the Audit Committee as a non-voting member since he was Board approved on June 6, 2017. He appointed to his first term as the voting member on March 18, 2022. There were no applications for the non-voting member position. The committee will discuss re-posting this position at their March 20, 2024 regular meeting.

File Attachments

- 2024-01-16_Audit Committee Membership Solicitation Posting.pdf (87 KB)
2024-02-03_Application for Audit Committee_ Aaron Weisz_REDACTED.pdf (143 KB)

11.4 Board Listening Tour

Type Discussion

Purpose:

To provide our community and School Board with the ability to engage through a listening tour on school district related topics for continuous improvements and to better provide services related to student achievement, district goals, future of Newark Unified, etc.

Background:

At the last school board meeting a community member made a recommendation that the School Board consider an opportunity to engage the community through a topic called "Fireside Chats". In order to do this and not violate the Brown Act we cannot have more than two school board members together, and as a best practice you should hold off on comments until you are in a meeting where you may collectively talk together and thereby not violate the Brown Act. Therefore it is recommended that NUSD Board Members pair up and consider a Listening Tour and that the board host 2-3 sessions this spring and identify dates to invite the community and listen to their ideas for continuous improvements related to the educational services, programs, support systems, etc. At a later date ideas from the listening tour can be shared on a future agenda item or study session so that all board members can discuss the information shared by the community. Additionally, staff will provide resources where these ideas can be written down.

12 CONSENT AGENDA: PERSONNEL ITEMS

12.1 PLACEHOLDER - One Consented Vote

Type Action
Recommended Action It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent-Personnel, except for agenda items:

Purpose:

This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:

Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

12.2 Personnel Report

Type Action
Absolute Date Mar 19, 2024
Fiscal Impact Yes
Budgeted Yes
Budget Source Various Funding Sources
Recommended Action The recommendation is that the Board of Education ratify the personnel report as presented.

Purpose:

The purpose is for the Board of Education to ratify the Personnel Report as presented.

Background:

All personnel activities including new hires, changes in status, resignation, leaves, and retirements are routinely submitted to the Board for ratification.

File Attachments

- HR PAL 03-19-2024 (1).pdf (262 KB)

13 CONSENT AGENDA: NON-PERSONNEL ITEMS

13.1 PLACEHOLDER - One Consented Vote

Type Action
Recommended Action It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent Non-Personnel, except for agenda items:

Purpose: This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background: Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

13.2 Report: Warrant Report for February 2024

Type Action
Absolute Date Mar 19, 2024
Fiscal Impact Yes
Budgeted Yes
Budget Source General Fund
Recommended Action The recommendation is that the Board of Education approve the Warrant Report as presented.
Goals 4. Fiscal Health

Purpose: The purpose of this item is to present warrants, for the total amount of \$2,278,740.98, made from District funds for February 2024.

Background: The warrant registers represent a complete listing of all payments made from District funds for a month. Because Newark Unified School District is a fiscally dependent District, each warrant must pass through two separate audits; first by the Districts Fiscal Services department, and second by the County Office of Education. No warrant can be paid until such time as it is examined and approved by the County Office of Education.

File Attachments
Warrant Report February 2024.pdf (381 KB)

13.3 Resolution 2023.24.29 Declaring Surplus Equipment

Type Action
Recommended Action The recommendation is that the Board of Education approve Resolution 2023.24.29 Declaring Surplus Equipment.
Goals 4. Fiscal Health

Purpose: The purpose of this item is to obtain Board approval of Resolution 2023.24.29 Declaring Surplus Equipment, which lists items to be declared as surplus equipment as recommended.

Background: Surplus materials will be disposed of per Board Policy and Administrative Regulation 3270 Sale And Disposal Of Books, Equipment And Supplies. Education Code, Section 17546 states that if the Governing Board, by a unanimous vote of those members present, finds that the property, whether one or more items, does not exceed the value of \$2,500, it may be sold at private sale without advertising, by a District employee empowered for that purpose by the Board; the property may be donated to a charitable organization, or it may be disposed of in a public disposal facility. The property as described in Resolution 2023.24.29 includes equipment used at Child Nutrition Services. Staff determined that items are obsolete and/or beyond economical repair.

File Attachments
Resolution 2023.24.29 Declaring Surplus Equipment.pdf (12 KB)

13.4 Updated Alameda County Office of Education Triennial Plan for Serving Expelled and High-Risk Students

Type Action
Absolute Date Mar 19, 2024
Fiscal Impact No
Recommended Action The administration recommends the approval of the updated Alameda County Office of Education (ACOE) Triennial Plan.
Goals 2a. Safe, Secure and Healthy Learning Environments
1a. Student Achievement
MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens.

Purpose:

The County-Wide Educational Services Plan for Serving Expelled and High-Risk Students (the Triennial Plan), July 1, 2024 - June 30, 2027, fulfills the Education Code mandate. All districts of Alameda County enter into this agreement every three years.

Financial Impact Note:

The financial impact to the District comes in the loss of daily attendance apportionment when an expelled student is placed at a county community school after expulsion. Additionally, if the expelled student has an IEP, the District may be charged (in future school years) for additional special education services for that student. ACOE has indicated that they are flexible and willing to be creative in serving students with IEPs, and if the District chooses to continue special education services under the IEP instead of having ACOE provide the services, there will be no charge. However, the feasibility of such an arrangement must be considered on a case-by-case basis and agreed to in the usual IEP process.

County Wide Plan Overview

Educational programs within Alameda County provide numerous alternatives and opportunities for students who are in need of traditional and/or alternative education programs. Individual school districts offer a broad spectrum of services and the County Office of Education (COE) offers additional options. In combination, these two sources provide a continuum of education alternatives to expelled and high-risk students.

Under Education Code Section 48926, school districts throughout California have been mandated to provide educational services for students expelled from their district. The original county-wide plan was adopted by the local governing boards of education and the Alameda County Board of Education in 1997.

This current county-wide plan is the triennial update to the existing plan. The law also states that "At the time an expulsion of a pupil is ordered, the governing board of the school district shall ensure that an education program is provided to the pupil who is subject to the expulsion order for the period of the expulsion."

In Alameda County, this mandate impacts 18 school districts spread over a region comprised of urban, suburban, and semi-rural or isolated communities. The educational placement of a student is determined on an individual basis by the district's governing board based on 1) seriousness of the offense, 2) available educational alternatives, and 3) other related factors.

The county-wide plan for the provision of educational services to expelled students for the period 2024-2027 shall identify:

1. Existing educational alternatives for expelled students, as well as strategies for improvement during the next three years in behavioral intervention practices utilized at the site and district levels.
2. Gaps in educational services to expelled students, strategies implemented to fill those service gaps, the success of these strategies, and additional measures taken.
3. Alternative placement for students who are expelled and placed in district community day school programs (for applicable districts), but who fail to meet the terms and conditions of their rehabilitation plan or who pose a danger to other district pupils, as determined by the governing board.
4. Existing alternatives offered by school districts in the countywide plan.

Key Questions/Answers

1. Is this plan substantially the same as prior Triennial Plans?

Yes. Newark's offerings have not changed from the prior 2021-2024 Triennial Plan. (Other districts detailed in the Triennial Plan may have changed.) The ACOE community school offerings are substantially the same as well.

2. What changes are in the plan?

No Changes.

3. Is there a charge from ACOE to educate general education students?

No. With the enactment of AB 922, Statutes of 1995, Chapter 974, California Education Code Section 48926 requires each county superintendent who operates community schools, in conjunction with the superintendents of the school districts within the county, to develop a county-wide plan for providing education services for all expelled pupils in the county. The plan is to be adopted by the governing board of each school district within the county and by the county board of education; the plan is to be submitted to the State Superintendent of Public Instruction.

Education Code Section 48926 provides specifically that:

EC Section 48926 further requires that each county superintendent of schools, in conjunction with district superintendents in the county, submit a triennial update to the State Superintendent of Public Instruction the next date being June 30, 2024 (effective July 1, 2024, to June 30, 2027).

1. The county-wide plan shall enumerate existing educational alternatives for expelled pupils, identify gaps in educational services to expelled pupils, and strategies for filling those service gaps.
2. The county-wide plan shall identify alternative placements for pupils who are expelled and placed in district community day school programs but who fail to meet the terms and conditions of their rehabilitation plan or who pose a danger to other district pupils, as determined by the district governing board.

File Attachments

[2024-2027 Triennial Plan .pdf \(624 KB\)](#)

[ACOE Community Schools Special Education MOU .docx.pdf \(113 KB\)](#)

[Triennial Plan Superintendent Signature Page 2024 .pdf \(141 KB\)](#)

13.5 Curricular, Non-Curricular, Overnight, Out-of-State Field Trip for Newark Memorial High School Rocketry to Alabama

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$23,820.06
Budgeted	Yes
Budget Source	ASB Funds
Recommended Action	The recommendation is that the Board of Education approve the field trip to Alabama for the Newark Memorial High School Rocketry Club to participate in the NASA's Student Launch Initiative.

Purpose:

For the Board to approve a field trip for the Newark Memorial High School Rocketry Club students to participate in NASA's Student Launch Initiative.

Background:

According to Board Policy 6153, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. The Newark Memorial High School principal and Director of Student Activities request permission to take students on a curricular, overnight, out-of-state field trip via private vehicles, commercial air, shuttles, and rental vehicles to Alabama to participate in the NASA's Student Launch Initiative.

School: Newark Memorial High School
 Dates: April 10-15, 2024
 Location: Huntsville, Alabama

Field trip requirements met:

Grade K-3, one adult for every 5-8 students; Grades 4-12, one adult for every 10 students; Board Policy requires at least two adults on every trip regardless of the number of students (BP 6153 and AR 6153)
 Overnight trip supervision must be gender appropriate
 No student will be denied due to a lack of funds

13.6 FIELD TRIP: Non-Curricular, Overnight, One-Way Distance Over 100 Miles Field Trip: Newark Memorial HS to Anaheim,

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$80,635.00
Budgeted	Yes
Budget Source	Students ASB.
Recommended	The recommendation is that the Board of Education approve the NMHS Class of 2024 students
Action	to travel to Anaheim, CA for Grad Nite.
Goals	2a. Safe, Secure and Healthy Learning Environments 1a. Student Achievement

Purpose:

The NMHS Principal and Class of 2023 request permission to take students on a non-curricular, overnight trip to Anaheim, CA for the annual Grad Nite event.

Grad Nite is for the Class of 2024 to experience a lifetime memory with their classmates. Students will travel by chartered bus set up by MOT and travel with the required amount of chaperones needed for this trip.

School: Newark Memorial
 Date: May 19-20, 2024
 Location: Anaheim, CA

Requirements met:

Grade K-3, one adult for every 5-8 students; Grades 4-12, one adult for every 10 students; Board Policy requires at least two adults on every trip regardless of the number of students (BP 6153 and AR 6153).
 Overnight trip supervision must be gender appropriate.
 No student will be denied due to a lack of funds.

Background:

According to Board Policy 6153, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. Newark Memorial High School Principal and staff request permission to take Class of 2023 seniors on a non-curricular trip that will include transportation by chartered bus to Anaheim, CA.

13.7 FIELD TRIP: Non-Curricular Trip for Newark Memorial High School students to travel Oakland to celebrate Prom.

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$54,000.00
Budgeted	Yes
Budget Source	C/O 24 & C/O 25 ASB
Recommended	The recommendation is that the Board of Education approve the Newark Memorial High
Action	School students to travel Oakland to celebrate Prom on April 19, 2024.
Goals	2b. Safe, Secure and Healthy Learning Environments

Purpose:

The Newark Memorial High School Principal and Classes of 2024 and 2025 request permission to take students on a non-curricular trip to travel Oakland to celebrate Prom.

Prom is for the Class of 2024 and 2025 will celebrate their Prom.

School: Newark Memorial
 Date: April 19, 2024
 Location: Oakland, CA

Chaperones for Field Trip:

The ratio of adults to students on school-sponsored trips shall be based on the following formula:
 K-3 1 adult for every 5-8 students
 4-9 1 adult for every 10 students
 10-12 1 adult for every 10 students where strict supervision is required (tours, theaters, etc.)
 No student will be denied due to a lack of funds.

Background:

According to Board Policy 6153.2, all trips that are non-curricular require Board approval. The site principal and Newark Memorial High School Director of Student Activities request permission for 12th grade students to attend a 3 hour cruise out of Oakland using Events to the "T" .

13.8 FIELD TRIP: Curricular and Non-Curricular Trip for Newark Middle School Band and Choir to travel to Fairfield, CA and

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$5,000.00
Budgeted	Yes
Budget Source	ASB funds
Recommended	The recommendation is that the Board of Education approve the curricular and non-curricular
Action	trip for Newark Middle School Band and Choir to travel to Fairfield, CA and Vallejo, CA on May 4, 2024.
Goals	1a. Student Achievement

Purpose:
 The Newark Middle School Principal requests permission to take Newark Middle School Band and Choir on a Curricular and Non-Curricular Trip trip to to Fairfield, CA and Vallejo, CA. Transportation will be by chartered bus. This trip's purpose is to accept an invitation for the Band and Choir to travel to a local music festival to perform in competition and receive feedback from professionals and peers.

School: Newark Middle School
 Dates: May 4, 2024
 Location: Fairfield, CA and Vallejo, CA.

Chaperone requirements met
 Grade K-3, one adult for every 5-8 students; Grades 4-12, one adult for every 10 students; Board Policy requires at least two adults on every trip regardless of the number of students (BP 6153 and AR 6153)
 No student will be denied due to a lack of funds

Background:
 According to Board Policy 6153, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. Newark Middle School Principal requests permission to take the Band and Choir to travel to Fairfield, CA and Vallejo, CA.

13.9 POLICY UPDATE: Board Policy 5132 and Administrative Regulation 5132 - Dress and Grooming

Type	Action (Consent)
Preferred Date	Mar 19, 2024
Fiscal Impact	No
Budgeted	No
Recommended	The recommendation is that the Board of Education approve the updated Board Policy 5132
Action	and Administrative Regulation 5132 - Dress and Grooming as reviewed by the Board Liaison Committee.

Purpose:
 The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation as reviewed by the Board Liaison Committee.

Background:
 This is the final (third) reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration and the Board Liaison Committee has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a final reading.
 Board Policy 5132 - Dress and Grooming
 The NUSD board policy has not been revised since 2004. The language has been replaced to match the sample board policy provided by the California School Board Association.
 Administrative Regulation 5132 - Dress and Grooming
 The NUSD administrative regulation has not been revised since 2006. The language has been replaced to match the sample board policy provided by the California School Board Association.

- File Attachments**
[5132 - AR - Dress And Grooming.pdf](#) (280 KB)
[Copy of 5132 - BP - Dress And Grooming.docx_03_19_24.pdf](#) (76 KB)

13.10 POLICY UPDATE: Board Policy 6177 - Summer Learning Programs

Type	Action
Fiscal Impact	No
Budgeted	No
Recommended	The recommendation by the Board Liaison Committee is that the Board of Education discuss
Action	and approve the updated Board Policy Board Policy 6177 with a recommendation of using option 1 throughout the document for - Summer Learning Programs

Purpose:
 The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation.

Background:

This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations including option 2 throughout the document will be removed from the final, Board approved policies. The administration and the Board Liaison Committee has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a second reading.

Board Policy 6177 - Summer Learning Programs

The NUSD board policy was last revised in 2014. The language has been replaced to match the sample board policy provided by the California School Board Association.

[File Attachments](#)

[6177 - BP - Summer Learning Programs.docx.pdf](#) (148 KB)

13.11 POLICY UPDATE: Bylaw 9010 - Public Statements

Type Action, Procedural

Recommended Action The recommendation is that the Board of Education approve the updated Bylaw 9010 - Public Statements as reviewed by the Board Liaison Committee.

[Purpose:](#)

The purpose is for the Board of Education to discuss and review the recommended changes and approve the updated board bylaw as reviewed by the Board Liaison Committee.

[Background:](#)

This is the FIRST reading of the attached bylaw. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved bylaw. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the bylaw will be brought back to the Board of Education for a second reading.

The Governing Board recognizes the responsibility of Board members in their role as community leaders to participate in public discourse on matters of civic or community interest, including those involving the district, and their right to freely express their personal views. However, to ensure communication of a consistent, unified message regarding district issues, Board members are expected to respect the authority of the Board to choose its representatives to communicate its positions and to abide by established protocols.

CSBA Last Update: 2013-08-01 | NUSD Last Update: 1996-11-05

[File Attachments](#)

[Bylaw 9010 - Public Statements.pdf](#) (150 KB)

13.12 POLICY UPDATE: Bylaw 9012 - Board Member Electronic Communications

Type Action, Procedural

Recommended Action The recommendation is that the Board of Education approve the updated Bylaw 9012 - Board Member Electronic Communications as reviewed by the Board Liaison Committee.

[Purpose:](#)

The purpose is for the Board of Education to discuss and review the recommended changes and approve the updated board bylaw as reviewed by the Board Liaison Committee.

[Background:](#)

This is the FIRST reading of the attached bylaw. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved bylaw. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the bylaw will be brought back to the Board of Education for a second reading.

Bylaw updated to clarify that electronic communications should not be used as a means to restrict access to a public forum, that meeting locations include teleconference locations, and that the prohibition against serial meetings includes a series of communications directly or through intermediaries. Bylaw reflects NEW LAW (AB 992, 2020) which authorizes board members to engage in separate conversations or communications on social media platforms that are open and accessible to the public as long as a majority of the board does not use the platform to discuss among themselves business within the subject matter jurisdiction of the board, board members do not respond directly to any communication from other board members, and board members do not comment on or use digital icons to express reactions to communications made by other board members. Bylaw also references court decisions which clarify that a public official's social media account which includes discussion of public business may be considered a public forum. This policy was updated by CSBA in December, 2020. Newark has not yet adopted this policy.

[File Attachments](#)

[Bylaw 9012 - Board Member Electronic Communications.pdf](#) (185 KB)

13.13 POLICY UPDATE: Bylaw 9100 - Organization

Type Action, Procedural

Recommended Action The recommendation is that the Board of Education approve the updated Bylaw 9100 - Organization as reviewed by the Board Liaison Committee.

[Purpose:](#)

The purpose is for the Board of Education to discuss and review the recommended changes and approve the updated board bylaw as reviewed by the Board Liaison Committee.

Background:

This is the FIRST reading of the attached bylaw. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved bylaw. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the bylaw will be brought back to the Board of Education for a second reading.

Bylaw updated by CSBA in September 2022 to reflect NEW LAW (AB 486, 2021) which changes the date requirements for districts to hold their annual organizational meeting. Last NUSD update in 1996.

File Attachments

Bylaw 9100 - Organization.pdf (155 KB)

13.14 POLICY UPDATE: Bylaw 9110 - Terms of Office

Type Action, Procedural

Recommended The recommendation is that the Board of Education approve the updated Bylaw 9110 - Terms of Office as reviewed by the Board Liaison Committee.

Purpose:

The purpose is for the Board of Education to discuss and review the recommended changes and approve the updated board bylaw as reviewed by the Board Liaison Committee.

Background:

This is the FIRST reading of the attached bylaw. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved bylaw. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the bylaw will be brought back to the Board of Education for a second reading.

AB 2449 (Ch. 146, Statutes of 2018) amended Education Code 5017 to change the commencement of the term of office of board members from the first Friday in December following their election to the second Friday in December. Although Education Code 5000 still states that a board member's four-year term expires on the first Friday in December, Education Code 5017 requires board members to continue to discharge their duties until their successor has qualified by taking the oath of office.

CSBA Last Update: 2018-10-01 | NUSD Last Update: 1996-11-05

File Attachments

Bylaw 9110 - Terms Of Office.pdf (146 KB)

13.15 POLICY UPDATE: Bylaw 9124 - Attorney

Type Action, Procedural

Recommended The recommendation is that the Board of Education approve the updated Bylaw 9124 - Attorney as reviewed by the Board Liaison Committee.

Purpose:

The purpose is for the Board of Education to discuss and review the recommended changes and approve the updated board bylaw as reviewed by the Board Liaison Committee.

Background:

This is the FIRST reading of the attached bylaw. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved bylaw. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the bylaw will be brought back to the Board of Education for a second reading.

Bylaw updated to revise the first philosophical paragraph to recognize the need to provide legal representation to the district and the importance of cost-effective legal advice and services, clarify that the Governing Board may appoint and fix and order paid legal counsel's compensation, expand the types of entities that the Board may contract with to serve as legal counsel, and reflect that the Board supports pursuing collaborative legal efforts with other districts as well as other government agencies as appropriate. Bylaw also updated to clarify that districts may, but are not required, to initiate a Request for Proposals to advertise and solicit proposals for legal services, and that districts may consider the attorney's, firm's, and/or entity's relevant legal reputation when evaluating such attorneys, firms, and/or entities. Additionally, bylaw updated to reflect that any attorney representing the district is required to be admitted to practice law in California.

CSBA Last Update: 2023-09-01 | NUSD Last Update: 2013-05-07

File Attachments

Bylaw 9124 - Attorney.pdf (81 KB)

13.16 POLICY UPDATE: Bylaw 9150 - Student Board Members

Type Action, Procedural

Recommended The recommendation is that the Board of Education approve the updated Bylaw 9150 - Student Board Members as reviewed by the Board Liaison Committee.

Purpose:

The purpose is for the Board of Education to discuss and review the recommended changes and approve the updated board bylaw as reviewed by the Board Liaison Committee.

Background:

This is the FIRST reading of the attached bylaw. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved bylaw. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the bylaw will be brought back to the Board of Education for a second reading.

Bylaw updated to reflect NEW LAW (AB 824, 2021) which specifies circumstances under which a governing board may adjust the term of a student board member. Bylaw also updated to enhance legal accuracy and clarity.

CSBA Last Update: 2021-12-01 | NUSD Last Update: 2019-10-25

File Attachments

[Bylaw 9150 - Student Board Members.pdf](#) (180 KB)

13.17 POLICY UPDATE: Bylaw 9220 - Governing Board Elections

Type	Action, Procedural
Fiscal Impact	No
Budgeted	No
Recommended	The recommendation is that the Board of Education approve the updated Bylaw 9220 -
Action	Governing Board Elections as reviewed by the Board Liaison Committee.

Purpose:

The purpose is for the Board of Education to discuss and review the recommended changes and approve the updated board bylaw as reviewed by the Board Liaison Committee.

Background:

This is the FIRST reading of the attached bylaw. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved bylaw. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the bylaw will be brought back to the Board of Education for a second reading.

Bylaw updated to reflect NEW LAW (AB 2584, 2022), by adding a new section - "Recalling a Board Member." Updated Bylaw also revised "Election Process and Procedure" section to reflect NEW LAW (SB 1061, 2022) regarding the requirement that any petition for a special election to fill a Board vacancy include the county election official's estimate of the cost of conducting the special election.

CSBA Last Update: 2022-12-01 | NUSD Last Update: 2013-06-04

File Attachments

[Bylaw 9220 - Governing Board Elections.pdf](#) (218 KB)

13.18 POLICY UPDATE: Bylaw 9222 - Resignation

Type	Action, Procedural
Recommended	The recommendation is that the Board of Education approve the updated Bylaw 9222 -
Action	Resignation as reviewed by the Board Liaison Committee.

Purpose:

The purpose is for the Board of Education to discuss and review the recommended changes and approve the updated board bylaw as reviewed by the Board Liaison Committee.

Background:

This is the FIRST reading of the attached bylaw. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved bylaw. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the bylaw will be brought back to the Board of Education for a second reading.

Pursuant to Education Code 5090, a Governing Board member who wishes to resign must file a written resignation with the County Superintendent of Schools having jurisdiction over the district. The resignation results in a vacancy on the Board which, pursuant to Government Code 1770 and Education Code 5091-5093, requires the Board to either order an election or make a provisional appointment as appropriate, unless the vacancy occurs within four months of the end of the Board member's term in which case the Board will take no action.

CSBA Last Update: 2016-05-01 | NUSD Last Update: 1996-11-05

File Attachments

[Bylaw 9222 - Resignation.pdf](#) (146 KB)

13.19 POLICY UPDATE: Bylaw 9223 - Filling Vacancies

Type	Action, Procedural
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Recommended Action The recommendation is that the Board of Education approve the updated Bylaw 9223 - Filling Vacancies as reviewed by the Board Liaison Committee.

Purpose:

The purpose is for the Board of Education to discuss and review the recommended changes and approve the updated board bylaw as reviewed by the Board Liaison Committee.

Background:

This is the FIRST reading of the attached bylaw. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved bylaw. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the bylaw will be brought back to the Board of Education for a second reading.

Bylaw updated to reflect NEW LAW (SB 1061, 2022), by adding a new note and body paragraph at the end of the "Provisional Appointments" section. Updated Bylaw also reflects New Attorney-General Opinion on how a vacancy is to be filled when a district's trustee areas have been revised or election method has changed from "at-large" to "by-trustee area," since the Board member whose term is to be completed was last elected. The Bylaw also updated to rearrange the Items in "Timelines for Filling a Vacancy" and to revise as necessary for clarity.

CSBA Last Update: 2022-12-01 | NUSD Last Update: 2013-05-07

File Attachments

[Bylaw 9223 - Filling Vacancies.pdf](#) (197 KB)

13.20 POLICY UPDATE: Bylaw 9230 - Orientation

Type Action, Procedural

Recommended Action The recommendation is that the Board of Education approve the updated Bylaw 9230 - Orientation as reviewed by the Board Liaison Committee.

Purpose:

The purpose is for the Board of Education to discuss and review the recommended changes and approve the updated board bylaw as reviewed by the Board Liaison Committee.

Background:

This is the FIRST reading of the attached bylaw. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved bylaw. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the bylaw will be brought back to the Board of Education for a second reading.

In addition to providing new Governing Board members with information about district programs and operations, it is recommended that new Board members be provided information and professional development regarding the roles and responsibilities of the Board (see BB 9000 - Role of the Board) and professional governance standards agreed upon by the Board (see BB 9005 - Governance Standards). The provision of information to Board candidates regarding the district and/or Board responsibilities is addressed in BB 9220 - Governing Board Elections.

CSBA Last Update: 2017-07-01 | NUSD Last Update: 2013-05-21

File Attachments

[Bylaw 9230 - Orientation.pdf](#) (160 KB)

13.21 POLICY UPDATE: Bylaw 9240 - Board Training

Type Action, Procedural

Recommended Action The recommendation is that the Board of Education approve the updated Bylaw 9240 - Board Training as reviewed by the Board Liaison Committee.

Purpose:

The purpose is for the Board of Education to discuss and review the recommended changes and approve the updated board bylaw as reviewed by the Board Liaison Committee.

Background:

This is the FIRST reading of the attached bylaw. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved bylaw. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the bylaw will be brought back to the Board of Education for a second reading.

CSBA's Professional Governance Standards include expectations that each individual Governing Board member will participate in professional development and commit the time and energy necessary to be an informed and effective leader.

CSBA Last Update: 2016-12-01 | NUSD Last Update: 1996-11-19

File Attachments

[Bylaw 9240 - Board Training.pdf](#) (154 KB)

13.22 POLICY UPDATE: Bylaw 9310 - Board Policies

Type Action, Procedural

Recommended Action The recommendation is that the Board of Education approve the updated Bylaw 9310 - Board Policies as reviewed by the Board Liaison Committee.

Purpose:

The purpose is for the Board of Education to discuss and review the recommended changes and approve the updated board bylaw as reviewed by the Board Liaison Committee.

Background:

This is the FIRST reading of the attached bylaw. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved bylaw. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the bylaw will be brought back to the Board of Education for a second reading.

State and federal laws mandate that districts develop policy or regulations on numerous topics. CSBA maintains a list of mandated policies and also indicates throughout its sample policy manual instances where policy language is mandated. CSBA Last Update: 2018-07-01 | NUSD Last Update: 2013-05-07

File Attachments

Bylaw 9310 - Board Policies.pdf (179 KB)

14 BOARD OF EDUCATION: COMMITTEE REPORTS, ANNOUNCEMENTS, REQUESTS, DEBRIEF

14.1 Board of Education Committee Reports, Announcements, Requests, Debrief and Discussion

AND DISCUSSION

Type Action, Discussion, Information

Purpose:

COMMITTEE REPORTS: The Trustees will provide an update, if available, on the committees of which they are members. ANNOUNCEMENTS: The Trustees may acknowledge or recognize specific programs, activities, or personnel at this time. REQUESTS: This is an opportunity for the Board of Education to suggest items for placement on future agendas and to review Board requests.

Approval from the majority of the Board will be required for direction to be provided to the Superintendent.

DEBRIEF AND DISCUSSION: The Trustees may debrief and discuss items.

Background:

Each year the Board of Education members liaise with schools and committees in order to build relationships, hear from staff, students, and families, and act as a conduit for information to and from the schools.

Board Committees 2022-23

Table with 3 columns: Board Adopted on 12/15/2022, Representative, Alternate. Rows include Mission Valley Regional Occupational Center/Program (ROC/P), Executive Board, Regional Policy Board of Special Education Local Plan Area (SELPA), Newark Teacher Induction Advisory Council (Formally EBIC), Audit Committee, Bond/Parcel Tax Committee, and City of Newark NUSD Liaison Committee.

The following derives directly from the Board approved "Governance Team Handbook" Authority is Collective, Not Individual:

The only authority to direct action rests with the Board as a whole when seated at a regular or special board meeting. Outside of this meeting, there is no authority.

A majority Board vote provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction.

Bringing New Ideas Forward

The Board will be open to having "brainstorming" discussions, or study sessions, around any idea that a Trustee may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Trustee, at their initiative or at the request of a constituent, which was previously discussed during a board meeting.

Trustees will first notify the Board President and Superintendent of their interest in bringing forward a new idea at a board meeting.

When initially agendized, the preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.

Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea. The Superintendent will decide on the delegation of assignments to District staff.

The new idea may be agendized for discussion only. The Board majority will decide if the new idea should be further developed and studied by staff. The Board majority will decide if staff time should be invested in the "fleshing out" of new ideas.

Individual Trustees, in the course of interactions with constituents, will be careful not to make or imply the commitment of the full Board to explore or proceed with implementing new ideas.

15 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

15.1 Superintendent's Concluding Comments, Updates, and Future Agenda Items

AGENDA REQUESTS

Type Information

Purpose:

This is an opportunity for the Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

16 ADJOURNMENT

16.1 PLACEHOLDER - Extend Meeting

Type Action

Recommended Action The recommendation is that the Board of Education extends the meeting to ____ P.M.

Purpose:

This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

16.2 Adjournment

Type Action

Recommended Action The recommendation is that the Board of Education adjourns this meeting.

Purpose:

No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time. This action will conclude the meeting.

1 CALL TO ORDER

1.1 Roll Call

Type Procedural

Trustees:

President Aiden Hill
Vice President/Clerk Katherine Jones
Member Phuong Nguyen
Member Carina V. Plancarte
Member Nancy Thomas

Student Board Member:

Member Joy Lee

1.2 Meeting Practices and Information

Type Information, Procedural

In-person Meeting Information:

Please see the attached meeting information in English and Spanish.

Observe The Board Of Education Meeting:

Members of the public 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.

Public Comment:

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

File Attachments

[Board Meeting Protocols_ENG\(1\).pdf](#) (69 KB)
[Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf](#) (65 KB)

1.3 Public Comment on Study Session

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and tries to make it convenient for members of the community to express their views to the Board.

If a constituent wishes to address the Board on any agenda item:

In-Person Comment: please submit a completed speaker card to the Board's Executive Assistant before the start of the meeting, or prior to the calling of the section for public comment.

Audio-Only Virtual Comment: please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org by 1:00 PM the day of the meeting. Please label your email as "AUDIO-ONLY PUBLIC COMMENT" and include your name as it will appear on Zoom, your phone number, email address, and the agenda item number related to your comment.

Please see detailed instructions for public comment on the link: <http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

File Attachments

[Board Meeting Protocols_ENG\(1\).pdf](#) (69 KB)

[Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf](#) (65 KB)

2 PUBLIC COMMENT

2.1 Public Comment on Closed Session Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and tries to make it convenient for members of the community to express their views to the Board.

If a constituent wishes to address the Board on any agenda item:

In-Person Comment: please submit a completed speaker card to the Board's Executive Assistant before the start of the meeting, or prior to the calling of the section for public comment.

Audio-Only Virtual Comment: please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org by 1:00 PM the day of the meeting. Please label your email as "AUDIO-ONLY PUBLIC COMMENT" and include your name as it will appear on Zoom, your phone number, email address, and the agenda item number related to your comment.

Please see detailed instructions for public comment on the link: <http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

File Attachments

[Board Meeting Protocols_ENG\(1\).pdf](#) (69 KB)

[Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf](#) (65 KB)

2.2 Recess to Closed Session

Type Procedural

Purpose:

The Board will recess to Closed Session, and reconvene to Open Session on or about 7:00 p.m.

3 CLOSED SESSION

3.1 PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Gov. Code, 54957, subd. (b) (1)) Title: Superintendent

Type Action, Discussion, Information

Purpose:

For the Board to conduct/review the employee performance evaluation for the Superintendent.

3.2 PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT/DISCIPLINE/DISMISSAL/RELEASE (Gov. Code, 54957, subd.

Type Action, Information, Procedural

Purpose:

Information will be provided to the board by the Deputy Superintendent of Business Services/CBO and Interim Executive Director of Human Resources.

4 REPORT OF CLOSED SESSION ACTIONS

4.1 Report of Closed Session Actions

Type Action, Procedural

Purpose:

If available, a report of the closed session will be provided by the Board President.

5 RECONVENE TO OPEN SESSION

5.1 Pledge of Allegiance

Type Procedural

Purpose:

The Governance Team will recite the Pledge of Allegiance

5.2 Meeting Practices and Information

Type Information, Procedural

In-person Meeting Information:

Please see the attached meeting information in English and Spanish.

Observe The Board Of Education Meeting:

Members of the public 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.

Public Comment:

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

File Attachments

[Board Meeting Protocols_ENG\(1\).pdf](#) (69 KB)

[Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf](#) (65 KB)

6 APPROVAL OF AGENDA

6.1 Approval of the Agenda

Type Action

Recommended The recommendation is that the Board of Education approve the agenda for this meeting.

Action

Purpose:

Members of the Governance Team may request that the agenda be amended or approved as presented.

7 PUBLIC COMMENT

7.1 Public Comment on Non-Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.

<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

File Attachments

[Board Meeting Protocols_ENG\(1\).pdf](#) (69 KB)

[Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf](#) (65 KB)

7.2 Public Comment on Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.

<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

File Attachments

[Board Meeting Protocols_ENG\(1\).pdf](#) (69 KB)

[Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf](#) (65 KB)

8 NEW BUSINESS

8.1 Budget Reduction Plan Goal 2024-25

Type Information

Purpose:

Deputy Superintendent of Business Services/CBO, Tracey Vackar will present Budget Reduction Plan Goal for the 2024-25 school year to the Board of Education.

Background:

At the regular meeting of February 20, 2024, the Board of Education requested an initial Budget Reduction Plan, outlining the district's planned reductions for the 2024-25 school year. At the March 5, 2024 meeting Mike Berg, Strategic Solutions Today, presented a Budget Reduction Plan and timelines.

The first step of a Budget Reduction Plan begins with the reduction of force to align to the reduction in revenue/enrollment. This is the first critical step, since approximately 80% of the district's budget goes toward employee salaries. The report will also review strategies in operating costs and proposed initiatives to generate revenue. During the March 5, 2024 meeting, the Second Interim was presented and approved by the Board of Education. This plan outlines savings identified in the 2024-2024 Multi Year Projection (MYP).

File Attachments

[Net Reductions Plan Goal 2024-25 3_6_24.pdf](#) (62 KB)

8.2 RESOLUTION NO. 2023.24.24: Classified Layoffs

Type Action

Absolute Date Mar 07, 2024

Recommended The recommendation is that the Board approve Resolution No. 2023.24.24 to lay off or reduce hours of certain classified positions due to lack of funds/lack of work.

Purpose:

Resolution No. 2023.24.24 will be presented to the Board of Education for approval to lay off certain classified positions due to lack of funds/lack of work. This resolution gives authorization for the District to formally notify certain classified employees that their positions are being reduced or eliminated. This process is required under California Education Code 45117, which requires permanent employees to be notified by March 15, 2024.

Background:

Per Assembly Bill 438, the timeline to notice classified staff is March 15. The positions included are being eliminated due to lack of funds/lack of work. The District has reviewed this list of positions with CSEA.

Resolution 2023.24.24 eliminates positions due to lack of funds/work. Permanent employees laid off for lack of work or lack of funds are eligible for reemployment for a period of 39 months and shall be reemployed in preference to new applicants. Such persons have the right to participate in promotional examinations during the 39-month period. In addition, such persons will have preferential hiring rights over new applicants to a new or different classified position, if the person on the rehire list is qualified for the position, even if they have never served in that class or classification. Permanent CSEA employees affected by layoff may have displacement rights to other lower classifications in which the laid-off employee has previously served. Permanent employees who accept voluntary demotions or voluntary reductions in assigned time in lieu of layoff shall be granted the same rights as persons laid off and shall retain eligibility to be considered for employment for an additional period up to 24 months.

File Attachments

[Ed Code 45117.pdf](#) (275 KB)

[Classified RIF Layoff Resolution 2023.24.24_\(2024-25\).pdf](#) (82 KB)

8.3 RESOLUTION NO. 2023.24.26: Reduce the Number of Certificated Employees Due to a Reduction of Particular Kinds of Services for the 2024-2025 School Year

Type Action

Absolute Date Mar 07, 2024

Recommended The recommendation is that the Board of Education approve Resolution No. 2023.24.26 to reduce the number of certificated employees due to a reduction in particular kinds of services for the 2024-2025 school year.

Purpose:

The purpose is for the Board of Education to approve Resolution No. 2023.24.26 to reduce the number of certificated employees due to a reduction in particular kinds of services for the 2024-2025 school year.

Background:

District administration has reviewed staffing and projected enrollment for the next school year and it has been determined that these positions will be eliminated for the 2024-2025 school year. This has been reviewed with the Newark Teachers Association. Resolution 2023.24.26 includes specially funded positions, including those positions designated by School Site Councils/SPSAs and positions being eliminated due to declining enrollment.

Education Code section 44955 permits the Board of Education to reduce or discontinue particular kinds of services.

File Attachments

[Ed Code 44955.pdf](#) (212 KB)
[Certificated PKS Layoff Resolution \(2024-2025\) 4861-2087-7479 4.pdf](#) (83 KB)

8.4 RESOLUTION NO. 2023.24.27: Release and Reassignment of Certificated Administrative Employees Pursuant to Education Code 44951

Type	Action
Absolute Date	Mar 07, 2024
Recommended	The recommendation is that the Board of Education approve Resolution No. 2023.24.27 to
Action	release and reassign certificated administrative employees pursuant to Education Code 44951 for the 2024-2025 school year.

Purpose:
The purpose is for the Board of Education to approve Resolution No. 2023.24.27 to release and reassign certificated administrative employees pursuant to Education Code 44951 for the 2024-2025 school year.

BACKGROUND
The provisions of California Education Code section 44951 require that a certificated employee holding a position requiring an administrative or supervisory credential be notified by March 15 of the preceding year if the governing board determines that he or she may be released from his or her current position for the following school year.

File Attachments
[Ed Code 44951.pdf](#) (172 KB)
[Resolution of Release and Reassignment of Cert Admin and Non-Unit Cert Employees 2023.24.27 \(2024-25\).pdf](#) (71 KB)

9 BOARD OF EDUCATION: COMMITTEE REPORTS, ANNOUNCEMENTS, REQUESTS, DEBRIEF

9.1 Board of Education Requests, Debrief and Discussion

AND DISCUSSION

Type Action, Discussion, Information

Purpose:
REQUESTS: This is an opportunity for the Board of Education to suggest items for placement on future agendas and to review Board requests.
Approval from the majority of the Board will be required for direction to be provided to the Superintendent.
DEBRIEF AND DISCUSSION: The Trustees may debrief and discuss items.

10 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

10.1 Superintendent's Concluding Comments, Updates, and Future Agenda Items

AGENDA REQUESTS

Type Information

Purpose:
This is an opportunity for the Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

11 ADJOURNMENT

11.1 PLACEHOLDER - Extend Meeting

Type	Action
Recommended	The recommendation is that the Board of Education extends the meeting to ____ P.M.
Action	

Purpose:
This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

11.2 Adjournment

Type	Action
Recommended	The recommendation is that the Board of Education adjourns this meeting.
Action	

Purpose:
No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time.
This action will conclude the meeting.

1 CALL TO ORDER

1.1 Roll Call

Type Procedural

Trustees:

President Aiden Hill
Vice President/Clerk Katherine Jones
Member Phuong Nguyen
Member Carina V. Plancarte
Member Nancy Thomas

Student Board Member:

Member Joy Lee

1.2 Meeting Practices and Information

Type Information, Procedural

In-person Meeting Information:

Please see the attached meeting information in English and Spanish.

Observe The Board Of Education Meeting:

Members of the public 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.

Public Comment:

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

File Attachments

[Board Meeting Protocols_ENG\(1\).pdf](#) (69 KB)
[Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf](#) (65 KB)

1.3 Public Comment on Study Session

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and tries to make it convenient for members of the community to express their views to the Board.

If a constituent wishes to address the Board on any agenda item:

In-Person Comment: please submit a completed speaker card to the Board's Executive Assistant before the start of the meeting, or prior to the calling of the section for public comment.

Audio-Only Virtual Comment: please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org by 1:00 PM the day of the meeting. Please label your email as " AUDIO-ONLY PUBLIC COMMENT" and include your name as it will appear on Zoom, your phone number, email address, and the agenda item number related to your comment.

Please see detailed instructions for public comment on the link: <http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

File Attachments

[Board Meeting Protocols_ENG\(1\).pdf](#) (69 KB)
[Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf](#) (65 KB)

2 STUDY SESSION

2.1 Newark Memorial High School Track and Field Project

Type Information

Purpose:

To review the scope of the Newark Memorial High School Track and Field project, including timeline and budget.

Background:

During the Board meeting on February 6, 2024, the Board of Trustees had a consensus to hold a study session for additional information on the topic of the Newark Memorial High School Track and Field project. Information requested included contracts and planning meeting information.

File Attachments

[Verde Design Inc_fully executed.pdf](#) (960 KB)
[RGM Kramer_Planning Services Agreement_fully executed.pdf](#) (353 KB)
[Newark Memorial HS_report.pdf](#) (8,477 KB)

[NMHS Track and Field Project_Meeting Minutes.pdf](#) (16,588 KB)
[Newark DSA Application.pdf](#) (371 KB)

3 PUBLIC COMMENT

3.1 Public Comment on Closed Session Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and tries to make it convenient for members of the community to express their views to the Board.

If a constituent wishes to address the Board on any agenda item:

In-Person Comment: please submit a completed speaker card to the Board's Executive Assistant before the start of the meeting, or prior to the calling of the section for public comment.

Audio-Only Virtual Comment: please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org by 1:00 PM the day of the meeting. Please label your email as "AUDIO-ONLY PUBLIC COMMENT" and include your name as it will appear on Zoom, your phone number, email address, and the agenda item number related to your comment.

Please see detailed instructions for public comment on the link: <http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

File Attachments

[Board Meeting Protocols_ENG\(1\).pdf](#) (69 KB)
[Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf](#) (65 KB)

3.2 Recess to Closed Session

Type Procedural

Purpose:

The Board will recess to Closed Session, and reconvene to Open Session on or about 7:00 p.m.

4 CLOSED SESSION

4.1 Public Employee Appointment/Employment/Discipline/Dismissal/Release (Gov. Code, 54957, subd. (b)(1)) Appointments: Director, Fiscal Services; Director, Information Technology

Purpose:

Information will be provided to the board by the Superintendent. The board will vote to approve the appointment of the Director of Fiscal Services and the Director of Information Technology. The vote will be reported out in Open Session.

Background:

4.2 Conference with Legal Counsel Anticipated Litigation: initiation of litigation pursuant to 54956.9(c). Two cases

Purpose:

The superintendent will provide the Board of Education with information.

Background:

4.3 STUDENT EXPULSION (Ed. Code, 48918)

Type Information, Procedural

Purpose:

For the Board to review expulsion cases e2324-04.

Background:

The expulsion review process was followed in accordance with the California Education Code Section 48916 requires that "an expulsion order shall remain in effect until the governing board orders a readmission of the pupil" as well as Board Policy and Administrative Regulation 5144.1 and, if applicable, 5144.2 for students with disabilities.

The following case is up for review:
e2324-04.

5 REPORT OF CLOSED SESSION ACTIONS

5.1 Report of Closed Session Actions

Type Action, Procedural

Purpose:

If available, a report of the closed session will be provided by the Board President.

6 RECONVENE TO OPEN SESSION

6.1 Pledge of Allegiance

Type Procedural

Purpose:

The Governance Team will recite the Pledge of Allegiance

6.2 Meeting Practices and Information

Type Information, Procedural

In-person Meeting Information:

Please see the attached meeting information in English and Spanish.

Observe The Board Of Education Meeting:

Members of the public 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.

Public Comment:

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

File Attachments

[Board Meeting Protocols_ENG\(1\).pdf](#) (69 KB)

[Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf](#) (65 KB)

7 APPROVAL OF AGENDA

7.1 Approval of the Agenda

Type Action

Recommended Action The recommendation is that the Board of Education approve the agenda for this meeting.

Purpose:

Members of the Governance Team may request that the agenda be amended or approved as presented.

8 STUDENT REPORT

8.1 Bridgepoint High School ASB President, Ashvin Prasad

Type Information

Purpose:

This is an opportunity for the Board of Education and the public to hear about upcoming events and student insights.

Background:

At each board meeting, a student will report on the activities of the school and give valuable student perspective to the board. This will be rotated between sites for the remainder of the year, beginning with Newark Memorial High School.

9 EMPLOYEE ORGANIZATIONS

9.1 Employee Organizations

Type Information

Purpose:

At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Background:

Discussion of updates, celebrations or events.

1. NTA
2. CSEA
3. NEWMA

10 SUPERINTENDENT REPORT

10.1 Superintendent Report

Type Information

Purpose:

The superintendent will provide the Board of Education with district information, updates, news, or anything in the jurisdiction of the board or the superintendent.

Background:

The presentation and information will be provided by the Superintendent

11 PUBLIC COMMENT

11.1 Public Comment on Non-Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

File Attachments

- [Board Meeting Protocols_ENG\(1\).pdf](#) (69 KB)
- [Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf](#) (65 KB)

11.2 Public Comment on Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

File Attachments

- [Board Meeting Protocols_ENG\(1\).pdf](#) (69 KB)
- [Protocolos de la Reunion de la Mesa Directiva_ESP \(1\).pdf](#) (65 KB)

12 STAFF REPORT

12.1 Budget Reduction Plan

Type Information
Goals 4. Fiscal Health

Purpose:

Consultant Mike Berg, Strategic Solutions Today, will present a Budget Reduction Plan for the 2024-25 school year to the Board.

Background:

At the regular meeting of February 20, 2024, the Board of Education requested an initial Budget Reduction Plan, outlining the district's planned reductions for the 2024-25 school year. The first step of a Budget Reduction Plan begins with the reduction of force to align to the reduction in revenue/enrollment. This is the first critical step, since approximately 80% of the district's budget goes toward employee salaries. The report will also review strategies in operating costs and proposed initiatives to generate revenue.

12.2 Review Feasibility and Next Steps for Placing a General Obligation Bond on the November 2024 Ballot

Type Information
Goals 4. Fiscal Health
3a. Parent and Community Engagement and Communication
2a. Safe, Secure and Healthy Learning Environments

Purpose:

To provide the Board of Education with an outline of services to be done in preparation for the NUSD Board to consider a 2024 local school bond measure. With the passage of a 2024 bond, this will allow the district to be in position for state matching dollars in anticipation of the Statewide measure passing this November.

Background:

In November 2011, the voters of Newark approved the \$63 million Measure G general obligation bond initiative to upgrade and repair neighborhood schools. The funding provided by this bond will be spent by December 31, 2024. At the February 6, 2024 Board meeting the community and Board members expressed interest in pursuing a Bond in the November 2024 election. Currently, additional funds are needed to make basic repairs and upgrades to local school classrooms, science labs, improve classroom technology and infrastructure, campus security, and fire/earthquake safety systems; repair and replace outdated portable classrooms; and replace inefficient heating, cooling, electrical and plumbing systems with updated, sustainable solar systems.

File Attachments

- [November 2024 Election Schedule.pdf](#) (99 KB)
- [Introduction of Potential 2024 GO Bond Presentation.pdf](#) (752 KB)

13 PUBLIC HEARING

13.1 PUBLIC HEARING: Gov. Code 3547

Type Information, Procedural

Purpose:

For the Newark Teacher's Association to present their Initial Bargaining Proposal.

Background:

The Educational Employment Relations Act requires the Board to hold a public hearing on the initial proposals of a bargaining unit and the school district before collective bargaining may commence. NTA President, Cheri Villa, presents the Initial Bargaining Proposal for the 2024-25 school year. The district will present its proposal at the March 19, 2024 regular meeting.

Attached, is the Newark Teacher's Association Initial Bargaining Proposal to Newark Unified School District for the 2024-25 School Year

File Attachments

- [NTA SUNSHINE 2024.pdf](#) (98 KB)

14 NEW BUSINESS

14.1 Report: 2023-2024 Second Interim Budget Report

Type	Action (Consent)
Fiscal Impact	Yes
Recommended Action	The recommendation is that the Board of Education certify the 2023-2024 Second Interim Budget Report with a positive certification.

Purpose:

The purpose of the Interim Report is to advise administrators, the Board of Trustees, the public, and other interested agencies of the District's current financial condition at periodic intervals during the fiscal year.

Background:

The Second Interim Budget Report compares the General Fund and other funds' anticipated revenues and expenditures with the current operating budget for the 2023-24 fiscal year, along with actual receipts and expenditures as of January 31, 2024. At each interim reporting period, the District must certify whether the District will be able to meet its financial obligations for the current and subsequent two years.

The current year budget is used as the base year and multi-year projections are made based on a number of factors and assumptions for the coming two years. The primary drivers of the budget are the State's fiscal health and District student enrollment and attendance.

The multi-year projection indicates the District can issue a positive certification as the District will be able to meet its obligations for the current fiscal year and two subsequent fiscal years. The district is deficit spending due to changes in enrollment and as one time funds for ESSER/COVID funding has been depleted.

District and site staff are committed and will continue to develop strategies to implement budget reductions and cost saving strategies that will support the 2024-2025 budget in order to maintain positive certifications.

File Attachments

- [23-24 2nd Interim_Full Book 3_5_24.pdf](#) (3,801 KB)
- [23-24 2nd Interim PPT_ 3_5_24.pdf](#) (268 KB)

14.2 CSBA Delegate Election

Type Action

Purpose:
The Board of Education will elect their regional delegate(s) to the CSBA Delegate Assembly Subregion 7-B.

Background:
CSBA's Delegate Assembly (DA) is a vital link in the association's governance structure. Working with local districts, county offices of education, the Board of Directors and the Executive Committee, Delegates ensure that the association reflects the interests of school districts and county offices of education throughout the state. Members of the Delegate Assembly are elected or appointed by local board members in 21 geographic regions throughout the state. There are two meetings each year, one in May and one immediately preceding the association's Annual Education Conference and Trade Show.

- File Attachments**
- CSBA Delegate Assembly Election Memo_013124.pdf (123 KB)
 - Copy of Official 2024 CSBA Delegate Assembly Ballot.pdf (99 KB)
 - Candidate Biographical Sketch_Nancy Thomas.pdf (126 KB)
 - Candidate Biographical Sketch_Kelly Mokashi.pdf (294 KB)

14.3 Resolution 2023.24.25 Designating Certain General Funds as Committed Fund Balance for 2023-24

Type Action
Recommended The recommendation is that the Board of Education approve Resolution 2023.24.25
Action Designating Certain General Funds as Committed Fund Balance for 2023-24.
Goals 4. Fiscal Health

Purpose:
To approve Resolution 2023.24.25 Designating Certain General Funds as Committed Fund Balance for 2023-24.

Background:
As a result of the balance in the Public School System Stabilization Account, the statutory limitation on school district reserves has been triggered for the 2023-24 budget period, pursuant to Education Code (EC) section 42127.01(e).
On June 15, 2023, the Board adopted Resolution 2022.23.35 designating \$11,077,876 in general funds as Committed to Fund Balance.
On January 11, 2024, the Board approved the 2023.24 First Interim Report and adopted Resolution 2023.24.24 Designating Certain General Funds as Committed Fund Balance for 2023-24.
On February 6, 2024, The Board adopted Resolution 2023.24.23 Designating Certain General Funds as Committed Fund Balance.
On March 5, 2024, The district is requesting that the board authorize Audit Findings amount of \$675,876 from Committed Fund Balance due to sanctions received from CDE for inaccurate CALPADS reporting errors in 2020-21 and 2021-22. The Committed Fund Balance designations have been updated. The Committed Fund Balance designations are necessary to meet the 10% reserve cap requirement.

- File Attachments**
- Resolution 2023.24.25 Designating Committed Fund Balance to Operating Budget.pdf (64 KB)

14.4 NMHS Graduation Venue

Type Action, Discussion
Recommended Review and approve the NMHS graduation venue for 2024
Action

Purpose:
For the board of education to review the options and approve the venue for the graduating class of 2024 at Newark Memorial High School.

Background:
The Board of Education will review the progress of the Track and Field project during the study session and take action on the graduation venue following their review of the information provided in the study session.

14.5 Contract: Roofing Replacement at Child Nutrition and Warehouse for Waterproofing Associates

Type Action
Fiscal Impact Yes
Dollar Amount \$227,862.00
Budgeted Yes
Budget Source Committed Funds will be transferred to Operational Funds
Recommended The recommendation is that the Board of Education approve the contract for Waterproofing Associates for roofing replacement at Child Nutrition and Warehouse.
Action
Goals 4. Fiscal Health

Purpose:

To approve the contract for roofing replacement at Child Nutrition and Warehouse with Waterproofing Associates.

Background:

The product being used by Waterproofing Associates is a self healing water and ice shield. It's a high quality underlayment that acts as a second layer of protection. The other vendors are using felt paper that provides minimal waterproofing capabilities.

Courtney Waterproofing and Waterproofing Associates are CUPPCA, Acme Roofing and Lifetime Roofing are not.

Date	Contractor	KitchenReplacement	WarehouseReplacement	Both
1/11/24	Acme Roofing Services, Inc			155,137
1/23/24	Courtney Waterproofing, Restoration Roofing & Concrete	112,436	137,418	249,854
1/27/24	Waterproofing Assoticates, Inc	93,168	134,694	227,862
1/30/24	Lifetime Roofing		146,810	
2/21/24	San Francisco Roofing Services, Inc	127,600	95,500	223,100

File Attachments

- [Acme Roofing Services_Quote Kitchen and Warehouse.pdf](#) (3,448 KB)
- [Courtney Waterproofing_Kitchen and Warehouse.pdf](#) (204 KB)
- [Waterproofing Associates_Quote Kitchen and Warehouse.pdf](#) (87 KB)
- [Lifetime Roofing_Quote Kitchen and Warehouse.pdf](#) (102 KB)
- [San Francisco Roofing Services_Proposal Kitchen and Warehouse.pdf](#) (281 KB)

14.6 RESOLUTION NO. 2023.24.24: Classified Layoffs

Type	Action
Absolute Date	Mar 05, 2024
Recommended	The recommendation is that the Board approve Resolution No. 2023.24.24 to lay off or reduce
Action	hours of certain classified positions due to lack of funds/lack of work.

Purpose:

Resolution No. 2023.24.24 will be presented to the Board of Education for approval to lay off certain classified positions due to lack of funds/lack of work. This resolution gives authorization for the District to formally notify certain classified employees that their positions are being reduced or eliminated. This process is required under California Education Code 45117, which requires permanent employees to be notified by March 15, 2024.

Background:

Per Assembly Bill 438, the timeline to notice classified staff is March 15. The positions included are being eliminated due to lack of funds/lack of work. The District has reviewed this list of positions with CSEA.

Resolution 2023.24.24 eliminates positions due to lack of funds/work. Permanent employees laid off for lack of work or lack of funds are eligible for reemployment for a period of 39 months and shall be reemployed in preference to new applicants. Such persons have the right to participate in promotional examinations during the 39-month period. In addition, such persons will have preferential hiring rights over new applicants to a new or different classified position, if the person on the rehire list is qualified for the position, even if they have never served in that class or classification. Permanent CSEA employees affected by layoff may have displacement rights to other lower classifications in which the laid-off employee has previously served. Permanent employees who accept voluntary demotions or voluntary reductions in assigned time in lieu of layoff shall be granted the same rights as persons laid off and shall retain eligibility to be considered for employment for an additional period up to 24 months.

File Attachments

- [Ed Code 45117.pdf](#) (275 KB)
- [Classified RIF Layoff Resolution 2023.24.24_ \(2024-25\).pdf](#) (76 KB)

14.7 RESOLUTION NO. 2023.24.26: Reduce the Number of Certificated Employees Due to a Reduction of Particular Kinds of Services for the 2024-2025 School Year

Type	Action
Absolute Date	Mar 05, 2024
Recommended	The recommendation is that the Board of Education approve Resolution No. 2023.24.26 to
Action	reduce the number of certificated employees due to a reduction in particular kinds of services for the 2024-2025 school year.

Purpose:

The purpose is for the Board of Education to approve Resolution No. 2023.24.26 to reduce the number of certificated employees due to a reduction in particular kinds of services for the 2024-2025 school year.

Background:

District administration has reviewed staffing and projected enrollment for the next school year and it has been determined that these positions will be eliminated for the 2024-2025 school year. This has been reviewed with the Newark Teachers Association. Resolution 2023.24.26 includes specially funded positions, including those positions designated by School Site Councils/SPSAs and positions being eliminated due to declining enrollment.

Education Code section 44955 permits the Board of Education to reduce or discontinue particular kinds of services.

File Attachments

- [Ed Code 44955.pdf](#) (212 KB)
- [Certificated PKS Layoff Resolution 2023.24.26_\(2024-25\)_1.pdf](#) (88 KB)

14.8 RESOLUTION NO. 2023.24.27: Release and Reassignment of Certificated Administrative Employees Pursuant to Education Code 44951

Type Action
Absolute Date Mar 05, 2024
Recommended The recommendation is that the Board of Education approve Resolution No. 2023.24.27 to
Action release and reassign certificated administrative employees pursuant to Education Code 44951
for the 2024-2025 school year.

Purpose:
The purpose is for the Board of Education to approve Resolution No. 2023.24.27 to release and reassign certificated administrative employees pursuant to Education Code 44951 for the 2024-2025 school year.

BACKGROUND

The provisions of California Education Code section 44951 require that a certificated employee holding a position requiring an administrative or supervisory credential be notified by March 15 of the preceding year if the governing board determines that he or she may be released from his or her current position for the following school year.

File Attachments

- Ed Code 44951.pdf (172 KB)
Resolution of Release and Reassignment of Cert Admin and Non-Unit Cert Employees 2023.24.27 (2024-25).pdf (71 KB)

14.9 RESOLUTION NO. 2023.24.28: Release and Non-Reelect Certificated Probationary Employee

Type Action

Purpose:
CONSIDERATION AND APPROVAL OF RESOLUTION TO RELEASE AND NON-REELECT CERTIFICATED PROBATIONARY EMPLOYEE (Educ. Code 44929.21) [ACTION]

Background:

Under Education Code Section 44929.21, a probationary certificated employee may be served with a notice of non-re-election on or before March 15th of the employee's second consecutive complete year of service. If the non-re-election notice is not timely served, the probationary employee becomes gains permanent status upon reemployment in their third year. The Superintendent recommends that the Board approve this resolution and authorize the service of a notice of non-re-election on the certificated employee identified by employee ID number.

File Attachments

- Resolution Probationary Certificated Employee Release and Non-Reelection 2023.24.28 (2024-25).pdf (72 KB)

15 CONSENT AGENDA: PERSONNEL ITEMS

15.1 PLACEHOLDER - One Consented Vote

Type Action
Recommended It is recommended that the Board of Education approve, under one consented vote, the
Action agenda items under Consent-Personnel, except for agenda items:

Purpose:
This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:

Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

15.2 Personnel Report

Type Action
Absolute Date Mar 05, 2024
Recommended The recommendation is that the Board of Education ratify the personnel report as presented.
Action

Purpose:
The purpose is for the Board of Education to ratify the Personnel Report as presented.

Background:

All personnel activities including new hires, changes in status, resignation, leaves, and retirements are routinely submitted to the Board for ratification.
Updated PAL Report added 3/5/2024.

File Attachments

- HR PAL 03-05-2024.pdf (281 KB)
HR PAL 03-05-2024 _updated 03-05-2024.pdf (281 KB)

16 CONSENT AGENDA: NON-PERSONNEL ITEMS

16.1 PLACEHOLDER - One Consented Vote

Type	Action
Recommended	It is recommended that the Board of Education approve, under one consented vote, the
Action	agenda items under Consent Non-Personnel, except for agenda items:

Purpose:
This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:
Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

16.2 Report: Monthly Purchase Order Report

Type	Action
Recommended	The recommendation is that the Board of Education receive the Monthly Purchase Order
Action	Report as presented.

Purpose:
The purpose of this item is to present a monthly report on Purchase Order transactions per Board Policy 3300, Expenditures and Purchases.

Background:
Based on the discussion at the Board's Study Session on January 6, 2022, staff is providing a monthly report on Purchase Order transactions per Board Policy 3300, Expenditures and Purchases. The policy states that "The Board shall review all transactions entered into by the Superintendent or designee on behalf of the Board every 60 days."
This month's report includes 192 PO's dated 1/27/24 through 2/27/24 for a total of \$775,837.97.

File Attachments
[Monthly Purchase Order Report 03-05-2024.pdf](#) (105 KB)

16.3 CONTRACT: Addendum to the Contract with Upfront Interpreting

Type	Action
Preferred Date	Mar 05, 2024
Absolute Date	Mar 05, 2024
Fiscal Impact	Yes
Dollar Amount	\$34,200.00
Budgeted	No
Budget Source	Resource 6500 - Special Education
Recommended	The recommendation is that the Board of Education approve the addendum with Upfront
Action	Interpreting

Purpose:
For the Board of Education to approve the addendum with Upfront Interpreting for a paraeducator proficient in American Sign Language (ASL).

Background:
To meet the communication needs of this student in particular, it was determined by the Individualized Educational Program Team that the student requires the support of a paraeducator proficient in sign language to facilitate their educational access and ensure their safety.

File Attachments
[Upfront Interpreting Addendum 3_5_24.docx.pdf](#) (39 KB)
[Upfront Interpreting Contract 23-24 SIGNED.pdf](#) (306 KB)

16.4 Agreement with Vision For Hope

Type	Action
Fiscal Impact	No
Recommended	The recommendation is for the Board of Education to approve the Partnership Agreement
Action	Memorandum of Understanding with Vision For Hope.

Purpose:
The purpose is to provide Free Vision Care which is available through VSP Vision™ Eyes of Hope, all Newark Unified School District students at our Title 1 elementary school sites are eligible to receive a comprehensive eye exam from a VSP network doctor and, if prescribed, high-quality glasses at no cost to us.

Background:

Due to the rising amount of students who have shown a need for vision exams, our community partner Dr. Judy Nguyen Thunnissen at Bella Eye Care Optometry here in Newark has provided Newark Unified School District access to free vision care through VSP Vision™ Eyes of Hope. Our goal is to start with both Coyote Hills Elementary School and Schilling Elementary school and hopefully expand to all other NUSD sites.

[File Attachments](#)

[Partner Agreement Vision For Hope.pdf](#) (229 KB)

16.5 Bylaw Update: Bylaw 9320 - Meetings And Notices

Type Action (Consent), Discussion

[Purpose:](#)

The purpose is for the Board of Education to discuss and review the recommended changes and approve the updated board bylaw as reviewed by the Board Liaison Committee.

[Background:](#)

Bylaw updated to reflect NEW LAW (AB 2449, 2022) which (1) requires Boards to maintain and implement a procedure for receiving and resolving requests for reasonable accommodation for individuals with disabilities, to resolve any doubt in favor of accessibility, and to give notice of the procedure for receiving and resolving requests for accommodation in each instance in which notice of the time of a meeting is otherwise given or the agenda is otherwise posted, and (2) adds procedures for "Teleconferencing During a Personal Emergency"; and "Teleconferencing for Just Cause". Bylaw also updated to reflect NEW LAW (AB 2647, 2022) which provides a procedure for complying with the Brown Act when distributing materials to the Board less than 72 hours before a regular meeting and outside of regular business hours.

[File Attachments](#)

[BB 9320 Meetings and Notices.pdf](#) (556 KB)

16.6 Bylaw Update: Bylaw 9322 - Agenda/Meeting Materials

Type Action (Consent), Discussion

[Purpose:](#)

The purpose is for the Board of Education to discuss and review the recommended changes and approve the updated board bylaw as reviewed by the Board Liaison Committee.

[Background:](#)

Bylaw updated to move material regarding public comments to be with content related language, amend language to be more closely aligned with code language, add material regarding the means for in-person and remote public comments, and reflect NEW LAW (AB 2449, 2022), which requires boards maintain and implement a procedure for receiving and swiftly resolving requests for reasonable accommodation to board meetings for individuals with disabilities. Bylaw also updated to provide that each agenda for a regular meeting is required to list the address designated by the Superintendent or designee for public inspection of documents related to records of a statement threatening litigation against the district to be discussed in closed session, in addition to documents related to open session, when such documents have been distributed to the Governing Board less than 72 hours before a Board meeting, clarify that the Board president and Superintendent decide when an item is placed on the agenda, include that public records under the Public Records Act and which relate to an agenda item which contain a claim or written threat of litigation which will be discussed in closed session are to be made available to the public, in addition to documents which relate to an agenda item scheduled for the open session of a regular meeting, and NEW LAW (AB 2647, 2022) which clarifies how districts can, without opening their offices after normal business hours, comply with the portion of the Brown Act that requires writings or documents distributed to a majority of a local legislative body less than 72 hours before a meeting to also be distributed to the public.

[File Attachments](#)

[BB 9322 Agenda - Meeting Materials.pdf](#) (518 KB)

16.7 Bylaw Update: Bylaw 9323 - Meeting Conduct

Type Action (Consent), Discussion

[Purpose:](#)

The purpose is for the Board of Education to discuss and review the recommended changes and approve the updated board bylaw as reviewed by the Board Liaison Committee.

[Background:](#)

Bylaw updated to reflect NEW LAW (SB 1100, 2022) which authorizes the Board President to remove an individual for disrupting a Board meeting, establishes a procedure for warning the individual prior to their removal, and defines "disrupting"; and "true threat of force".

[File Attachments](#)

[BB 9323 - Meeting Conduct.pdf](#) (505 KB)

16.8 POLICY UPDATE: Board Policy 6164.4 and Administrative Regulation 6164.4 - Identification and Evaluation of Individuals for Special Education

Type Action

Preferred Date Mar 05, 2024

Absolute Date	Mar 05, 2024
Fiscal Impact	No
Recommended Action	The recommendation is that the Board of Education discuss and approve the updated Board Policy 6164.4 and Regulation 6164.4 - Identification and Evaluation of Individuals for Special Education

Purpose:

The purpose is for the Board of Education to discuss and review the recommended changes and approve the updated board policy as reviewed by the Board Liaison Committee.

Background:

The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice as reviewed by the Board Liaison Committee.

Board Policy 6164.4 and Regulation 6164.4 - Identification and Evaluation of Individuals for Special Education

The NUSD board policy has not been revised since 2011. The language has been replaced to match the sample board policy provided by the California School Board Association.

CSBA Language:

Policy updated to reference the U.S. Department of Education's (USDOE) Return to School Roadmap: Child Find Under Part B of the Individuals with Disabilities Education Act which reaffirms the obligation to fully implement the Individuals with Disabilities Education Act (IDEA) during the COVID-19 pandemic, including the requirement to meet child find obligations, and encourages districts to reexamine the efficacy of existing child find practices in light of the educational disruptions caused by the COVID-19 pandemic.

File Attachments

- [Policy 6164.4 Identification and Evaluation of Individuals for Special Education.pdf \(53 KB\)](#)
- [Regulation 6164.4 Identification and Evaluation of Individuals for Special Education.pdf \(117 KB\)](#)

16.9 POLICY UPDATE: Board Policy 6146.4 - Differential Graduation and Competency Standards for Students with Disabilities

Type	Action
Preferred Date	Mar 05, 2024
Absolute Date	Mar 05, 2024
Fiscal Impact	No
Recommended Action	The recommendation is that the Board of Education discuss and approve the updated Board Policy 6146.4 - Differential Graduation and Competency Standards for Students with Disabilities

Purpose:

The purpose is for the Board of Education to discuss and review the recommended changes and approve the updated board policy as reviewed by the Board Liaison Committee.

Background:

The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice as reviewed by the Board Liaison Committee.

Board Policy 6146.4 - Differential Graduation and Competency Standards for Students with Disabilities

The NUSD board policy has not been revised since 2013. The language has been replaced to match the sample board policy provided by the California School Board Association.

CSBA Language:

Policy updated to reflect NEW LAW (SB 114, 2023) and NEW LAW (SB 141, 2023) which (1) specifies that the exemption for a student with a disability from all coursework and other requirements adopted by the Board that are in addition to statewide course requirements applies to a student with a disability who entered 9th grade in the 2022-23 school year, (2) revises the eligibility criteria for the exemption, and (3) provides that participation in graduation activities by a student with a disability who is exempted from district-adopted graduation requirements that are in addition to the statewide course requirements may not be construed as a termination of the district's responsibility to provide a free appropriate public education unless the student's individualized education program team has determined that the student has completed the high school experience.

File Attachments

- [Policy 6146.4 Differential Graduation and Competency Standards for Frudents with Disabilities.pdf \(50 KB\)](#)

16.10 POLICY UPDATE: Board Policy and Administrative Regulation 5131.2 - Bullying

Type	Action
Fiscal Impact	No
Recommended Action	The recommendation is that the Board of Education discuss and approve the updated Board Policy and Administrative Regulation 5131.2 - Bullying

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation.

Background:

This is the SECOND reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The updated board policy and administrative regulation has been reviewed by the Board Liaison Committee for recommended updates for accuracy. Revisions reflect these engagements and district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a THIRD reading. THESE ARE CSBA MARKUPS FROM OUR MOST RECENT NUSD VERSION.

Board Policy 5131.2 - Bullying

The NUSD board policy has not been revised since 2023. The language has been replaced to match the sample board policy provided by the California School Board Association.

Administrative Regulation 5131.2 - Bullying

The NUSD administrative regulation has not been revised since 2023. The language has been replaced to match the sample board policy provided by the California School Board Association.

CSBA Language December 2023 Guidesheet:

(EC 234.1, EC 234.4) Written policy prohibiting discrimination, harassment, intimidation, and bullying based on specified characteristics; statement that the policy applies to all acts of the Governing Board and the Superintendent in enacting policies and procedures that govern the district; procedures for preventing acts of bullying, including cyberbullying

File Attachments

[AR 5131.2 Bullying.pdf](#) (1,292 KB)

[BP 5131.2 Bullying.pdf](#) (1,108 KB)

16.11 POLICY UPDATE: Adopt Board Policy 5148.3 and Administrative Regulation 5148.3 - Preschool/Early Childhood

Type	Action
Fiscal Impact	No
Recommended	The recommendation is that the Board of Education discuss and approve and adopt the
Action	updated Board Policy 5148.3, Administrative Regulation 5148.3 - Preschool/Early Childhood Education.

Purpose:

The purpose is for the Board of Education to discuss and review the recommended changes and approve and adopt the updated board policy and administrative regulation as reviewed by the Board Liaison Committee.

Background:

This is the first reading of the attached regulation. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved regulation. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the regulation will be brought back to the Board of Education for a second reading.

Board Policy 5148.3 - Preschool/Early Childhood Education

The NUSD board policy has not been revised since 2023. The language is sanctioned by the California School Board Association.

California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice as reviewed by the Board Liaison Committee. THESE ARE CSBA MARKUPS FROM OUR MOST RECENT NUSD VERSION.

Administrative Regulation 5148.3 - Preschool/Early Childhood Education

The NUSD administrative regulation has not been revised since 2023. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice as reviewed by the Board Liaison Committee.

CSBA Language:

(EC 8254) (Title 5 CCR 17743)

For districts offering California State Preschool Program (CSPP) and charging fees for field trips or diapers, regulation involving parents in decision process. For districts offering CSPP, written admissions policy and procedures with specified components.

File Attachments

[AR 5148.3 Preschool Early Childhood Education.pdf](#) (1,392 KB)

[BP 5148.3 Preschool Early Childhood Education.pdf](#) (1,159 KB)

[Existing NUSD Policy 5148.3 PreschoolEarly Childhood Education \(1\).pdf](#) (85 KB)

[Existing NUSD Regulation 5148.3 PreschoolEarly Childhood Education.pdf](#) (238 KB)

16.12 POLICY UPDATE: Board Policy 5116.2 - Involuntary Student Transfers

Type	Action
Fiscal Impact	No
Recommended	The recommendation is that the Board of Education discuss and approve the updated Board
Action	Policy 5116.2 - Involuntary Student Transfersion.

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated board policy.

Background:

This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The updated board policy and administrative regulation has been reviewed by the Board Liaison Committee,

Superintendent, and presented to the secondary ASB members for recommended updates for accuracy. Revisions reflect these engagements and district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a SECOND reading. THESE ARE CSBA MARKUPS FROM OUR MOST RECENT NUSD VERSION.
Board Policy 5116.2 - Involuntary Student Transfers
The NUSD board policy has not been revised since 1996. The language has been replaced to match the sample board policy provided by the California School Board Association.
CSBA Language
BP 5116.2 12/23 Involuntary Student Transfers - CONDITIONAL MANDATE (EC 48432.5 / EC 48662 / EC 48929)
For districts authorizing involuntary transfer of a student to a continuation school, rules and regulations with specified components. For districts that establish a community day school and seek to authorize involuntary transfer to such a school, policy with specified components. For districts authorizing transfer of students convicted of certain felonies or misdemeanors, policy with specified components.

[File Attachments](#)

- [BP 5116.2 Involuntary Student Transfers.pdf](#) (1,798 KB)
- [Existing NUSD Policy 5116.2 Involuntary Student Transfers.pdf](#) (57 KB)

[16.13 Minutes: November 7, 2023 Regular Meeting](#)

Type Action (Consent), Minutes

Purpose:

For the board to review and approve minutes of the November 7, 2023, Regular Meeting of the Board of Education.

Background:

The attached minutes are reflective of the November 7, 2023, Regular Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel [HERE](#).

File Attachments

- [Board Meeting Nov. 7, 2023.pdf](#) (75 KB)

[16.14 Minutes: December 5, 2023 Regular Meeting](#)

Type Action (Consent), Minutes

Purpose:

For the board to review and approve minutes of the December 5, 2023, Regular Meeting of the Board of Education.

Background:

The attached minutes are reflective of the December 5, 2023, Regular Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel [HERE](#).

File Attachments

- [Board Meeting Minutes Dec. 5, 2023.pdf](#) (83 KB)

[16.15 Minutes: December 14, 2023 Regular Meeting](#)

Type Action (Consent), Minutes

Purpose:

For the board to review and approve minutes of the December 14, 2023, Regular Meeting of the Board of Education.

Background:

The attached minutes are reflective of the December 14, 2023, Regular Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel [HERE](#).

File Attachments

- [Board Meeting Minutes Dec. 14, 2023.pdf](#) (94 KB)

[16.16 Minutes: January 11, 2024 Special Meeting](#)

Type Action (Consent), Minutes

Purpose:

For the board to review and approve minutes of the January 11, 2024, Special Meeting of the Board of Education.

Background:

The attached minutes are reflective of the January 11, 2024, Special Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel [HERE](#).

File Attachments

- [Special Meeting of the Board Minutes Jan 11, 2024.pdf](#) (67 KB)

16.17 Minutes: January 23, 2024 Regular Meeting

Type Action (Consent), Minutes

Purpose: For the board to review and approve minutes of the January 23, 2024, Regular Meeting of the Board of Education.

Background: The attached minutes are reflective of the January 23,2024, Regular Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel HERE.

File Attachments Board Meeting Minutes Jan 23, 2024.pdf (72 KB)

16.18 Minutes: February 6, 2024 Regular Meeting

Type Action (Consent), Minutes

Purpose: For the board to review and approve minutes of the February 6, 2024, Regular Meeting of the Board of Education.

Background: The attached minutes are reflective of the February 6, 2024, Regular Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel HERE.

File Attachments Board Meeting Minutes Feb. 6, 2023 .pdf (98 KB)

16.19 Minutes: February 20, 2024 Regular Meeting

Type Action (Consent), Minutes

Purpose: For the board to review and approve minutes of the February 20, 2024, Regular Meeting of the Board of Education.

Background: The attached minutes are reflective of the February 20, 2024 Regular Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel HERE.

File Attachments Board Meeting Minutes Feb. 20, 2024.pdf (91 KB)

16.20 FIELD TRIP: NMHS Puente to travel to Southern California College Visit

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$17,000.00
Budgeted	Yes
Budget Source	Trip will be paid for by Puente ASB funds and District Funds
Recommended	The recommendation is that the Board of Education approves the NMHS Puente Southern California College Visit curricular and overnight field trip.
Action	

Purpose: The Newark Memorial High School Principal and Puente Advisor request approval of a curriculum and overnight field trip to be taken by the Newark Memorial High School Puente students to visit colleges in Southern California.

Background: The Puente Project is a national award-winning program that has improved the college-going rate of tens of thousands of California's educationally underrepresented students since 1981. Its mission is to increase the number of educationally disadvantaged students who enroll in four-year colleges and universities, earn college degrees, and return to the community as mentors and leaders to future generations. The program is interdisciplinary in approach, with writing, counseling, and mentoring components. According to Board Policy 6153, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. Newark Memorial High School Principal and Puente Advisor request permission to take Newark Memorial High School Puente students on a trip to visit colleges in Southern California. Transportation will be by chartered bus. School: Newark Memorial High School (Puente Program) Dates: April 10 - April 12, 2024 Location: Various College Campuses in Southern California

17 STUDENT EXPULSION

17.1 Continue Suspended Enforcement of Student Expulsion Case# e2324-04

Type Action
Recommended Action The recommendation is that the Board of Education continue the suspended enforcement of expulsion as it relates to the expulsion case e2324-04.

Purpose:
For the Board to take action on expulsion case e2324-04.

Background:
California Education Code Section 48916 requires that "an expulsion order shall remain in effect until the governing board orders a readmission of the pupil."

18 BOARD OF EDUCATION: COMMITTEE REPORTS, ANNOUNCEMENTS, REQUESTS, DEBRIEF

18.1 Board of Education Committee Reports, Announcements, Requests, Debrief and Discussion AND DISCUSSION

Type Action, Discussion, Information

Purpose:
COMMITTEE REPORTS: The Trustees will provide an update, if available, on the committees of which they are members.
ANNOUNCEMENTS: The Trustees may acknowledge or recognize specific programs, activities, or personnel at this time.
REQUESTS: This is an opportunity for the Board of Education to suggest items for placement on future agendas and to review Board requests.
Approval from the majority of the Board will be required for direction to be provided to the Superintendent.
DEBRIEF AND DISCUSSION: The Trustees may debrief and discuss items.

Background:
Each year the Board of Education members liaise with schools and committees in order to build relationships, hear from staff, students, and families, and act as a conduit for information to and from the schools.

Board Committees 2023-4
Board Adopted on 12/14/2023

	Representative	Alternate
Mission Valley Regional Occupational Center/Program (ROC/P) Executive Board	1. Nancy Thomas	1. Carina V. Plancarte
Regional Policy Board of Special Education Local Plan Area (SELPA)	1. Katherine Jones	1. Phuong Nguyen
Newark Teacher Induction Advisory Council (Formally EBIC) Audit Committee	1. Aiden Hill 1. Aiden Hill2. Katherine Jones	1. Carina V. Plancarte 1. Phuong Nguyen
Bond/Parcel Tax Committee	1. Phuong Nguyen	2. Carina V. Plancarte1. Aiden Hill 1. Phuong Nguyen
City of Newark NUSD Liaison Committee	2. Nancy Thomas	1. Katherine Jones

The following derives directly from the Board approved "Governance Team Handbook"
Authority is Collective, Not Individual:
The only authority to direct action rests with the Board as a whole when seated at a regular or special board meeting. Outside of this meeting, there is no authority.
A majority Board vote provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction.

Bringing New Ideas Forward
The Board will be open to having "brainstorming" discussions, or study sessions, around any idea that a Trustee may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Trustee, at their initiative or at the request of a constituent, which was previously discussed during a board meeting.
Trustees will first notify the Board President and Superintendent of their interest in bringing forward a new idea at a board meeting.
When initially agendized, the preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.
Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea. The Superintendent will decide on the delegation of assignments to District staff.
The new idea may be agendized for discussion only. The Board majority will decide if the new idea should be further developed and studied by staff. The Board majority will decide if staff time should be invested in the "fleshing out" of new ideas.
Individual Trustees, in the course of interactions with constituents, will be careful not to make or imply the commitment of the full Board to explore or proceed with implementing new ideas.

19 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

19.1 Superintendent's Concluding Comments, Updates, and Future Agenda Items AGENDA REQUESTS

Type Information

Purpose:
This is an opportunity for the Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

20 ADJOURNMENT

20.1 PLACEHOLDER - Extend Meeting

Type Action
Recommended The recommendation is that the Board of Education extends the meeting to ____ P.M.
Action

Purpose:
This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

20.2 Adjournment

Type Action
Recommended The recommendation is that the Board of Education adjourns this meeting.
Action

Purpose:
No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time.
This action will conclude the meeting.

1 CALL TO ORDER

1.1 Roll Call

Type Procedural

Trustees:
President Aiden Hill
Vice President/Clerk Katherine Jones
Member Phuong Nguyen
Member Carina V. Plancarte
Member Nancy Thomas

Student Board Member:
Member Joy Lee

1.2 Meeting Practices and Information

Type Action, Procedural
Fiscal Impact No

In-person Meeting Information:
NUSD has opened its boardroom for in-person meetings and will follow the State's and Alameda County's safety guidelines for public gatherings. Please refrain from attending in-person meetings if you have any of the following symptoms:

- Loss of taste/smell
- Difficulty breathing
- Vomiting
- Diarrhea
- Fever
- Cough
- Headache
- Sore Throat
- Runny Nose

For additional COVID-19 information please go to <https://www.newarkunified.org/covid-19> or <https://www.acoe.org/guidance>

Observe The Board Of Education Meeting:
Members of the public 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 upon request by contact Kadie Eugster at keugster@newarkunified.org.

Public Comment:
The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLI COMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLI COMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

1.3 Public Comment on Closed Session Items

Type Procedural

Purpose:
The Board of Education encourages the community's participation in its deliberations and tries to make it convenient for members of the community to express their views to the Board.

If a constituent wishes to address the Board on any agenda item:

In-Person Comment: please submit a completed speaker card to the Board's Executive Assistant before the start of the meeting, or prior to the calling of the section for public comment.

Audio-Only Virtual Comment: please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org by 1:00 PM the day of the meeting. Please label your email as "AUDIO-ONLY PUBLIC COMMENT" and include your name as it will appear on Zoom, your phone number, email address, and the agenda item number related to your comment.

Please see detailed instructions for public comment on the link: <http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

1.4 Recess to Closed Session

Type Procedural

Purpose:

The Board will recess to Closed Session, and reconvene to Open Session on or about 7:00 p.m.

2 CLOSED SESSION

2.1 Public Employee Appointment/Employment/Discipline/Dismissal/Release (Gov. Code, 54957, subd. (b)(1))

Purpose:

Information will be provided by the Superintendent.

Background:

2.2 CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION Significant exposure to litigation pursuant to Gov. Code, 54956.9, subd. (d)[(2) or (3)].

Purpose:

Information will be presented by the Superintendent.

Background:

3 REPORT OF CLOSED SESSION ACTIONS

3.1 Report of Closed Session Actions

Type Action, Procedural

Purpose:

If available, a report of the closed session will be provided by the Board President.

4 RECONVENE TO OPEN SESSION

4.1 Pledge of Allegiance

Type Procedural

Purpose:

The Governance Team will recite the Pledge of Allegiance

5 APPROVAL OF AGENDA

5.1 Approval of the Agenda

Type Action

Recommended Action The recommendation is that the Board of Education approve the agenda for this meeting.

Purpose:

Members of the Governance Team may request that the agenda be amended or approved as presented.

6 STUDENT REPORT

6.1 Student Report: Newark Memorial High School- Joy Lee, Student Board Member

Purpose:

This is an opportunity for the Board of Education and the public to hear about upcoming events and student insights.

Background:

At each board meeting, a student will report on the activities of the school and give valuable student perspective to the board. This will be rotated between sites for the remainder of the year, beginning with Newark Memorial High School.

7 EMPLOYEE ORGANIZATIONS

7.1 Employee Organizations

Type Information

Purpose:

At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Background:

Discussion items are limited to updates, celebrations, and upcoming events.

- 1. NTA
- 2. CSEA
- 3. NEWMA

8 PUBLIC COMMENT

8.1 Public Comment on Non-Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

8.2 Public Comment on Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

9 SUPERINTENDENT REPORT

9.1 Superintendent Report

Type Information

Purpose:

The superintendent will provide the Board of Education with district information, updates, news, or anything in the jurisdiction of the board or the superintendent.

Background:

The presentation and information will be provided by the Superintendent

10 STAFF REPORT

10.1 Budget Taskforce Report

Type Reports

Purpose:

To provide the Board with an update on recommendations from the NUSD Budget Taskforce for input into the 2024-25 Budget Development.

Background:

Newark Unified School District has a significant structural (ongoing) budget deficit, noted at over \$14,000,000. NUSD

submitted a "qualified" First Interim budget/multi-year projection, indicating that the district will not make the statutory minimum 3% reserve by Year 3 of the multi-year projection (MYP). In order to balance the budget and ensure the district meets its financial obligations, the district must make significant budget reductions.

The Superintendent began informing the public of district's financial distress in early summer and subsequently convened a District Budget Taskforce, led by business consultant, Mike Berg, at the beginning of the school year. We offer our deepest appreciation to the NUSD Budget Taskforce members who met this fall/winter in September, October and January to study the district budget and give thoughtful feedback into areas of potential reduction.

File Attachments

[Budget Taskforce Report PPT_2-20-2024.pdf](#) (370 KB)

10.2 Review of Comprehensive Safety Plans Process, Progress and Next Steps

Type Information

Purpose:

Coordinator of Pupil Service, Ana Scoville, will review the process for updating the Comprehensive School Safety Plans, including trainings provided and next steps for site implementation.

Background:

A Comprehensive School Safety Plan (CSSP) is an annually-revised plan to develop strategies aimed at the prevention of, and education about, potential incidents involving crime and violence on the school campus. All California K-12 public schools must develop a CSSP that addresses the safety concerns identified through a systematic planning process in cooperation with local law enforcement agencies, community leaders, parents, pupils, teachers, administrators, and other persons who may be interested in the prevention of campus crime and violence.

Per Education Code Section 32281, the School Site Council (SSC) develops and approves a comprehensive school safety plan relevant to the needs and resources of that particular school, or may delegate this responsibility to a school safety planning committee. Each school must review and update its plan by March 1 every year for submission to the California Department of Education (CDE).

The requirements and mandate for CSSPs are outlined in Education Code Sections 32280 - 32289 School Safety Plans

11 CONSENT AGENDA: PERSONNEL ITEMS

11.1 PLACEHOLDER - One Consented Vote

Type Action

Recommended It is recommended that the Board of Education approve, under one consented vote, the
Action agenda items under Consent-Personnel, except for agenda items:

Purpose:

This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:

Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

11.2 Personnel Report

Type Action

Absolute Date Feb 20, 2024

Recommended The recommendation is that the Board of Education ratify the personnel report as presented.

Action

Purpose:

The purpose is for the Board of Education to ratify the Personnel Report as presented.

Background:

All personnel activities including new hires, changes in status, resignation, leaves, and retirements are routinely submitted to the Board for ratification.

File Attachments

[HR PAL 02-20-2024.pdf](#) (352 KB)

11.3 New Job Description-PURCHASING AND PROCUREMENT MANAGER

Type Action

Preferred Date Feb 20, 2024

Fiscal Impact No

Budgeted Yes

Budget Source Replacement for currently budgeted position out of General Fund.

Recommended The recommendation is for the Board to approve the new job description for Purchasing and

Action Procurement Manager.

Goals 4. Fiscal Health

Purpose:

The purpose is for the Board to approve the new job description for Purchasing and Procurement Manager.

Background:

The item is for the Board to approve the new job description for the position of Purchasing and Procurement Manager. The new job description aligns with Board Goals for Fiscal Health and to provide standards and compliance on purchasing practices for supplies, equipment, contracts, vendors, bids, etc. This position will be part of the Business Services department.

File Attachments

[Purchasing and Procurement Manager 02.20.2024 DRAFT.pdf](#) (406 KB)

12 CONSENT AGENDA: NON-PERSONNEL ITEMS

12.1 PLACEHOLDER - One Consented Vote

Type	Action	
Recommended		It is recommended that the Board of Education approve, under one consented vote, the
Action		agenda items under Consent Non-Personnel, except for agenda items:

Purpose:

This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:

Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

12.2 Report: Warrant Report for January 2024

Type	Action	
Fiscal Impact		No
Recommended		The recommendation is that the Board of Education approve the Warrant Report as presented.
Action		
Goals		4. Fiscal Health

Purpose:

The purpose of this item is to present warrants, for the total amount of \$2,401,313.31 made from District funds for January 2024.

Background:

The warrant registers represent a complete listing of all payments made from District funds for a month. Because Newark Unified School District is a fiscally dependent District, each warrant must pass through two separate audits; first by the District's Fiscal Services department, and second by the County Office of Education. No warrant can be paid until such time as it is examined and approved by the County Office of Education.

File Attachments

[Warrant Report January 2024.pdf](#) (447 KB)

12.3 Report: Donations Report

Type	Action	
Fiscal Impact		Yes
Budgeted		Yes
Budget Source		General Fund (Fund 010) Donations
Recommended		The recommendation is that the Board of Education accept the Donations Report as
Action		presented.

Purpose:

The purpose is to acknowledge receipt of donations to the District.

Background:

Throughout the year community members, groups, parents and other individuals make monetary and in-kind (supplies and equipment) donations to NUSD. The exact nature of the source of the donation is submitted to the Business Office on a standard form. It is critical that any restrictions on the funding be indicated and the budget developed based on the donor restrictions. If there is no indication of the school or use of the funding, any proceeds or cash donations received are placed in the NUSD local revenue in the unrestricted general fund. It is recommended that the donations be processed through the Business Office and ultimately approved by the Board so that the funding can be publicly acknowledged and budgeted properly according to donor restrictions. There is acknowledged and budgeted properly according to donor restrictions. There is acknowledgement at the public Board meeting and a letter of thanks is sent to the donor by the Business Office for NUSD.

File Attachments

[Summary of Dontaions_2-20-2024.pdf](#) (31 KB)

12.4 Comprehensive School Safety Plans (CSSP) 2024-25

Type	Action, Information
Recommended Action	The recommendation is that the Board of Education approve 2024-2025 Comprehensive School Safety Plans (CSSP) as presented.

Purpose:

To approve the Comprehensive School Safety Plan (CSSP) for each Newark Unified School District school site; all plans are attached.

Background:

A Comprehensive School Safety Plan (CSSP) is an annually-revised plan to develop strategies aimed at the prevention of, and education about, potential incidents involving crime and violence on the school campus. All California K-12 public schools must develop a CSSP that addresses the safety concerns identified through a systematic planning process in cooperation with local law enforcement agencies, community leaders, parents, pupils, teachers, administrators, and other persons who may be interested in the prevention of campus crime and violence.

Per Education Code Section 32281, the School Site Council (SSC) develops and approves a comprehensive school safety plan relevant to the needs and resources of that particular school, or may delegate this responsibility to a school safety planning committee. Each school must review and update its plan by March 1 every year for submission to the California Department of Education (CDE). The requirements and mandate for CSSPs are outlined in Education Code Sections 32280 - 32289 School Safety Plans

File Attachments

- [2024-25 CSSP Lincoln - Redacted.pdf](#) (2,362 KB)
- [2024-25_CSSP BGI - Redacted.pdf](#) (1,674 KB)
- [2024-25_CSSP Bridgepoint - Redacted.pdf](#) (1,793 KB)
- [2024-25_CSSP Coyote Hills - Redacted.pdf](#) (1,932 KB)
- [2024-25_CSSP Crossroads - Redacted.pdf](#) (1,774 KB)
- [2024-25_CSSP NMS - Redacted.pdf](#) (2,155 KB)
- [2024-25_CSSP Schilling -Redacted.pdf](#) (2,103 KB)
- [2024-25_CSSP BGP - Redacted.pdf](#) (2,148 KB)
- [2024-25_CSSP NMHS - Redacted.pdf](#) (1,640 KB)
- [2024-25_CSSP Kennedy - Redacted.pdf](#) (1,723 KB)

12.5 CONTRACT: Epic Special Education Staffing for a Special Education Teacher

Type	Action
Preferred Date	Feb 20, 2024
Absolute Date	Feb 20, 2024
Fiscal Impact	Yes
Dollar Amount	\$56,000.00
Budgeted	Yes
Budget Source	Resource 6500 - Special Education
Recommended Action	The recommendation is that the Board of Education approve the contract with Epic Special Education Staffing.

Purpose:

Epic Special Education Staffing will provide a 1.0 FTE Mild Moderate Special Education Teacher for an unfilled position for the 2023-2024 school year.

Background:

Despite intensive efforts, the District has not been able to hire for this unfilled position. The contracted teacher is intended to fill the mild moderate position for the 2023-2024 school year only.

File Attachments

- [23.24 SC - Tammy Ferman, Special Ed Teacher - Newark USD.pdf](#) (207 KB)
- [ESES_DBA_Newark Unified .pdf](#) (573 KB)
- [ESES_MSA_Newark Unified.pdf](#) (700 KB)

12.6 CONTRACT: Every Special Child for a Special Education Teacher

Type	Action
Preferred Date	Feb 20, 2024
Absolute Date	Feb 20, 2024
Dollar Amount	\$57,000.00
Budget Source	Resource 6500 - Special Education
Recommended Action	The recommendation is that the Board of Education approve the contract with Every Special Child.

Purpose:

Every Special Child will provide a 1.0 FTE Resource Specialist (RSP) teacher required for an unfilled position for the 2023-2024 school year.

Background:

Despite intensive efforts, the District has not been able to hire for this unfilled position. The contracted teacher is intended to

fill the RSP position for the 2023-2024 school year only.

File Attachments

[Every Special Child _ NUSD Contract 2.2.24 \(1\).pdf](#) (177 KB)

12.7 CONTRACT: Addendum to the Contract with The Stepping Stones Group

Type	Action
Preferred Date	Feb 20, 2024
Absolute Date	Feb 20, 2024
Fiscal Impact	Yes
Dollar Amount	\$15,000.00
Budgeted	Yes
Budget Source	Resource 0000- Special Education Unrestricted Health Services
Recommended Action	The recommendation is that the Board of Education approve the addendum with The Stepping Stones Group.

Purpose:

To approve the addendum to the contract with The Stepping Stones Group for a registered nurse.

Background:

In accordance with California Education Code Section 49452/49452.5, public school districts are mandated to provide vision and hearing screenings for students in grades TK (transitional kindergarten) through 12. This code emphasizes the importance of early detection and intervention for vision and hearing impairments to support optimal learning and academic success.

File Attachments

[Newark USD 23-24 Addendum - CSN Susie Birden-Brown.pdf](#) (228 KB)

[The Stepping Stones Group Contract 23-24 SIGNED.pdf](#) (906 KB)

12.8 DELAC Advisory Membership 23-24

Type	Action
Fiscal Impact	No

Purpose:

For the Board to approve the proposed membership of the 2023-24 District English Language Advisory Committee (DELAC).

Background:

This is the first time NUSD has presented DELAC membership for board approval, and will do so annually going forward. When there are 51 or more EL students in a district, a District English Learners Advisory Committee (DELAC) shall be formed. The DELAC will be comprised of representatives from the school level English Learner Advisory Committees and interested school and district staff. The majority of the members will be parents of EL students who are not district employees. Committee members serve for two years. DELAC meetings are open to the public; all agendas and minutes will be posted.

The meetings will be held in person and/or online and child care, light refreshments, and translation will be provided to support member participation. All meetings will be held from 9:00 am to 10:30 am in the Board of Education Library Room: 5715 Musick Ave., Newark.

The meetings are scheduled as follows:

- October 16, 2023
- November 13, 2023
- January 22, 2024
- February 12, 2024 (Rescheduled to February 26, 2024 due to Lincoln's Birthday Holiday.)
- March 11, 2024
- April 15, 2024
- May 13, 2024

The attachment lists the names of parent/guardian representatives and additional members.

Visit our LCAP webpage to learn more about the development of the LCAP and read previous years' meeting agendas and minutes, and view presentations made to the Committee: <https://www.newarkunified.org/departments/educational-services/lcap> or <https://www.newarkunified.org/families-students/parent-leadership/delac>.

File Attachments

[DELAC PAC Membership 2023-24.pdf](#) (191 KB)

[DELAC Meeting Dates 2023-24 _ fechas de reuniones DE DELAC 2023-24.pdf](#) (509 KB)

12.9 Local Control Accountability Plan (LCAP) Advisory Membership (Update)

Type	Action
Recommended Action	The recommendation is that the Board of Education approves the LCAP membership roster.
Goals	1a. Student Achievement VISION: The Newark Unified School District, in partnership with the community, will be a model of world-class education that develops the unique abilities of every student.

Purpose:

For the Board to approve the updated proposed membership of the 2023-24 Local Control and Accountability Plan (LCAP) Parent Advisory Committee (PAC).

Background:

Although not a requirement, given the changes in membership for the 2023-24 academic year, staff are bringing an updated membership list to the board in an abundance of transparency. LCAP PAC meetings are open to the public; all agendas and minutes will be posted for interested parties to track progress towards the final draft of the LCAP. The meetings will be held in person and/or online and child care, light refreshments, and translation will be provided to support member participation. All meetings will be held from 5:00 pm to 6:30 pm in the Board of Education Library Room: 5715 Musick Ave., Newark. The meetings are scheduled as follows:

- October 5, 2023 9 (Cancelled.)
- November 2, 2023
- December 7, 2023
- January 11, 2024
- February 1, 2024 (Rescheduled for February 8, 2024)
- March 7, 2024
- April 11, 2024
- May 2, 2024

The attachment lists the names of parent/guardian representatives and additional members. Visit our LCAP webpage to learn more about the development of the LCAP and read previous years' meeting agendas and minutes, and view presentations made to the Committee: <https://www.newarkunified.org/departments/educational-services/lcap> or <https://www.newarkunified.org/families-students/parent-leadership/pac-ssc>.

File Attachments

- [2023-24 LCAP Advisory Committee Meeting Dates.pdf](#) (119 KB)
- [LCAP PAC Membership 2023-24 \(updated 2_2024\).pdf](#) (198 KB)

12.10 POLICY UPDATE: Board Policy 4111/4211/4311 - Recruitment and Selection

Type	Action
Preferred Date	Nov 07, 2023
Fiscal Impact	No
Recommended	The recommendation is that the Board of Education approve the updated Board Policy
Action	4111/4211/4311 - Recruitment and Selection.

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated Board Policy 4111/4211/4311 - Recruitment and Selection.

Background:

This is the first reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policy. The administration has reviewed the recommended policy and updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a second reading. The 4000 section of the district policy manual is triple coded to divide it into employee classifications: 4100s for certificated employees, 4200s for classified employees, and 4300s for management, supervisory, and confidential employees. The language in BP 4111/4211/4311 is exactly the same. Policy updated to expand discussion of possible recruitment incentives, including subsidized housing programs for teachers and other employees and NEW LAW (AB 99) which establishes the California Educator Development grant program to assist districts with attracting and supporting the preparation and continued learning of teachers, principals, and other school leaders. Policy also reflects NEW LAW (AB 168) which prohibits districts from seeking salary history information about an applicant and from relying on salary history information as a factor in determining whether to offer employment or the salary to offer an applicant, unless the salary information is disclosable under state or federal law or the applicant voluntarily discloses the information without prompting.

File Attachments

- [Policy 4111 4211 4311 Recruitment and Selection.pdf](#) (275 KB)

12.11 POLICY UPDATE: Board Policy and Administrative Regulation 4157/4257/4357 - Employee Safety

Type	Action
Preferred Date	Nov 07, 2023
Fiscal Impact	No
Recommended	The recommendation is that the Board of Education approve the updated Board Policy and
Action	Administrative Regulation 4157/4257/4357 - Employee Safety.

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated Board Policy and Administrative Regulation 4157/4257/4357 - Employee Safety.

Background:

This is the first reading of the attached policy and regulation. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policy and regulation. The administration has reviewed the

recommended policy/regulation and updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy and/or regulation will be brought back to the Board of Education for a second reading. The 4000 section of the district policy manual is triple coded to divide it into employee classifications: 4100s for certificated employees, 4200s for classified employees, and 4300s for management, supervisory, and confidential employees. The language in BP 4157/4257/4357 and AR 4157/4257/4357 is exactly the same. Policy updated to reflect NEW STATE REGULATION (Register 2020, No. 10) which requires districts to provide employees with access to the district's injury and illness prevention program, and to add the prohibition against discharging or discriminating against an employee for exercising any right protected by the Occupational Safety and Health Act. Regulation updated to reflect NEW STATE REGULATION (Register 2020, No. 10) which requires that access to the district's injury and illness prevention program be provided to employees by either providing access in a reasonable time, place, and manner or providing unobstructed access through the district's server or web site. Regulation also updated to add material regarding the provision of facilities for quick drenching within the work area for immediate use when there is exposure to injurious corrosive materials. Regulation adds a section on "Protection from Communicable Diseases and Infections" which includes the development of an exposure control plan for bloodborne pathogens and strategies to prevent and mitigate infectious diseases, and a section on "COVID-19 Exposure" reflecting NEW LAW (AB 685, 2020) which specifies notifications that must be provided if the district receives notice of potential exposure to COVID-19 or the Division of Occupational Safety and Health (Cal/OSHA) prohibits entry into any district work site that exposes employees to the risk of COVID-19.

File Attachments

- [Policy 4157 4257 4357 Employee Safety.pdf](#) (254 KB)
- [Regulation 4157 4257 4357 Employee Safety.pdf](#) (309 KB)

12.12 POLICY UPDATE: Board Policy and Administrative Regulation 4158/4258/4358 - Employee Security

Type	Action
Preferred Date	Nov 07, 2023
Fiscal Impact	No
Recommended	The recommendation is that the Board of Education approve the updated Board Policy and
Action	Administrative Regulation 4158/4258/4358 - Employee Security.

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated Board Policy and Administrative Regulation 4158/4258/4358 - Employee Security.

Background:
This is the first reading of the attached policy and regulation. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policy and regulation. The administration has reviewed the recommended policy/regulation and updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy and/or regulation will be brought back to the Board of Education for a second reading. The 4000 section of the district policy manual is triple coded to divide it into employee classifications: 4100s for certificated employees, 4200s for classified employees, and 4300s for management, supervisory, and confidential employees. The language in BP 4158/4258/4358 and AR 4158/4258/4358 is exactly the same. Policy updated to reflect law authorizing a district to petition, on behalf of an employee, for a gun violence restraining order prohibiting a person from owning, purchasing, possessing, or receiving a firearm. Policy also reflects law requiring a district to provide reasonable accommodations, upon request, to an employee who is a victim of domestic violence, sexual assault, or stalking. Policy adds a requirement of law to inform administrators and counselors, along with teachers, regarding certain crimes and offenses committed by students. Regulation updated to more directly reflect law requiring a report to law enforcement of any attack, assault, or physical threat made against an employee by a student. Material in section on "Notice Regarding Student Offenses" reorganized to clarify the required notifications that must be made to staff pertaining to (1) student offenses that are grounds for suspension or expulsion and (2) any report received from a court that a student has been found to have committed a felony or misdemeanor involving specified offenses. In that section, paragraph on notifications that may be provided by a district police or security department deleted and moved into Note since its applicability is limited. New section on "Accommodations for Victims of Domestic Violence, Sexual Assault, or Stalking" reflects law requiring a district to provide reasonable accommodations, including, but not limited to, safety procedures or adjustments to a job structure, workplace facility, or work requirement, upon the request of an employee who is a victim of domestic violence, sexual assault, or stalking.

File Attachments

- [Policy 4158 4258 4358 Employee Security.pdf](#) (374 KB)
- [Regulation 4158 4258 4358 Employee Security.pdf](#) (430 KB)

12.13 POLICY UPDATE: Board Policy and Administrative Regulation 1312.3 - Uniform Complaint Procedures

Type	Action
Preferred Date	Nov 07, 2023
Fiscal Impact	No
Recommended	The recommendation is that the Board of Education approve the updated Board Policy and
Action	Administrative Regulation 1312.3 - Uniform Complaint Procedures.

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated Board Policy and Administrative Regulation 1312.3 - Uniform Complaint Procedures.

Background:

This is the first reading of the attached policy and regulation. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policy and regulation. The administration has reviewed the recommended policy and regulation and updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy and/or regulation will be brought back to the Board of Education for a second reading.

Policy updated to ensure compliance with the California Department of Education's (CDE) 2023-24 federal program monitoring instrument, and reflect NEW LAW (AB 1078, 2023) which (1) clarifies when it is unlawful discrimination for the Governing Board to refuse to approve the use or prohibit the use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or resource in a school library, (2) provides that complaints alleging discrimination related to the use or prohibited use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or resource in a school library may be brought under the district's uniform complaint procedures or may be directly filed with the Superintendent of Public Instruction, as specified, and (3) requires CDE to develop, by July 1, 2025, guidance and public educational materials to ensure that all Californians can access information about educational laws and policies that safeguard the right to an accurate and inclusive curriculum. Policy also updated to reflect that the California Department of Fair Employment and Housing is now called the California Civil Rights Department.

Regulation updated to reference NEW LAW (AB 1078, 2023) which (1) clarifies when it is unlawful discrimination for the Governing Board to refuse to approve the use or prohibit the use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or resource in a school library, (2) provides that complaints alleging discrimination related to the use or prohibited use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or resource in a school library may be brought under the district's uniform complaint procedures or may be directly filed with the Superintendent of Public Instruction, as specified, and (3) requires the California Department of Education (CDE) to develop, by July 1, 2025, guidance and public educational materials to ensure that all Californians can access information about educational laws and policies that safeguard the right to an accurate and inclusive curriculum. Regulation also updated to ensure compliance with CDE's 2023-24 federal program monitoring instrument

File Attachments

- [Regulation 1312.3 Uniform Complaint Procedures.pdf](#) (361 KB)
- [BP 1312.3 Uniform Complaint Procedures 02.20.2024.pdf](#) (235 KB)

12.14 POLICY UPDATE: Administrative Regulation 4161.2/4261.2/4361.2 - Personal Leaves

Type	Action
Preferred Date	Nov 07, 2023
Fiscal Impact	No
Recommended Action	The recommendation is that the Board of Education approve the updated Administrative Regulation 4161.2/4261.2/4361.3 - Personal Leaves.

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated Administrative Regulation 4161.2/4261.2/4361.3 - Personal Leaves.

Background:

This is the first reading of the attached policy regulation. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved regulation. The administration has reviewed the recommended regulation and updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the regulation will be brought back to the Board of Education for a second reading.

The 4000 section of the district policy manual is triple coded to divide it into employee classifications: 4100s for certificated employees, 4200s for classified employees, and 4300s for management, supervisory, and confidential employees. The language in Administrative Regulation 4161.2/4261.2/4361.2 is exactly the same.

Administrative Regulation 4161.2/4261.2/4361.2 Personal Leaves Regulation updated to reflect NEW LAW (SB 294, 2021) which clarifies that leave of absence granted an employee to serve as an elected officer of an employee organization is in addition to other leaves to which the employee may be entitled by law or agreement and NEW LAW (AB 1033, 2021) which defines "parent" to include "parents-in-law." Regulation also updated to change heading "Legal Duties" to "Leave to Perform Legal Duties" and to make clarifying changes throughout.

File Attachments

- [Regulation 4161.2 4261.2 4361.2 Personal Leaves.pdf](#) (573 KB)

12.15 POLICY UPDATE: Board Policy and Administrative Regulation 4212.42/4312.42 Drug and Alcohol Testing for School

Type	Action
Fiscal Impact	No
Recommended Action	The recommendation is that the Board of Education approve the updated Board Policy and Administrative Regulation 4212.42/4312.42 Drug and Alcohol Testing for School Bus Drivers.

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated Board Policy and Administrative Regulation 4212.42/4312.42 - Drug and Alcohol Testing for School Bus Drivers.

Background:

This is the first reading of the attached policy policy and regulation. The language is sanctioned by the California School

Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policy and regulation. The administration has reviewed the recommended policy regulation and updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy and/or regulation will be brought back to the Board of Education for a second reading. The 4000 section of the district policy manual is triple coded to divide it into employee classifications: 4100s for certificated employees, 4200s for classified employees, and 4300s for management, supervisory, and confidential employees. The language in BP 4212.42/4312.42 and AR 4212.42/4312.42 is exactly the same. Updates to Board Policy and Administrative Regulation 4112.42 were approved by the Board of Education on August 18, 2021. Board Policy 4212.42/4312.42 and Administrative Regulation 4212.42/4312.42 should have been brought to the Board of Education at the same time.

Policy updated to clarify the obligation of drivers to submit to drug and alcohol testing as required under federal law. Section on "Consequences Based on Test Results" updated to (1) add the agency responsible for reviewing and approving district requests to temporarily remove a driver from safety-sensitive functions before drug test results are verified by a certified medical review officer and (2) describe consequences that will be imposed on drivers based on findings of specific concentrations of alcohol. Policy also clarifies the requirement to ensure that a driver who is offered an opportunity to return to work following a violation first receive an evaluation by a qualified substance abuse professional and successfully comply with the evaluation recommendations.

Regulation updated to clarify that marijuana remains an illegal drug under the federal Controlled Substances Act and use of it by a driver remains a violation of federal drug testing regulations. Definition of "alcohol concentration" revised to delete information regarding consequences for drivers based on specific alcohol concentrations, now addressed in the BP.

Regulation also expands the responsibilities of the designated employer representative pursuant to federal regulations, clarifies requirements pertaining to pre-employment testing including the requirement to conduct a pre-employment query using the Commercial Driver's License Drug and Alcohol Clearinghouse, and reflects additional requirements related to post-accident testing. New section reflects federal regulations which require districts to report any violation of federal drug and alcohol regulations to the Clearinghouse and conduct inquiries of the Clearinghouse's online database for all drivers employed by the district on an annual basis and before hiring any driver.

File Attachments

- [BP 4212.42 4312.2 Drug and Alcohol Testing for School Bus Drivers.pdf](#) (365 KB)
- [AR 4212.42 4312.2 Drug and Alcohol Testing for School Bus Drivers.pdf](#) (354 KB)

12.16 POLICY UPDATE: Administrative Regulation 4112.61/4212.61/4312.61 - Employment References

Type	Action
Preferred Date	Nov 07, 2023
Fiscal Impact	No
Recommended Action	The recommendation is that the Board of Education approve the updated Administrative Regulation 4112.61/4212.61/4312.61 - Employment References.

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated Administrative Regulation 4112.61/4212.61/4312.61 - Employment References.

Background:

This is the first reading of the attached regulation. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved regulation. The administration has reviewed the recommended regulation and updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the regulation will be brought back to the Board of Education for a second reading. The 4000 section of the district policy manual is triple coded to divide it into employee classifications: 4100s for certificated employees, 4200s for classified employees, and 4300s for management, supervisory, and confidential employees. The language in AR 4112.61/4212.61/4312.61 is exactly the same. Policy deleted and key concepts incorporated into regulation. Regulation also updated to more directly reflect state law regarding the authority of employers to communicate certain information about current or former employees to prospective employers.

File Attachments

- [Regulation 4112.61 4212.61 4312.61 Employment References.pdf](#) (320 KB)

12.17 POLICY UPDATE: Board Policy 4112.8/4212.8/4312.8 - Employment of Relatives

Type	Action
Preferred Date	Nov 07, 2023
Fiscal Impact	No
Recommended Action	The recommendation is that the Board of Education approve the updated Board Policy 4112.8 - Employment of Relatives and adopt Board Policy 4212.8/4312.8 - Employment of Relatives.

Purpose:

The purpose is for the Board of Education to review the recommended changes, approve the updated Board Policy 4112.8 - Employment of Relatives and adopt Board Policy 4212.8/4312.8 - Employment of Relatives.

Background:

This is the first reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policy. The administration has reviewed the recommended policy and updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be

brought back to the Board of Education for a second reading.

The 4000 section of the district policy manual is triple coded to divide it into employee classifications: 4100s for certificated employees, 4200s for classified employees, and 4300s for management, supervisory, and confidential employees. The language in BP 4111/4211/4311 is exactly the same.

Updated policy contains new language prohibiting the appointment of an employee to a position where a relative has management, supervisory, evaluation, or promotion responsibilities and prohibiting an employee from participating in a decision that singularly applies to a relative. Policy also contains language authorizing the Superintendent to prohibit the appointment of an employee to a position in which his/her relationship to another employee may result in an adverse impact.

[File Attachments](#)

[Policy 4112.8 4212.8 4312.8 Employment of Relatives.pdf](#) (339 KB)

12.18 POLICY UPDATE: Board Policy 4114 - Transfers

Type	Action
Preferred Date	Nov 07, 2023
Fiscal Impact	No
Recommended	The recommendation is that the Board of Education approve the updated Board Policy 4114 -
Action	Transfers.

[Purpose:](#)

The purpose is for the Board of Education to review the recommended changes and approve the updated Board Policy 4219.1/4319.1 - Civil and Legal Rights.

[Background:](#)

This is the first reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a second reading.

The 4000 section of the district policy manual is triple coded to divide it into employee classifications: 4100s for certificated employees, 4200s for classified employees, and 4300s for management, supervisory, and confidential employees.

Policy updated to delete provision regarding a principal's right to refuse a teacher's transfer request for a school ranked in deciles 1-3 on the API, as the API is no longer being calculated. Policy also adds philosophical statement regarding the assignment of staff in an equitable manner that meets the needs of students and each school.

[File Attachments](#)

[Policy 4114 Transfers.pdf](#) (300 KB)

12.19 POLICY UPDATE: Board Policy and Administrative Regulation 4127/4227/4327 - Temporary Athletic Team Coaches

Type	Action
Preferred Date	Nov 07, 2023
Fiscal Impact	No
Recommended	The recommendation is that the Board of Education approve the updated Board Policy and
Action	Administrative Regulation 4127/4227/4327 - Temporary Athletic Team Coaches.

[Purpose:](#)

The purpose is for the Board of Education to review the recommended changes and approve the updated Board Policy and Administrative Regulation 4127/4227/4327 - Temporary Athletic Team Coaches.

[Background:](#)

This is the first reading of the attached policy and regulation. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policy and regulation. The administration has reviewed the recommended policy/regulation and updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy and/or regulation will be brought back to the Board of Education for a second reading.

The 4000 section of the district policy manual is triple coded to divide it into employee classifications: 4100s for certificated employees, 4200s for classified employees, and 4300s for management, supervisory, and confidential employees. The language in BP 4127/4227/4327 and AR 4127/4227/4327 is exactly the same.

Policy and regulation updated to reflect NEW LAW (AB 1639, 2016) which requires coaches, beginning July 1, 2017, to complete a training course related to the nature and warning signs of sudden cardiac arrest and to retake such a course every two years thereafter. Policy also allows a coach to submit either the Activity Supervisor Clearance Certificate or the Department of Justice and Federal Bureau of Investigation criminal background check. Material regarding certification of coaches' qualifications to the board and the State Board of Education moved from AR to BP.

[File Attachments](#)

[Policy 4127 4227 4327 Temporary Athletic Team Coaches.pdf](#) (344 KB)

[Regulation 4127 4227 4327 Temporary Athletic Team Coaches.pdf](#) (393 KB)

12.20 POLICY UPDATE: Board Policy and Administrative Regulation 1312.2 - Complaints Concerning Instructional Materials

Type	Action
Preferred Date	Dec 05, 2023

Fiscal Impact Recommended Action	No The recommendation is that the Board of Education approve the updated Board Policy and Administrative Regulation 1312.2 - Complaints Concerning Instructional Materials.
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Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated Board Policy and Administrative Regulation 1312.2 - Complaints Concerning Instructional Materials.

Background:

This is the first reading of the attached policy and regulation. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved regulation. The administration has reviewed the recommended regulation and updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy and/or regulation will be brought back to the Board of Education for a second reading.

Policy updated to reflect NEW LAW (AB 1078, 2023) which (1) requires the California Department of Education (CDE) to develop, by July 1, 2025, guidance and public educational materials to ensure that all Californians can access information about educational laws and policies that safeguard the right to an accurate and inclusive curriculum, (2) clarifies when it is unlawful discrimination for the Governing Board to refuse to approve the use or prohibit the use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or resource in a school library, (3) provides that complaints alleging discrimination related to the use or prohibited use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or resource in a school library may be brought under the district's uniform complaint procedures or may be directly filed with the Superintendent of Public Instruction, as specified, and (4) requires CDE to issue, by July 1, 2025, guidance regarding how to review instructional materials to ensure that they represent diverse perspectives and are culturally relevant. Policy also updated to expand and amend the list of criteria to be considered when instructional or library materials are being challenged; and, to provide that, unless required by law, any challenged material that is reviewed by the district will not be subject to further reconsideration for 12 months.

Regulation updated to provide that for an instructional materials complaint for a nonprinted material the location of the objection be given; include that acknowledgement of receipt of an instructional materials complaint and notification of a review committee's decision be in writing; and, add that staff, in addition to the Superintendent or designee and teacher(s), be notified by the Principal as appropriate when an instructional materials complaint is received. Regulation also updated to delete material in the section "Formal Complaint" related to a request by a parent/guardian who has filed a complaint for the student to be excused from using the challenged material while the complaint is pending; and, move the section "Review Committee" to come before the section "Superintendent Determination" so that it follows chronologically. Additionally, regulation updated to amend the section "Review Committee" to provide that (1) the Superintendent or designee may appoint parents/guardians and students, in addition to administrators and staff from relevant instructional and administrative areas, to serve on the committee, (2) include that the Superintendent or designee may provide training to the review committee to ensure the committee is informed regarding its responsibilities, applicable laws, and Board policies and administrative regulations when reviewing instructional materials, and (3) delete the list of criteria to be considered when instructional materials are being challenged, as this list is provided in the accompanying Board policy.

File Attachments

- [BP 1312.2 Complaints Concerning Instructional Materials.pdf](#) (235 KB)
- [AR 1312.2 Complaints Concerning Instructional Materials.pdf](#) (310 KB)

12.21 POLICY UPDATE: Board Policy and Administrative Regulation 5131.2 - Bullying

Type Fiscal Impact Recommended Action	Action No The recommendation is that the Board of Education discuss and approve the updated Board Policy and Administrative Regulation 5131.2 - Bullying
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Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation.

Background:

This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The updated board policy and administrative regulation has been reviewed by the Board Liaison Committee for recommended updates for accuracy. Revisions reflect these engagements and district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a SECOND reading.

Board Policy 5131.2 - Bullying

The NUSD board policy has not been revised since 2023. The language has been replaced to match the sample board policy provided by the California School Board Association.

Administrative Regulation 5131.2 - Bullying

The NUSD administrative regulation has not been revised since 2023. The language has been replaced to match the sample board policy provided by the California School Board Association.

CSBA Language:

(EC 234.1, EC 234.4) Written policy prohibiting discrimination, harassment, intimidation, and bullying based on specified characteristics; statement that the policy applies to all acts of the Governing Board and the Superintendent in enacting policies and procedures that govern the district; procedures for preventing acts of bullying, including cyberbullying

File Attachments

- [AR 5131.2 Bullying.pdf](#) (1,255 KB)
- [BP 5131.2 Bullying.pdf](#) (1,053 KB)

12.22 POLICY UPDATE: Board Policy 5148 and Administrative Regulation 5148 - Child Care And Development

Type	Action
Fiscal Impact	No
Recommended	The recommendation is that the Board of Education discuss and approve the updated Board
Action	Policy 5148 and Administrative Regulation 5148 - Child Care And Development

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation.

Background:
This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The updated board policy and administrative regulation has been reviewed by the Board Liaison Committee for recommended updates for accuracy. Revisions reflect these engagements and district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a SECOND reading.

Board Policy 5148 Child Care And Development
The NUSD board policy has not been revised since 2007. The language has been replaced to match the sample board policy provided by the California School Board Association.

Administrative Regulation 5148 Child Care And Development
The NUSD administrative regulation has not been revised since 2007. The language has been replaced to match the sample board policy provided by the California School Board Association.

CSBA Language:
Policy updated to reflect NEW LAW (AB 210, 2022) which (1) provides grant funding until June 30, 2027 for the purpose of increasing access to inclusive early care and education programs, (2) extends the date by which the California Department of Education and the California Department of Social Services (CDSS) are required to adopt implementing regulations related to early childhood development, and (3) specifies as one of the indicators for the implementation of quality child care and development programs that staff have the appropriate and required training, or any combination of qualifications, experience, or training. Policy also updated to delete material specific to COVID-19 and reflect a district's obligation to provide distance learning when a child care program is physically closed by a local or state public health order, reference that the Commission on Teacher Credentialing has adopted regulations pertaining to the prekindergarten-grade 3 early childhood education specialist credential that include requirements, and accelerated pathways to meet the requirements, in an effort to increase the number of early childhood education teachers, and reference NEW LAW (AB 2827, 2022) which requires CDSS to revise its regulations to permit children with disabilities to use outdoor play spaces simultaneously with children who do not have disabilities without having to first seek a regulatory waiver and to specify any health and safety requirements that are required to be met when simultaneous play occurs.

- File Attachments**
[AR 5148 Child Care And Development.pdf](#) (188 KB)
[BP 5148 Child Care And Development.pdf](#) (97 KB)

12.23 POLICY UPDATE: Board Policy 6161.11 - Supplementary Instructional Materials

Type	Action
Fiscal Impact	No
Recommended	The recommendation is that the Board of Education discuss and approve the updated Board
Action	Policy 6161.11 - Supplementary Instructional Materials

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated board policy.

Background:
This is the SECOND reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The updated board policy and administrative regulation has been reviewed by the Board Liaison Committee, Superintendent, and presented to the secondary ASB members for recommended updates for accuracy. Revisions reflect these engagements and district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a THIRD reading.

Board Policy 6161.11 - Supplementary Instructional Materials
The NUSD board policy has not been revised since 2015. The language has been replaced to match the sample board policy provided by the California School Board Association.

CSBA Language:
Policy updated to reflect NEW LAW (AB 1078, 2023) which clarifies when it is unlawful discrimination for the Governing Board to refuse to approve the use or prohibit the use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or resource in a school library, (2) requires the California Department of Education (CDE) to issue, by July 1, 2025, guidance regarding how to review instructional materials to ensure that they represent diverse perspectives and are culturally relevant, (3) requires CDE to develop, by July 1, 2025, guidance and public educational materials to ensure that all Californians can access information about educational laws and policies that safeguard the right to an accurate and inclusive curriculum, and (4) provides that complaints alleging discrimination related to the use or prohibited use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or resource in a school library may be brought under the district's uniform complaint procedures or may be directly filed with the Superintendent of Public Instruction, as specified. Policy also updated to delete the section "Supplementary Materials Aligned with Common Core Standards" as these interim materials are no longer necessary since the State Board of Education has adopted K-8 textbooks and instructional materials aligned to the Common Core Standards. Additionally, policy updated to include factual accuracy and whether the material contains pervasive vulgarity or profanity in the determination of compliance of supplemental materials with district criteria; and, add that the

Superintendent or designee may provide training to administrators and teachers in the selection and evaluation of supplementary instructional materials, including the criteria to be utilized and applicable legal considerations.

File Attachments

BP 6161.11 Supplementary Instructional Materials.pdf (91 KB)

12.24 POLICY UPDATE: Board Policy and Administrative Regulation 6164.5: Student Success Teams

Type	Action
Fiscal Impact	No
Recommended	The recommendation is that the Board of Education discuss and approve the updated Board
Action	Policy and Administrative Regulation 6164.5: Student Success Teams

Purpose: The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation.

Background: This is the first reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a second reading. Board Policy 6164.5 - Student Success Teams The NUSD board policy has not been revised since 1996. The language has been replaced to match the sample board policy provided by the California School Board Association.

Administrative Regulation 6164.5 - Student Success Teams The NUSD administrative regulation has not been revised since 1996. The language has been replaced to match the sample board policy provided by the California School Board Association.

CSBA Language: Board Policy 6164.5 - Student Success Teams Policy updated to reference that the student success team (SST) process is not required by law and that the policy reflects best practices, clarify those who are encouraged to collaborate in SSTs, include social and emotional difficulties when evaluating the strengths and needs of students and establishing interventions, emphasize the importance of each student maximizing their potential, specify who may refer students to SSTs, add types of materials appropriate for collection, analysis and review by the SST, provide for the development of a plan to support the student and adjustments to such plan, reflect that the SST process shall not delay or deny a referral for evaluation for eligibility for special education, reference MTSS and the integration of SSTs with such supports, and add staff development which may be provided to strengthen the effectiveness of SSTs.

Administrative Regulation 6164.5 - Student Success Teams Regulation updated to reference that the SST process is not required by law and that the regulation reflects best practices, emphasize the importance of school counselors in the SST membership, provide that the makeup of each individual SST is at the district's discretion, reference the ability of districts to appoint a districtwide or schoolwide SST coordinator, identify teachers specifically as school staff with whom consultation may occur, add types of materials appropriate for collection to inform SST members, and add the development of a plan, and adjustments to the plan and related interventions, as one of the SST responsibilities.

File Attachments

AR 6164.5 Student Success Teams.pdf (92 KB)

BP 6164.5 Student Success Teams.pdf (80 KB)

12.25 POLICY UPDATE: Board POLICY 6159.2 - Nonpublic, Nonsectarian School and Agency Services for Special Education

Type	Action
Fiscal Impact	No
Recommended	The recommendation is that the Board of Education discuss and approve the updated Board
Action	Policy 6159.2 - Nonpublic, Nonsectarian School and Agency Services for Special Education

Purpose: The purpose is for the Board of Education to discuss and review the recommended changes and approve the updated board policy as reviewed by the Board Liaison Committee.

Background: The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice as reviewed by the Board Liaison Committee.

Board Policy 6159.2: Nonpublic, Nonsectarian School And Agency Services For Special Education The NUSD board policy has not been revised since 2022. The language has been replaced to match the sample board policy provided by the California School Board Association.

CSBA Language: EC 56195.8 Policy for services.

File Attachments

BP 6159.2 Nonpublic, Nonsectarian School And Agency Services For Special Education.pdf (82 KB)

12.26 Bylaw 9320 Meetings and Notices

Type Discussion

Purpose:

The purpose is for the Board of Education to discuss and review the recommended changes and approve the updated board bylaw as reviewed by the Board Liaison Committee.

Background:

Bylaw updated to reflect NEW LAW (AB 2449, 2022) which (1) requires Boards to maintain and implement a procedure for receiving and resolving requests for reasonable accommodation for individuals with disabilities, to resolve any doubt in favor of accessibility, and to give notice of the procedure for receiving and resolving requests for accommodation in each instance in which notice of the time of a meeting is otherwise given or the agenda is otherwise posted, and (2) adds procedures for "Teleconferencing During a Personal Emergency"; and "Teleconferencing for Just Cause". Bylaw also updated to reflect NEW LAW (AB 2647, 2022) which provides a procedure for complying with the Brown Act when distributing materials to the Board less than 72 hours before a regular meeting and outside of regular business hours.

File Attachments

BB 9320 Meetings and Notices.docx (37 KB)

12.27 Bylaw 9322 - Agenda/Meeting Materials

Type Discussion

Purpose:

The purpose is for the Board of Education to discuss and review the recommended changes and approve the updated board bylaw as reviewed by the Board Liaison Committee.

Background:

Bylaw updated to move material regarding public comments to be with content related language, amend language to be more closely aligned with code language, add material regarding the means for in-person and remote public comments, and reflect NEW LAW (AB 2449, 2022), which requires boards maintain and implement a procedure for receiving and swiftly resolving requests for reasonable accommodation to board meetings for individuals with disabilities. Bylaw also updated to provide that each agenda for a regular meeting is required to list the address designated by the Superintendent or designee for public inspection of documents related to records of a statement threatening litigation against the district to be discussed in closed session, in addition to documents related to open session, when such documents have been distributed to the Governing Board less than 72 hours before a Board meeting, clarify that the Board president and Superintendent decide when an item is placed on the agenda, include that public records under the Public Records Act and which relate to an agenda item which contain a claim or written threat of litigation which will be discussed in closed session are to be made available to the public, in addition to documents which relate to an agenda item scheduled for the open session of a regular meeting, and NEW LAW (AB 2647, 2022) which clarifies how districts can, without opening their offices after normal business hours, comply with the portion of the Brown Act that requires writings or documents distributed to a majority of a local legislative body less than 72 hours before a meeting to also be distributed to the public.

File Attachments

BB 9322 Agenda - Meeting Materials.docx (25 KB)

12.28 Bylaw 9323 - Meeting Conduct

Type Discussion

Purpose:

The purpose is for the Board of Education to discuss and review the recommended changes and approve the updated board bylaw as reviewed by the Board Liaison Committee.

Background:

Bylaw updated to reflect NEW LAW (SB 1100, 2022) which authorizes the Board President to remove an individual for disrupting a Board meeting, establishes a procedure for warning the individual prior to their removal, and defines "disrupting"; and "true threat of force".

File Attachments

BB 9323 Meeting Conduct (2).docx (25 KB)

12.29 MINUTES: Minutes of the September 5, 2023, Regular Meeting of the Board of Education

Type Action, Minutes

Fiscal Impact No

Recommended Action The recommendation is that the Board of Education approve the minutes of the September 5, 2023 Regular Meeting of the Board of Education.

Purpose:

For the board to review and approve minutes of the September 5, 2023, Regular Meeting of the Board of Education.

Background:

The attached minutes are reflective of the September 5, 2023, Regular Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel [HERE](#).

File Attachments

[Meeting Minutes_090524.pdf](#) (1,750 KB)

12.30 MINUTES: Minutes of the September 19, 2023 Regular Meeting of the Board of Education

Type Action, Minutes

Recommended Action The recommendation is that the Board of Education approve the minutes of the September 19, 2023 Regular Meeting of the Board of Education.

Purpose:

For the board to review and approve minutes of the September 19, 2023, Regular Meeting of the Board of Education.

Background:

The attached minutes are reflective of the September 19, 2023, Regular Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel [HERE](#).

File Attachments

[Meeting Minutes_091924.pdf](#) (1,282 KB)

12.31 MINUTES: Minutes of the October 3, 2023 Regular Meeting of the Board of Education

Type Action, Minutes

Recommended Action The recommendation is that the Board of Education approve the minutes of the October 3, 2023 Regular Meeting of the Board of Education.

Purpose:

For the board to review and approve minutes of the October 3, 2023, Regular Meeting of the Board of Education.

Background:

The attached minutes are reflective of the October 3, 2023, Special Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel [HERE](#).

File Attachments

[Meeting Minutes_100324.pdf](#) (1,037 KB)

12.32 MINUTES: Minutes of the October 17, 2023 Special Meeting of the Board of Education

Type Action, Minutes

Recommended Action The recommendation is that the Board of Education approve the minutes of the October 17, 2023, Special Meeting of the Board of Education.

Purpose:

For the board to review and approve minutes of the October 17, 2023, Special Meeting of the Board of Education.

Background:

The attached minutes are reflective of the October 17, 2023, Special Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel [HERE](#).

File Attachments

[Meeting Minutes_101724.pdf](#) (1,425 KB)

13 BOARD OF EDUCATION: COMMITTEE REPORTS, ANNOUNCEMENTS, REQUESTS, DEBRIEF

13.1 Board of Education Committee Reports, Announcements, Requests, Debrief and Discussion

AND DISCUSSION

Type Action, Discussion, Information

Purpose:

COMMITTEE REPORTS: The Trustees will provide an update, if available, on the committees of which they are members.

ANNOUNCEMENTS: The Trustees may acknowledge or recognize specific programs, activities, or personnel at this time.

REQUESTS: This is an opportunity for the Board of Education to suggest items for placement on future agendas and to review Board requests.

Approval from the majority of the Board will be required for direction to be provided to the Superintendent.

DEBRIEF AND DISCUSSION: The Trustees may debrief and discuss items.

Background:

Each year the Board of Education members liaise with schools and committees in order to build relationships, hear from staff, students, and families, and act as a conduit for information to and from the schools.

Board Committees 2022-23
 Board Adopted on 12/15/2022
 Mission Valley Regional Occupational Center/Program (ROC/P)
 Executive Board

Representative Alternate

1. Nancy Thomas 1. Carina V. Plancarte

Regional Policy Board of Special Education Local Plan Area (SELPA) 1. Katherine Jones 1. Phuong Nguyen
 Newark Teacher Induction Advisory Council (Formally EBIC) 1. Aiden Hill 1. Carina V. Plancarte

Audit Committee

The following
 1. Aiden Hill 2. Katherine Jones 1. Phuong Nguyen derives directly from the Board approved

Bond/Parcel Tax Committee

1. Phuong Nguyen 2. Carina V. Plancarte 1. Aiden Hill "Governance Team Handbook" Authority is

City of Newark NUSD Liaison Committee

1. Phuong Nguyen 2. Nancy Thomas 1. Katherine Jones Individual:
 The only authority to direct action

rests with the Board as a whole when seated at a regular or special board meeting. Outside of this meeting, there is no authority. A majority Board vote provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction.

Bringing New Ideas Forward

The Board will be open to having "brainstorming" discussions, or study sessions, around any idea that a Trustee may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Trustee, at their initiative or at the request of a constituent, which was previously discussed during a board meeting.

Trustees will first notify the Board President and Superintendent of their interest in bringing forward a new idea at a board meeting.

When initially agendized, the preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.

Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea. The Superintendent will decide on the delegation of assignments to District staff.

The new idea may be agendized for discussion only. The Board majority will decide if the new idea should be further developed and studied by staff. The Board majority will decide if staff time should be invested in the "fleshing out" of new ideas.

Individual Trustees, in the course of interactions with constituents, will be careful not to make or imply the commitment of the full Board to explore or proceed with implementing new ideas.

14 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

14.1 Superintendent's Concluding Comments, Updates, and Future Agenda Items

AGENDA REQUESTS

Type Information

Purpose:

This is an opportunity for the Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

15 ADJOURNMENT

15.1 PLACEHOLDER - Extend Meeting

Type Action

Recommended Action The recommendation is that the Board of Education extends the meeting to ____ P.M.

Purpose:

This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

15.2 Adjournment

Type Action

Recommended Action The recommendation is that the Board of Education adjourns this meeting.

Purpose:

No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time. This action will conclude the meeting.

1 CALL TO ORDER

1.1 Roll Call

Type Procedural

Trustees:

President Aiden Hill
Vice President/Clerk Katherine Jones
Member Phuong Nguyen
Member Carina V. Plancarte
Member Nancy Thomas

Student Board Member:
Member Joy Lee

1.2 Meeting Practices and Information

Purpose:

MEETING INFORMATION:

Members of the public may attend the meeting in-person at our District Board Room, located at 5715 Musick Avenue, Newark, California. Follow the link below for instructions in English and Spanish.

<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

Observe The Board Of Education Meeting:

Members of the public may also 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.

Public Comment:

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

1.3 Public Comment on Closed Session Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and tries to make it convenient for members of the community to express their views to the Board.

If a constituent wishes to address the Board on any agenda item:

In-Person Comment: please submit a completed speaker card to the Board's Executive Assistant before the start of the meeting, or prior to the calling of the section for public comment.

Audio-Only Virtual Comment: please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org by 1:00 PM the day of the meeting. Please label your email as "AUDIO-ONLY PUBLIC COMMENT" and include your name as it will appear on Zoom, your phone number, email address, and the agenda item number related to your comment.

Please see detailed instructions for public comment on the link: <http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

1.4 Recess to Closed Session

Type Procedural

Purpose:

The Board will recess to Closed Session, and reconvene to Open Session on or about 7:00 p.m.

2 CLOSED SESSION

2.1 Public Employee Appointment/Employment/Discipline/Dismissal/Release (Gov. Code, 54957, subd. (b)(1))

Type Discussion, Information

Purpose:

Information will be provided by the Superintendent.

2.2 STUDENT EXPULSION (Ed. Code, 48918)

Type Discussion, Information, Procedural

Purpose:

For the Board to review the Expulsion Panel Recommendation.

Background:

A Expulsion Panel Hearing was held on January 30, 2024. A Panel Hearing was conducted in accordance with Board Policy and Administrative Regulation 5144.1 and, if applicable, 5144.2 for students with disabilities.

The Board will discuss this in closed session and then take action in open session (agenda item 15.1). The administration asks for approval of the recommendation for Case# e2324-06 (Ed Code. 48918).

3 REPORT OF CLOSED SESSION ACTIONS

3.1 Report of Closed Session Actions

Type Action, Procedural

Purpose:
If available, a report of the closed session will be provided by the Board President.

4 RECONVENE TO OPEN SESSION

4.1 Pledge of Allegiance

Type Procedural

Purpose:
The Governance Team will recite the Pledge of Allegiance

5 APPROVAL OF AGENDA

5.1 Approval of the Agenda

Type Action
Recommended The recommendation is that the Board of Education approve the agenda for this meeting.
Action

Purpose:
Members of the Governance Team may request that the agenda be amended or approved as presented.

Motion & Voting
The recommendation is that the Board of Education approve the agenda for this meeting.
Motion by Phuong Nguyen, second by Nancy Thomas.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte
Abstain: Joy Lee

6 RECOGNITIONS AND CELEBRATIONS

6.1 School Spotlight: Bridgepoint H.S. and Crossroads

Type Information

Purpose:
The School Spotlight gives the Board of Education and the public an opportunity to hear highlights, achievements, and initiatives at each school directly from the principals.

Background:
The presentation and information will be provided by Principal, Julie Calderon.

6.2 Newark Education Foundation Presentation

Purpose:
The Newark Education Foundation will make a presentation to the board.

Background:
The Newark Education Foundation is a philanthropic organization which raises money to support our Newark Unified School District Schools. The district is most grateful for their support.

7 STUDENT REPORT

7.1 Student Report: Student Board Member, Joy Lee

Purpose:
Student Board Member, Joy Lee, reports on the school activities around the district.

Background:
This is an opportunity to learn about the latest school events and issues from the perspective of one of our students.

8 EMPLOYEE ORGANIZATIONS

8.1 Employee Organizations

Type Information

Purpose:

At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Background:

Discussion items are limited to updates, celebrations, and upcoming events.

1. NTA
2. CSEA
3. NEWMA

9 PUBLIC COMMENT

9.1 Public Comment on Non-Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.

<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

9.2 Public Comment on Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.

<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

10 SUPERINTENDENT REPORT

10.1 Superintendent Report

Type Information

Purpose:

The superintendent will provide the Board of Education with district information, updates, news, or anything in the jurisdiction of the board or the superintendent.

Background:

The presentation and information will be provided by the Superintendent

11 STAFF REPORT

11.1 LCAP Mid Year Update

Type Action, Discussion, Information

Purpose:

To present the Board of Education with the 2023-24 Mid-year LCAP report on the use of LCAP funds as well as engagement, actions, and outcomes related to these funds.

Background:

Senate Bill 114 (2023) added Education Code 52062 (a) (6) requiring the district to present a report on the annual update to the Local Control and Accountability Plan (LCAP) and the local control funding formula Budget Overview for Parents (BOP) on or before February 28 each at a regularly scheduled meeting of the governing board or body of the LEA.

The report includes both of the following:

- All available midyear outcome data related to metrics identified in the current LCAP; and,
 - All available midyear expenditure and implementation data on all actions identified in the current LCAP.
- This is an update on the current 2023-2024 LCAP. No board adoption of the 2024-2025 LCAP is required until June.

File Attachments

- [NUSD 2023-24 Mid-Year LCAP Report.pdf](#) (5,413 KB)
- [NUSD 2023-24 Mid-Year LCAP Report \(fixed typo\).pdf](#) (5,413 KB)

11.2 Newark Memorial High School Track and Field Project Update

Type	Information
Goals	4. Fiscal Health

Purpose:
Review the track and field design that has been developed and estimated time for construction.

Background:
On December 5, 2022, the Board of Trustees approved a preliminary project budget for the Newark Memorial High School Field Project in the amount of \$6,308,499.
On March 2, 2023, the Board of Education approved an agreement with Verde Design to provide design services for the Newark Memorial High School Field Project.
The District and community have developed a comprehensive Track and Field Improvement plan. This includes architect drawings, DSA, ADA improvements to support students and future students of NUSD.

File Attachments

- [NMHS-2223300-ROM Cost -DSA BACKCHECK 12.21.23.pdf](#) (152 KB)
- [Newark Memorial_CMAS Site Plans with Bid Alternates.pdf](#) (16,929 KB)
- [2023.06.02_ NMHS Design and Construction Schedule.pdf](#) (155 KB)

11.3 Letter from the Alameda County Office of Education Regarding the 2023-24 First Interim Budget Report

Type	Information
Goals	4. Fiscal Health

Purpose:
The Deputy Superintendent of Business Services/CBO will review the letter from the Alameda County Office of Education (ACOE) regarding the Newark Unified School District (NUSD) 2023-24 First Interim Budget Report.

Background:
The Governing Board approved a QUALIFIED Certification of NUSD's First Interim Budget Report on January 11, 2024. The district subsequently submitted the report to ACOE, as required, for their review and analysis.
In accordance with Education Code (EC) Section 42131, ACOE reviewed the First Interim Budget Report based on standards and criteria for fiscal stability adopted by the State Board of Education pursuant to EC Section 33127.
Based on ACOE's review, the 2023-24 First Interim Budget Report approved by NUSD's Board of Education on January 11, 2024, accurately reflects the financial status of the District. ACOE noted that it is unable to provide a detailed analysis but concurs with NUSD's QUALIFIED certification with comments. Since the date of this letter, ACOE has provided NUSD with technical analysis as we prepare for the Second Interim.

File Attachments

- [ACOE_Newark USD_1st Interim Board Letter 2023-24_FINAL.pdf](#) (263 KB)

12 NEW BUSINESS

12.1 Resolution 2023.24.23 Designating Committed Fund Balance to Operating Budget

Type	Action
Fiscal Impact	Yes
Budget Source	Committed Funds to Operational Support
Recommended	The recommendation is that the Board of Education approve Resolution 2023.24.23
Action	Designating Committed Fund Balance to Operating Budget.
Goals	4. Fiscal Health

Purpose:
To notify the Board that Committed Funds are being transferred to the operating budget and approve Resolution 2023.24.23 Designating Committed Fund Balance to Operating Budget.

Background:
The District at the time of budget adoption did not designate enough funding for facilities and routine maintenance to support the many needs of the district including, plumbing, electrical, irrigation, planning for a bond, roofing, wall and fencing repairs, HVAC support, etc. The district needs fiscal resources identified in Committed Funds to support the school sites and district office. As discussed in the First Interim, the board identified funds to ensure the fiscal health of the district and Committed funds will be used to support the FCMAT contract and to provide a consultant to review and identify priority refresh needs for the IT/cyber security plan.

[File Attachments](#)

[Resolution 2023.24.23 Designating Committed Fund Balance 2_06_24.pdf](#) (20 KB)

[Motion & Voting](#)

The recommendation is that the Board of Education approve Resolution 2023.24.23 Designating Committed Fund Balance to Operating Budget.

Motion by Carina V Plancarte, second by Katherine Jones.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Katherine Jones, Carina V Plancarte

Nay: [Phuong Nguyen](#)

Not Present at Vote: Joy Lee

12.2 Contract: Fiscal Crisis & Management Assistance Team (FCMAT)

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$23,500.00
Budgeted	Yes
Budget Source	Committed Funds will be transferred to Operational Funds
Recommended	The recommendation is that the Board of Education approve the contract for Fiscal Crisis & Management Assistance Team (FCMAT).
Goals	4. Fiscal Health

[Purpose:](#)

Staff recommends to contract for professional services with FCMAT and to have them provide a detailed analysis of the Multi Year Projections (MYP) and support systems necessary to strengthen the fiscal health of the district.

[Background:](#)

During the First Interim Report, staff noted many concerns, including assumptions used in the development of the budget, changes to the COLA and retirement contributions, and lack of funding for ongoing facility expenditures that are needed for aging facilities, lack of technology resources and refresh plan for 1:1 devices, software and 21st Century Classrooms.

[File Attachments](#)

[Fiscal Crisis Management Assistance Team \(FCMAT\)_2023-24.pdf](#) (203 KB)

12.3 Contract: Beth Figueroa, CPA- Accounting Technical Support: Local Control Accountability Plan (LCAP) and Budget Development for FY 2024-25

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$61,500.00
Budgeted	Yes
Budget Source	Fiscal Director (Vacant) funds will be used
Recommended	The recommendation is that the Board of Education approve the contract with Bethany Figueroa, CPA to provide daily accounting and finance expertise/support for the district accounts and to develop and prepare the Local Control Accountability Plan (LCAP) and Budget Development for FY 2024-25.
Goals	4. Fiscal Health

[Purpose:](#)

The purpose is for the Board to approve professional services agreement with Beth Figueroa, CPA to provide school finance expertise to Business Services for account technical support and development of the Local Control Accountability Plan (LCAP) and Budget Development for FY 2024-25.

[Background:](#)

NUSD is going out for a third time to recruit for qualified Fiscal Director. Beth Figueroa brings 16 years experience in fiscal services. She holds a CPA license and has served as a School District Auditor and Executive Director of Fiscal Services in a large school district. Beth Figueroa will work in coordination with the other two accounting consultants who are working on the Second Interim, and various mandatory reports to the county, state and federal government agencies. Due to all three consultants working part time, they will be paid from this years budgeted vacant Director of Fiscal Services savings. It is critical that the district have fiscal continuity between now and the time that we prepare for the new budget, provide audit documents and support the FCMAT study. The district continues to recruit for a Fiscal Director.

[File Attachments](#)

[BFigueroa _contract _2_06_24.pdf](#) (95 KB)

[Motion & Voting](#)

The recommendation is that the Board of Education approve the contract with Bethany Figueroa, CPA to provide daily accounting and finance expertise/support for the district accounts and to develop and prepare the Local Control Accountability Plan (LCAP) and Budget Development for FY 2024-25.

Motion by Nancy Thomas, second by Katherine Jones.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Katherine Jones, Carina V Plancarte

Nay: [Phuong Nguyen](#)

Not Present at Vote: Joy Lee

13 CONSENT AGENDA: PERSONNEL ITEMS

13.1 PLACEHOLDER - One Consented Vote

Type	Action
Recommended	It is recommended that the Board of Education approve, under one consented vote, the
Action	agenda items under Consent-Personnel, except for agenda items:

Purpose:
This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:
Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Motion & Voting
It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent-Personnel, except for agenda items:
Motion by Nancy Thomas, second by Carina V Plancarte.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte
Not Present at Vote: Joy Lee

13.2 Personnel Report

Type	Action (Consent)
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Purpose:
The purpose of this item is for the board to approve the Personnel Report as presented.

Background:
All personnel activities including new hires, changes in status, resignation, leaves, and retirements are routinely submitted to the Board for ratification.

File Attachments
[HR PAL 02-06-2024.pdf](#) (232 KB)

13.3 SENIORITY LIST: Certificated

Type	Action
Absolute Date	Feb 06, 2024
Recommended	The recommendation is that the Board of Education receive the 2023-2024 Certificated
Action	Seniority List.

Purpose:
The purpose is for the Board of Education to receive the 2023-2024 Certificated Seniority List.

Background:
Each year, the Certificated Seniority List is posted for review by certificated employees to determine whether the District has the correct hire date for each such employee. This year, the Certificated Seniority List was posted and an opportunity for employees to review was provided. The Certificated Seniority List does not imply an order of employment for certificated employees who were hired on the same date.

File Attachments
[Certificated Seniority List 2023-2024.pdf](#) (1,078 KB)

13.4 SENIORITY LIST: Classified

Type	Action
Absolute Date	Feb 06, 2024
Recommended	The recommendation is that the Board of Education receive the 2023-2024 Classified
Action	Seniority List.

Purpose:
The purpose is for the Board of Education to receive the 2023-2024 Classified Seniority List.

Background:
Each year, the Classified Seniority List is posted for review by classified employees and identifies the job classification total hours worked in a specific classification for each regular classified staff member. A copy of this Classified Seniority List has been provided to each classified staff person for review and has been posted at each school and campus site.

File Attachments

[Classified Seniority List 2023-2024.pdf](#) (252 KB)

13.5 Revised Job Description-DIRECTOR OF TEACHING AND LEARNING

Purpose:

The purpose is for the Board to review the revised job description for Director of Teaching and Learning.

Background:

The item is for the Board to approve a revised job description for the position of Director of Teaching and Learning. The new job description combines elements of two previously staffed positions: Director of Teaching and Learning & Director of Special Projects.

File Attachments

[Director of Teaching and Learning DRAFT 02.06.2024.pdf](#) (397 KB)

13.6 New Job Description-COORDINATOR OF COLLEGE, CAREER, & COMMUNITY SERVICES

Purpose:

The purpose is for the Board to review the revised job description for Coordinator of College, Career, & Community Services.

Background:

The item is for the Board to approve a revised job description for the position of Coordinator of College, Career, & Community Services. The new job description aligns with Board Goals for College and Career readiness and Community Schools Grant Program funding goals for community engagement.

File Attachments

[Coordinator of College, Career, & Community Services DRAFT 02.06.2024.pdf](#) (394 KB)

13.7 New Job Description-PURCHASING AND PROCUREMENT MANAGER

Type	Action
Preferred Date	Feb 06, 2024
Goals	4. Fiscal Health

Purpose:

The purpose is for the Board to review the revised job description for Purchasing and Procurement Manager

Background:

The item is for the Board to approve a new job description for the position of Purchasing and Procurement Manager. The new job description aligns with Board Goals for Fiscal Health and to provide standards and compliance on purchasing practices for supplies, equipment, contracts, vendors, bids, etc. This position will be part of the Business Services department.

File Attachments

[Purchasing and Procurement Manager 02.06.2024 DRAFT.pdf](#) (406 KB)

14 CONSENT AGENDA: NON-PERSONNEL ITEMS

14.1 PLACEHOLDER - One Consented Vote

Type	Action
Recommended	It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent Non-Personnel, except for agenda items:
Action	

Purpose:

This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:

Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Motion & Voting

It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent Non-Personnel, except for agenda items:

- Motion by Katherine Jones, second by Carina V Plancarte.
- Final Resolution: Motion Carries
- Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte
- Not Present at Vote: Joy Lee

14.2 Report: Monthly Purchase Order Report

Type	Action
Recommended	The recommendation is that the Board of Education receive the Monthly Purchase Order

Action Report as presented.
 Goals 4. Fiscal Health

Purpose:

The purpose of this item is to present a monthly report on Purchase Order transactions per Board Policy 3300, Expenditures and Purchases.

Background:

Based on the discussion at the Board's Study Session on January 6, 2022, staff is providing a monthly report on Purchase Order transactions per Board Policy 3300, Expenditures and Purchases. The policy states that "The Board shall review all transactions entered into by the Superintendent or designee on behalf of the Board every 60 days." This month's report includes 108 PO's dated 1/11/2024 through 1/26/2024 for a total of \$247,272.83.

File Attachments

[Monthly Purchase Order Report 02-06-2024.pdf](#) (80 KB)

14.3 Resolution 2023.24.21 Declaring Surplus Equipment

Type Action
 Recommended The recommendation is that the Board of Education approves Resolution 2023.24.21 -
 Action Declaring Surplus Equipment.
 Goals 4. Fiscal Health

Purpose:

The purpose of this item is to obtain Board approval of Resolution 2023.24.21- Declaring Surplus Equipment, which lists items to be declared as surplus equipment as recommended.

Background:

Surplus materials will be disposed of per Board Policy and Administrative Regulation 3270 Sale And Disposal Of Books, Equipment And Supplies. Education Code, Section 17546 states that if the Governing Board, by a unanimous vote of those members present, finds that the property, whether one or more items, does not exceed the value of \$2,500, it may be sold at private sale without advertising, by a District employee empowered for that purpose by the Board; the property may be donated to a charitable organization, or it may be disposed of in a public disposal facility.

The property as described in Resolution 2023.24.21 includes equipment used by Child Nutrition Services at Newark Memorial High School and Newark Middle School. Staff determined that items are obsolete and/or beyond economical repair.

File Attachments

[Resolution 2023.24.21 Declaring Surplus Equipment.pdf](#) (62 KB)

14.4 FIELD TRIP- Senior Cruise

Type Action
 Preferred Date Feb 06, 2024
 Absolute Date Feb 06, 2024
 Fiscal Impact Yes
 Dollar Amount \$6,400.00
 Budgeted Yes
 Budget Source Student in Attendance
 Recommended The recommendation is that the Board of Education approves the Senior Cruise for the
 Action Newark Memorial High School's twelfth grade students.

Purpose:

Newark Memorial High School requests permission to take twelfth grade students on a non-curricular, field trip. Although this is non-curricular afterschool activity, it does contribute to the social emotional growth of students, as they celebrate their last school year together in a positive and fun environment.

School: Newark Memorial High School

Dates: February 16, 2024, 7:00 pm to 10:00 pm

Location: Luxe Cruise and Events, 2394 Mariner Square Dr. STE B, Alameda, CA 94501

Chaperones for Field Trip:

The ratio of adults to students on school-sponsored trips shall be based on the following formula:

K-3 1 adult for every 5-8 students

4-9 1 adult for every 10 students

10-12 1 adult for every 10 students where strict supervision is required (tours, theaters, etc.)

No student will be denied due to a lack of funds.

Background:

According to Board Policy 6153.2, all trips that are non-curricular require Board approval. The site principal and Newark Memorial High School Director of Student Activities request permission for 12th grade students to attend a 3 hour cruise out of Alameda using Luxe Cruise and Events.

14.5 FIELD TRIP: Curricular, Overnight Trip for Newark Memorial MCA Seniors to travel to Los Angeles.

Type Action
 Preferred Date Feb 06, 2024
 Absolute Date Feb 06, 2024

Fiscal Impact Yes
 Dollar Amount \$28,650.00
 Budgeted Yes
 Budget Source MCA CPA Grant funds
 Recommended The recommendation is that the Board of Education approve the field trip for Newark
 Action Memorial MCA Seniors to travel to Los Angeles.

Purpose:

The Newark Memorial community requests permission to take MCA Seniors on a curricular, overnight field trip. Students will travel to Los Angeles. Student will be exposed to post-secondary opportunities in the greater Los Angeles region in the fields of Arts, Media, and Entertainment.

School: Newark Memorial High School

Dates: March 17 - March 20, 2024

Location: Los Angeles, CA

Chaperones:

The ratio of adults to students on school-sponsored trips shall be based on the following formula:

K-3 1 adult for every 5-8 students

4-9 1 adult for every 10 students

10-12 1 adult for every 10 students where strict supervision is required (tours, theaters, etc.)

Overnight trip supervision must be gender appropriate. However, in the event that the supervisors, who stay overnight in proximity to students, are of a gender other than that group of campers, adequate planning, and preparation of campers and the physical arrangements of the camp shall be made to ensure optimal safety and privacy of students (AR 6153).

No student will be denied due to a lack of funds.

Background:

According to Board Policy, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. The site principal and Media Arts teacher request permission to take Newark Memorial MCA Seniors on an overnight curricular trip to Los Angeles.

14.6 FIELD TRIP : Non-Curricular Trip for Newark Memorial Competition Cheer Team to travel to Anaheim, CA.

Type	Action
Preferred Date	Feb 06, 2024
Absolute Date	Feb 06, 2024
Fiscal Impact	Yes
Dollar Amount	\$6,159.00
Budgeted	Yes
Budget Source	Family Donations & Cheer Boosters
Recommended	The recommendation is that the Board of Education approve the field trip for Newark
Action	Memorial Cheer Competition Team to travel to Los Angeles for a Cheer Competition.

Purpose:

The Newark Memorial community requests permission to take the Cheer Team on a non-curricular, overnight field trip. Students will travel to Anaheim. Newark Memorial Competition Team will participate in a cheer competition.

School: Newark Memorial High School

Dates: February 15 - February 18, 2024

Location: Anaheim, CA

Chaperones:

The ratio of adults to students on school-sponsored trips shall be based on the following formula:

K-3 1 adult for every 5-8 students

4-9 1 adult for every 10 students

10-12 1 adult for every 10 students where strict supervision is required (tours, theaters, etc.)

Overnight trip supervision must be gender appropriate. However, in the event that the supervisors, who stay overnight in proximity to students, are of a gender other than that group of campers, adequate planning, and preparation of campers and the physical arrangements of the camp shall be made to ensure optimal safety and privacy of students (AR 6153).

No student will be denied due to a lack of funds.

Background:

According to Board Policy, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. The site principal and activities director request permission to take Newark Memorial Cheer Team on an overnight non-curricular trip to Anaheim.

UPDATED 2/6/2024: Subject line corrected from Non-Curricular Trip for Newark Middle School to travel to Santa Clara, CA to Non-Curricular Trip for Newark Memorial Competition Cheer Team to travel to Anaheim, CA.

14.7 MINUTES: Minutes of the September 5, 2023, Regular Meeting of the Board of Education

Type	Action, Minutes
Fiscal Impact	No
Recommended	he recommendation is that the Board of Education approve the minutes of the September 5,
Action	2023 Regular Meeting of the Board of Education.

Purpose:

For the board to review and approve minutes of the September 5, 2023, Regular Meeting of the Board of Education.

Background:

The attached minutes are reflective of the August 1, 2023, Regular Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel [HERE](#).

15 STUDENT EXPULSION

15.1 Student Expulsion (Ed Code. 48918) Case# e2324-06

Type Action
Recommended Action The recommendation is that the Board of Education approve the Panel recommendation regarding the expulsion case number e2324-06.

Purpose:
For the Board to take action on expulsion case e2324-06.

Background:
A Expulsion Panel Hearing was held on January 30 2024. A Panel Hearing was conducted in accordance with Board Policy and Administrative Regulation 5144.1 and, if applicable, 5144.2 for students with disabilities. The administration asks for approval of this agreement for Case# e2324-06. (Ed Code. 48918).

Motion & Voting
The recommendation is that the Board of Education approve the Panel recommendation regarding the expulsion case number e2324-06.
Motion by Katherine Jones, second by Carina V Plancarte.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte
Not Present at Vote: Joy Lee

16 BOARD OF EDUCATION: COMMITTEE REPORTS, ANNOUNCEMENTS, REQUESTS, DEBRIEF

16.1 Board of Education Committee Reports, Announcements, Requests, Debrief and Discussion

AND DISCUSSION

Type Action, Discussion, Information

Purpose:
COMMITTEE REPORTS: The Trustees will provide an update, if available, on the committees of which they are members.
ANNOUNCEMENTS: The Trustees may acknowledge or recognize specific programs, activities, or personnel at this time.
REQUESTS: This is an opportunity for the Board of Education to suggest items for placement on future agendas and to review Board requests.
Approval from the majority of the Board will be required for direction to be provided to the Superintendent.
DEBRIEF AND DISCUSSION: The Trustees may debrief and discuss items.

Background:
Each year the Board of Education members liaise with schools and committees in order to build relationships, hear from staff, students, and families, and act as a conduit for information to and from the schools.

Board Committees 2022-23	Representative	Alternate
Board Adopted on 12/15/2022		
Mission Valley Regional Occupational Center/Program (ROC/P)	1. Nancy Thomas	1. Carina V. Plancarte
Executive Board		
Regional Policy Board of Special Education Local Plan Area (SELPA)	1. Katherine Jones	1. Phuong Nguyen
Newark Teacher Induction Advisory Council (Formally EBIC)	1. Aiden Hill	1. Carina V. Plancarte
Audit Committee	1. Aiden Hill	2. Katherine Jones
Bond/Parcel Tax Committee	1. Phuong Nguyen	2. Carina V. Plancarte
City of Newark NUSD Liaison Committee	2. Nancy Thomas	1. Katherine Jones

The following derives directly from the Board approved "Governance Team Handbook"
Authority is Collective, Not Individual:
The only authority to direct action rests with the Board as a whole when seated at a regular or special board meeting. Outside of this meeting, there is no authority.
A majority Board vote provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction.

Bringing New Ideas Forward
The Board will be open to having "brainstorming" discussions, or study sessions, around any idea that a Trustee may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Trustee, at their initiative or at the request of a constituent, which was previously discussed during a board meeting.
Trustees will first notify the Board President and Superintendent of their interest in bringing forward a new idea at a board meeting.
When initially agendized, the preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.
Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea. The Superintendent will decide on the delegation of assignments to District staff.
The new idea may be agendized for discussion only. The Board majority will decide if the new idea should be further developed and studied by staff. The Board majority will decide if staff time should be invested in the "fleshing out" of new ideas.
Individual Trustees, in the course of interactions with constituents, will be careful not to make or imply the commitment of the

full Board to explore or proceed with implementing new ideas.

17 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

17.1 Superintendent's Concluding Comments, Updates, and Future Agenda Items

AGENDA REQUESTS

Type Information

Purpose:

This is an opportunity for the Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

18 ADJOURNMENT

18.1 PLACEHOLDER - Extend Meeting

Type Action
Recommended Action The recommendation is that the Board of Education extends the meeting to ____ P.M.

Purpose:

This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

18.2 Adjournment

Type Action
Recommended Action The recommendation is that the Board of Education adjourns this meeting.

Purpose:

No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time. This action will conclude the meeting.

1 CALL TO ORDER

1.1 Meeting Practices and Information

Type Procedural

MEETING INFORMATION:

Members of the public may attend the meeting in-person at our District Board Room, located at 5715 Musick Avenue, Newark, California. Follow the link below for instructions in English and Spanish.

<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

Observe The Board Of Education Meeting:

Members of the public may also 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.

Public Comment:

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

1.2 Roll Call

Type Procedural

Trustees:

- President Aiden Hill
- Vice President/Clerk Katherine Jones
- Member Phuong Nguyen
- Member Carina V. Plancarte
- Member Nancy Thomas

Student Board Member:

- Member Joy Lee

1.3 Public Comment on Closed Session Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and tries to make it convenient for members of the community to express their views to the Board.

If a constituent wishes to address the Board on any agenda item:

In-Person Comment: please submit a completed speaker card to the Board's Executive Assistant before the start of the meeting, or prior to the calling of the section for public comment.

Audio-Only Virtual Comment: please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org by 1:00 PM the day of the meeting. Please label your email as "AUDIO-ONLY PUBLIC COMMENT" and include your name as it will appear on Zoom, your phone number, email address, and the agenda item number related to your comment.

Please see detailed instructions for public comment on the link: <http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

1.4 Recess to Closed Session

Type Procedural

Purpose:

The Board will recess to Closed Session, and reconvene to Open Session on or about 7:00 p.m.

2 CLOSED SESSION

2.1 Public Employee Discipline/Dismissal/Release (Gov. Code, 54957, subd. (b) (1))

Type Action, Information, Procedural

Purpose:

Information will be provided by the Superintendent.

2.2 STUDENT EXPULSION (Ed. Code, 48918)

Type Discussion, Information, Procedural

Purpose:

For the Board to review the Expulsion Panel Recommendation.

Background:

A Expulsion Panel Hearing was held on January 9, 2024. A Panel Hearing was conducted in accordance with Board Policy and Administrative Regulation 5144.1 and, if applicable, 5144.2 for students with disabilities.

The Board will discuss this in closed session and then take action in open session (agenda item 15.1). The administration asks for approval of the recommendation for Case# e2324-08 (Ed Code. 48918).

2.3 STUDENT EXPULSION (Ed. Code, 48918):

Type Discussion, Information, Procedural

Purpose:

For the Board to review expulsion cases that are eligible for readmission.

Background:

California Education Code Section 48916 requires that "an expulsion order shall remain in effect until the governing board orders a readmission of the pupil."

The following expulsions are up for termination. The Board will discuss this in closed session and then take action in open session. Staff recommends the following actions: e2223-03 Terminate Expulsion.

3 REPORT OF CLOSED SESSION ACTIONS

3.1 Report of Closed Session Actions

Type Action, Procedural

Purpose:

If available, a report of the closed session will be provided by the Board President.

4 RECONVENE TO OPEN SESSION

4.1 Pledge of Allegiance

Type Procedural

Purpose:
The Governance Team will recite the Pledge of Allegiance

5 APPROVAL OF AGENDA

5.1 Approval of the Agenda

Type Action
Recommended Action The recommendation is that the Board of Education approve the agenda for this meeting.

Purpose:
Members of the Governance Team may request that the agenda be amended or approved as presented.

6 RECOGNITIONS AND CELEBRATIONS

6.1 Community Spotlight: Mayor Mike Hannon

Type Information

Purpose:
To celebrate School Board Recognition Month

Background:
Newark City Mayor Mike Hannon will recognize the NUSD Board of Education and the work they do to support the children of the Newark community.

6.2 School Spotlight: Coyote Hills Elementary School

Type Information

Purpose:
The School Spotlight gives the Board of Education and the public an opportunity to hear highlights, achievements, and initiatives at each school directly from the principals.

Background:
The presentation and information will be provided by Coyote Hills Principal, Kristi Palomino.

7 STUDENT REPORT

7.1 Student Report: Student Board Member, Joy Lee

Purpose:
The Student Report gives the Board of Education and the public an opportunity to hear the highlights, achievements, and initiatives from the viewpoint of the student board member.

Background:
The information will be provided by the Student Board Member, Joy Lee.

8 EMPLOYEE ORGANIZATIONS

8.1 Employee Organizations

Type Information

Purpose:
At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Background:
Discussion items are limited to updates, celebrations, and upcoming events.
1. NTA
2. CSEA
3. NEWMA

9 PUBLIC COMMENT

9.1 Public Comment on Non-Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

9.2 Public Comment on Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

10 SUPERINTENDENT REPORT

10.1 Superintendent Report

Type Information

Purpose:

The superintendent will provide the Board of Education with district information, updates, news, or anything in the jurisdiction of the board or the superintendent.

Background:

The presentation and information will be provided by the Superintendent

11 STAFF REPORT

11.1 2023 California Dashboard Report

Type Information
Goals 1a. Student Achievement

Purpose:

To share an update to the Board of Education and community about the Newark Unified School District's California School Dashboard results, which were released in mid-December of 2023 by the California Department of Education.

Background:

The California School Dashboard, the state's accountability and continuous improvement system, provides annual reports that display the performance of districts, schools, and student groups based on a set of state and local measures. These reports help districts and schools monitor student progress and identify strengths and areas in need of improvement.

File Attachments

[2023 California School Dashboard Report.pdf](#) (7,157 KB)

11.2 Ohlone Upward Bound MOU & staff report

Type Information

Purpose:

The purpose is to inform the Newark Unified community about the agreement with Ohlone College for running the Upward Bound Math and Science program at Newark Memorial High School for the term of Fall 2023 to Spring 2028.

Background:

NUSD has partnered with Ohlone College to offer the Upward Bound Math and Science program to students in Newark Memorial High School. The program will offer rigorous, inquiry-based math and science curriculum that will engage students in the science process and prepare them to excel in the math and science disciplines at the postsecondary level. Furthermore, the program will expose students to diverse science and math professionals, science museums, national science laboratories, and science and math related industries in the region to inspire students to pursue math and science careers. The District is dedicated to increasing our college and career readiness for students, including populations that Upward Bound targets and this program would support the district's strategic goal #1a.

File Attachments

[Staff Report_ MOU Ohlone College Upward Bound Science and Math.pdf](#) (1,582 KB)

12 NEW BUSINESS

12.1 Audit Report for Fiscal Year Ended June 30, 2023

Type	Action
Recommended	The recommendation is that the Board of Education accepts the independent audit report for
Action	the fiscal year ending June 30, 2023, as presented.
Goals	4. Fiscal Health

Purpose:
 The purpose of this item is for the Board to receive information about and accept the financial audit report for the fiscal year ending June 30, 2023, as presented.

Background:
 In accordance with generally accepted auditing standards and Government Auditing Standards, the independent auditing firm of Christy White, Inc. has completed its audit of the combined financial statements of the Newark Unified School District for the year ending June 30, 2023. A member of the Audit Committee will present the report.
 The audit report is the financial document that all outside agencies review, county offices scrutinize, and bond rating agencies rely on. The District prepares all reports in the state-approved format, but the audit report is the document that is readily available to the public and is audited in accordance with Government Auditing Standards and the Guide for Annual Audits of K-12 Local Education Agencies and State Compliance Reporting.
 The district's Audit Committee met and reviewed the audit report on January 10, 2024.

- File Attachments**
[Audit Report 22-23-Newark USD FINAL.pdf](#) (777 KB)
[SAS Letter to Newark USD Board 2022-23.pdf](#) (153 KB)

12.2 Contract: Birch Grove Primary Cafeteria Wall

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$89,828.00
Budgeted	Yes
Budget Source	Committed funds for Facilities will be transferred.
Recommended	The recommendation is that the Board of Education approve the contract for TICO
Action	Construction to repair the cafeteria wall at Birch Grove Primary.
Goals	2a. Safe, Secure and Healthy Learning Environments 2b. Safe, Secure and Healthy Learning Environments 4. Fiscal Health

Purpose:
 To approve the contract to repair the cafeteria wall at Birch Grove Primary to the lowest, responsible and responsive contractor, TICO Construction.

Background:
 The exterior walls of the cafeteria buildings on three school properties, Birch Grove Primary, Coyote Hills and Schilling, have experienced water intrusion issues through the exterior walls during rainstorms over various periods of time. In November 2022 the water damage was reported to our insurance company, Keenan. Our claim was referred to Northern California ReLiEF and was denied on June 12, 2023.
 All three sites are in need of repair, however, Birch Grove Primary is the priority:
 The age of the building is unknown, although it is believed to be at least approximately sixty years old; the exterior cladding has been the same for at least 35 years.
 Water has been leaking through the south and east exterior walls for many years and pooling on the floor at the base of the walls; the leakage was relatively minor previously but worsened noticeably this past year.
 Maintenance personnel attempted to install caulking along the control joints of the walls in some locations, but the leakage persisted.
 At a building on a different campus with similar construction, they had a similar issue and reinstalled the cladding as a result, approximately seven years ago; it is not known exactly which building this was.

The Director of Maintenance, Operations and Transportation collected three proposals to do the repairs. It is staff's recommendation to approve the contract for TICO Construction to do the repairs.

Date	Contractor	Contract Amount
11/15/2023	TICO Construction	\$89,828
12/18/2023	Tashcon Corp	\$91,780
12/22/2023	Advanced Restoration	\$138,733

- File Attachments**
[BGP Wall Tashcon Corporation.pdf](#) (239 KB)
[BGP Wall TICO Estimate.pdf](#) (924 KB)
[BGP Wall Advanced Restoration.pdf](#) (725 KB)
[Keenan Report_Water Intrusion_BGP, CHE, Schilling.pdf](#) (5,024 KB)
[Nor Cal ReliEF Denial_Water Intrusion_BGP, CHE, Schilling.pdf](#) (174 KB)

12.3 Board Self-Evaluation Timeline

Type Discussion

Purpose:

The purpose of this item is for the board to discuss and set dates for the selection of their self-evaluation tool and annual workshop for self-evaluation.

Background:

The California School Boards Association (CSBA) recommends that school boards annually evaluate their efficacy as a community-serving body as a way to ensure the positive and collaborative leadership of the district and the subsequent achievement of the board and district goals. The NUSD Governance Handbook states the following:

Governance Team Self-Evaluation

The Board understands the value of periodically assessing their performance as part of a comprehensive approach to holding the entire District accountable to the public.

The Board will schedule an annual workshop for a board self-evaluation and review the Governance Team agreements and processes each year by the end of February.

The Superintendent is invited to provide candid assessments to build a more effective/efficient team.

12.4 Superintendent Evaluation Timeline

Type Discussion

Purpose:

The purpose of this item is for the board of education and superintendent to set a timeline for the selection of an evaluation tool, midterm progress review and summative evaluation of the superintendent.

Background:

As a critical part of governance and continuous improvement toward the board and district goals, the Board of Education evaluates the performance of the superintendent based on a set of agreed upon criteria, reflected in the evaluation tool. The NUSD Governance Handbook states the following:

Superintendent Evaluation

The Board recognizes the value and importance of a comprehensive and formal evaluation process for the Superintendent.

The Board agrees to abide by all contract terms and to conduct a formal evaluation each year or as stipulated contractually.

The evaluation shall consist of a self-evaluation presented by the Superintendent, and a board evaluation based upon formal goals and objectives.

13 CONSENT AGENDA: PERSONNEL ITEMS

13.1 PLACEHOLDER - One Consented Vote

Type Action

Recommended Action It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent-Personnel, except for agenda items:

Purpose:

This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:

Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

13.2 Personnel Report

Type Action

Absolute Date Jan 23, 2024

Recommended Action The recommendation is that the Board of Education ratify the personnel report as presented.

Purpose:

The purpose is for the Board of Education to ratify the Personnel Report as presented.

Background:

All personnel activities including new hires, changes in status, resignation, leaves, and retirements are routinely submitted to the Board for ratification.

File Attachments

[HR PAL 01-23-2024.pdf](#) (358 KB)

13.3 JOB DESCRIPTION: Director of Information Technology

Type	Action	
Fiscal Impact	Yes	
Dollar Amount	\$33,274.00	
Budgeted	Yes	
Budget Source	General Fund	
Recommended	The recommendation is that the Board of Education approve the revised job description and	
Action	salary schedule 128 of for Director of Information Technology.	

Purpose:
The purpose is for the Board to review and approve the revised job description.

Background:
The item is for the Board to approve a revised job description and salary schedule for the position of Director of Information Technology. This job description was last revised in 1995. The new job description which was reviewed with NEWMA better reflects the duties and responsibilities of the position and is better aligned with the District's core mission. The additions to the previous IT Manager position are in blue. The fiscal impact is \$33,274.

File Attachments
[DIRECTOR of IT 01.23.2024 DRAFT.pdf](#) (138 KB)

13.4 Contract: Interim Executive Director of Human Resources

Type	Action	
Fiscal Impact	Yes	
Dollar Amount	\$72,960.00	
Budgeted	Yes	
Budget Source	General Fund	
Recommended	The recommendation is that the Board of Education approve the School Employers Association	
Action	of California (SEAC) contract for Interim Executive Director of Human Resources.	

Purpose:
The purpose is for the Board of Education to approve Contract for Services with School Employers Association of California (SEAC) to provide Human Resource services and support, including an Interim Executive Director of Human Resources, until the position can be filled permanently.

Background:
The cost includes an estimated cost for contract work, that includes hourly pay and expenses, until the Executive Director of Human Resources position can be filled permanently. The Executive Director of Human Resources resigned effective July 28, 2023. The district is in need of Human Resources support, while this position is vacant. SEAC Consultant, Yolanda Mendoza, is an seasoned educational leader with over 30 years of experience in public education and a rich background in human resources administration, including the San Gabriel and Beverly Hills Unified School Districts. As a member of the SEAC Joint Powers Agency, our district receives consultants at a reduced price.

File Attachments
[SEAC Contract for Interim Executive Director of Human Resources.pdf](#) (55 KB)

14 CONSENT AGENDA: NON-PERSONNEL ITEMS

14.1 PLACEHOLDER - One Consented Vote

Type	Action	
Recommended	It is recommended that the Board of Education approve, under one consented vote, the	
Action	agenda items under Consent Non-Personnel, except for agenda items:	

Purpose:
This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:
Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

14.2 Meeting Practices and Information

Type	Procedural
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In-person Meeting Information:
NUSD has opened its boardroom for in-person meetings and will follow the State's and Alameda County's safety guidelines for public gatherings. Please refrain from attending in-person meetings if you have any of the following symptoms:
Loss of taste/smell
Difficulty breathing

- Vomiting
- Diarrhea
- Fever
- Cough
- Headache
- Sore Throat
- Runny Nose

For additional COVID-19 information please go to <https://www.newarkunified.org/covid-19> or <https://www.acoe.org/guidance>

Observe The Board Of Education Meeting:

Members of the public 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.

Public Comment:

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLI COMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLI COMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

14.3 Resolution 2023.24.18 Annual Accounting of Developer Fees for 2022-23

Type	Action
Recommended	The recommendation is that the Board of Education approve Resolution 2023.24.18 Annual
Action	Accounting of Developer Fees (Fund 25) for 2022-2023.
Goals	4. Fiscal Health

Purpose:

The purpose of this item is to seek Board approval of Resolution 2023.24.18 Annual Accounting of Developer Fees (Fund 25 Capital Facilities Fund) for 2022-2023.

Background:

Districts that maintain a developer fee fund are required to prepare an annual accounting of that fund. The Board of Education enacted developer fees to provide for the reconstruction and/or modernization of existing facilities. Under Government Code Section 66006(b), each school district that imposes developer fees is required to annually review the income and the amount of expenditures from developer fees.

Three fee schedules were used when collecting developer fees for FY 2022-23 (July 1, 2022, through June 30, 2023): residential development, commercial & industrial devolvement, and mini-storage development.

Board Approved	Fees in Effect	Residential	Commercial	Mini-Storage
April 7, 2022	6/6/22 - present	4.79	0.78	0.07

The total amount in Fund 25, Capital Facilities Fund was \$15,423,035.48 as of June 30, 2023.

Government Code 66001 requires that school districts make an additional finding every five (5) years for any fund in which those fees remained unexpended at the end of the fiscal year. Resolution 2022.23.15 Combined Annual Accounting of Developer Fees 21-22 and Five (5) Year Report was approved December 15, 2022. This report covers fiscal years 2022-2023.

File Attachments

- [Resolution 2023.24.18 Annual Accounting of Dev Fees 22-23.pdf](#) (252 KB)
- [Public Notice_Posted 12.11.23_eng and sp.pdf](#) (75 KB)

14.4 Report: Warrant Report for December 2023

Type	Action
Fiscal Impact	No
Recommended	The recommendation is that the Board of Education approve the Warrant Report as presented.
Action	

Purpose:

The purpose of this item is to present warrants, for the total amount of \$2,043,769.90, made from District funds for December 2023.

Background:

The warrant registers represent a complete listing of all payments made from District funds for a month. Because Newark Unified School District is a fiscally dependent District, each warrant must pass through two separate audits; first by the Districts Fiscal Services department, and second by the County Office of Education. No warrant can be paid until such time as it is examined and approved by the County Office of Education.

File Attachments

- [Warrant Report December 2023.pdf](#) (371 KB)

14.5 Report: Monthly Purchase Order Report

Type	Action
Recommended	The recommendation is that the Board of Education receive the Monthly Purchase Order
Action	Report as presented.

Purpose:

The purpose of this item is to present a monthly report on Purchase Order transactions per Board Policy 3300, Expenditures and Purchases.

Background:

Based on the discussion at the Board's Study Session on January 6, 2022, staff is providing a monthly report on Purchase Order transactions per Board Policy 3300, Expenditures and Purchases. The policy states that "The Board shall review all transactions entered into by the Superintendent or designee on behalf of the Board every 60 days." This month's report includes 217 PO's dated 11/22/2023 through 1/10/2024 for a total of \$736,106.02.

File Attachments

[Monthly Purchase Order Report 01-23-2024.pdf](#) (107 KB)

14.6 Report: Quarterly Report on Contracts - 2nd Quarter 2023-24

Type	Action
Fiscal Impact	Yes
Budgeted	Yes
Budget Source	Various Funds Per Contract
Recommended	The recommendation is that the Board of Education ratify the contracts as presented.
Action	

Purpose:

For the Board to ratify the contracts presented on the quarterly report.

Background:

The Board has requested a report of all contracts for professional services under \$54,650 (50% of formal bid limit) be reviewed by the Board on a quarterly basis. This report only includes contracts that have not been previously approved by the Board. (Reference Board Policy 3312) Contracts are on file in the Business Office.

File Attachments

- [Q2 23-24 Contracts Under 54K.pdf](#) (9 KB)
- [Academic Behavior Consultants_23-24_fully executed.pdf](#) (304 KB)
- [Schoolworks_DEMOGRAPHICS Agreement_2023-24_fully executed.pdf](#) (2,103 KB)
- [E-Bittes Speech Lab & Therapy_23-24 SIGNED.pdf](#) (270 KB)

14.7 Report: Williams Uniform Complaint Quarterly Report October 1, 2023 - December 31, 2023

Type	Action
Absolute Date	Jan 23, 2024
Recommended	The recommendation is that the Board of Education approves the Williams Uniform Complaint
Action	Quarterly Report for the period of October 1, 2023 - December 31, 2023.

Purpose:

The purpose is for the Board of Education to receive and approve the Williams Uniform Complaint Quarterly Report for the period of October 1, 2023 - December 31, 2023.

Background:

Education Code 35186 requires that the Superintendent of a school district report summarized data on the nature and resolution of all complaints filed under the Williams Uniform Complaint Procedures to the local Board of Education and the County Superintendent of Schools on a quarterly basis. The report must include the number of complaints by general area, the number of resolved and unresolved complaints, and be publicly presented at a regularly scheduled Board meeting. The attached report is presented to the Board for the period of October 1, 2023 - December 31, 2023.

File Attachments

[Q223-24 UPC Report for Board 01.23.2024.pdf](#) (197 KB)

14.8 School Accountability Report Card (SARCs)

Type	Action
Recommended	The recommendation is that the Board of Education approve the 2022-2023 School
Action	Accountability Report Cards.

Purpose:

All public schools are required to prepare and distribute a Student Accountability Report Card (SARC) for the primary purpose of providing parents with data and information to make meaningful comparisons between schools.

Background:

SARCs are intended to provide the public with important information about each public school and to communicate a school's progress in achieving its goals. Specific items are required to be reported in the following categories: demographic information, school safety and climate for learning, academic data, school completion, class size, teacher and staff information, curriculum and instruction, and postsecondary preparation. Upon approval, all SARCs will be translated and added to the district website.

File Attachments

[2023_School_Accountability_Report_Card_August_Schilling_Elementary_School_20240118.pdf](#) (751 KB)

- [2023_School_Accountability_Report_Card_Birch_Grove_Intermediate_School_20240118.pdf](#) (733 KB)
- [2023_School_Accountability_Report_Card_Birch_Grove_Primary_School_20240118.pdf](#) (719 KB)
- [2023_School_Accountability_Report_Card_Bridgepoint_20240118.pdf](#) (770 KB)
- [2023_School_Accountability_Report_Card_Coyote_Hills_Elementary_School_20240118.pdf](#) (751 KB)
- [2023_School_Accountability_Report_Card_John_F_Kennedy_Elementary_School_20240118.pdf](#) (753 KB)
- [2023_School_Accountability_Report_Card_Lincoln_Elementary_School_20240118.pdf](#) (757 KB)
- [2023_School_Accountability_Report_Card_Newark_Junior_High_School_20240118.pdf](#) (755 KB)
- [2023_School_Accountability_Report_Card_Newark_Memorial_High_School_20240118.pdf](#) (794 KB)
- [2023_School_Accountability_Report_Card_Newark_Memorial_High_School_20240119.pdf](#) (287 KB)
- [2023_School_Accountability_Report_Card_Crossroads_Independent_Study_20240118.pdf](#) (811 KB)

14.9 POLICY UPDATE: Board Policy 1250 and Administrative Regulation 1250 - Visitors/Outsiders

Type	Action
Recommended	The recommendation is that the Board of Education discuss and approve the updated Board
Action	Policy 1250 and Administrative Regulation 1250 - Visitors/Outsiders

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation.

Background:
This is the SECOND reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The updated board policy and administrative regulation has been reviewed by the Board Liaison Committee, Superintendent, and presented to the secondary ASB members for recommended updates for accuracy. Revisions reflect these engagements and district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a THIRD reading.
Board Policy 1250 - Visitors/Outsiders
The NUSD board policy has not been revised since 2012. The language has been replaced to match the sample board policy provided by the California School Board Association.
Administrative Regulation 1250 - Visitors/Outsiders
The NUSD administrative regulation has not been revised since 1996. The language has been replaced to match the sample board policy provided by the California School Board Association.

- File Attachments**
- [AR 1250 Visitors Outsiders.pdf](#) (60 KB)
 - [BP 1250 Visitors Outsiders.pdf](#) (57 KB)

14.10 POLICY UPDATE: Board Policy Board Policy 5000 - Concepts And Roles

Type	Action
Recommended	The recommendation is that the Board of Education discuss and approve the updated Board
Action	Policy 5000 - Concepts And Roles

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated board policy.

Background:
This is the SECOND reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The updated board policy has been reviewed by the Board Liaison Committee, Superintendent, and presented to the secondary ASB members for recommended updates for accuracy. Revisions reflect these engagements and district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a THIRD reading.
Board Policy 5000 - Concepts And Roles
The NUSD board policy has not been revised since 1996. The language has been replaced to match the sample board policy provided by the California School Board Association.

- File Attachments**
- [Board Policy 5000.pdf](#) (91 KB)

14.11 POLICY UPDATE: Administrative Regulation 5125.3 - Challenging Student Records

Type	Action
Recommended	The recommendation is that the Board of Education discuss and approve the updated
Action	Administrative Regulation 5125.3 - Challenging Student Records

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated board administrative regulation.

Background:
This is the SECOND reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The updated board policy and administrative regulation has been reviewed by the Board Liaison

Committee, Superintendent, and presented to the secondary ASB members for recommended updates for accuracy. Revisions reflect these engagements and district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a THIRD reading.
 Administrative Regulation 5125.3 - Challenging Student Records
 The NUSD administrative regulation has not been revised since 1996. The language has been replaced to match the sample board policy provided by the California School Board Association.

[File Attachments](#)

[AR 5125.3 Challenging Student Records.pdf](#) (112 KB)

14.12 POLICY UPDATE: Board Policy 5131.9 Academic Honesty

Type	Action
Recommended	The recommendation is that the Board of Education discuss and approve the updated Board
Action	Policy 5131.9 Academic Honesty

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated board policy.

Background:

This is the SECOND reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The updated board policy and administrative regulation has been reviewed by the Board Liaison Committee, Superintendent, and presented to the secondary ASB members for recommended updates for accuracy. Revisions reflect these engagements and district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a THIRD reading.

Board Policy 5131.9 Academic Honesty

The NUSD board policy has not been revised since 1996. The language has been replaced to match the sample board policy provided by the California School Board Association.

CSBA Language:

Board Policy 5131.9 Academic Honesty Policy updated to address prohibited and permitted student use of technology, including artificial intelligence, as it relates to academic honesty. Policy also updated to include that a student with a disability be permitted to use technology for any purpose for which technology is identified in the student's individualized education program, that a student be given the opportunity to demonstrate that the use of technology was in accordance with policy when suspected by an employee that such use was in violation of academic honesty, and that any information acquired from an employee's use of technology in determining whether a student has committed and act of academic dishonesty be shared with the student and the student's parent/guardian, as appropriate. Additionally, policy updated to authorize the provision of staff training regarding the use of technology to improve education, including the detection of plagiarism and sensitivity to potential discrimination from algorithmic bias.

[File Attachments](#)

[BP 5131.9 Academic Honesty.pdf](#) (171 KB)

14.13 POLICY UPDATE: Board Policy 5141 and Administrative Regulation 5141 - Health Care And Emergencies

Type	Action
Recommended	The recommendation is that the Board of Education discuss and approve the updated Board
Action	Policy 5141 and Administrative Regulation 5141 - Health Care And Emergencies

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation.

Background:

This is the SECOND reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The updated board policy and administrative regulation has been reviewed by the Board Liaison Committee, Superintendent, and presented to the secondary ASB members for recommended updates for accuracy. Revisions reflect these engagements and district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a THIRD reading.

Board Policy 5141 - Health Care And Emergencies

The NUSD board policy has not been revised since 2008. The language has been replaced to match the sample board policy provided by the California School Board Association.

Administrative Regulation 5141 - Health Care And Emergencies

The NUSD administrative regulation has not been revised since 2008. The language has been replaced to match the sample board policy provided by the California School Board Association.

[File Attachments](#)

[AR 5141 Health Care And Emergencies.pdf](#) (108 KB)

[BP 5141 Health Care And Emergencies.pdf](#) (96 KB)

14.14 POLICY UPDATE: Board Policy 5141.22 and Administrative Regulation 5141.22 - Infectious Diseases

Type	Action
Recommended	The recommendation is that the Board of Education discuss and approve the updated Board
Action	Policy 5141.22 and Administrative Regulation 5141.22 - Infectious Diseases

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation.

Background:

This is the SECOND reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The updated board policy and administrative regulation has been reviewed by the Board Liaison Committee, Superintendent, and presented to the secondary ASB members for recommended updates for accuracy. Revisions reflect these engagements and district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a THIRD reading.

Board Policy 5141.22 - Infectious Diseases

The NUSD board policy has not been revised since 2008. The language has been replaced to match the sample board policy provided by the California School Board Association.

Administrative Regulation 5141.22 - Infectious Diseases

The NUSD administrative regulation has not been revised since 2008. The language has been replaced to match the sample board policy provided by the California School Board Association.

File Attachments

[AR 5141.22 Infectious Disease.pdf](#) (98 KB)

[BP 5141.22 Infectious Diseases.pdf](#) (104 KB)

14.15 POLICY UPDATE: Administrative Regulation 5141.24 - Specialized Health Care Services

Type	Action
Recommended	The recommendation is that the Board of Education discuss and approve the updated
Action	Administrative Regulation 5141.24 - Specialized Health Care Services

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated board administrative regulation.

Background:

This is the SECOND reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The updated board policy and administrative regulation has been reviewed by the Board Liaison Committee, Superintendent, and presented to the secondary ASB members for recommended updates for accuracy. Revisions reflect these engagements and district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a THIRD reading.

Administrative Regulation 5141.24 - Specialized Health Care Services

The NUSD administrative regulation has not been revised since 1996. The language has been replaced to match the sample board policy provided by the California School Board Association.

File Attachments

[AR 5141.24 Specialized Health Care Services.pdf](#) (111 KB)

14.16 POLICY UPDATE: Administrative Regulation 5144.2 - Suspension And Expulsion/Due Process (Students With

Type	Action
Recommended	The recommendation is that the Board of Education discuss and approve the updated
Action	Administrative Regulation 5144.2 - Suspension And Expulsion/Due Process (Students With Disabilities)

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated board administrative regulation.

Background:

This is the SECOND reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The updated board policy and administrative regulation has been reviewed by the Board Liaison Committee, Superintendent, and presented to the secondary ASB members for recommended updates for accuracy. Revisions reflect these engagements and district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a THIRD reading.

Administrative Regulation 5144.2 - Suspension And Expulsion/Due Process (Students With Disabilities)

The NUSD administrative regulation has not been revised since 2023. The language has been replaced to match the sample board policy provided by the California School Board Association.

CSBA Language:

Administrative Regulation 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities) Regulation updated to reflect NEW GUIDANCE from the U.S. Department of Education's Office of Special Education and Rehabilitative Services, which recommends that districts identify ways to significantly reduce the use of exclusionary discipline and its disproportionate effect on student with disabilities, and the U.S. Department of Education's Office for Civil Rights, which provides that, for a student with a disability under Section 504, schools are required to conduct a manifestation determination before implementing a disciplinary removal that will significantly change

the placement of the student due to discipline for (1) removal from class or school for more than 10 consecutive school days, or (2) a series of removals from class or school that together total more than 10 school days in a school year and constitute a pattern of removal. Regulation also updated to emphasize that suspension or expulsion of a student with disabilities be in accordance with Board Policy 5144.1 - Suspension and Expulsion/Due Process, and that when a student with disabilities exhibits behavior which impedes the student's own learning or that of others, the student's individualized education program (IEP) team consider positive behavioral interventions and supports, and other strategies, to address the behavior. Additionally, regulation updated, for conceptual alignment, to move material regarding the monitoring of the number of days of a suspension of student with an IEP, and reflect NEW LAW (AB 740, 2022) which provides that a foster youth's educational rights holder, attorney, and county social worker, and an Indian child's tribal social worker and, if applicable, county social worker, have the same rights as a parent/guardian to receive a suspension notice, expulsion notice, manifestation determination notice and invitation to the manifestation determination meeting, involuntary transfer notice, and other documents and related information.

[File Attachments](#)

[AR 5144.2 - Suspension and Expulsion/Due Process \(Students with Disabilities\).pdf](#) (214 KB)

14.17 POLICY UPDATE: Board Policy 5145.9 - Hate-Motivated Behavior

Type	Action
Recommended	The recommendation is that the Board of Education discuss and approve the updated Board
Action	Policy 5145.9 - Hate-Motivated Behavior

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated board policy.

Background:
This is the SECOND reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The updated board policy and administrative regulation has been reviewed by the Board Liaison Committee, Superintendent, and presented to the secondary ASB members for recommended updates for accuracy. Revisions reflect these engagements and district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a THIRD reading.

Board Policy 5145.9 - Hate-Motivated Behavior

The NUSD board policy has not been revised since 2015. The language has been replaced to match the sample board policy provided by the California School Board Association.

CSBA Language:

Board Policy 5145.9 - Hate-Motivated Behavior Policy updated to bolster the governing board's commitment to providing a respectful, inclusive, and safe learning environment, including adding a definition of hate-motivated behavior which incorporates a list of characteristics which may motivate prohibited behavior, reflecting the importance of celebrating diversity, enhancing the list of topics for student instruction and staff development, adding material regarding regularly occurring staff training, and including student and staff discipline for engaging in hate-motivated behavior. Policy also updated to include the requirement to post the policy in a prominent location on the district's web site and add that, in addition to other staff listed, complaints may be reported to the district's compliance officer.

[File Attachments](#)

[BP 5145.9 - Hate-Motivated Behavior.pdf](#) (122 KB)

14.18 POLICY UPDATE: Board Policy 6154 - Homework/Makeup Work

Type	Action
Recommended	The recommendation is that the Board of Education discuss and approve the updated Board
Action	Policy 6154 - Homework/Makeup Work

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated board policy.

Background:
This is the SECOND reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The updated board policy and administrative regulation has been reviewed by the Board Liaison Committee, Superintendent, and presented to the secondary ASB members for recommended updates for accuracy. Revisions reflect these engagements and district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a THIRD reading.

Board Policy 6154 - Homework/Makeup Work

The NUSD board policy has not been revised since 2023. The language has been replaced to match the sample board policy provided by the California School Board Association.

[File Attachments](#)

[6154 Homework Makeup Work.pdf](#) (67 KB)

14.19 POLICY UPDATE: Board Policy, Administrative Regulation, and Exhibit 6161.1 - Selection and Evaluation of

Type	Action
Recommended	The recommendation is that the Board of Education discuss and approve the updated Board
Action	Policy, Administrative Regulation, and Exhibit 6161.1 - Selection and Evaluation of Instructional Materials

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation.

Background:

This is the SECOND reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The updated board policy and administrative regulation has been reviewed by the Board Liaison Committee, Superintendent, and presented to the secondary ASB members for recommended updates for accuracy. Revisions reflect these engagements and district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a THIRD reading.

Board Policy 6161.1 - Selection and Evaluation of Instructional Materials

The NUSD board policy has not been revised since 2015. The language has been replaced to match the sample board policy provided by the California School Board Association.

Administrative Regulation 6161.1 - Selection and Evaluation of Instructional Materials

The NUSD administrative regulation has not been revised since 2015. The language has been replaced to match the sample board policy provided by the California School Board Association.

Exhibit 6161.1 - Selection and Evaluation of Instructional Materials

The NUSD Exhibit has not been revised since 2015. The language has been replaced to match the sample board policy provided by the California School Board Association.

CSBA Language:

Policy updated to reflect NEW LAW (AB 1078, 2023) which (1) requires the California Department of Education (CDE) to issue, by July 1, 2025, guidance regarding how to review instructional materials to ensure that they represent diverse perspectives and are culturally relevant, (2) requires CDE to develop, by July 1, 2025, guidance and public educational materials to ensure that all Californians can access information about educational laws and policies that safeguard the right to an accurate and inclusive curriculum, (3) requires the Governing Board to submit a copy of any resolution reflecting a finding of insufficient textbooks or other instructional materials to the County Superintendent of Schools no later than three business days after the hearing on such materials, (4) clarifies when it is unlawful discrimination for the Board to refuse to approve the use or prohibit the use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or resource in a school library, and (5) provides that complaints alleging discrimination related to the use or prohibited use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or resource in a school library may be brought under the district's uniform complaint procedures or may be directly filed with the Superintendent of Public Instruction, as specified. Policy also updated to expand the list in the first philosophical statement regarding the Governing Board's desires for the district's instructional materials; clarify that instructional materials for mathematics and English language arts that are aligned to common core academic content standards are deemed to be aligned to state academic content standards adopted by the State Board of Education, move up the statement regarding the inclusion of the degree to which every student has sufficient access to standards-aligned instructional materials into the district's local control and accountability plan, and provide that the district shall take any action to ensure that each student has sufficient materials within two months of the beginning of the school year if the County Superintendent makes the district aware of a school that does not have sufficient instructional materials.

File Attachments

[Exhibit 6161.1-E\(1\) - Selection And Evaluation Of Instructional.pdf](#) (66 KB)

[BP 6161.1 - Selection And Evaluation Of Instructional Materials.pdf](#) (156 KB)

[AR 6161.1 - Selection And Evaluation Of Instructional Materials.pdf](#) (138 KB)

14.20 POLICY UPDATE: Board Policy 6162.5 Student Assessment

Type Action

Recommended Action The recommendation is that the Board of Education discuss and approve the updated Board Policy 6162.5 Student Assessment

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated board policy.

Background:

This is the SECOND reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The updated board policy and administrative regulation has been reviewed by the Board Liaison Committee, Superintendent, and presented to the secondary ASB members for recommended updates for accuracy. Revisions reflect these engagements and district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a THIRD reading.

Board Policy 6162.5 Student Assessment

The NUSD board policy has not been revised since 2023. The language has been replaced to match the sample board policy provided by the California School Board Association.

CSBA Language:

Board Policy 6162.5 Student Assessment Policy updated to reflect that prohibited and permitted student use of technology, including artificial intelligence, in relation to assessment, be as specified in Board Policy 5131.9 Academic Honesty and Board Policy 6163.4 Student Use of Technology, reference NEW LAW (AB 114, 2023) which includes long term English learners as a numerically significant student subgroup for purposes of demonstrating comparable improvement in academic achievement by all numerically significant subgroups, include that state interim and formative assessments may be used to communicate with students' parents/guardians and for use in identifying professional development, and that results of an individual student on the California Assessment of Student Performance and Progress may be released to a postsecondary educational institution for the purpose of credit, placement, or admission.

[File Attachments](#)

[BP 6162.5 Student Assessment.pdf](#) (63 KB)

14.21 POLICY UPDATE: Board Policy 6163.1 - Library Media Centers

Type Action

Recommended The recommendation is that the Board of Education discuss and approve the updated Board
Action Policy 6163.1 - Library Media Centers

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated board policy.

Background:

This is the SECOND reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The updated board policy and administrative regulation has been reviewed by the Board Liaison Committee, Superintendent, and presented to the secondary ASB members for recommended updates for accuracy. Revisions reflect these engagements and district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a THIRD reading.

Board Policy 6163.1 - Library Media Centers

The NUSD board policy has not been revised since 2015. The language has been replaced to match the sample board policy provided by the California School Board Association.

CSBA Language:

Policy updated to expand the first philosophical paragraph regarding the Governing Board's recognition of how school libraries support the educational program and the Board's desire for books and other resources that are stocked in school libraries. Policy also updated to reflect NEW LAW (AB 1078, 2023) which clarifies when it is unlawful discrimination for the Board to refuse to approve the use or prohibit the use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or resource in a school library, (2) requires the California Department of Education (CDE) to issue, by July 1, 2025, guidance regarding how to review instructional materials to ensure that they represent diverse perspectives and are culturally relevant, (3) requires CDE to develop, by July 1, 2025, guidance and public educational materials to ensure that all Californians can access information about educational laws and policies that safeguard the right to an accurate and inclusive curriculum, and (4) provides that complaints alleging discrimination related to the use or prohibited use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or resource in a school library may be brought under the district's uniform complaint procedures or may be directly filed with the Superintendent of Public Instruction, as specified. Additionally, policy updated in regard to the criteria for evaluation of the condition and use of school libraries to add (1) that the quality of the collection at each library include types of materials (fiction, non-fiction, newspapers, magazines, encyclopedias, materials in other languages, and reference materials), alignment with curriculum, and provision of a broad spectrum of knowledge and viewpoints, and (2) that principals, teachers, and library personnel have knowledge of the process to follow when a library material(s) is challenged.

[File Attachments](#)

[BP 6163.1 - Library Media Centers.pdf](#) (133 KB)

14.22 POLICY UPDATE: Rescind Board Policy 6172 - Gifted And Talented Student Program

Type Action

Fiscal Impact No
Recommended The recommendation is that the Board of Education discuss and rescind the updated Board
Action Policy 6172 - Gifted And Talented Student Program

Purpose:

The purpose is for the Board of Education to review the recommended changes and rescind the updated board policy.

Background:

This is the SECOND reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a THIRD reading.

Board Policy 6172 - Gifted And Talented Student Program

The NUSD board policy has not been revised since 1996. NUSD does not currently have a GATE program.

[File Attachments](#)

[BP 6172 - Gifted And Talented Student Program.pdf](#) (56 KB)

14.23 Ratify MOU for Ohlone College's Upward Bound Math and Science program to be at NMHS

Type Action

Recommended The recommendation is that the Board of Education approve the contract with Ohlone
Action College's Upward Bound Math and Science program at Newark Memorial High School.
Goals MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens.
VISION: The Newark Unified School District, in partnership with the community, will be a model of world-class education that develops the unique abilities of every student.

Purpose:

The purpose is to ratify the agreement with Ohlone College for running the Upward Bound Math and Science program at Newark Memorial High School for the term of Fall 2023 to Spring 2028.

Background:

NUSD has partnered with Ohlone College to offer the Upward Bound Math and Science program to students in Newark Memorial High School. The program will offer rigorous, inquiry-based math and science curriculum that will engage students in the science process and prepare them to excel in the math and science disciplines at the postsecondary level. Furthermore, the program will expose students to diverse science and math professionals, science museums, national science laboratories, and science and math related industries in the region to inspire students to pursue math and science careers. The District is dedicated to increasing our college and career readiness for students, including populations that Upward Bound targets and this program would support the district's strategic goal #1a.

File Attachments

[Ohlone-NUSD UBMS MOU 2023-2028.pdf](#) (265 KB)

15 STUDENT EXPULSION

15.1 Termination Student Expulsion Case# e2223-03

Type	Action
Recommended	The recommendation is that the Board of Education terminate the student expulsion as it
Action	relates to the expulsion case e2223-03.

Purpose:
For the Board to take action on expulsion case e2223-03.

Background:
California Education Code Section 48916 requires that "an expulsion order shall remain in effect until the governing board orders a readmission of the pupil."

15.2 Student Expulsion (Ed Code. 48918) Case# e2324-08

Type	Action
Recommended	The recommendation is that the Board of Education approve the Panel recommendation
Action	regarding the expulsion case number e2324-08.

Purpose:
For the Board to take action on expulsion case e2324-08.

Background:
A Expulsion Panel Hearing was held on January 9 2024. A Panel Hearing was conducted in accordance with Board Policy and Administrative Regulation 5144.1 and, if applicable, 5144.2 for students with disabilities. The administration asks for approval of this agreement for Case# e2324-08. (Ed Code. 48918).

16 BOARD OF EDUCATION: COMMITTEE REPORTS, ANNOUNCEMENTS, REQUESTS, DEBRIEF

16.1 Board of Education Committee Reports, Announcements, Requests, Debrief and Discussion

AND DISCUSSION

Type Action, Discussion, Information

Purpose:
COMMITTEE REPORTS: The Trustees will provide an update, if available, on the committees of which they are members.
ANNOUNCEMENTS: The Trustees may acknowledge or recognize specific programs, activities, or personnel at this time.
REQUESTS: This is an opportunity for the Board of Education to suggest items for placement on future agendas and to review Board requests.
 Approval from the majority of the Board will be required for direction to be provided to the Superintendent.
DEBRIEF AND DISCUSSION: The Trustees may debrief and discuss items.

Background:
Each year the Board of Education members liaise with schools and committees in order to build relationships, hear from staff, students, and families, and act as a conduit for information to and from the schools.

Board Committees 2022-23	Representative	Alternate
Board Adopted on 12/15/2022		
Mission Valley Regional Occupational Center/Program (ROC/P)	1. Nancy Thomas	1. Carina V. Plancarte
Executive Board		
Regional Policy Board of Special Education Local Plan Area (SELPA)	1. Katherine Jones	1. Phuong Nguyen
Newark Teacher Induction Advisory Council (Formally EBIC)	1. Aiden Hill	1. Carina V. Plancarte
Audit Committee	1. Aiden Hill	2. Katherine Jones
Bond/Parcel Tax Committee	1. Phuong Nguyen	2. Carina V. Plancarte
	1. Phuong Nguyen	1. Aiden Hill
City of Newark NUSD Liaison Committee	2. Nancy Thomas	1. Katherine Jones

The following derives directly from the Board approved "Governance Team Handbook"

Authority is Collective, Not Individual:

The only authority to direct action rests with the Board as a whole when seated at a regular or special board meeting. Outside of this meeting, there is no authority.

A majority Board vote provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction.

Bringing New Ideas Forward

The Board will be open to having "brainstorming" discussions, or study sessions, around any idea that a Trustee may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Trustee, at their initiative or at the request of a constituent, which was previously discussed during a board meeting.

Trustees will first notify the Board President and Superintendent of their interest in bringing forward a new idea at a board meeting.

When initially agendized, the preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.

Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea. The Superintendent will decide on the delegation of assignments to District staff.

The new idea may be agendized for discussion only. The Board majority will decide if the new idea should be further developed and studied by staff. The Board majority will decide if staff time should be invested in the "fleshing out" of new ideas.

Individual Trustees, in the course of interactions with constituents, will be careful not to make or imply the commitment of the full Board to explore or proceed with implementing new ideas.

17 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

17.1 Superintendent's Concluding Comments, Updates, and Future Agenda Items

AGENDA REQUESTS

Type Information

Purpose:

This is an opportunity for the Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

18 ADJOURNMENT

18.1 PLACEHOLDER - Extend Meeting

Type Action

Recommended The recommendation is that the Board of Education extends the meeting to ____ P.M.
Action

Purpose:

This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

18.2 Adjournment

Type Action

Recommended The recommendation is that the Board of Education adjourns this meeting.
Action

Purpose:

No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time. This action will conclude the meeting.

1 CALL TO ORDER

1.1 Meeting Practices and Information

Type Procedural

In-person Meeting Information:

NUSD has opened its boardroom for in-person meetings and will follow the State's and Alameda County's safety guidelines for public gatherings. Please refrain from attending in-person meetings if you have any of the following symptoms:

- Loss of taste/smell
- Difficulty breathing
- Vomiting
- Diarrhea
- Fever
- Cough
- Headache
- Sore Throat
- Runny Nose

For additional COVID-19 information please go to <https://www.newarkunified.org/covid-19> or <https://www.acoe.org/guidance>

Observe The Board Of Education Meeting:

Members of the public 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.

Public Comment:

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

1.2 Roll Call

Type Procedural

Trustees:

President Aiden Hill
Vice President/Clerk Katherine Jones
Member Nancy Thomas
Member Phuong Nguyen
Member Carina V. Plancarte

Student Board Member:

Member Joy Lee

1.3 Public Comment on Closed Session Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and tries to make it convenient for members of the community to express their views to the Board.

If a constituent wishes to address the Board on any agenda item:

In-Person Comment: please submit a completed speaker card to the Board's Executive Assistant before the start of the meeting, or prior to the calling of the section for public comment.

Audio-Only Virtual Comment: please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org by 1:00 PM the day of the meeting. Please label your email as " AUDIO-ONLY PUBLIC COMMENT" and include your name as it will appear on Zoom, your phone number, email address, and the agenda item number related to your comment.

Please see detailed instructions for public comment on the link: <http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

1.4 Recess to Closed Session Agenda item 2.1 Agenda item 2.2

Type Procedural

Purpose:

The Board will recess to Closed Session, and reconvene to Open Session on or about 7:00 p.m.

2 CLOSED SESSION

2.1 CONFERENCE WITH LEGAL COUNSEL EXISTING LITIGATION (Gov. Code, 54956.9, subd. (d)(1)): Case #23CV034303

To discuss and approve settlement agreement pursuant to the terms and conditions outlined in the settlement agreement for Case #23CV034303 Byrd vs. NUSD.

2.2 Request for Expulsion Hearing Postponement

Type Discussion, Information

Purpose:

To discuss the request for expulsion hearing postponement in case e-2324-06.

Background:

Per EdCode 48918 (a)(1) The pupil shall be entitled to a hearing to determine whether the pupil should be expelled. An expulsion hearing shall be held within 30 schooldays after the date the principal or the superintendent of schools determines that the pupil has committed any of the acts enumerated in Section 48900, unless the pupil requests, in writing, that the hearing be postponed. The adopted rules and regulations shall specify that the pupil is entitled to at least one postponement of an expulsion hearing, for a period of not more than 30 calendar days. Any additional postponement may be granted at the discretion of the governing board of the school district.

3 REPORT OF CLOSED SESSION ACTIONS

3.1 Report of Closed Session Actions

Type Action, Procedural

Purpose:
If available, a report of the closed session will be provided by the Board President.

4 RECONVENE TO OPEN SESSION

4.1 Pledge of Allegiance

Type Procedural

Purpose:
The Governance Team will recite the Pledge of Allegiance

5 APPROVAL OF AGENDA

5.1 Approval of the Agenda

Type Action
Recommended The recommendation is that the Board of Education approve the agenda for this meeting.
Action

Purpose:
Members of the Governance Team may request that the agenda be amended or approved as presented.

Motion & Voting

6 EMPLOYEE ORGANIZATIONS

6.1 Request for Expulsion Hearing Postponement

Type Action
Recommended To approve request for Expulsion Panel Hearing postponement for case e2324-06.
Action

Purpose:
To approve or deny the request for expulsion hearing postponement for case e-2324-06.

Background:
Per EdCode 48918 (a)(1) The pupil shall be entitled to a hearing to determine whether the pupil should be expelled. An expulsion hearing shall be held within 30 schooldays after the date the principal or the superintendent of schools determines that the pupil has committed any of the acts enumerated in Section 48900, unless the pupil requests, in writing, that the hearing be postponed. The adopted rules and regulations shall specify that the pupil is entitled to at least one postponement of an expulsion hearing, for a period of not more than 30 calendar days. Any additional postponement may be granted at the discretion of the governing board of the school district.

6.2 Employee Organizations

Type Information

Purpose:
At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Background:
Discussion items are limited to updates, celebrations, and upcoming events.
1. NTA
2. CSEA
3. NEWMA

7 PUBLIC COMMENT

7.1 Public Comment on Non-Agenda Items

Type Procedural

Purpose:
The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their

views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

7.2 Public Comment on Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

9 NEW BUSINESS

9.1 2023-24 First Interim Budget Report

Type	Action
Recommended	The recommendation is that the Board of Education approves the 2022-23 First Interim
Action	Report with Qualified Certification.
Goals	4. Fiscal Health

Purpose:

The purpose of the Interim Report is to advise the Board of Education, administrators, the public and other interested agencies of the District's financial condition at periodic intervals during the fiscal year.

Background:

At each interim reporting period, the District must make a certification as to its fiscal health for the current and upcoming two years. A POSITIVE certification indicates that the District WILL be able to meet its financial obligations for the current and upcoming two years. A QUALIFIED certification indicates the District MAY NOT be able to meet its financial obligations for the current and upcoming two years. A NEGATIVE certification indicates the District WILL NOT be able to meet its financial obligations in the current or upcoming two years. The First Interim Budget Report is a "snapshot" in time of the District's revenue and expenditure forecasts for the current fiscal year as well as a projection of the two subsequent fiscal years. It is a good time to adjust the budget based upon any known changes. The First Interim Budget Report covers the period of time from July 1 through October 31 each fiscal year. AB 1200 requires all California school districts to submit two interim reports to their County Office of Education. This year, the First Interim Report is due to the Alameda County Office of Education (ACOE) by December 15, 2023.

File Attachments

[23-24 1st Interim Full Book_FINAL.pdf](#) (3,077 KB)

Motion & Voting

9.2 RESOLUTION 2023.24.20 Designating Certain General Funds as Committed Fund Balance for 2023-24

Type	Action
Recommended	The recommendation is that the Board of Education adopt Resolution 2023.24.20 Designating
Action	Certain General Funds as Committed Fund Balance for 2023-24.
Goals	4. Fiscal Health

Purpose:

To approve the Committed designations to the Fund Balance as presented in Resolution 2023.24.20 Designating Certain General Funds as Committed Fund Balance for 2023-24.

Background:

As a result of the balance in the Public School System Stabilization Account, the statutory limitation on school district reserves has been triggered for the 2023-24 budget period, pursuant to Education Code (EC) section 42127.01(e). On June 15, 2023, the Board adopted Resolution 2022..23.35 designating \$11,077,876 in general funds as Committed to Fund Balance. The Committed Fund Balance designations have been updated. The Committed Fund Balance designations are necessary to meet the 10% reserve cap requirement.

File Attachments

[Resolution 2023.24.20 Designating Certain General Funds as Committed Fund Balance for 23-24.pdf](#) (13 KB)

Motion & Voting

The recommendation is that the Board of Education adopt Resolution 2023.24.20 Designating Certain General Funds as Committed Fund Balance for 2023-24.

Motion by Katherine Jones, second by Carina V Plancarte.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte
Abstain: Joy Lee

9.3 Contract with TNTP, Inc. - Updated Empathic Instruction Proposal

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$124,000.00
Budgeted	Yes
Budget Source	Antibias Grant
Recommended Action	The recommendation is that the Board of Education approve the updated Empathic Instruction contract.

Purpose:
For the Board to approve the TNTP Inc. contract, allowing Educational Services to carry out the state-approved Empathic Instruction modules as outlined in the Anti-bias Education Grant (2023).

Background:
NUSD Educational Services applied for the Antibias Education Program Grant in the summer of 2023 and was selected to receive the \$200,000 grant on August 30, 2023. The Antibias Education Grant Program provides funding for a grant period from Fiscal Year 2022-2023 through 2025-2026, and funding was granted based on the content and quality of the submitted applications and proposed activities. One of the state-approved activities within this grant included the coordination and delivery of three (3) Empathic Instruction 30-40 minute independent modules, which consist of online, scientifically researched activities that uncover mechanisms by which adults make sense of children's behaviors. These modules, which would occur in January 2024, August 2024, and January 2025, include survey questions, hypothetical scenarios, and feedback on teachers' mindsets. The content is developed by Dr. Jason Okonofua (social psychologist at the University of California, Berkeley) and his colleagues at Mindset Science Solutions. Their research on implementation shows reduced suspension rates, particularly for students of color, while also improving job satisfaction, a key predictor of teacher retention. By implementing these modules, Educational Services is following through on the state-approved grant proposal, aligning district initiatives to three district Board of Education goals (Student Achievement, Teacher and Staff Recruitment & Retention, & Safe, Secure, and Healthy Learning Environments), and addressing causes for ongoing eligibility under California's Differentiated Assistance. Currently NUSD qualifies for Differentiated Assistance based on five student groups who received the lowest status level in two or more state priority areas (English Learners, Homeless, Socio-economic disadvantaged, African American, and Pacific Islander); all five groups qualify under priority 6: suspensions. Measurement of programs will be based on 1. end of semester suspension data and 2. survey data focused on student/teacher relationships and teacher satisfaction.

File Attachments
Newark Unified School District_TNTP_MSA (Mindset_Empathic Instruction)_FY24 CLEAN 12.13.24.updated.docx (153 KB)

Motion & Voting
The recommendation is that the Board of Education approve the updated Empathic Instruction contract.
Motion by Phuong Nguyen, second by Nancy Thomas.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Phuong Nguyen, Katherine Jones, Carina V Plancarte
Nay: Aiden Hill
Not Present at Vote: Joy Lee

10 CONSENT AGENDA: PERSONNEL ITEMS

10.1 JOB DESCRIPTION: Director of Fiscal Services

Type	Action
Absolute Date	Jan 09, 2024
Recommended Action	Staff recommends the Board of Education approve the revised job description for Director of Fiscal Services.

Purpose:
The purpose is for the Board to review the revised job description.

Background:
The item is for the Board to approve a revised job description for the position of Director of Fiscal Services. This job description was last revised in April 1995. The new job description better reflects the duties and responsibilities of the position and is better aligned with the District's core mission. The blue script reflects new language or changes from the prior job description. The rest of the script in black is reflected in the old version, but now has updated formatting.

File Attachments
Director of Fiscal job desc_rev 2 (DRAFT).pdf (412 KB)

Motion & Voting

11 BOARD OF EDUCATION: COMMITTEE REPORTS, ANNOUNCEMENTS, REQUESTS, DEBRIEF

11.1 Board of Education Committee Reports, Announcements, Requests, Debrief and Discussion

AND DISCUSSION

Type Action, Discussion, Information

Purpose:

COMMITTEE REPORTS: The Trustees will provide an update, if available, on the committees of which they are members.
 ANNOUNCEMENTS: The Trustees may acknowledge or recognize specific programs, activities, or personnel at this time.
 REQUESTS: This is an opportunity for the Board of Education to suggest items for placement on future agendas and to review Board requests.

Approval from the majority of the Board will be required for direction to be provided to the Superintendent.

DEBRIEF AND DISCUSSION: The Trustees may debrief and discuss items.

Background:

Each year the Board of Education members liaise with schools and committees in order to build relationships, hear from staff, students, and families, and act as a conduit for information to and from the schools.

Board Committees 2023-24

Board Adopted on 12/14/2023	Representative	Alternate
Mission Valley Regional Occupational Center/Program (ROC/P) Executive Board	1. Nancy Thomas	1. Carina V. Plancarte
Regional Policy Board of Special Education Local Plan Area (SELPA)	1. Katherine Jones	1. Phuong Nguyen
Newark Teacher Induction Advisory Council (Formally EBIC)	1. Aiden Hill	1. Carina V. Plancarte
Audit Committee	1. Nancy Thomas	2. Katherine Jones
Bond/Parcel Tax Committee	1. Phuong Nguyen	2. Carina V. Plancarte
City of Newark NUSD Liaison Committee	2. Aiden Hill	1. Katherine Jones

The following derives directly from the Board approved "Governance Team Handbook"

Authority is Collective, Not Individual:

The only authority to direct action rests with the Board as a whole when seated at a regular or special board meeting. Outside of this meeting, there is no authority.

A majority Board vote provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction.

Bringing New Ideas Forward

The Board will be open to having "brainstorming" discussions, or study sessions, around any idea that a Trustee may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Trustee, at their initiative or at the request of a constituent, which was previously discussed during a board meeting.

Trustees will first notify the Board President and Superintendent of their interest in bringing forward a new idea at a board meeting.

When initially agendized, the preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.

Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea. The Superintendent will decide on the delegation of assignments to District staff.

The new idea may be agendized for discussion only. The Board majority will decide if the new idea should be further developed and studied by staff. The Board majority will decide if staff time should be invested in the "fleshing out" of new ideas.

Individual Trustees, in the course of interactions with constituents, will be careful not to make or imply the commitment of the full Board to explore or proceed with implementing new ideas.

12 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

12.1 Superintendent's Concluding Comments, Updates, and Future Agenda Items

AGENDA REQUESTS

Type Information

Purpose:

This is an opportunity for the Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

13 ADJOURNMENT

13.1 PLACEHOLDER - Extend Meeting

Type Action

Recommended Action The recommendation is that the Board of Education extends the meeting to ____ P.M.

Purpose:

This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

13.2 Adjournment

Type Action

Recommended Action The recommendation is that the Board of Education adjourns this meeting.

Purpose: No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time. This action will conclude the meeting.

Motion & Voting The recommendation is that the Board of Education adjourns this meeting. Motion by Carina V Plancarte, second by Joy Lee. Final Resolution: Motion Carries Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte Not Present at Vote: Joy Lee

1 CALL TO ORDER

1.1 Roll Call

Type Procedural Board Members: President Nancy Thomas Vice President/Clerk Aiden Hill Member Katherine Jones Member Phuong Nguyen Member Carina V. Plancarte

Student Board Member: Member Joy Lee

1.2 Public Comment on Closed Session Items -

Type Procedural

Purpose: The Board of Education encourages the community's participation in its deliberations and tries to make it convenient for members of the community to express their views to the Board. If a constituent wishes to address the Board on any agenda item: In-Person Comment: please submit a completed speaker card to the Board's Executive Assistant before the start of the meeting, or prior to the calling of the section for public comment. Audio-Only Virtual Comment: please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org by 1:00 PM the day of the meeting. Please label your email as " AUDIO-ONLY PUBLIC COMMENT" and include your name as it will appear on Zoom, your phone number, email address, and the agenda item number related to your comment. Please see detailed instructions for public comment on the link: http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40

1.3 Recess to Closed Session

Type Procedural

Purpose: The Board will recess to Closed Session, and reconvene to Open Session on or about 7:00 p.m.

2 CLOSED SESSION

2.1 PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE/COMPLAINT (Gov. Code, 54957, subd. (b)(1))

Type Action, Information, Procedural

Purpose: Information will be provided by the Superintendent and Executive Director of Human Resources.

2.2 CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a): Employee Organizations - NTA and

Type Action, Information, Procedural Goals VISION: The Newark Unified School District, in partnership with the community, will be a model of world-class education that develops the unique abilities of every student. MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens.

Purpose: Information may be provided by the agency negotiator, Executive Director of Human Resources. Assistance from the legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided.

The employee organizations include NTA & CSEA.

2.3 CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION Significant exposure to litigation pursuant to Gov. Code, 54956.9, subd. (d)[(2) or (3)]: ERATE (One Case)

Purpose:

Information may be provided regarding significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: ERATE overpayment.

2.4 STUDENT EXPULSION (Ed. Code, 48918)

Type Discussion, Information, Procedural

For the Board to review the Expulsion Panel Recommendation.

Background:

A Expulsion Panel Hearing was held on December 4, 2023. A Panel Hearing was conducted in accordance with Board Policy and Administrative Regulation 5144.1 and, if applicable, 5144.2 for students with disabilities.

The Board will discuss this in closed session and then take action in open session (agenda item 15.1). The administration asks for approval of the recommendation for Case# e2324-07 (Ed Code. 48918).

2.5 STUDENT EXPULSION (Ed. Code, 48918):

Type Discussion, Information, Procedural

Purpose:

For the Board to review expulsion cases that are eligible for readmission.

Background:

California Education Code Section 48916 requires that "an expulsion order shall remain in effect until the governing board orders a readmission of the pupil."

The following expulsions are up for termination. The Board will discuss this in closed session and then take action in open session. Staff recommends the following actions: e2223-08 Terminate Expulsion.

3 REPORT OF CLOSED SESSION ACTIONS

3.1 Report of Closed Session Actions

Type Action, Procedural

Purpose:

If available, a report of the closed session will be provided by the Board President.

4 RECONVENE TO OPEN SESSION

4.1 Pledge of Allegiance

Type Procedural

Purpose:

The Governance Team will recite the Pledge of Allegiance

5 APPROVAL OF AGENDA

5.1 Approval of the Agenda

Type Action

Recommended Action The recommendation is that the Board of Education approve the agenda for this meeting.

Purpose:

Members of the Governance Team may request that the agenda be amended or approved as presented.

6 STUDENT REPORT

6.1 Student Board Member Report - Joy Lee

Type Information

Purpose:

At regular Board of Education meetings, a spokesperson of each secondary school may make a brief presentation. Discussion items may include updates, celebrations, and upcoming events.

- 1. Newark Junior High School
- 2. Alternative Education
- 3. Newark Memorial High School

7 PUBLIC COMMENT

7.1 Public Comment on Non-Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

7.2 Public Comment on Agenda Items

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

8 ANNUAL ORGANIZATION OF THE BOARD OF EDUCATION

8.1 Election of Officers - President

Type	Action
Recommended Action	The recommendation is that the Board of Education approves the nomination for the new Board President.
Goals	VISION: The Newark Unified School District, in partnership with the community, will be a model of world-class education that develops the unique abilities of every student. MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens.

Purpose:

The Board shall nominate a candidate to be voted and approved by the Board as the new President.

Background:

Board Policy 9100: Organization
Annual Organizational Meeting
The Board shall hold an annual organizational meeting within the time limits prescribed by law. (Education Code 35143)
At this meeting the Board shall:

1. Elect a president and a clerk from its members.
2. Authorize signatures.
3. Develop a schedule of regular meetings for the year.
4. Develop a Board calendar for the year.
5. Designate Board representatives.
(cf. 9140 - Board Representatives)
(cf. 9320 - Meetings)

Election of Officers
The Board shall each year elect its entire slate of officers.
(cf. 9224 - Oath or Affirmation)
Officers of the Board (NUSD Governance Team Handbook)
At the annual organizational meeting, the Board shall elect from among its members a President and Vice President/Clerk of the Board. The term length of the officers shall be for one year. The Board shall designate the Superintendent as Secretary of the Board.
Duties of the Board Officers (NUSD Governance Team Handbook)
The President of the Board of Education (Board Policy 9121)
At the annual organizational meeting, the Governing Board shall appoint a president from its membership. The president shall preside at all Governing Board Meetings. They shall:

- Call the meeting to order at the appointed time.
- Announce the business to come before the Board in its proper order.
- Enforce and maintain the Board's policies related to the order of business and conduct the meetings.
- Recognize persons who desire to speak, and protect the speaker who has the floor from disturbance or interference.
- Explain what the effect of a motion would be if it is not clear to every member.
- Restrict discussion to the question when a motion is before the Board.
- Rule on parliamentary procedure.

Put motions to a vote, and state the results of the vote.

The President shall have the same rights as any member of the Board, including the right to move, second, discuss, and vote on all questions before the Board, allowing other members priority to speak and make motions as a point of courtesy. The Board President, or in their absence the Vice-President, shall also perform other duties as directed by law, State Department of Education regulations, and the Board, including the duty to:

- Meet with the Superintendent before meetings to review the agenda and meeting details.
- Represent the District at events when invited or appropriate.
- Sign instruments, acts, and orders necessary to carry out state requirements or the will of the Board.
- Consult with the Superintendent on appropriate Board issues or crucial matters which may occur between board meetings.
- Appoint and disband all committees, subject to Board approval.
- Call for meetings of the Board as they shall deem necessary, giving notices as prescribed by law.
- Be responsible for the orderly conduct of all board meetings.
- Share informational mail with other board members.

When the president resigns, is absent, or is disabled, the Vice President shall perform the President's duties. When both the President and Vice President are absent or disabled, the Board shall choose a President Pro Tempore to perform the President's duties.

8.2 Election of Officers - Clerk/Vice President

Type	Action
Recommended Action	The recommendation is that the Board of Education approves the nomination for the new Clerk/Vice President.
Goals	<p>VISION: The Newark Unified School District, in partnership with the community, will be a model of world-class education that develops the unique abilities of every student.</p> <p>MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens.</p>

Purpose:
The Board shall nominate a candidate to be voted and approved by the Board as the new Clerk/Vice President.

Background:
Board Policy 9100: Organization
Annual Organizational Meeting
The Board shall hold an annual organizational meeting within the time limits prescribed by law. (Education Code 35143)
At this meeting the Board shall:

1. Elect a president and a clerk from its members.
2. Authorize signatures.
3. Develop a schedule of regular meetings for the year.
4. Develop a Board calendar for the year.
5. Designate Board representatives.

(cf. 9140 - Board Representatives)
(cf. 9320 - Meetings)
Election of Officers
The Board shall each year elect its entire slate of officers.
(cf. 9224 - Oath or Affirmation)
Officers of the Board (NUSD Governance Team Handbook)
At the annual organizational meeting, the Board shall elect from among its members a President and Vice President/Clerk of the Board. The term length of the officers shall be for one year. The Board shall designate the Superintendent as Secretary of the Board. The Vice President of the Board of Education (Board Policy 9123)
At the annual organizational meeting, the Governing Board shall appoint or elect a Vice President from its membership. The duties of the Vice President shall be:

- Serve as the presiding officer in the absence of the President.
- Certify and attest to actions taken by the Board when required.
- Sign the minutes of the board meetings following their approval.
- Sign documents as directed by the Board on behalf of the District, and sign all other items which require the signature of the clerk.
- Perform any other duties as assigned by the Board.

8.3 Appointment of Superintendent as Secretary of the Governing Board

Type	Action
Recommended Action	The recommendation is that the Board of Education approves the appointment of the Superintendent as Secretary of the Governing Board.
Goals	<p>VISION: The Newark Unified School District, in partnership with the community, will be a model of world-class education that develops the unique abilities of every student.</p> <p>MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens.</p>

Purpose:
The Board shall appoint the Superintendent as Secretary of the Governing Board.

Background:
BOARD BYLAW 9100: ORGANIZATION
Annual Organizational Meeting

The Board shall hold an annual organizational meeting within the time limits prescribed by law. (Education Code 35143)

At this meeting the Board shall:

1. Elect a president and a clerk from its members.
2. Authorize signatures.
3. Develop a schedule of regular meetings for the year.
4. Develop a Board calendar for the year.
5. Designate Board representatives.

(cf. 9140 - Board Representatives)

(cf. 9320 - Meetings)

Election of Officers

The Board shall each year elect its entire slate of officers.

(cf. 9224 - Oath or Affirmation)

BOARD BYLAW 9122: SECRETARY

The Governing Board shall appoint the Superintendent to serve as secretary to the Board. The secretary to the Board shall be responsible for maintaining an accurate and complete record of all Board proceedings and shall:

1. Prepare, distribute and maintain the Board agenda.
(cf. 9322 - Agenda/Meeting Materials)
2. Record, distribute and maintain the Board minutes.
(cf. 9324 - Minutes and Recordings)
3. Maintain Board records and documents.
4. Conduct official correspondence for the Board.
5. As directed by the Board, sign and execute official papers
6. Perform other duties as assigned by the Board.
(cf. 2111 - Superintendent Governance Standards)

8.4 Adoption of Board Policy Manual

Type	Action
Recommended Action	The recommendation is that the Board of Education adopts the NUSD Board Policy Manual.
Goals	MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens. VISION: The Newark Unified School District, in partnership with the community, will be a model of world-class education that develops the unique abilities of every student.

Purpose:
The Board shall adopt the NUSD Board Policy Manual

Background:
The Board shall review and adopt the NUSD Board Policy Manual at every annual organization meeting. The digital manual can get found here: <https://simbli.eboardsolutions.com/Policy/PolicyListing.aspx?S=36030599>

File Attachments
[NUSD Board Policy Manual 12-14-2023.pdf](#) (71,211 KB)

8.5 Adoption of the Governance Team Handbook

Type	Action
Recommended Action	The recommendation is that the Board of Education readopts the Governance Team Handbook.
Goals	VISION: The Newark Unified School District, in partnership with the community, will be a model of world-class education that develops the unique abilities of every student. MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens.

Purpose:
The Board shall readopt the Governance Team Handbook which is currently adopted and followed.

Background:
The Governance Team Handbook "reflects the governance team's work on the creation of an effective framework for successful leadership and governance. This involves an ongoing commitment to discussions focused on the development of a Unity of Purpose, Governance Team Goals, and a commitment to norms and protocols relating to the formal structures that enable the Board of Education and Superintendent in the performance of their responsibilities in a way that benefits all children."

File Attachments
[22-1215 - NUSD Governance Team Handbook - ADOPTED Dec 15, 2022.pdf](#) (380 KB)

8.6 Set Regular Meeting Times (Hours)

Type	Action
Recommended Action	The recommendation is that the Board of Education approves the beginning and end times of the regular meetings' open session to 7:00 pm - 10:00 pm.
Goals	VISION: The Newark Unified School District, in partnership with the community, will be a model of world-class education that develops the unique abilities of every student. MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens.

Purpose:

The Board shall set the beginning and end times of the regular meetings' open session to 7:00 pm - 10:00 pm.

Background:

BOARD BYLAW 9100: ORGANIZATION

Annual Organizational Meeting

The Board shall hold an annual organizational meeting within the time limits prescribed by law. (Education Code 35143)

At this meeting the Board shall:

1. Elect a president and a clerk from its members.
2. Authorize signatures.
3. Develop a schedule of regular meetings for the year.
4. Develop a Board calendar for the year.
5. Designate Board representatives.

(cf. 9140 - Board Representatives)

(cf. 9320 - Meetings)

Election of Officers

The Board shall each year elect its entire slate of officers.

(cf. 9224 - Oath or Affirmation)

8.7 Set Regular Meeting Dates for 2024

Type	Action
Recommended Action	The recommendation is that the Board of Education approves the dates of the regular meetings for the 2024-25 school year.
Goals	<p>VISION: The Newark Unified School District, in partnership with the community, will be a model of world-class education that develops the unique abilities of every student.</p> <p>MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens.</p>

Purpose:

The Board shall approve the dates of the regular board meetings for the 2024-25 school year.

Background:

Board Policy 9100: ORGANIZATION

Annual Organizational Meeting

The Board shall hold an annual organizational meeting within the time limits prescribed by law. (Education Code 35143)

At this meeting the Board shall:

1. Elect a president and a clerk from its members.
2. Authorize signatures.
3. Develop a schedule of regular meetings for the year.
4. Develop a Board calendar for the year.
5. Designate Board representatives.

(cf. 9140 - Board Representatives)

(cf. 9320 - Meetings)

Election of Officers

The Board shall each year elect its entire slate of officers.

(cf. 9224 - Oath or Affirmation)

RECOMMENDED BOARD OF EDUCATION MEETING DATES for the School Year 2024-25

- Aug 6
- Aug 20
- Sep 3
- Sep 17
- Oct 1
- Oct 15
- Nov 5
- Nov 19
- Dec 3 (CSBA AEC: Dec 5 - DEC 7)
- Dec 12

Previously Approved

- Jan 7
- Jan 21
- Feb 4
- Feb 18
- Mar 4
- Mar 18
- Apr 1
- April 15
- May 6
- May 20
- Jun 3
- Jun 17

File Attachments

[2024 Board Dates.pdf](#) (450 KB)

8.8 Appointment of a Board Representative to Mission Valley Regional Occupational Program (MVROP) Governing Council

Type	Action
Recommended Action	The recommendation is that the Board of Education appoints a Board Representative and Alternate to Mission Valley Regional Occupational Program Governing Council.
Goals	VISION: The Newark Unified School District, in partnership with the community, will be a model of world-class education that develops the unique abilities of every student. MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens.

Purpose:
To nominate and appoint a representative and alternate to the Mission Valley Regional Occupational Program (MVROP) Governing Council.

Background:
Board Bylaw 9140: The Governing Board recognizes that effective performance of its community leadership responsibilities may require its participation in district or community committees on matters of concern to the district and its students. As needed, the Board may appoint any of its members to serve as its representative on a district committee or on a committee of another public agency or organization of which the Board or district is a member or to which the Board is invited to participate.
The Education Code requires a Regional Occupational Center/Program Exhibit to be governed by a board of trustees as established by the Joint Powers Agreement. The Mission Valley ROC/P board of trustees is composed of one member of the Board of Education from Fremont, Newark, and New Haven unified school districts. Each year at this time a representative from the Board is selected to be the District's representative to the ROC/P Executive Board.
Meetings are held on the third Thursday of the month at 3:30 pm.
MVROP Governing Council Meeting Schedule is to be determined.

8.9 Appointment of a Board Representative to Regional Policy Board of Special Education Local Plan Area (SELPA)

Type	Action
Recommended Action	The recommendation is that the Board of Education appoint the Board Representative and Alternate to the Regional Policy Board of Special Education Local Plan Area (SELPA).
Goals	VISION: The Newark Unified School District, in partnership with the community, will be a model of world-class education that develops the unique abilities of every student. MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens.

Purpose:
To appoint a representative and alternate to the Mission Valley SELPA to continue until the end of this current school year.

Background:
Board Bylaw 9140: The Governing Board recognizes that effective performance of its community leadership responsibilities may require its participation in district or community committees on matters of concern to the district and its students. As needed, the Board may appoint any of its members to serve as its representative on a district committee or on a committee of another public agency or organization of which the Board or district is a member or to which the Board is invited to participate.
In 1977, all school districts and county school offices were mandated to form consortiums in geographical regions of sufficient size and scope to provide for all special education service needs of children residing within the region's boundaries. Each region, Special Education Local Plan Area (SELPA), developed a local plan describing how it would provide special education services.
SELPA's are dedicated to the belief that all students can learn and that special needs students must be guaranteed equal opportunity to become contributing members of society. SELPA's facilitate high-quality educational programs and services for special needs students and training for parents and educators. The SELPA collaborates with county agencies and school districts to develop and maintain healthy and enriching environments in which special needs students and families can live and succeed.
The Mission Valley SELPA consists of three school districts: New Haven Unified, Newark, and Fremont Unified School Districts. The SELPA was formed for the purpose of ensuring that quality special education programs and services are available to students living throughout the area. All three school districts coordinate to provide services to identified students who require special education programs and services. The special education directors within each of the districts meet regularly to share resources and coordinate as related to shared program goals.
The 2024-25 Mission Valley SELPA Regional Policy Board Meeting dates are to be determined.
It is recommended that the Board appoint a representative and an alternate to the SELPA.

8.10 Appointment of a Board Representative to Newark Teacher Induction Advisory Council

Type	Action
Recommended Action	The recommendation is that the Board of Education re-appoint the current Board Representative and Alternate to the Newark Teachers Induction Advisory Council.
Goals	VISION: The Newark Unified School District, in partnership with the community, will be a model of world-class education that develops the unique abilities of every student. MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens.

Purpose:
To review and re-appoint a representative and alternate to the Newark Teachers Induction Advisory Council until the end of the current school year.

Background:

Board Bylaw 9140: The Governing Board recognizes that effective performance of its community leadership responsibilities may require its participation in district or community committees on matters of concern to the district and its students. As needed, the Board may appoint any of its members to serve as its representative on a district committee or on a committee of another public agency or organization of which the Board or district is a member or to which the Board is invited to participate.

The California Teacher Induction Program (CTIP) formerly known as Beginning Teacher Support and Assessment Induction (B TSA Induction) is a program co-sponsored by the California Department of Education (CDE) and California Commission on Teacher Credentialing (CCTC) designed to support the professional development of newly-credentialed teachers and fulfill the requirements for the California professional clear Multiple/ Single-subject and/or Education Specialist credentials. Senate Bill 2042 identified it as the only pathway to a clear credential. While the name changed in 2014, the intent and purpose remain the same:

Teacher Induction Program Goals:

- Provide an effective transition into the teaching career.
- Improve the educational performance of students through improved training, information, and assistance of new teachers.
- Enable candidates to be effective in teaching students who are culturally, linguistically, and academically diverse.
- Ensure the professional success and retention of new teachers.
- Ensure that a mentor provides individualized & job-embedded support and professional learning guidance.
- Ensure that an Individualized Learning Plan is developed by each candidate and is based on ongoing self-assessment on the California Standards for the Teaching Profession / Continuum of Practice.
- Ensure continuous program improvement through an ongoing process of inquiry.

Newark Teacher Induction is a commission-approved Induction program. It is approved to support general and special education teachers who need to clear preliminary and/or Level I credentials.

A Program Director provides day-to-day coordination within the local school districts and is responsible for implementing and coordinating local support, and ensuring program accountability and quality. An Advisory Council provides support and recommendations to the Program Director in matters of program implementation and evaluation. The Advisory Council consists of mentors, administrators, and board members from all the partner districts and/or schools. The Program Director serves as the program manager and executive officer of the Advisory Council.

Meetings are quarterly and usually held on a Friday morning, however, the council will come to an agreement on a time that works best for all.

The Assistant Superintendent of Educational Services and/or Superintendent also attend the Newark Teacher Induction Council meetings.

8.11 Appointment of a Board Representative to Bond/Parcel Tax Committee

Type Action
Recommended Action

The recommendation is that the Board of Education re-appoint the current two Board representatives and alternate to the Bond/Parcel Tax Committee.

Goals VISION: The Newark Unified School District, in partnership with the community, will be a model of world-class education that develops the unique abilities of every student.
MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens.

Purpose: To review and re-appoint the two representatives and alternative to the Bond/Parcel Tax Committee until the end of the current school year.

Background:

Board Bylaw 9140: The Governing Board recognizes that effective performance of its community leadership responsibilities may require its participation in district or community committees on matters of concern to the district and its students. As needed, the Board may appoint any of its members to serve as its representative on a district committee or on a committee of another public agency or organization of which the Board or district is a member or to which the Board is invited to participate.

The purpose of the Bond/Parcel Tax Committee is to discuss ideas and implement actions that may assist in the procurement of a Bond or Parcel Tax to aid NUSD.

It is recommended that the Board will re-appoint the current two representatives and alternate to the Bond/Parcel Tax Committee.

8.12 Appointment of a Board Representative to Audit Committee

Type Action
Recommended Action The recommendation is that the Board of Education appoint two Board representatives and an alternate to Audit Committee.

Goals VISION: The Newark Unified School District, in partnership with the community, will be a model of world-class education that develops the unique abilities of every student.
MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens.

Purpose: To conduct the appointment of two representatives and one alternate to the Audit Committee.

Background:

Board Bylaw 9140: The Governing Board recognizes that effective performance of its community leadership responsibilities may require its participation in district or community committees on matters of concern to the district and its students. As needed, the Board may appoint any of its members to serve as its representative on a district committee or on a committee of another public agency or organization of which the Board or district is a member or to which the Board is invited to participate.

Pursuant to Board Policy 3460, the NUSD Board of Education has appointed the audit committee to serve in an advisory capacity and:

- a. Make recommendations regarding the selection of the external independent auditor in accordance with Education Code 41020 and 41020.5

- b. Review the plan for the audit process with the independent auditor to determine the adequacy of the nature, scope, and timetable of the audit
 - c. Review the results of the audit and participate with the independent auditor and management in preparing final recommendations and responses.
 - d. Review Board policies and administrative regulations to recommend any revisions needed to ensure effective financial reporting
 - e. Periodically report to the Board regarding the status of previous audit recommendations for improving the accounting and internal control systems
- This audit committee shall meet a minimum four times (quarterly) per year. It is recommended that the Board will appoint two representatives to the Audit Committee.

8.13 Appointment of a Board Representative to the City of Newark - NUSD Liaison Committee

Type	Action
Recommended Action	The recommendation is that the Board of Education appoints two Board representatives and an alternate to the City of Newark - NUSD Liaison Committee.
Goals	<p>VISION: The Newark Unified School District, in partnership with the community, will be a model of world-class education that develops the unique abilities of every student.</p> <p>MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens.</p>

Purpose:
To nominate and appoint two representatives and an alternative to the City of Newark - NUSD Liaison Committee

Background:
Board Bylaw 9140: The Governing Board recognizes that effective performance of its community leadership responsibilities may require its participation in district or community committees on matters of concern to the district and its students. As needed, the Board may appoint any of its members to serve as its representative on a district committee or on a committee of another public agency or organization of which the Board or district is a member or to which the Board is invited to participate. This committee meets four times per year with two representatives from the Newark City Council and two members from the NUSD Board of Education to update and inform both bodies of news from each agency. The committee meets quarterly on the third Monday of the month. The next meeting will be on the fourth Monday in January due to a holiday on the third Monday. The Board will appoint two representatives, and an alternative to the City Liaison Committee.

9 STAFF REPORT

9.1 Employee Organizations

Type	Information
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Purpose:
At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Background:
Discussion items are limited to updates, celebrations, and upcoming events.

1. NTA
2. CSEA
3. NEWMA

10 SUPERINTENDENT REPORT

10.1 Superintendent Report

Type	Information
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Purpose:
The superintendent will provide the Board of Education with district information, updates, news, or anything in the jurisdiction of the board or the superintendent.

Background:
The presentation and information will be provided by the Superintendent

11 NEW BUSINESS

11.1 2023-24 First Interim Budget Report

Type	Action
Fiscal Impact	Yes
Budgeted	Yes
Recommended Action	The recommendation is that the Board of Education approves the 2023-24 First Interim Report.

Goals 4. Fiscal Health

Purpose:

The recommendation is that the Board of Education approves the 2023-24 First Interim Report.

Background:

At each interim reporting period, the District must make a certification as to its fiscal health for the current and upcoming two years. A POSITIVE certification indicates that the District WILL be able to meet its financial obligations for the current and upcoming two years. A QUALIFIED certification indicates the District MAY NOT be able to meet its financial obligations for the current and upcoming two years. A NEGATIVE certification indicates the District WILL NOT be able to meet its financial obligations in the current or upcoming two years. The First Interim Budget Report is a "snapshot" in time of the District's revenue and expenditure forecasts for the current fiscal year as well as a projection of the two subsequent fiscal years. It is a good time to adjust the budget based upon any known changes. The First Interim Budget Report covers the period of time from July 1 through October 31 each fiscal year. AB 1200 requires all California school districts to submit two interim reports to their County Office of Education. This year, the First Interim Report is due to the Alameda County Office of Education (ACOE) by December 15, 2023. First Interim Report will be posted for review December 13, 2023.

12 CONSENT AGENDA: PERSONNEL ITEMS

12.1 PLACEHOLDER - One Consented Vote

Type Action

Recommended Action It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent-Personnel, except for agenda items:

Purpose:

This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:

Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

12.2 Increase in Minimum Wage

Type Action

Recommended Action The recommendation is that the Board of Education approve the revised hourly pay rates for classified non-management, unrepresented employees as presented to comply with the increase in minimum wage effective January 1, 2024.

Goals 4. Fiscal Health

Purpose:

To update the rates for classified unrepresented employees to comply with the increase in the minimum wage from \$15.50 to \$16.00 per hour effective January 1, 2024.

POSITION	CURRENT RATE	NEW RATE
Campus Monitor, Elementary	\$15.50	\$16.00
Classified Substitute - Food Service Assistant	\$15.50	\$16.00
Classified Substitute - Child Care Attendant	\$15.50	\$16.00
Student Assistant	\$15.50	\$16.00

Background:

The State of California minimum wage will increase from \$15.50 to \$16.00 per hour effective January 1, 2024. The hourly rates for the Elementary School Campus Monitor, Student Assistant, and Classified Substitute positions for the Food Service Assistant and Child Care Attendant are currently below the new minimum wage. All classified CSEA unit employees are currently paid above the minimum wage.

12.3 Personnel Report

Type Action

Absolute Date Dec 14, 2023

Recommended Action The recommendation is that the Board of Education ratify the personnel report as presented.

Purpose:

The purpose is for the Board of Education to ratify the Personnel Report as presented.

Background:

All personnel activities including new hires, changes in status, resignation, leaves, and retirements are routinely submitted to the Board for ratification.

File Attachments

[HR PAL 12-14-2023.pdf](#) (259 KB)

13 CONSENT AGENDA - NON-PERSONNEL ITEMS

13.1 PLACEHOLDER - One Consented Vote

Type Action
Recommended Action It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent Non-Personnel, except for agenda items:

Purpose:
This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:
Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

13.2 Report: Warrant Report for November 2023

Type Action
Fiscal Impact No
Recommended Action The recommendation is that the Board of Education approve the Warrant Report as presented.
Goals 4. Fiscal Health

Purpose:
The purpose of this item is to present warrants, for the total amount of \$1,164,748.25 made from District funds for November 2023.

Background:
The warrant registers represent a complete listing of all payments made from District funds for a month. Because Newark Unified School District is a fiscally dependent District, each warrant must pass through two separate audits; first by the Districts Fiscal Services department, and second by the County Office of Education. No warrant can be paid until such time as it is examined and approved by the County Office of Education.

File Attachments
[Warrant Report November 2023.pdf](#) (380 KB)

13.3 Resolution 2023.24.19 Declaring Surplus Equipment

Type Action
Recommended Action The recommendation is that the Board of Education approves Resolution 2023.24.19 - Declaring Surplus Equipment.
Goals 4. Fiscal Health

Purpose:
The purpose of this item is to obtain Board approval of Resolution 2023.24.19- Declaring Surplus Equipment, which lists items to be declared as surplus equipment as recommended.

Background:
Surplus materials will be disposed of per Board Policy and Administrative Regulation 3270 Sale And Disposal Of Books, Equipment And Supplies. Education Code, Section 17546 states that if the Governing Board, by a unanimous vote of those members present, finds that the property, whether one or more items, does not exceed the value of \$2,500, it may be sold at private sale without advertising, by a District employee empowered for that purpose by the Board; the property may be donated to a charitable organization, or it may be disposed of in a public disposal facility.
The property as described in Resolution 2023.24.19 includes equipment used at Child Nutrition Services. Staff determined that items are obsolete and/or beyond economical repair.

File Attachments
[Resolution 2023.24.19 Declaring Surplus Equipment.pdf](#) (13 KB)

14 STUDENT EXPULSION

14.1 Student Expulsion (Ed Code. 48918) Case# e2324-07

Type Action
Recommended Action The recommendation is that the Board of Education approve the Panel recommendation regarding the expulsion case number e2324-07.

Purpose:
For the Board to take action on expulsion case e2324-07.

Background:
A Expulsion Panel Hearing was held on December 4, 2023. A Panel Hearing was conducted in accordance with Board Policy and Administrative Regulation 5144.1 and, if applicable, 5144.2 for students with disabilities. The administration asks for approval of this agreement for Case# e2324-07. (Ed Code. 48918).

14.2 Termination Student Expulsion Case# e2223-08

Type Action
 Recommended Action The recommendation is that the Board of Education terminate the student expulsion as it relates to the expulsion case e2223-08.

Purpose:
 For the Board to take action on expulsion case e2223-08.

Background:
 California Education Code Section 48916 requires that "an expulsion order shall remain in effect until the governing board orders a readmission of the pupil."

15 BOARD OF EDUCATION - COMMITTEE REPORTS, ANNOUNCEMENTS, REQUESTS, DEBRIEF

15.1 Board of Education Committee Reports, Announcements, Requests, Debrief and Discussion

AND DISCUSSION

Type Action, Discussion, Information

Purpose:
 COMMITTEE REPORTS: The Trustees will provide an update, if available, on the committees of which they are members.
 ANNOUNCEMENTS: The Trustees may acknowledge or recognize specific programs, activities, or personnel at this time.
 REQUESTS: This is an opportunity for the Board of Education to suggest items for placement on future agendas and to review Board requests.
 Approval from the majority of the Board will be required for direction to be provided to the Superintendent.
 DEBRIEF AND DISCUSSION: The Trustees may debrief and discuss items.

Background:
 Each year the Board of Education members liaise with schools and committees in order to build relationships, hear from staff, students, and families, and act as a conduit for information to and from the schools.
 Board Committees 2022-23

Board Adopted on 12/15/2022	Representative	The following Alternate derives directly from the Board approved "Governance Team"
Mission Valley Regional Occupational Center/Program (ROC/P) Executive Board	1. Nancy Thomas	1. Carina V. Plancarte Handbook"
Regional Policy Board of Special Education Local Plan Area (SELPA)	1. Katherine Jones	1. Phuong Nguyen Authority is Collective, Not Individual:
Newark Teacher Induction Advisory Council (Formally EBIC)	1. Aiden Hill	1. Carina V. Plancarte The only authority to direct action rests with the Board as a
Audit Committee	1. Aiden Hill	2. Katherine Jones 1. Phuong Nguyen whole when seated at a regular or special board
Bond/Parcel Tax Committee	1. Phuong Nguyen	2. Carina V. Plancarte 1. Aiden Hill meeting. Outside of this meeting, there is no authority.
City of Newark NUSD Liaison Committee	1. Phuong Nguyen	2. Nancy Thomas 1. Katherine Jones A majority Board vote provides direction to the Superintendent. Board members will

not undermine the ability of staff to carry out Board direction.

Bringing New Ideas Forward

The Board will be open to having "brainstorming" discussions, or study sessions, around any idea that a Trustee may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Trustee, at their initiative or at the request of a constituent, which was previously discussed during a board meeting.

Trustees will first notify the Board President and Superintendent of their interest in bringing forward a new idea at a board meeting.

When initially agendized, the preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.

Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea. The Superintendent will decide on the delegation of assignments to District staff.

The new idea may be agendized for discussion only. The Board majority will decide if the new idea should be further developed and studied by staff. The Board majority will decide if staff time should be invested in the "fleshing out" of new ideas.

Individual Trustees, in the course of interactions with constituents, will be careful not to make or imply the commitment of the full

16 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

16.1 Superintendent's Concluding Comments, Updates, and Future Agenda Items

AGENDA REQUESTS

Type Information

Purpose:

This is an opportunity for the Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

17 ADJOURNMENT

17.1 PLACEHOLDER - Extend Meeting

Type Action

Recommended Action The recommendation is that the Board of Education extends the meeting to ____P.M.

Purpose:

This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

17.2 Adjournment

Type Action, Procedural

Recommended Action The recommendation is that the Board of Education adjourns this meeting.

Purpose:

No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time.
This action will conclude the meeting.

1 CALL TO ORDER

1.1 Roll Call

Type Procedural

Trustees:

President Nancy Thomas
Vice President/Clerk Aiden Hill
Member Katherine Jones
Member Phuong Nguyen
Member Carina V. Plancarte

Student Board Member:

Member Diego Torres

1.2 Public Comment on Closed Session Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and tries to make it convenient for members of the community to express their views to the Board.

If a constituent wishes to address the Board on any agenda item:

In-Person Comment: please submit a completed speaker card to the Board's Executive Assistant before the start of the meeting, or prior to the calling of the section for public comment.

Audio-Only Virtual Comment: please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org by 1:00 PM the day of the meeting. Please label your email as " AUDIO-ONLY PUBLIC COMMENT" and include your name as it will appear on Zoom, your phone number, email address, and the agenda item number related to your comment.

Please see detailed instructions for public comment on the link: <http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

1.3 Recess to Closed Session

Type Procedural

Purpose:

The Board will recess to Closed Session, and reconvene to Open Session on or about 7:00 p.m.

2 CLOSED SESSION

2.1 PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE (Gov. Code, 54957, subd. (b)(1))

Type Action, Information, Procedural

Purpose:

Information will be provided by the Superintendent and Executive Director of Human Resources.

2.2 CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a): Employee Organizations - NTA and

Type Action, Information, Procedural

Purpose:

Information may be provided by the agency negotiator, Executive Director of Human Resources. Assistance from the legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided.
The employee organizations include NTA & CSEA.

2.3 CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION Significant exposure to litigation pursuant to Gov. Code, 54956.9, subd. (d)[(2) or (3)]:

Purpose:

Information may be provided regarding significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9:

2.4 CONFERENCE WITH LEGAL COUNSEL EXISTING LITIGATION (Gov. Code, 54956.9, subd. (d)(1))

Type Action, Information, Procedural

Purpose:

To discuss the following case(s): Name of case: [Specify by reference to claimant's name, names of parties, case, or claim numbers]

2.5 STUDENT EXPULSION (Ed Code. 48918)

Type Discussion, Information, Procedural

Purpose:

For the Board to review the Stipulation Expulsion Agreement.

Background:

A Stipulation Expulsion Agreement meeting was held on November 15, 2023. A Stipulation Expulsion Meeting was conducted in accordance with Board Policy and Administrative Regulation 5144.1 and, if applicable, 5144.2 for students with disabilities. The Board will discuss this in closed session and then take action in open session (agenda item 15.1). The administration asks for approval of the recommendation for Case# e2324-05 (Ed Code. 48918).

2.6 STUDENT EXPULSION (Ed. Code, 48918)

Type Discussion, Information, Procedural

For the Board to review the Stipulation Expulsion Agreement.

Background:

A Stipulation Expulsion Agreement meeting was held on November 7, 2023. A Stipulation Expulsion Meeting was conducted in accordance with Board Policy and Administrative Regulation 5144.1 and, if applicable, 5144.2 for students with disabilities. The Board will discuss this in closed session and then take action in open session (agenda item 15.1). The administration asks for approval of the recommendation for Case# e2324-04 (Ed Code. 48918).

2.7 STUDENT EXPULSION (Ed. Code, 48918)

Type Discussion, Information, Procedural

For the Board to review the Stipulation Expulsion Agreement.

Background:

A Expulsion Panel Hearing was held on November 14, 2023. A Panel Hearing was conducted in accordance with Board Policy and Administrative Regulation 5144.1 and, if applicable, 5144.2 for students with disabilities. The Board will discuss this in closed session and then take action in open session (agenda item 15.1). The administration asks for approval of the recommendation for Case# e2324-03 (Ed Code. 48918).

3 REPORT OF CLOSED SESSION ACTIONS

3.1 Report of Closed Session Actions

Type Action, Procedural

Purpose:

If available, a report of the closed session will be provided by the Board President.

4 RECONVENE TO OPEN SESSION

4.1 Pledge of Allegiance

Type Procedural

Purpose:
The Governance Team will recite the Pledge of Allegiance

5 APPROVAL OF AGENDA

5.1 Approval of the Agenda

Type Action
Recommended Action The recommendation is that the Board of Education approve the agenda for this meeting.

Purpose:
Members of the Governance Team may request that the agenda be amended or approved as presented.

6 RECOGNITIONS AND CELEBRATIONS

6.1 School Spotlight: Lincoln Elementary

Type Information

Purpose:
The School Spotlight gives the Board of Education and the public an opportunity to hear highlights, achievements, and initiatives at each school directly from the principals.

Background:
The presentation and information will be provided by Lincoln Elementary Principal, Amanda Gollhier.

7 STUDENT REPORT

7.1 Student Board Member Report: Joy Lee

Type Information

Purpose:
The Student Report gives the Board of Education and the public an opportunity to hear the highlights, achievements, and initiatives from the viewpoint of the student board member.

Background:
The information will be provided by the Student Board Member, Joy Lee.

8 EMPLOYEE ORGANIZATIONS

8.1 Employee Organizations

Type Information

Purpose:
At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Background:
Discussion items are limited to updates, celebrations, and upcoming events.
1. NTA
2. CSEA
3. NEWMA

9 PUBLIC COMMENT

9.1 Public Comment on Non-Agenda Items

Type Procedural

Purpose:
The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

9.2 Public Comment on Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

10 SUPERINTENDENT REPORT

10.1 Superintendent Report

Type Information

Purpose:

The superintendent will provide the Board of Education with district information, updates, news, or anything in the jurisdiction of the board or the superintendent.

Background:

The presentation and information will be provided by the Superintendent

11 STAFF REPORT

11.1 iReady 2023-2024 Status Data

Type Information

Purpose:

Educational Services will present i-Ready Fall Assessment data to the Board of Education.

Background:

Elementary schools use i-Ready assessments as a progress monitoring tool in both ELA and Mathematics. Educators are encouraged to adjust instructional planning for trimester II based on this early informal assessment data. Adjustments may include differentiated small group instruction, reteaching opportunities, additional standards-based formative assessments, etc. Educational Services uses this data to course-check professional development plans, programmatic initiatives, and site support.

File Attachments

[Staff Report_ District i-Ready 23-24 \(Fall\) \(1\).pdf](#) (2,832 KB)

12 NEW BUSINESS

12.1 2024 Nominee for CSBA Delegate Assembly

Type	Action, Discussion
Preferred Date	Dec 05, 2023
Fiscal Impact	No
Recommended Action	Staff requests the Board to approve the nomination of Nancy Thomas for the 2024 CSBA Delegate.

Purpose:

Nominate Nancy Thomas for the CSBA Delegate Assembly.

Background:

Each year, member boards elect representatives to the California School Boards Association's Delegate Assembly. The Delegate Assembly is a vital link in the Association's governance and sets the general policy direction. Working with member boards, the Board of Directors, and the Executive Committee, Delegates ensure the Association promotes the interests of California's school districts and county offices of education. Delegates with terms that end in 2024 are up for election. Ballots for the Delegate Assembly election will be sent to each member board within the region or subregion by February 1, 2024. Delegates elected in 2024 will serve a two-year term beginning April 1, 2024. There are two required Delegate Assembly meetings each year; in 2024, the dates are May 18-19 and December 3-4.

Nomination and biographical sketch forms for CSBA's Delegate Assembly are being accepted until Sunday, January 7, 2024.

The nomination process is as follows:

CSBA member boards are eligible to nominate board members within their own geographical region or subregion.

Member boards eligible to appoint a member of their board to the Delegate Assembly may also nominate board members

to run for election to the Delegate Assembly.
Boards eligible to appoint must do so by January 7, 2024.
Nominating boards must submit a separate Nomination Form for each person nominated. Nominees must serve on a CSBA member board from the region or subregion.
Nominees must submit a required biographical sketch form.
Nominees may submit an optional one-page, one-sided rsum.
Per Standing Rule 109, only members who are not employees of CSBA may serve in the Delegate Assembly.

File Attachments

- [NT Delegate Assembly Nomination_Appointment Form 2024.pdf](#) (56 KB)
- [CSBA Biogrphical Sketch NT 2023.pdf](#) (310 KB)

12.2 Board Meeting Schedule Change

Type Action
Fiscal Impact No
Recommended Action The recommendation is that the Board of Education approve the Cancellation of December 19th Regular Meeting.

Purpose:
The recommendation is that the Board of Education approve rescheduling the December 19, 2023 Regular Board of Education meeting to December 14, 2023.

Background:
Our 1st Interim financial report is due to the county office of education by December 15, 2023. In light of the transition in the Business Services department, and in order to give our team as much time as possible to complete the report, we ask that we reschedule our Regular Meeting to December 14, 2023.

12.3 Set Date for Annual Organizational Meeting

Type Action
Fiscal Impact No
Recommended Action The recommendation is that the Board of Education set December 14, 2023 as the date for an Annual Organizational Meeting.

Purpose:
The purpose of this item is to set December 14, 2023 as the date for the Annual District Organizational Meeting.

Background:
Annually, the Board holds a District Organizational Meeting during which the following business is held:
Election of Officers
Appointment of the Superintendent as Secretary of the Governing Board
Adoption of the Board Policy Manual
Adoption of the Governance Team Handbook
Set Regular Meeting Times (Hours)
Set Regular Meeting Dates for 2023-24
Appointment of Board Representative to the Regional Policy Board of Special Education Local Plan Area (SELPA)
Appointment of the Board Representative to the Mission Valley Regional Occupational Program (MVRPOP) Governing Council
Appointment of the Board Representative to the Newark Teacher Induction Advisory Council
Appointment of a Board Representative to the Bond/Parcel Tax Committee
Appointment of a Board Representative to the Audit Committee
Appointment of a Board Representative to the City of Newark-NUSD Liaison Committee

12.4 Response to Brown Act Complaints

Type Action
Fiscal Impact No
Recommended Action The recommendation is that the Board of Education approve the response to the Brown Act complaint.

Purpose:
The purpose of this item is for the Board to approve the response letters pertaining to complaints alleging that the Board violated the Brown Act.

Background:
On November 7, 2023, the Board of Education approved the contract for the Deputy Superintendent of Business Services. Following the meeting the Board received four separate complaints alleging the Board violated the Brown Act. We have conferred with our legal counsel and do not believe there has been any violation of the Brown Act. The complaints and response letters are attached. Per Government Code 54960.1(c)(2), "Within 30 days of the receipt of the demand, the legislative body shall cure or correct the challenged action and inform the demanding party in writing of its actions to cure or correct or inform the demanding party in writing of its decision not to cure or correct the challenged action."

File Attachments

- [Brown Act Complaints_1123.pdf](#) (849 KB)

[Board Letters \(1\).pdf](#) (248 KB)

13 CONSENT AGENDA: PERSONNEL ITEMS

13.1 PLACEHOLDER - One Consented Vote

Type	Action	
Recommended Action		It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent-Personnel, except for agenda items:

Purpose:
This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:
Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

13.2 Personnel Report

Type	Action	
Absolute Date		Dec 05, 2023
Recommended Action		The recommendation is that the Board of Education ratify the personnel report as presented.

Purpose:
The purpose is for the Board of Education to ratify the Personnel Report as presented.

Background:
All personnel activities including new hires, changes in status, resignation, leaves, and retirements are routinely submitted to the Board for ratification.

File Attachments
[HR PAL 12-05-2023.pdf](#) (356 KB)

14 CONSENT AGENDA: NON-PERSONNEL ITEMS

14.1 PLACEHOLDER - One Consented Vote

Type	Action	
Recommended Action		It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent Non-Personnel, except for agenda items:

Purpose:
This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:
Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

14.2 REPORT: Warrant Report for October 2023

Type	Action	
Fiscal Impact		No
Recommended Action		The recommendation is that the Board of Education approve the Warrant Report as presented.

Purpose:
The purpose of this item is to present warrants, for the total amount of \$2,478,602.78, made from District funds for October 2023.

Background:
The warrant registers represent a complete listing of all payments made from District funds for a month. Because Newark Unified School District is a fiscally dependent District, each warrant must pass through two separate audits; first by the Districts Fiscal Services department, and second by the County Office of Education. No warrant can be paid until such time as it is examined and approved by the County Office of Education.

File Attachments
[Warrant Report October 2023.pdf](#) (456 KB)

14.3 REPORT: Monthly Purchase Order Report

Type	Action
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Recommended Action The recommendation is that the Board of Education receive the Monthly Purchase Order Report as presented.

Purpose:

The purpose of this item is to present a monthly report on Purchase Order transactions per Board Policy 3300, Expenditures and Purchases.

Background:

Based on the discussion at the Board's Study Session on January 6, 2022, staff is providing a monthly report on Purchase Order transactions per Board Policy 3300, Expenditures and Purchases. The policy states that "The Board shall review all transactions entered into by the Superintendent or designee on behalf of the Board every 60 days." This month's report includes 144 PO's dated 10/25/23 through 11/21/23 for a total of \$478,640.16.

File Attachments

[Monthly Purchase Order Report 12-05-2023.pdf](#) (88 KB)

14.4 Signature Card - Mid Year Revision

Type Action

Absolute Date Dec 05, 2023

Recommended Action The recommendation is that the Board of Education approve the Signature Card Mid-Year Revision for the Deputy Superintendent of Business Services/CBO as presented.

Purpose:

To update the Signature Card of Authorized Agents as required by the Alameda County Office of Education (ACOE) for the following:
 Payroll, Warrants, and Disbursements
 Official Documents and Reports

Background:

The Board approved a contract for the Deputy Superintendent of Business Services/CBO at this December 5, 2023 meeting. A mid-year revision to update the signature for the Deputy Superintendent of Business Services/CBO is required by the ACOE. The "Signature Card" is kept on file at the ACOE.

File Attachments

[Vackar, Tracey_Sig Card - Mid-Year Revisions 2023-24.pdf](#) (349 KB)

14.5 FIELD TRIP: Curricular, Overnight Trip for Birch Grove Intermediate fifth grade class to travel to Exploring New Horizons at Camp Sempvirens.

Type Action

Preferred Date Dec 05, 2023

Absolute Date Dec 05, 2023

Fiscal Impact Yes

Dollar Amount \$48,556.00

Budgeted Yes

Budget Source Donations & LCAP

Recommended Action The recommendation is that the Board of Education approves the overnight trip for the Birch Grove Intermediate fifth grade class to travel to Exploring New Horizons at Camp Sempvirens.

Purpose:

The Birch Grove Intermediate community requests permission to take fifth grade students on a curricular, overnight field trip. Students will travel to Exploring New Horizons at Camp Sempvirens, Scotts Valley, CA for an outdoor science education camp. Students will study science content standards for ecology, resources, life science, etc. while participating in team building activities with classmates and growing as individuals.

School: Birch Grove Intermediate

Dates: February 26, 2024 - March 1, 2024

Location: Exploring New Horizons at Camp Sempvirens, Scotts Valley, CA

Chaperones for Science Camp:

The ratio of adults to students on school-sponsored trips shall be based on the following formula:

K-3 1 adult for every 5-8 students

4-9 1 adult for every 10 students

10-12 1 adult for every 10 students where strict supervision is required (tours, theaters, etc.)

Overnight trip supervision must be gender appropriate. However, in the event that the supervisors, who stay overnight in proximity to students, are of a gender other than that group of campers, adequate planning, and preparation of campers and the physical arrangements of the camp shall be made to ensure optimal safety and privacy of students (AR 6153).

No student will be denied due to a lack of funds.

Background:

According to Board Policy, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. The site principal and fifth grade teachers request permission to take students on an overnight curricular trip to attend an outdoor education/science camp program that is articulated with grade level curriculum. The programs are taught by credentialed staff members and camp staff and are viewed by the sites as a valuable part of the students' educational experience.

14.6 FIELD TRIP: Curricular, Overnight Trip for Lincoln Elementary fifth grade class to travel to Exploring New Horizons at Camp Sempvirens.

Type	Action
Preferred Date	Dec 05, 2023
Absolute Date	Dec 05, 2023
Fiscal Impact	Yes
Dollar Amount	\$13,070.00
Budgeted	Yes
Budget Source	Donations & LCAP
Recommended Action	The recommendation is that the Board of Education approves the overnight trip for the Lincoln Elementary fifth grade class to travel to Exploring New Horizons at Camp Sempvirens.

Purpose:
 The Lincoln Elementary community requests permission to take fifth grade students on a curricular, overnight field trip. Students will travel to Exploring New Horizons at Camp Sempvirens, Scotts Valley, CA for an outdoor science education camp. Students will study science content standards for ecology, resources, life science, etc. while participating in team building activities with classmates and growing as individuals.

School: Lincoln Elementary
 Dates: March 18, 2024 - March 22, 2024
 Location: Exploring New Horizons at Camp Sempvirens, Scotts Valley, CA

Chaperones for Science Camp:

The ratio of adults to students on school-sponsored trips shall be based on the following formula:

- K-3 1 adult for every 5-8 students
- 4-9 1 adult for every 10 students
- 10-12 1 adult for every 10 students where strict supervision is required (tours, theaters, etc.)

Overnight trip supervision must be gender appropriate. However, in the event that the supervisors, who stay overnight in proximity to students, are of a gender other than that group of campers, adequate planning, and preparation of campers and the physical arrangements of the camp shall be made to ensure optimal safety and privacy of students (AR 6153).

No student will be denied due to a lack of funds.

Background:
 According to Board Policy, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. The site principal and fifth grade teachers request permission to take students on an overnight curricular trip to attend an outdoor education/science camp program that is articulated with grade level curriculum. The programs are taught by credentialed staff members and camp staff and are viewed by the sites as a valuable part of the students' educational experience.

14.7 RESOLUTION 2023.24.16: Adopt Conflict Of Interest Code

Type	Action
Fiscal Impact	No
Recommended Action	The recommendation is that the Board of Education approve Resolution No. 2023.24.16, Adopt Conflict Of Interest Code.

Purpose:
 For the Board to approve Resolution No. 2023.24.16, Adopt Conflict Of Interest Code to reflect CSBA's recommendation.

Background:
 Board Bylaw 9270 - Conflict of Interest
 Bylaw updated to reflect NEW LAW (SB 1439, 2022) which makes applicable to elected district officers the prohibition against accepting, soliciting, or directing a contribution of more than \$250 from any party or participant to a proceeding involving a license, permit, or other entitlement for use, including a contract, or from that person's agent, while the proceeding is pending before the Board and for 12 months following the date a final decision is rendered in the proceeding, and from participating in making, or in any way attempting to use the official position to influence the Board's decision when a district officer received a contribution of more than \$250 from a party or participant in the preceding 12 months, as specified. Bylaw also updated to clarify, for a Board member who manages public investments, that when an item on the consent calendar is one in which the Board member has a financial interest, the Board member is required to either make a motion to remove the item from the consent calendar or abstain from voting on the consent calendar.

File Attachments
[Bylaw 9270.pdf](#) (236 KB)
[Resolution 2023.24.16 Adopt Conflict of Interest Code.pdf](#) (153 KB)

14.8 RESOLUTION 2023.24.13 Declaring Surplus Equipment

Type	Action
Recommended Action	The recommendation is that the Board of Education approves Resolution 2023.24.13 - Declaring Surplus Equipment.

Purpose:
 The purpose of this item is to obtain Board approval of Resolution 2023.24.13- Declaring Surplus Equipment, which lists items to be declared as surplus equipment as recommended.

Background:

Surplus materials will be disposed of per Board Policy and Administrative Regulation 3270 Sale And Disposal Of Books, Equipment And Supplies. Education Code, Section 17546 states that if the Governing Board, by a unanimous vote of those members present, finds that the property, whether one or more items, does not exceed the value of \$2,500, it may be sold at private sale without advertising, by a District employee empowered for that purpose by the Board; the property may be donated to a charitable organization, or it may be disposed of in a public disposal facility.

The property as described in Resolution 2023.24.13 includes equipment used at the MOT Department. Staff determined that items are obsolete and/or beyond economical repair.

File Attachments

[Resolution 2023.24.13 Declaring Surplus Equipment.pdf](#) (11 KB)

14.9 RESOLUTION 2023.24.15 Notice of Completion for Water Filling Stations

Type	Action
Recommended Action	The recommendation is that the Board of Education approve Resolution 2023.24.15 and authorize the filing of a Notice of Completion with the County Recorder of Alameda County for the Water Filling Stations project at all sites and the District Office, by Smelly Mel's Plumbing.

Purpose:

To authorize the filing of a Notice of Completion (NOC) with the County Recorder of Alameda County.

Background:

On May 4, 2023, the Board of Trustees awarded a contract to Smelly Mel's Plumbing for the Water Filling Stations at Various Schools project at BGI, BGP, Bridgepoint, Coyote Hills, Kennedy, Lincoln, Schilling, NJHS, NMHS and the District Office in the amount of \$63,600.00.

On September 19, 2023, the Board of Trustees approved Change Order #1 in the amount of \$4,089.23 for a total contract amount and final expenditure of \$67,689.23.

All contract items, Punchlist and project closeout items have been satisfied. Accordingly, Staff requests acceptance of the project which will allow filing a Notice of Completion with the County and permit the release of retention thirty-five (35) days after approval.

File Attachments

[Resolution 2023.12.15 Water Filling Stations.pdf](#) (77 KB)
[Notice of Completion-BGP Water Filling Station.pdf](#) (70 KB)
[Notice of Completion-BGI Water Filling Station.pdf](#) (70 KB)
[Notice of Completion-Bridgepoint Water Filling Station.pdf](#) (70 KB)
[Notice of Completion-CHE Water Filling Station.pdf](#) (69 KB)
[Notice of Completion-District Office Water Filling Station.pdf](#) (70 KB)
[Notice of Completion-Kennedy Water Filling Station.pdf](#) (70 KB)
[Notice of Completion-Lincoln Water Filling Station.pdf](#) (69 KB)
[Notice of Completion-NJHS Water Filling Station.pdf](#) (70 KB)
[Notice of Completion-NMHS Water Filling Station.pdf](#) (69 KB)
[Notice of Completion-Schilling Water Filling Station.pdf](#) (69 KB)

14.10 RESOLUTION 2023.24.14 Notice of Completion for Coyote Hills Fence and Change Order #1

Type	Action
Recommended Action	The recommendation is that the Board of Education approve Change Order #1 and Resolution 2023.24.14 and authorize the filing of a Notice of Completion with the County recorder of Alameda County for the Coyote Hills Fence project by Golden Bay Fence Plus Ironworks, Inc.

Purpose:

To authorize the approval of Change Order #1 and filing of a Notice of Completion (NOC) with the County Recorder of Alameda County.

Background:

On April 7, 2022, the Board of Trustees awarded a contract to Golden Bay Fence Plus Ironworks, Inc. for Coyote Hills Elementary School New Fencing project in the amount of \$219,458.

The original budget was \$219,458 and the final budget is \$206,263.17 which provides the District a savings of \$13,194.83.

All contract items, Punchlist and project closeout items have been satisfied. Accordingly, Staff requests acceptance of the project which will allow filing a Notice of Completion with the County and permit the release of retention thirty-five (35) days after approval.

File Attachments

[Notice of Completion-Coyote Hills Fence.pdf](#) (70 KB)
[Golden Bay Fence_Coyote Hills_CO1 rev_fully executed.pdf](#) (261 KB)
[Resolution 2023.12.14 Coyote Hills Fence.pdf](#) (11 KB)

14.11 RESOLUTION 2023.24.17 Notice of Completion for Birch Grove Primary Parking Lot and Change Order #1

Type	Action
Recommended Action	The recommendation is that the Board of Education approve Change Order #1 and Resolution 2023.24.17 and authorize the filing of a Notice of Completion with the County Recorder of Alameda County for Birch Grove Parking Lot by GradeTech, Inc.

Purpose:

To authorize the approval of Change Order #1 and filing of a Notice of Completion (NOC) with the County Recorder of Alameda County.

Background:

On May 4, 2023, the Board of Trustees awarded a contract to GradeTech, Inc. for Birch Grove Primary Parking Lot project in the amount of \$704,701.00. The original budget was \$704,701.00 and the final budget is \$695,107.67 which provides the District a savings of \$9,593.33. All contract items, Punchlist and project closeout items have been satisfied. Accordingly, Staff requests acceptance of the project which will allow filing a Notice of Completion with the County and permit the release of retention thirty-five (35) days after approval.

File Attachments

- [Notice of Completion-BGP Parking Lot_GradeTech.pdf](#) (158 KB)
- [Resolution 2023.12.05 BGP Parking Lot.pdf](#) (53 KB)
- [Grade Tech_BGP Parking Lot_CO 1_fully executed.pdf](#) (265 KB)

14.12 CONTRACT: TRF Group Inc. for Special Education Teacher

Type	Action
Preferred Date	Dec 05, 2023
Absolute Date	Dec 05, 2023
Fiscal Impact	Yes
Dollar Amount	\$98,800.00
Budgeted	Yes
Budget Source	Resource 6500 - Special Education
Recommended Action	The recommendation is that the Board of Education approve the contract with TRF Group Inc.

Purpose:

TRF Group Inc. to provide 1.0 FTE Special Education Teacher for an unfilled position for the 2023-2024 school year.

Background:

Despite intensive efforts, the District has not been able to hire for this unfilled position. The contracted teacher is intended to fill the position for the 2023-2024 school year only.

File Attachments

- [TRF_NUSD Contract 23-24 \(1\).pdf](#) (835 KB)

14.13 CONTRACT: Strategic Solutions Today, Inc

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$46,100.00
Budgeted	Yes
Budget Source	General Fund
Recommended Action	The recommendation is that the Board of Education ratify the contract for Strategic Solutions Today, Inc.

Purpose:

To ratify the contract for Strategic Solutions Today, Inc.

Background:

At the Board Governance Workshop held June 21, 2023, the Board discussed the topic of fiscal health as a District Goal. As part of addressing this goal, the Superintendent contracted with Strategic Solutions Today, Inc to provide consulting services to District Board, Superintendent, and staff in the areas of fiscal and organizational structure and reporting, administrative coaching/mentoring, general business and operations issues including but not limited to finance, bond and capital facilities, collective bargaining, and organizational restructure as needed and directed by the Board/Superintendent. Part of this work also includes supporting the 23-24 Budget Taskforce.

File Attachments

- [Strategic Solutions Today, Inc_2023-24_fully executed.pdf](#) (513 KB)

14.14 CONTRACT: Renewal Contract Strategic Solutions Today, Inc

Type	Action
Fiscal Impact	Yes
Budget Source	General Fund
Recommended Action	The recommendation is that the Board of Education approve the Renewal Contract to the Strategic Solutions Today, Inc contract as presented.

Purpose:

To approve the Renewal Contract to the Strategic Solutions Today, Inc contract as presented.

Background:

At the Board Governance Workshop held June 21, 2023, The Board discussed the topic of fiscal health as a District Goal. As

part of addressing this goal, the Superintendent contracted with Strategic Solutions Today, Inc. to provide consulting services to the Board of Education, Superintendent and staff in the areas of fiscal and organizational structure and reporting, administrative coaching/mentoring, general business and operations issues, including but not limited to finance, bond and capital facilities, collective bargaining, and organizational restructuring as needed and directed by the Board/Superintendent. Part of this work also includes supporting the 23-24 Budget Taskforce. The District Budget Taskforce will make their recommendations to the board during a board meeting in February, 2024. We request that the contract be renewed/extended through the completion of the work and subsequent recommendations of the District Budget Taskforce.

File Attachments

[Strategic Solutions Renewal Contract_120523.pdf](#) (53 KB)

14.15 CONTRACT: Think Together for ASES for 2024-25

Type	Action, Discussion
Fiscal Impact	Yes
Dollar Amount	\$370,522.12
Budgeted	Yes
Recommended Action	The recommendation is that the Board of Education approve the renewal of the agreement with THINK Together for ASES (After School Educational and Safety) for the 2024-2025 school year.

Purpose:
The purpose is to renew the agreement with THINK Together for running the ASES (After School Educational and Safety) program for 2024-25 at Schilling Elementary, Coyote Hills Elementary, and Newark Middle School for the term of July 1, 2024 to June 30, 2025.

Background:
NUSD has contracted with Think Together to run the ASES (After School Educational and Safety) program since 2013-14. Students at the three identified schools take part in a daily program that starts after classes end for the day until 6pm and includes academic support and enrichment opportunities. The District is dedicated to carrying out the Board-approved plan for providing an extended day to our TK-6, unduplicated students as outlined in the Expanding Learning Opportunities Program (ELO-P) plan that was presented and approved by the Board on February 3, 2022. Braiding ASES and ELO-P funds allows NUSD to provide additional academic and social-emotional support to students through a 9-hour extended learning day to all of our elementary schools, with as focus on our student populations that are historically underserved.

File Attachments

[Newark USD ASES 07012024-06302025 \(1\).pdf](#) (417 KB)

14.16 CONTRACT: Think Together for 2024 Summer Programming

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$1,044,935.00
Budgeted	Yes
Budget Source	ELO-P
Recommended Action	The recommendation is that the Board approve the Think Together contract for non-instructional days and 2024 summer programming.

Purpose:
We are seeking the approval of the Think Together contract in order to execute the ELO-P plan.

Background:
The proposed contract includes non-instructional day services for up to 700 TK-6 students for Think Together at our Elementary School sites this summer (2024). Think Together was selected as the primary partner for this work because it supports the district's intention to create a single, comprehensive program. Think Together has been a strong partner, providing our ASES services in Newark for multiple years.

File Attachments

[Think Together-Newark MOU for NID 2023-24.pdf](#) (392 KB)

14.17 Addendum to the contract with The Stepping Stones Group for Special Education Services

Type	Action
Preferred Date	Dec 05, 2023
Absolute Date	Dec 05, 2023
Fiscal Impact	Yes
Dollar Amount	\$105,600.00
Budgeted	Yes
Budget Source	Resource 6500 - Special Education
Recommended Action	The recommendation is that the Board of Education approve the contract with The Stepping Stones Group.

Purpose:
The Stepping Stones Group is to provide 1.0 FTE Speech Language Pathologist for an unfilled position for the 2023-2024 school year.

Background:

The District contracts with Non-Public Agencies (NPA) when necessary to provide assessments and related services to students with Individual Education Programs (IEPs). The Stepping Stones Group will provide a Speech Language Pathologist to support Students With Disabilities (SWDs).

File Attachments

[Stepping Stones Addendum 1 12_5_23.pdf](#) (282 KB)

14.18 POLICY UPDATE: Board Policy 1250 and Administrative Regulation 1250 - Visitors/Outsiders

Type	Action
Fiscal Impact	No
Recommended Action	The recommendation is that the Board of Education discuss and approve the updated Board Policy 1250 and Administrative Regulation 1250 - Visitors/Outsiders

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation.

Background:
This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The updated board policy and administrative regulation has been reviewed by the Board Liaison Committee, Superintendent, and presented to the secondary ASB members for recommended updates for accuracy. Revisions reflect these engagements and district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a SECOND reading.
Board Policy 1250 - Visitors/Outsiders
The NUSD board policy has not been revised since 2012. The language has been replaced to match the sample board policy provided by the California School Board Association.
Administrative Regulation 1250 - Visitors/Outsiders
The NUSD administrative regulation has not been revised since 1996. The language has been replaced to match the sample board policy provided by the California School Board Association.

File Attachments

[AR 1250 Visitors Outsiders.pdf](#) (60 KB)
[BP 1250 Visitors Outsiders.pdf](#) (57 KB)

14.19 POLICY UPDATE: Board Policy 5000 - Concepts And Roles

Type	Action
Fiscal Impact	No
Recommended Action	The recommendation is that the Board of Education approve the updated Board Policy 5000 - Concepts And Roles

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated board policy.

Background:
This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The updated board policy has been reviewed by the Board Liaison Committee, Superintendent, and presented to the secondary ASB members for recommended updates for accuracy. Revisions reflect these engagements and district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a SECOND reading.
Board Policy 5000 - Concepts And Roles
The NUSD board policy has not been revised since 1996. The language has been replaced to match the sample board policy provided by the California School Board Association.

File Attachments

[Board Policy 5000.pdf](#) (91 KB)

14.20 POLICY UPDATE: Administrative Regulation 5125.3 - Challenging Student Records

Type	Action
Fiscal Impact	No
Recommended Action	The recommendation is that the Board of Education discuss and approve the updated Administrative Regulation 5125.3 - Challenging Student Records

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated administrative regulation.

Background:
This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The updated administrative regulation has been reviewed by the Board Liaison Committee, Superintendent, and presented to the secondary ASB members for recommended updates for accuracy. Revisions reflect these engagements and district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a SECOND

reading.

Administrative Regulation 5125.3 - Challenging Student Records

The NUSD administrative regulation has not been revised since 1996. The language has been replaced to match the sample board policy provided by the California School Board Association.

File Attachments

AR 5125.3 Challenging Student Records.pdf (112 KB)

14.21 POLICY UPDATE: Board Policy 5127 - Graduation Ceremonies And Activities

Type	Action
Fiscal Impact	No
Recommended Action	The recommendation is that the Board of Education discuss and approve the updated Board Policy 5127 - Graduation Ceremonies And Activities

Purpose: The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation.

Background: This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The updated board policy and administrative regulation has been reviewed by the Board Liaison Committee, Superintendent, and presented to the secondary ASB members for recommended updates for accuracy. Revisions reflect these engagements and district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a SECOND reading.

Board Policy 5127 - Graduation Ceremonies And Activities

The NUSD administrative regulation has not been revised since 2006. The language has been replaced to match the sample board policy provided by the California School Board Association.

File Attachments

BP 5127 Graduation Ceremonies and Activities.pdf (119 KB)

14.22 POLICY UPDATE: Board Policy 5131.9 Academic Honesty

Type	Action
Fiscal Impact	No
Recommended Action	The recommendation is that the Board of Education discuss and approve the updated Board Policy 5131.9 Academic Honesty

Purpose: The purpose is for the Board of Education to review the recommended changes and approve the updated board policy.

Background: This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The updated board policy and administrative regulation has been reviewed by the Board Liaison Committee, Superintendent, and presented to the secondary ASB members for recommended updates for accuracy. Revisions reflect these engagements and district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a SECOND reading.

Board Policy 5131.9 Academic Honesty

The NUSD board policy has not been revised since 1996. The language has been replaced to match the sample board policy provided by the California School Board Association.

CSBA Language:

Board Policy 5131.9 Academic Honesty Policy updated to address prohibited and permitted student use of technology, including artificial intelligence, as it relates to academic honesty. Policy also updated to include that a student with a disability be permitted to use technology for any purpose for which technology is identified in the student's individualized education program, that a student be given the opportunity to demonstrate that the use of technology was in accordance with policy when suspected by an employee that such use was in violation of academic honesty, and that any information acquired from an employee's use of technology in determining whether a student has committed and act of academic dishonesty be shared with the student and the student's parent/guardian, as appropriate. Additionally, policy updated to authorize the provision of staff training regarding the use of technology to improve education, including the detection of plagiarism and sensitivity to potential discrimination from algorithmic bias.

File Attachments

BP 5131.9 Academic Honesty.pdf (171 KB)

14.23 POLICY UPDATE: Board Policy 5141 and Administrative Regulation 5141 - Health Care And Emergencies

Type	Action
Fiscal Impact	No
Recommended Action	The recommendation is that the Board of Education discuss and approve the updated Board Policy 5141 and Administrative Regulation 5141 - Health Care And Emergencies

Purpose: The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative

regulation.

Background:

This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The updated board policy and administrative regulation has been reviewed by the Board Liaison Committee, Superintendent, and presented to the secondary ASB members for recommended updates for accuracy. Revisions reflect these engagements and district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a SECOND reading.

Board Policy 5141 - Health Care And Emergencies

The NUSD board policy has not been revised since 2008. The language has been replaced to match the sample board policy provided by the California School Board Association.

Administrative Regulation 5141 - Health Care And Emergencies

The NUSD administrative regulation has not been revised since 2008. The language has been replaced to match the sample board policy provided by the California School Board Association.

File Attachments

AR 5141 Health Care And Emergencies.pdf (108 KB)

BP 5141 Health Care And Emergencies.pdf (96 KB)

14.24 POLICY UPDATE: Board Policy 5141.22 and Administrative Regulation 5141.22 - Infectious Diseases

Type Action

Fiscal Impact No

Recommended Action The recommendation is that the Board of Education discuss and approve the updated Board Policy 5141.22 and Administrative Regulation 5141.22 - Infectious Diseases

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation.

Background:

This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The updated board policy and administrative regulation has been reviewed by the Board Liaison Committee, Superintendent, and presented to the secondary ASB members for recommended updates for accuracy. Revisions reflect these engagements and district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a SECOND reading.

Board Policy 5141.22 - Infectious Diseases

The NUSD board policy has not been revised since 2008. The language has been replaced to match the sample board policy provided by the California School Board Association.

Administrative Regulation 5141.22 - Infectious Diseases

The NUSD administrative regulation has not been revised since 2008. The language has been replaced to match the sample board policy provided by the California School Board Association.

File Attachments

AR 5141.22 Infectious Disease.pdf (98 KB)

BP 5141.22 Infectious Diseases.pdf (104 KB)

14.25 POLICY UPDATE: Administrative Regulation 5141.24 - Specialized Health Care Services

Type Action

Fiscal Impact No

Recommended Action The recommendation is that the Board of Education discuss and approve the updated Administrative Regulation 5141.24 - Specialized Health Care Services

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation.

Background:

This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The updated board policy and administrative regulation has been reviewed by the Board Liaison Committee, Superintendent, and presented to the secondary ASB members for recommended updates for accuracy. Revisions reflect these engagements and district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a SECOND reading.

Administrative Regulation 5141.24 - Specialized Health Care Services

The NUSD administrative regulation has not been revised since 1996. The language has been replaced to match the sample board policy provided by the California School Board Association.

File Attachments

AR 5141.24 Specialized Health Care Services.pdf (111 KB)

14.26 POLICY UPDATE: Administrative Regulation 5144.2 - Suspension And Expulsion/Due Process (Students With

Type	Action
Fiscal Impact	No
Recommended Action	The recommendation is that the Board of Education discuss and approve the updated Administrative Regulation 5144.2 - Suspension And Expulsion/Due Process (Students With Disabilities)

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated administrative regulation.

Background:
This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The updated board policy and administrative regulation has been reviewed by the Board Liaison Committee, Superintendent, and presented to the secondary ASB members for recommended updates for accuracy. Revisions reflect these engagements and district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a SECOND reading.
Administrative Regulation 5144.2 - Suspension And Expulsion/Due Process (Students With Disabilities)
The NUSD administrative regulation has not been revised since 2023. The language has been replaced to match the sample board policy provided by the California School Board Association.

CSBA Language:
Administrative Regulation 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities) Regulation updated to reflect NEW GUIDANCE from the U.S. Department of Education's Office of Special Education and Rehabilitative Services, which recommends that districts identify ways to significantly reduce the use of exclusionary discipline and its disproportionate effect on student with disabilities, and the U.S. Department of Education's Office for Civil Rights, which provides that, for a student with a disability under Section 504, schools are required to conduct a manifestation determination before implementing a disciplinary removal that will significantly change the placement of the student due to discipline for (1) removal from class or school for more than 10 consecutive school days, or (2) a series of removals from class or school that together total more than 10 school days in a school year and constitute a pattern of removal. Regulation also updated to emphasize that suspension or expulsion of a student with disabilities be in accordance with Board Policy 5144.1 - Suspension and Expulsion/Due Process, and that when a student with disabilities exhibits behavior which impedes the student's own learning or that of others, the student's individualized education program (IEP) team consider positive behavioral interventions and supports, and other strategies, to address the behavior. Additionally, regulation updated, for conceptual alignment, to move material regarding the monitoring of the number of days of a suspension of student with an IEP, and reflect NEW LAW (AB 740, 2022) which provides that a foster youth's educational rights holder, attorney, and county social worker, and an Indian child's tribal social worker and, if applicable, county social worker, have the same rights as a parent/guardian to receive a suspension notice, expulsion notice, manifestation determination notice and invitation to the manifestation determination meeting, involuntary transfer notice, and other documents and related information.

File Attachments
[AR 5144.2 - Suspension and ExpulsionDue Process \(Students with Disabilities\).pdf](#) (214 KB)

14.27 POLICY UPDATE: Board Policy 5145.9 - Hate-Motivated Behavior

Type	Action
Fiscal Impact	No
Recommended Action	The recommendation is that the Board of Education discuss and approve the updated Board Policy 5145.9 - Hate-Motivated Behavior

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated board policy.

Background:
This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The updated board policy and administrative regulation has been reviewed by the Board Liaison Committee, Superintendent, and presented to the secondary ASB members for recommended updates for accuracy. Revisions reflect these engagements and district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a SECOND reading.
Board Policy 5145.9 - Hate-Motivated Behavior
The NUSD board policy has not been revised since 2015. The language has been replaced to match the sample board policy provided by the California School Board Association.

CSBA Language:
Board Policy 5145.9 - Hate-Motivated Behavior Policy updated to bolster the governing board's commitment to providing a respectful, inclusive, and safe learning environment, including adding a definition of hate-motivated behavior which incorporates a list of characteristics which may motivate prohibited behavior, reflecting the importance of celebrating diversity, enhancing the list of topics for student instruction and staff development, adding material regarding regularly occurring staff training, and including student and staff discipline for engaging in hate-motivated behavior. Policy also updated to include the requirement to post the policy in a prominent location on the district's web site and add that, in addition to other staff listed, complaints may be reported to the district's compliance officer.

File Attachments
[BP 5145.9 - Hate-Motivated Behavior.pdf](#) (122 KB)

14.28 POLICY UPDATE: Board Policy 6154 - Homework/Makeup Work

Type	Action
Fiscal Impact	No
Recommended Action	The recommendation is that the Board of Education discuss and approve the updated Board Policy 6154 - Homework/Makeup Work

Purpose:
 The purpose is for the Board of Education to review the recommended changes and approve the updated board policy.

Background:
 This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The updated board policy and administrative regulation has been reviewed by the Board Liaison Committee, Superintendent, and presented to the secondary ASB members for recommended updates for accuracy. Revisions reflect these engagements and district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a SECOND reading.
 Board Policy 6154 - Homework/Makeup Work
 The NUSD board policy has not been revised since 2023. The language has been replaced to match the sample board policy provided by the California School Board Association.
 CSBA Language:
 Board Policy 6154 Homework/Makeup Work Policy updated to add that meaningful homework can provide enrichment, address student use of technology, including artificial intelligence, as it relates to homework and makeup work, provide that teacher training may include designing homework assignments that inspire students' interests, include that students may work with other students and use approved outside resources as directed by the teacher, and move material related to notifying the student's parents/guardians when a student repeatedly fails to complete homework so that it follows chronologically.

File Attachments
[6154 Homework Makeup Work.pdf](#) (67 KB)

14.29 POLICY UPDATE: Board Policy, Administrative Regulation, and Exhibit 6161.1 - Selection and Evaluation of

Type	Action
Fiscal Impact	No
Recommended Action	The recommendation is that the Board of Education discuss and approve the updated Board Policy, Administrative Regulation, and Exhibit 6161.1 - Selection and Evaluation of Instructional Materials

Purpose:
 The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation.

Background:
 This is the first reading of the attached policy and regulation. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved regulation. The administration has reviewed the recommended regulation and updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy and/or regulation will be brought back to the Board of Education for a second reading.
 Board Policy 6161.1 - Selection and Evaluation of Instructional Materials
 The NUSD board policy has not been revised since 2015. The language has been replaced to match the sample board policy provided by the California School Board Association.
 Administrative Regulation 6161.1 - Selection and Evaluation of Instructional Materials
 The NUSD administrative regulation has not been revised since 2015. The language has been replaced to match the sample board policy provided by the California School Board Association.
 Exhibit 6161.1 - Selection and Evaluation of Instructional Materials
 The NUSD Exhibit has not been revised since 2015. The language has been replaced to match the sample board policy provided by the California School Board Association.
 CSBA Language:
 Policy updated to reflect NEW LAW (AB 1078, 2023) which (1) requires the California Department of Education (CDE) to issue, by July 1, 2025, guidance regarding how to review instructional materials to ensure that they represent diverse perspectives and are culturally relevant, (2) requires CDE to develop, by July 1, 2025, guidance and public educational materials to ensure that all Californians can access information about educational laws and policies that safeguard the right to an accurate and inclusive curriculum, (3) requires the Governing Board to submit a copy of any resolution reflecting a finding of insufficient textbooks or other instructional materials to the County Superintendent of Schools no later than three business days after the hearing on such materials, (4) clarifies when it is unlawful discrimination for the Board to refuse to approve the use or prohibit the use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or resource in a school library, and (5) provides that complaints alleging discrimination related to the use or prohibited use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or resource in a school library may be brought under the district's uniform complaint procedures or may be directly filed with the Superintendent of Public Instruction, as specified. Policy also updated to expand the list in the first philosophical statement regarding the Governing Board's desires for the district's instructional materials; clarify that instructional materials for mathematics and English language arts that are aligned to common core academic content standards are deemed to be aligned to state academic content standards adopted by the State Board of Education, move up the statement regarding the inclusion of the degree to which every student has sufficient access to standards-aligned instructional materials into the district's local control and accountability plan, and provide that the district

shall take any action to ensure that each student has sufficient materials within two months of the beginning of the school year if the County Superintendent makes the district aware of a school that does not have sufficient instructional materials.

File Attachments

- [Exhibit 6161.1-E\(1\) - Selection And Evaluation Of Instructional.pdf](#) (66 KB)
- [AR 6161.1 - Selection And Evaluation Of Instructional Materials.pdf](#) (138 KB)
- [BP 6161.1 - Selection And Evaluation Of Instructional Materials.pdf](#) (156 KB)

14.30 POLICY UPDATE: Board Policy 6161.11 - Supplementary Instructional Materials

Type	Action
Fiscal Impact	No
Recommended Action	The recommendation is that the Board of Education discuss and approve the updated Board Policy 6161.11 - Supplementary Instructional Materials

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation.

Background:
This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The updated board policy and administrative regulation has been reviewed by the Board Liaison Committee, Superintendent, and presented to the secondary ASB members for recommended updates for accuracy. Revisions reflect these engagements and district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a SECOND reading.

Board Policy 6161.11 - Supplementary Instructional Materials

The NUSD board policy has not been revised since 2015. The language has been replaced to match the sample board policy provided by the California School Board Association.

CSBA Language:

Policy updated to reflect NEW LAW (AB 1078, 2023) which clarifies when it is unlawful discrimination for the Governing Board to refuse to approve the use or prohibit the use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or resource in a school library, (2) requires the California Department of Education (CDE) to issue, by July 1, 2025, guidance regarding how to review instructional materials to ensure that they represent diverse perspectives and are culturally relevant, (3) requires CDE to develop, by July 1, 2025, guidance and public educational materials to ensure that all Californians can access information about educational laws and policies that safeguard the right to an accurate and inclusive curriculum, and (4) provides that complaints alleging discrimination related to the use or prohibited use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or resource in a school library may be brought under the district's uniform complaint procedures or may be directly filed with the Superintendent of Public Instruction, as specified. Policy also updated to delete the section "Supplementary Materials Aligned with Common Core Standards" as these interim materials are no longer necessary since the State Board of Education has adopted K-8 textbooks and instructional materials aligned to the Common Core Standards. Additionally, policy updated to include factual accuracy and whether the material contains pervasive vulgarity or profanity in the determination of compliance of supplemental materials with district criteria; and, add that the Superintendent or designee may provide training to administrators and teachers in the selection and evaluation of supplementary instructional materials, including the criteria to be utilized and applicable legal considerations.

File Attachments

- [BP 6161.11 - Supplementary Instructional Materials.pdf](#) (114 KB)

14.31 POLICY UPDATE: Board Policy 6162.5 Student Assessment

Type	Action
Fiscal Impact	No
Recommended Action	The recommendation is that the Board of Education discuss and approve the updated Board Policy 6162.5 Student Assessment

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated board policy.

Background:
This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The updated board policy and administrative regulation has been reviewed by the Board Liaison Committee, Superintendent, and presented to the secondary ASB members for recommended updates for accuracy. Revisions reflect these engagements and district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a SECOND reading.

Board Policy 6162.5 Student Assessment

The NUSD board policy has not been revised since 2023. The language has been replaced to match the sample board policy provided by the California School Board Association.

CSBA Language:

Board Policy 6162.5 Student Assessment Policy updated to reflect that prohibited and permitted student use of technology, including artificial intelligence, in relation to assessment, be as specified in Board Policy 5131.9 Academic Honesty and Board Policy 6163.4 Student Use of Technology, reference NEW LAW (AB 114, 2023) which includes long term English learners as a numerically significant student subgroup for purposes of demonstrating comparable improvement in academic achievement by all numerically significant subgroups, include that state interim and formative assessments may be used to communicate with students' parents/guardians and for

use in identifying professional development, and that results of an individual student on the California Assessment of Student Performance and Progress may be released to a postsecondary educational institution for the purpose of credit, placement, or admission.

[File Attachments](#)

[BP 6162.5 Student Assessment.pdf](#) (63 KB)

14.32 POLICY UPDATE: Board Policy 6163.1 - Library Media Centers

Type	Action
Fiscal Impact	No
Recommended Action	The recommendation is that the Board of Education discuss and approve the updated Board Policy 6163.1 - Library Media Centers

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation.

Background:
This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The updated board policy and administrative regulation has been reviewed by the Board Liaison Committee, Superintendent, and presented to the secondary ASB members for recommended updates for accuracy. Revisions reflect these engagements and district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a SECOND reading.

Board Policy 6163.1 - Library Media Centers

The NUSD board policy has not been revised since 2015. The language has been replaced to match the sample board policy provided by the California School Board Association.

CSBA Language:

Policy updated to expand the first philosophical paragraph regarding the Governing Board's recognition of how school libraries support the educational program and the Board's desire for books and other resources that are stocked in school libraries. Policy also updated to reflect NEW LAW (AB 1078, 2023) which clarifies when it is unlawful discrimination for the Board to refuse to approve the use or prohibit the use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or resource in a school library, (2) requires the California Department of Education (CDE) to issue, by July 1, 2025, guidance regarding how to review instructional materials to ensure that they represent diverse perspectives and are culturally relevant, (3) requires CDE to develop, by July 1, 2025, guidance and public educational materials to ensure that all Californians can access information about educational laws and policies that safeguard the right to an accurate and inclusive curriculum, and (4) provides that complaints alleging discrimination related to the use or prohibited use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or resource in a school library may be brought under the district's uniform complaint procedures or may be directly filed with the Superintendent of Public Instruction, as specified. Additionally, policy updated in regard to the criteria for evaluation of the condition and use of school libraries to add (1) that the quality of the collection at each library include types of materials (fiction, non-fiction, newspapers, magazines, encyclopedias, materials in other languages, and reference materials), alignment with curriculum, and provision of a broad spectrum of knowledge and viewpoints, and (2) that principals, teachers, and library personnel have knowledge of the process to follow when a library material(s) is challenged.

[File Attachments](#)

[BP 6163.1 - Library Media Centers.pdf](#) (133 KB)

14.33 POLICY UPDATE: Board Bylaw 9270 - Conflict Of Interest

Type	Action
Fiscal Impact	No
Recommended Action	The recommendation is that the Board of Education approve the updated Board Bylaw 9270 - Conflict Of Interest

Purpose:
This is the FIRST reading of the attached bylaw. The Board members reviewed and recommended revisions to reflect district practice.

Background:
The NUSD board bylaw has not been revised since 2018. The language has been replaced to match the Board's revisions to the order of business at each regular meeting.

Board Bylaw 9270 - Conflict of Interest

Bylaw updated to reflect NEW LAW (SB 1439, 2022) which makes applicable to elected district officers the prohibition against accepting, soliciting, or directing a contribution of more than \$250 from any party or participant to a proceeding involving a license, permit, or other entitlement for use, including a contract, or from that person's agent, while the proceeding is pending before the Board and for 12 months following the date a final decision is rendered in the proceeding, and from participating in making, or in any way attempting to use the official position to influence the Board's decision when a district officer received a contribution of more than \$250 from a party or participant in the preceding 12 months, as specified. Bylaw also updated to clarify, for a Board member who manages public investments, that when an item on the consent calendar is one in which the Board member has a financial interest, the Board member is required to either make a motion to remove the item from the consent calendar or abstain from voting on the consent calendar.

[File Attachments](#)

[Bylaw 9270.pdf](#) (236 KB)

14.34 POLICY UPDATE: Board Policies and Administrative Regulations to Rescind

Purpose:

The purpose is for the Board of Education to review and rescind the policies and regulations listed below per CSBA recommendations.

Background:

The rescission of these policies and regulations is sanctioned by CSBA:

BP 4112.61/4212.61/4312.61 Employment References

Policy deleted and key concepts incorporated into regulation.

BP 4112.23 Special Education Staff

Policy deleted and key concepts incorporated into regulation.

AR 4117.4 Dismissal

Concepts moved into BP/AR 4118 - Dismissal/Suspension/Disciplinary Action.

BP/AR 4131.5 Professional Growth

Recommended deletion based on NEW LAW (SB 1209) which repeals the requirement for a 150-hour individualized professional growth program as a condition of credential renewal and instead "encourages" districts to provide professional growth opportunities. Relevant optional language incorporated into AR 4131 - Staff Development.

BP 4137 Tutoring

Material formerly included in this policy incorporated into BP 4136/4236/4336 - Nonschool Employment.

AR 4317.3 Personnel Reduction

Material regarding seniority rights for certificated administrative personnel moved to AR 4313.2 - Demotion/Reassignment.

File Attachments

- Existing NUSD AR 4117.4 ^Dismissal.pdf (70 KB)
- Existing NUSD BP 4131.5 ^Professional Growth.pdf (65 KB)
- Existing NUSD AR 4131.5 ^Professional Growth.pdf (65 KB)
- Existing NUSD BP 4137 ^Tutoring.pdf (64 KB)
- Existing NUSD AR 4317.3 ^Personnel Reductions.pdf (73 KB)
- Existing NUSD BP 4112.61 4212.61 4312.61 Employment References.pdf (71 KB)
- Existing NUSD BP 4112.23 Special Education Staff.pdf (48 KB)

15 STUDENT EXPULSION

15.1 Student Expulsion (Ed Code. 48918) Case# e2324-04

Type Action
Recommended Action

The recommendation is that the Board of Education approve the stipulation agreement regarding the expulsion case number e2324-04.

For the Board to take action on expulsion case e2324-04.

Background:

A Stipulation Expulsion Agreement meeting was held on November 7, 2023. A Stipulation Expulsion Meeting was conducted in accordance with Board Policy and Administrative Regulation 5144.1 and, if applicable, 5144.2 for students with disabilities. The administration asks for approval of this agreement for Case# e2324-04. (Ed Code. 48918).

15.2 Student Expulsion (Ed Code. 48918) Case# e2324-05

Type Action
Recommended Action The recommendation is that the Board of Education approve the stipulation agreement regarding the expulsion case number e2324-05.

Purpose:

For the Board to take action on expulsion case e2324-05.

Background:

A Stipulation Expulsion Agreement meeting was held on November 15, 2023. A Stipulation Expulsion Meeting was conducted in accordance with Board Policy and Administrative Regulation 5144.1 and, if applicable, 5144.2 for students with disabilities. The administration asks for approval of this agreement for Case# e2324-05. (Ed Code. 48918).

15.3 Student Expulsion (Ed Code. 48918) Case# e2324-03

Type Action
Recommended Action The recommendation is that the Board of Education approve the Panel recommendation regarding the expulsion case number e2324-03.

Purpose:

For the Board to take action on expulsion case e2324-03.

Background:

A Expulsion Panel Hearing was held on November 14, 2023. A Panel Hearing was conducted in accordance with Board Policy and Administrative Regulation 5144.1 and, if applicable, 5144.2 for students with disabilities. The administration asks for approval of this agreement for Case# e2324-03. (Ed Code. 48918).

16 BOARD OF EDUCATION: COMMITTEE REPORTS, ANNOUNCEMENTS, REQUESTS, DEBRIEF

16.1 Board of Education Committee Reports, Announcements, Requests, Debrief and Discussion

AND DISCUSSION

Type Action, Discussion, Information

Purpose:

COMMITTEE REPORTS: The Trustees will provide an update, if available, on the committees of which they are members. ANNOUNCEMENTS: The Trustees may acknowledge or recognize specific programs, activities, or personnel at this time. REQUESTS: This is an opportunity for the Board of Education to suggest items for placement on future agendas and to review Board requests. Approval from the majority of the Board will be required for direction to be provided to the Superintendent. DEBRIEF AND DISCUSSION: The Trustees may debrief and discuss items.

Background:

Each year the Board of Education members liaise with schools and committees in order to build relationships, hear from staff, students, and families, and act as a conduit for information to and from the schools.

Table with 3 columns: Board Committees 2022-23, Representative, Alternate. Rows include Mission Valley Regional Occupational Center/Program (ROC/P), Executive Board, Regional Policy Board of Special Education Local Plan Area (SELPA), Newark Teacher Induction Advisory Council (Formally EBIC), Audit Committee, Bond/Parcel Tax Committee, and City of Newark NUSD Liaison Committee.

The following derives directly from the Board approved "Governance Team Handbook"

Authority is Collective, Not Individual:

The only authority to direct action rests with the Board as a whole when seated at a regular or special board meeting. Outside of this meeting, there is no authority.

A majority Board vote provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction.

Bringing New Ideas Forward

The Board will be open to having "brainstorming" discussions, or study sessions, around any idea that a Trustee may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Trustee, at their initiative or at the request of a constituent, which was previously discussed during a board meeting.

Trustees will first notify the Board President and Superintendent of their interest in bringing forward a new idea at a board meeting.

When initially agendized, the preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.

Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea. The Superintendent will decide on the delegation of assignments to District staff.

The new idea may be agendized for discussion only. The Board majority will decide if the new idea should be further developed and studied by staff. The Board majority will decide if staff time should be invested in the "fleshing out" of new ideas.

Individual Trustees, in the course of interactions with constituents, will be careful not to make or imply the commitment of the full Board to explore or proceed with implementing new ideas.

17 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

17.1 Superintendent's Concluding Comments, Updates, and Future Agenda Items

AGENDA REQUESTS

Type Information

Purpose:

This is an opportunity for the Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

18 ADJOURNMENT

18.1 PLACEHOLDER - Extend Meeting

Type Action Recommended Action The recommendation is that the Board of Education extends the meeting to ____ P.M.

Purpose:

This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

18.2 Adjournment

Type Action
Recommended Action The recommendation is that the Board of Education adjourns this meeting.

Purpose:
No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time.
This action will conclude the meeting.

1 CALL TO ORDER

1.1 Meeting Practices and Information

Type Procedural

In-person Meeting Information:

NUSD has opened its boardroom for in-person meetings and will follow the State's and Alameda County's safety guidelines for public gatherings. Please refrain from attending in-person meetings if you have any of the following symptoms:

- Loss of taste/smell
- Difficulty breathing
- Vomiting
- Diarrhea
- Fever
- Cough
- Headache
- Sore Throat
- Runny Nose

For additional COVID-19 information please go to <https://www.newarkunified.org/covid-19> or <https://www.acoe.org/guidance>

Observe The Board Of Education Meeting:

Members of the public 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.

Public Comment:

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLI COMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLI COMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

1.2 Roll Call Nancy, Aiden, Penny and Carina Present

Type Procedural

Trustees:

- President Nancy Thomas
- Vice President/Clerk Aiden Hill
- Member Katherine Jones
- Member Phuong Nguyen
- Member Carina V. Plancarte

Student Board Member:

- Member Diego Torres

1.3 Public Comment on Board Study Session Items

Type Procedural

Purpose:
To provide a space for the community to make a comment on the Board Study Session.

Background:

The Board of Education encourages the community's participation in its deliberations and tries to make it convenient for members of the community to express their views to the Board.

If a constituent wishes to address the Board on any agenda item:

In-Person Comment: please submit a completed speaker card to the Board's Executive Assistant before the start of the meeting, or prior to the calling of the section for public comment.

Audio-Only Virtual Comment: please fill out a virtual speaker card via email at PUBLI COMMENT@newarkunified.org by 1:00 PM the day of the meeting. Please label your email as " AUDIO-ONLY PUBLIC COMMENT" and include your name as it will appear on Zoom, your phone number, email address, and the agenda item number related to your comment.

Please see detailed instructions for public comment on the link: <http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

1.4 Recess to Study Session

Type Procedural

Purpose:

The Board will recess to a Study Session, and reconvene to Open Session on or about 7:00 p.m.

2 STUDY SESSION

2.1 Procurement and Conflict of Interest

Type Discussion,Information

Purpose:

The purpose of this study session is to provide the Newark Unified School District Board of Education with an in-depth understanding of the current policies and procedures related to procurement and conflict of interest within the district. Additionally, this session aims to ensure that all board members are fully aware of their responsibilities and the legal implications of their actions in relation to these matters.

Background:

The Board of Education has recognized the necessity of revisiting and updating its policies to ensure they are in line with current laws, regulations, and best practices. Board Bylaw 9270 - Conflict of Interest has not been revised since 2018, and there have been developments in laws governing conflict of interest and procurement since then.

Board Bylaw 9270 - Conflict of Interest:

Bylaw updated to reflect NEW LAW (SB 1439, 2022) which makes applicable to elected district officers the prohibition against accepting, soliciting, or directing a contribution of more than \$250 from any party or participant to a proceeding involving a license, permit, or other entitlement for use, including a contract, or from that person's agent, while the proceeding is pending before the Board and for 12 months following the date a final decision is rendered in the proceeding, and from participating in making, or in any way attempting to use the official position to influence the Board's decision when a district officer received a contribution of more than \$250 from a party or participant in the preceding 12 months, as specified. Bylaw also updated to clarify, for a Board member who manages public investments, that when an item on the consent calendar is one in which the Board member has a financial interest, the Board member is required to either make a motion to remove the item from the consent calendar or abstain from voting on the consent calendar.

File Attachments

- [CSBA Conflict of Interest Fact Sheet.pdf](#) (107 KB)
- [Existing NUSD Bylaw 9270 Conflict Of Interest.pdf](#) (137 KB)
- [Existing NUSD Exhibit \(PDF\) 9270-E PDF\(1\) Conflict Of Interest.pdf](#) (167 KB)
- [Govt Code 87100_87103_Conflict of Interest.pdf](#) (702 KB)
- [Recommended CSBA Bylaw 9270 - Conflict of Interest.pdf](#) (391 KB)
- [Recommended CSBA Exhibit 9270 - Conflict of Interest.pdf](#) (288 KB)
- [NUSD Sample Procurement Conflict of Interest Form 073123.pdf](#) (88 KB)
- [Sample Resolution_Conflict of Interest Code_1123.pdf](#) (161 KB)

2.2 Recess to Closed Session

Type Procedural

Purpose:

The Board will recess to Closed Session, and reconvene to Open Session on or about 7:00 p.m.

3 CLOSED SESSION

3.1 Public Comment on Closed Session Items -

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and tries to make it convenient for members of the community to express their views to the Board.

If a constituent wishes to address the Board on any agenda item:

In-Person Comment: please submit a completed speaker card to the Board's Executive Assistant before the start of the meeting, or prior to the calling of the section for public comment.

Audio-Only Virtual Comment: please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org by 1:00

PM the day of the meeting. Please label your email as "AUDIO-ONLY PUBLIC COMMENT" and include your name as it will appear on Zoom, your phone number, email address, and the agenda item number related to your comment.

Please see detailed instructions for public comment on the link: <http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

3.2 CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a): Employee Organizations - NTA and

Type Action, Information, Procedural

Purpose:

Information may be provided by the agency negotiator, Executive Director of Human Resources. Assistance from the legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided. The employee organizations include NTA & CSEA.

3.3 CONFERENCE WITH LEGAL COUNSEL EXISTING LITIGATION (Gov. Code, 54956.9, subd. (d)(1)): Case

Type Action,Information,Procedural

Purpose:

To discuss the following case(s): Case #23CV034303 Byrd vs. NUSD

3.4 STUDENT EXPULSION (Ed. Code, 48918)

Type Discussion,Information,Procedural

For the Board to review the Stipulation Expulsion Agreement.

Background:

A Stipulation Expulsion Agreement meeting was held on October 23, 2023. A Stipulation Expulsion Meeting was conducted in accordance with Board Policy and Administrative Regulation 5144.1 and, if applicable, 5144.2 for students with disabilities.

The Board will discuss this in closed session and then take action in open session (agenda item 15.1). The administration asks for approval of the recommendation for Case# e2324-01 (Ed Code. 48918).

3.5 PUBLIC EMPLOYMENT (Gov. Code, 54957, subd. (b)(1) Title: Deputy Superintendent of Business Services/CBO

Type Action,Discussion,Procedural

Absolute Date Nov 07, 2023

File Attachments

JD_Deputy Supt. Business Services CBO-2023.docx (86 KB)

4 REPORT OF CLOSED SESSION ACTIONS

4.1 Report of Closed Session Actions

Type Action, Procedural

Purpose:

If available, a report of the closed session will be provided by the Board President.

5 RECONVENE TO OPEN SESSION

5.1 Pledge of Allegiance

Type Procedural

Purpose:

The Governance Team will recite the Pledge of Allegiance

6 APPROVAL OF AGENDA

6.1 Approval of the Agenda

Type Action

Recommended Action The recommendation is that the Board of Education approve the agenda for this meeting.

Purpose:

Members of the Governance Team may request that the agenda be amended or approved as presented.

7 RECOGNITIONS AND CELEBRATIONS

7.1 School Spotlight: Schilling Elementary

Type Information

Purpose:

The School Spotlight gives the Board of Education and the public an opportunity to hear highlights, achievements, and initiatives at each school directly from the principals.

Background:

The presentation and information will be provided by Schilling Elementary Principal, Elba Herrera.

8 STUDENT BOARD MEMBER REPORT

8.1 Student Board Member Report - Joy Lee

Type Information

Purpose:

The Student Report gives the Board of Education and the public an opportunity to hear the highlights, achievements, and initiatives from the viewpoint of the student board member.

Background:

The information will be provided by the Student Board Member, Joy Lee.

9 EMPLOYEE ORGANIZATIONS

9.1 Employee Organizations

Type Information

Purpose:

At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Background:

Discussion items are limited to updates, celebrations, and upcoming events.

1. NTA: Sean Abruzzi
2. CSEA: Maria Huffer
3. NEWMA: Vicenta Ditto

10 PUBLIC COMMENT

10.1 Public Comment on Non-Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.

<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

10.2 Public Comment on Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.

<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

11 SUPERINTENDENT REPORT

11.1 Superintendent Report

Type Information

Purpose:

The superintendent will provide the Board of Education with district information, updates, news, or anything in the jurisdiction of the board or the superintendent.

Background:

The presentation and information will be provided by the Superintendent

12 STAFF REPORT

12.1 Staff Report: 2023 Summer School

Type Information

Purpose:

The purpose of this staff report is to report out on 2023 summer school.

Background:

At the regularly scheduled board meeting held on October 17, 2023, Member Thomas requested a report out of 2023 summer school programming. This staff report serves as a summary of 2023 programming.

File Attachments

[2023 Summary of Summer Programs - Board Presentation \(2\).pdf](#) (5,205 KB)

12.2 Staff Report: 2023 End of Session Bills & New Laws

Type Information

Purpose:

The purpose of this staff report is to update the Board of Education and community on new end of session bills and laws likely to impact local education agencies.

Background:

This year is the first year of a two-year session. Governor Newsom's deadline to sign or veto legislation was on October 14, 2023. The Governor signed 891 bills into law, out of the 1,047 that were sent to his desk by the legislature. In addition, 950 bills stalled in legislature; these can be revived in January 2024. This staff report provides an overview of new end of session bills and laws that passed and are likely to impact local education agencies.

File Attachments

[Staff Report_ End of Session Bills & New Laws 2023.pdf](#) (3,156 KB)

13 NEW BUSINESS

13.1 Approve Job Description for Deputy Superintendent of Business Services/CBO

Type Action

Absolute Date Nov 07, 2023

Recommended The recommendation is for the Board of Education to approve the job description for Deputy Superintendent of Business Services/CBO

Purpose:

The purpose of this item is for the Board to review, discuss, and approve the job description for the Deputy Superintendent of Business Services/CBO.

Background:

As our District navigates through an increasingly complex financial outlook, the need to strengthen our fiscal management and strategic planning has become paramount. The establishment of a Deputy Superintendent of Business Services/Chief Business Officer (CBO) position is a response to this pressing need, aiming to ensure the highest standards of financial oversight and operational efficiency. This role will provide leadership in budgeting, finance, facilities, and other business-related services, crucial for the support of educational programs and district goals. The addition of this key executive position will not only enhance our capacity for fiscal responsibility but also bolster our commitment to transparency and accountability to our stakeholders.

File Attachments

[JD_Deputy Supt. Business Services CBO-2023.pdf](#) (277 KB)

13.2 EMPLOYMENT AGREEMENT: Review, Discussion and Approval of the Deputy Superintendent of Business Services/Chief Business Official Employment Agreement

Type Action

Fiscal Impact Yes

Recommended The recommendation is that the Board of Education approve the employment agreement for the Deputy Superintendent of Business Services/CBO.

Purpose:

The purpose of this item is for the Board to review, discuss, and approve the employment agreement for the Deputy Superintendent of Business Services/CBO.

Background:

The Chief Business Official resigned effective October 12, 2023. The district requires a qualified replacement for this

important position. Should the Board of Education approve the employment of the Superintendent's recommendation for Deputy Superintendent of Business Services/CBO in Closed Session, along with the a the terms of the agreement, the employment decision and a summary of the terms of the agreement will be read upon return to Open Session. Copies of the agreement will be placed in the Board Room for public review. The agreement will then be formally approved under this placeholder in Open Session.

13.3 CONTRACT: Crowe, LLP for Independent Auditing Services

Type	Action
Fiscal Impact	Yes
Budgeted	Yes
Recommended	The recommendation is that the Board of Education award the contract for Independent
Action	Auditing Services to Crowe, LLP.

Purpose:
The purpose is to award an Independent Auditing Services contract to Crowe, LLP.

Background:
On August 31, 2023, staff initiated an RFP (Request for Proposal) process for independent auditing services starting with the 2023-2024 fiscal year. The RFP (RFP #01-2023-24) was posted on the district's website on August 31, 2023. Four (4) RFP documents were mailed out and the district received four (4) proposals which were due September 29, 2023 at 2:00 PM. Proposals were received from:
Eide Bailly, LLP
Christy White, Inc
Nigro & Nigro, PC
Crowe, LLP
Proposals were reviewed and potential firms were interviewed.

File Attachments
[Crowe LLP Engagement Terms_110323.pdf](#) (280 KB)
[Crowe LLP Engagement Letter\)110323.pdf](#) (875 KB)

14 CONSENT AGENDA: PERSONNEL ITEMS

14.1 PLACEHOLDER - One Consented Vote

Type	Action
Recommended	It is recommended that the Board of Education approve, under one consented vote, the
Action	agenda items under Consent-Personnel, except for agenda items:

Purpose:
This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:
Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

14.2 Personnel Report

Type	Action
Absolute Date	Nov 07, 2023
Recommended	The recommendation is that the Board of Education ratify the personnel report as presented.
Action	

Purpose:
The purpose is for the Board of Education to ratify the Personnel Report as presented.

Background:
All personnel activities including new hires, changes in status, resignation, leaves, and retirements are routinely submitted to the Board for ratification.

File Attachments
[HR PAL 11-07-2023.pdf](#) (354 KB)

14.3 Interim Director C&I/Special Projects - School Employers Association of California (SEAC) Joint Powers Agreement and Consultant Contract for Educational Services

Type	Action
Absolute Date	Nov 07, 2023
Recommended	The recommendation is that the Board of Education approve the School Employers Association
Action	of California (SEAC) Joint Powers Agreement and Consultant Contract for Educational

Services.

Purpose:

The purpose is for the Board of Education to approve the Joint Powers Agreement and Contract for Services with School Employers Association of California (SEAC) to provide Educational Services and support, including an Interim Director of Special Projects.

Background:

The cost includes the Joint Powers Agency (JPA) membership fee and an estimated cost for contract work, that includes hourly pay and expenses.

The Director of Special Projects resigned effective October 12, 2023. The district is in need of Education Services support. Denise Coleman has worked in education for 30+ years. She worked in the Moreland School District for 24 years and held the following positions: Assistant Superintendent of Educational Services, Assistant Superintendent of Human Resources, Director of Auxiliary Programs in the Business Services Department (starting up fee-based preschool and child care), Principal and Classroom Teacher. Her final role was that of Superintendent of Schools in Union School District, a position she held for six years. She holds a Master's Degree in Administration and a Bachelor of Arts from San Jose State University.

School Employers Association of California (SEAC) is a JPA comprised of school and community college districts. SEAC provides advanced training led by experienced superintendents and consultants, delivers specialized services, and advocates on behalf of its members with the California Legislature, the Governor, and state agencies. Because it is a joint powers agency, SEAC can deliver all these services for a low annual membership and very competitive fees for services and training.

As a member of the SEAC Joint Powers Agency, our district will receive a variety of free services and the ability to attend trainings or contract with SEAC consultants at a reduced price. SEAC members receive:

- Weekly electronic updates on legal decisions, legislation, and key issues
- Timely information updates on breaking news
- Review of our districts collective bargaining agreement or a professional development activity

File Attachments

[Newark School District Contract Curriculum Services 2023-24.pdf](#) (154 KB)

14.4 Interim Director of Fiscal Services - Professional Services Agreement with Mary McElhinney Stark, LLC

Type	Action
Absolute Date	Nov 07, 2023
Fiscal Impact	Yes
Dollar Amount	\$50,000.00
Budgeted	Yes
Budget Source	General Fund
Recommended Action	The recommendation is for the Board to approve the professional services agreement with Mary McElhinney Stark, LLC.

Purpose:

The purpose is for the Board to approve the professional services agreement with Mary McElhinney Stark, LLC, to provide school finance expertise to Business Services.

Background:

The Director of Fiscal Services retired September 30, 2023. The district is in need of professional services to support the FY 2023-24 First Interim Report, the independent audit for the period ending June 30, 2023, and to assist in transition with the newly selected Director of Fiscal Services, as requested.

Mary T. Stark has over 25 years of experience in the field of California K-12 Public School Finance moving up through the ranks while she completed her Master's degree through USC. She served in increasingly responsible senior management and Cabinet level positions at a County Office and several school districts. Since 2010, she has provided specialized business services to a county office, a charter school and numerous school districts in the Bay Area, Santa Barbara and San Luis Obispo counties. Most recently, working with Paso Robles Joint Unified and San Carlos School Districts. Mary ensures currency in the field as a School Services of California (SSC) client and attends training throughout the year. She is a California Association of School Business Officials (CASBO) member and maintains Chief Business Official certification.

For further information, Mary invites you to view her profile on LinkedIn at: www.linkedin.com/in/mary-t-stark-37a6b670

File Attachments

[Agreement with Mary McElhinney Stark, LLC.pdf](#) (241 KB)

15 CONSENT AGENDA: NON-PERSONNEL ITEMS

15.1 PLACEHOLDER - One Consented Vote

Type	Action
Recommended Action	It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent Non-Personnel, except for agenda items:

Purpose:

This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:

Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any

member of the Board and acted upon separately.

15.2 Report: Monthly Purchase Order Report

Type	Action
Recommended	The recommendation is that the Board of Education receive the Monthly Purchase Order
Action	Report as presented.

Purpose:
The purpose of this item is to present a monthly report on Purchase Order transactions per Board Policy 3300, Expenditures and Purchases.

Background:
Based on the discussion at the Board's Study Session on January 6, 2022, staff is providing a monthly report on Purchase Order transactions per Board Policy 3300, Expenditures and Purchases. The policy states that "The Board shall review all transactions entered into by the Superintendent or designee on behalf of the Board every 60 days."
This month's report includes 196 PO's dated 9/23/23 through 10/31/23 for a total of \$789,970.63.

File Attachments
[Monthly Purchase Order Report 11-07-2023.pdf](#) (103 KB)

15.3 Contract Service agreement with Social Spice Media

Type	Action
Dollar Amount	\$63,440.00
Recommended	The recommendation is that the Board of Education approve the contract with Contract
Action	Service agreement with Social Spice Media

Purpose:
The purpose of the contract with Social Spice Media is to keep our district and school's websites up to date and keep them running efficiently.

Background:
The Board of Education is desirous in increasing parent and community engagement and communication, as stated in Board Goal 4. To accomplish this the Board has requested that the district website be ADA compliant, updated with current information, using industry standards and user friendly.
ADA Compliance Remediation: 12 websites (District office, 9 campuses, Ind. Study, Adult Ed.) Installation of the ADA compliance widget and back-end work to bring existing sites into compliance (must also select a monthly ADA option on the following page).
Privacy Statement: 12 Websites (District office, 9 campuses, Ind. Study, Adult Ed.)
Website Design and Development for District Office ADA Compliant Design and Website Development. Includes ADA Compliance Package.
Monthly backups of your website with off-site cloud storage
Platform stability and security notifications
Plug-in update notifications
Spam alerts
24/7 Monitoring for website downtime

File Attachments
[Social Spice Media Agreement_110323.pdf](#) (7,586 KB)

15.4 CONTRACT: Elevate K-12

Type	Action
Preferred Date	Nov 07, 2023
Dollar Amount	\$300,000.00
Budgeted	Yes
Budget Source	General Fund
Recommended	The recommendation is for the Board of Education to approve the contract with Elevate K-12.
Action	

Purpose:
The purpose is to approve the contract with Elevate K12 to provide high-quality virtual teaching for NMHS students.

Background:
Like all schools in California, the district has faced a teacher shortage for grades 9-12. Elevate K-12 provides a LIVE teacher streamed into the classroom, where all students are in the same classroom and collaborating together. The district provides a Classified Classroom Aide to provide in-person support for the virtual instruction.

File Attachments
[Elevate K-12_Proposal_Newark USD CA 103123 \(1\).pdf](#) (549 KB)

15.5 POLICY UPDATE: Administrative Regulation 1312.4 - Williams Uniform Complaint Procedures

Type	Action,Procedural
Preferred Date	Nov 07, 2023
Recommended Action	The recommendation is that the Board of Education approve the updated Administrative Regulation 1312.4 - Williams Uniform Complaint Procedures.

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated Administrative Regulation 1312.4 - Williams Uniform Complaint Procedures.

Background:

This is the first reading of the attached policy regulation. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved regulation. The administration has reviewed the recommended regulation and updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the regulation will be brought back to the Board of Education for a second reading. Regulation updated to reflect NEW LAW (AB 1078, 2023) which (1) requires the California Department of Education (CDE) to develop, by July 1, 2025, guidance and public educational materials to ensure that all Californians can access information about educational laws and policies that safeguard the right to an accurate and inclusive curriculum, (2) provides that complaints related to instructional materials alleging that more than one student does not have sufficient textbooks or instructional materials as the result of an act by the Governing Board, or the Board's failure to remedy the deficiency, may be filed with the Superintendent of Public Instruction (SPI) directly, and the SPI may directly intervene without waiting for an investigation, and, (3) requires CDE, upon a finding that a district has not provided sufficient textbooks or instructional materials, to take all remedial actions required by law, including purchasing textbooks and instructional materials and assessing a financial penalty against the district's local control funding formula. Regulation also updated to reflect NEW LAW (SB 114, 2023) which requires that the Williams uniform complaint procedure be used to address a complaint related to teacher misassignment that claims that a teacher who lacks credentials or training to teach English learners is assigned to teach a class with one or more English learners in the class, (formerly with more than 20 percent English learners in the class), and NEW LAW (SB 760, 2023) which authorizes districts to temporarily close a restroom for a documented student safety concern, an immediate threat to student safety, or to repair the facility.

File Attachments

[Regulation 1312.4 Williams Uniform Complaint Procedure.pdf](#) (338 KB)

15.6 POLICY UPDATE: Board Policy 0410: Nondiscrimination In District Programs And Activities

Type	Action
Fiscal Impact	No
Recommended Action	The recommendation is that the Board of Education discuss and approve the updated Board Policy 0410: Nondiscrimination In District Programs And Activities

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated board policy.

Background:

This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The updated board policy and administrative regulation has been reviewed by the Board Liaison Committee for recommended updates for accuracy. Revisions reflect these engagements and district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a SECOND reading.

Board Policy 0410: Nondiscrimination In District Programs And Activities

The NUSD board policy has not been revised since 2022. The language has been replaced to match the sample board policy provided by the California School Board Association.

CSBA Language:

Policy updated to reflect NEW LAW (AB 1078, 2023) which (1) requires that the district's policy prohibiting discrimination, harassment, intimidation, and bullying include a statement that the policy applies to all acts of the Governing Board and Superintendent in enacting policies and procedures that govern the district, (2) clarifies when it is unlawful discrimination for the Board to refuse to approve the use or prohibit the use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or resource in a school library, (3) requires the California Department of Education to develop, by July 1, 2025, guidance and public educational materials to ensure that all Californians can access information about educational laws and policies that safeguard the right to an accurate and inclusive curriculum, and (4) provides that complaints alleging discrimination related to the use or prohibited use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or resource in a school library may be brought under the district's uniform complaint procedures or may be directly filed with the Superintendent of Public Instruction, as specified. Policy also updated to reference NEW U.S. DEPARTMENT OF EDUCATION OFFICE FOR CIVIL RIGHTS GUIDANCE documents which provide that (1) a district may not separate students based on race, but may include group discussions or activities that focus on race as part of the curriculum, courses, or programs so long as access or participation is not permitted or limited based on race, (2) a school-sponsored program with emphasis on race, such as a student club, that is open to all students, typically would not violate Title VI solely because of its race-related theme, and (3) a district's responsibility not to discriminate against students applies to any of its programs or activities, whether directly or through contractual or other arrangements. Additionally, policy updated to expand the list of characteristics for which discrimination is prohibited in order to more closely align with law; and, to reflect NEW LAW (SB 523, 2022) which includes reproductive health decisionmaking as a characteristic for which employees, job applicants, unpaid interns and volunteers are protected against unlawful discrimination and harassment.

File Attachments

BP 0410.docx (20 KB)

15.7 POLICY UPDATE: Board Policy and Administrative Regulation 5145.3 - Nondiscrimination/Harassment

Type	Action
Fiscal Impact	No
Recommended	The recommendation is that the Board of Education discuss and approve the updated Board
Action	Policy 5145.3 and Administrative Regulation 5145.3 - Nondiscrimination/Harassment

Purpose: The purpose is for the Board of Education to review the recommended changes and approve the updated Board Policy and Administration Regulation.

Background: This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The updated board policy and administrative regulation has been reviewed by the Board Liaison Committee for recommended updates for accuracy. Revisions reflect these engagements and district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a SECOND reading.

Board Policy 5145.3 - Nondiscrimination/Harassment The NUSD board policy has not been revised since 2018. The language has been replaced to match the sample board policy provided by the California School Board Association.

Administrative Regulation 5145.3 - Nondiscrimination/Harassment The NUSD board policy has not been revised since 2018. The language has been replaced to match the sample board policy provided by the California School Board Association.

CSBA Language: Policy updated to reflect NEW LAW (AB 1078, 2023) which (1) requires that the district's policy prohibiting discrimination, harassment, intimidation, and bullying include a statement that the policy applies to all acts of the Governing Board and the Superintendent in enacting policies and procedures that govern the district, and (2) clarifies when it is unlawful discrimination for the Board to refuse to approve the use or prohibit the use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or resource in a school library. Policy also updated to provide that all allegations of unlawful discrimination in district programs and activities shall be brought, investigated, and resolved in accordance with the district's uniform complaint procedures. Additionally, policy updated to reflect NEW U.S. DEPARTMENT OF EDUCATION OFFICE FOR CIVIL RIGHTS GUIDANCE documents which (1) state that a district may not separate students based on race, but may include group discussions or activities that focus on race as part of the curriculum, courses, or programs so long as access or participation is not permitted or limited based on race, (2) provide that a school-sponsored program with emphasis on race, such as a student club, that is open to all students, typically would not violate Title VI solely because of its race-related theme, and (3) address discrimination in the use of discipline based on disability, race, and gender expression.

File Attachments

- Board Policy 5145.3 Nondiscrimination Harassment.pdf (238 KB)
- Administrative Regulation 5145.3 Nondiscrimination Harassment.pdf (340 KB)

15.8 POLICY UPDATE: Board Policy 5145.12 - Search And Seizure

Type	Action
Fiscal Impact	No
Recommended	The recommendation is that the Board of Education discuss and approve the updated Board
Action	Policy 5145.12 Search And Seizure

Purpose: The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation.

Background: Written policy prohibiting discrimination, harassment, intimidation, and bullying based on specified characteristics; designation of person(s), position(s), or unit(s) responsible for ensuring compliance with nondiscrimination and investigation of complaints. Policy and procedures consistent with state's uniform complaint procedures; person(s) responsible to ensure compliance and receive and investigate complaints; and confidentiality.

Board Policy 5145.12 - Search And Seizure The NUSD board policy has not been revised since 2012. The language has been replaced to match the sample board policy provided by the California School Board Association.

CSBA Language: Policy updated to reflect court decision upholding a school policy that called for limited searches without individualized suspicion if students left campus and returned in the middle of the day. Policy also updated to reflect law which places restrictions on searches of electronic devices such as cellular phones, court decision regarding searches of lockers without individualized suspicion, and court decision upholding policy of random weapons screening with a handheld metal detector.

File Attachments

- Board Policy 5145.12 Search And Seizure.pdf (126 KB)

15.9 POLICY UPDATE: Board Policy 6143 and Administrative Regulation 6143 - Courses Of Study

Type	Action
Fiscal Impact	No
Recommended	The recommendation is that the Board of Education discuss and approve the updated Board
Action	Policy 6143 and Administrative Regulation 6143 - Courses Of Study

Purpose:
 The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation.

Background:
 This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The updated board policy and administrative regulation has been reviewed by the Board Liaison Committee for recommended updates for accuracy. Revisions reflect these engagements and district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a SECOND reading.

Board Policy 6143 - Courses Of Study
 The NUSD board policy has not been revised since 2023. The language has been replaced to match the sample board policy provided by the California School Board Association.

Administrative Regulation 6143 - Courses Of Study
 The NUSD administrative regulation has not been revised since 2023. The language has been replaced to match the sample board policy provided by the California School Board Association.

CSBA Language:
 Board Policy 6143 - Courses of Study Policy updated to expand the list of characteristics for which the district may not, on the basis of the student's actual or perceived characteristic, provide any course separately or require or refuse participation by any student, to more closely align with law.

Administrative Regulation 6143 - Courses of Study Regulation updated to reflect NEW LAW (AB 1078, 2023) which (1) includes people of all genders (formerly "men and women"), Latino Americans (formerly "Mexican Americans"), LGBTQ+ Americans (formerly "lesbian, gay, bisexual, and transgender Americans"), and members of other ethnic, cultural, religious, and socioeconomic status groups (formerly "ethnic and cultural") to the groups for which instruction in social studies is required to include a study of the role and contributions of. Regulation also updated to reflect the requirement for districts that offer a health education course to middle or high school students to include in such course mental health instruction.

- File Attachments**
[Administrative Regulation 6143 - Courses Of Study.pdf](#) (197 KB)
[Board Policy 6143 - Courses Of Study.pdf](#) (106 KB)

15.10 POLICY UPDATE: Board Policy 5136 and Administrative Regulation 5136 - Gangs

Type	Action
Fiscal Impact	No
Budgeted	No
Recommended	The recommendation is that the Board of Education discuss and approve the updated Board
Action	Policy 5136 and Administrative Regulation 5136 - Gangs

Purpose:
 The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation.

Background:
 This is the first reading of the attached policy and regulation. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policy and regulation. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy and/or regulation will be brought back to the Board of Education for a second reading.

Board Policy 5136 - Gangs
 The NUSD board policy has not been revised since 2015. The language has been replaced to match the sample board policy provided by the California School Board Association.

Administrative Regulation 5136 - Gangs
 The NUSD administrative regulation has not been revised since 2015. The language has been replaced to match the sample board policy provided by the California School Board Association.

CSBA Language:
 Policy and regulation updated to expand material related to supports and services for students identified as gang members and reflect best practices for gang prevention, intervention, and suppression described in NEW RESOURCE from the National Gang Center and in publication from the Los Angeles Police Department.

- File Attachments**
[Administrative Regulation 5136 - Gangs.pdf](#) (107 KB)
[Board Policy 5136 - Gangs.pdf](#) (100 KB)

15.11 POLICY UPDATE: Board Policy 5131 - Conduct

Type	Action
Fiscal Impact	No
Recommended	The recommendation is that the Board of Education discuss and approve the updated Board
Action	Policy 5131 - Conduct

Purpose:
 The purpose is for the Board of Education to review the recommended changes and approve the updated board policy.

Background:
 This is the first reading of the attached policy and regulation. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policy and regulation. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy and/or regulation will be brought back to the Board of Education for a second reading.
 Board Policy 5131 - Conduct
 The NUSD board policy has not been revised since 2012. The language has been replaced to match the sample board policy provided by the California School Board Association.
 CSBA Language:
 Policy updated to reflect NEW LAW (AB 272) which authorizes boards to limit or prohibit, except under specified circumstances, student use of smartphones while at school or while under the supervision and control of a district employee. Details regarding student use of mobile communication devices moved to BP 5131.8 - Mobile Communication Devices.

File Attachments
[Board Policy 5131 Conduct.pdf](#) (124 KB)

15.12 POLICY UPDATE: Board Policy 5137 and Rescind Administrative Regulation 5137- Positive School Climate

Type	Action
Fiscal Impact	No
Recommended	The recommendation is that the Board of Education discuss and approve the updated Board
Action	Policy 5137 and Rescind Administrative Regulation 5137- Positive School Climate

Purpose:
 The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and rescind the administrative regulation.

Background:
 This is the first reading of the attached regulation. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved regulation. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the regulation will be brought back to the Board of Education for a second reading.
 Board Policy 5137- Positive School Climate
 The NUSD board policy has not been revised since 2003. The language has been replaced to match the sample board policy provided by the California School Board Association.
 Administrative Regulation 5137 - Positive School Climate
 The NUSD administrative regulation has not been revised since 2003. This administrative regulation is specific to NUSD and has not been revised since 2003. In order to reflect the practices and recommendations of CSBA, the recommendation is to rescind this policy to reflect the recommended CSBA manual.

File Attachments
[Administrative Regulation 5137 Positive School Climate.pdf](#) (63 KB)
[Board Policy 5137 Positive School Climate.pdf](#) (104 KB)

15.13 POLICY UPDATE: Update Board Policy 5141.33 and Rescind Administrative Regulation 5141.33- Head Lice

Type	Action
Fiscal Impact	No
Recommended	The recommendation is that the Board of Education discuss and approve the updated Board
Action	Policy 5141.33 and rescind Administrative Regulation 5141.33- Head Lice

Purpose:
 The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and rescind the administrative regulation.

Background:
 This is the first reading of the attached regulation. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved regulation. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the regulation will be brought back to the Board of Education for a second reading.
 Board Policy 5141.33- Head Lice
 The NUSD board policy has not been revised since 1996. The language has been replaced to match the sample board policy provided by the California School Board Association.
 Administrative Regulation 5141.33- Head Lice

CSBA Language advised to rescind regulation "Head Lice" Moved into Board Policy. Regulation no longer needed. Editorial changes made in policy to streamline district responsibilities related to exclusion of students with head lice.

File Attachments

- [Administrative Regulation 5141.33 Head Lice.pdf](#) (46 KB)
- [Board Policy 5141.33 Head Lice.pdf](#) (96 KB)

15.14 POLICY UPDATE: Board Policy 5141.31 and Administrative Regulation 5141.31 - Immunizations

Type	Action
Fiscal Impact	No
Recommended	The recommendation is that the Board of Education discuss and approve the updated Board
Action	Policy 5141.31 and Administrative Regulation 5141.31 - Immunizations

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation.

Background:
This is the first reading of the attached regulation. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved regulation. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the regulation will be brought back to the Board of Education for a second reading.
Board Policy 5141.31 - Immunizations
The NUSD board policy has not been revised since 1999. The language has been replaced to match the sample board policy provided by the California School Board Association.
Administrative Regulation 5141.31 - Immunizations
The NUSD board policy has not been revised since 1999. The language has been replaced to match the sample board policy provided by the California School Board Association.
CSBA Language:
Policy updated to reflect NEW LAWS (SB 276, 2019 and SB 714, 2019) which specify conditions under which a medical exemption is effective. Policy also deletes outdated date regarding immunization requirements for enrollment or advancement to grade 7.

File Attachments

- [Administrative Regulation 5141.31 Immunizations.pdf](#) (146 KB)
- [Board Policy 5141.31 Immunizations.pdf](#) (92 KB)

15.15 POLICY UPDATE: Board Policy 5131.63 - Steroids

Type	Action
Fiscal Impact	No
Recommended	The recommendation is that the Board of Education discuss and approve the updated Board
Action	Policy 5131.63 - Steroids

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation.

Background:
This is the first reading of the attached regulation. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved regulation. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the regulation will be brought back to the Board of Education for a second reading.
Board Policy 5131.63 - Steroids
The NUSD board policy has not been revised since 1996. The language has been replaced to match the sample board policy provided by the California School Board Association.

File Attachments

- [Board Policy 5131.63 Steroids.pdf](#) (95 KB)

15.16 FIELD TRIP: Curricular, Overnight Trip for Coyote Hills Elementary fifth grade class to travel to Pigeon Point Education Program Group A

Type	Action
Preferred Date	Nov 07, 2023
Absolute Date	Nov 07, 2023
Dollar Amount	\$11,859.00
Budgeted	Yes
Budget Source	ASB Funds, Coyote Hills SPSA, LCAP
Recommended	The recommendation is that the Board of Education approves the overnight trip for the Coyote
Action	Hills Elementary fifth grade class to travel to Pigeon Point Education Program.

Purpose:

The Coyote Hills Elementary community requests permission to take fifth grade students on a curricular, overnight field trip. Students will travel to Pigeon Point Education Program, Pescadero, CA for an outdoor science education camp. Students will study science content standards for ecology, resources, life science, etc. while participating in team building activities with classmates and growing as individuals.

School: Coyote Hills Elementary
 Dates: (Group A) December 11, 2023 - December 13, 2023
 Location: Pigeon Point Education Program, Pescadero, CA

Chaperones for Science Camp:

The ratio of adults to students on school-sponsored trips shall be based on the following formula:
 K-3 1 adult for every 5-8 students
 4-9 1 adult for every 10 students
 10-12 1 adult for every 10 students where strict supervision is required (tours, theaters, etc.)

Overnight trip supervision must be gender appropriate. However, in the event that the supervisors, who stay overnight in proximity to students, are of a gender other than that group of campers, adequate planning, and preparation of campers and the physical arrangements of the camp shall be made to ensure optimal safety and privacy of students (AR 6153).

No student will be denied due to a lack of funds.

Background:

According to Board Policy, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. The site principal and fifth grade teachers request permission to take students on an overnight curricular trip to attend an outdoor education/science camp program that is articulated with grade level curriculum. The programs are taught by credentialed staff members and camp staff and are viewed by the sites as a valuable part of the students' educational experience.

15.17 FIELD TRIP: Curricular, Overnight Trip for Coyote Hills Elementary fifth grade class to travel to Pigeon Point Education Program Group B

Type	Action
Preferred Date	Nov 07, 2023
Absolute Date	Nov 07, 2023
Dollar Amount	\$11,859.00
Budgeted	Yes
Budget Source	ASB Funds, Coyote Hills SPSA, Ed Services
Recommended	The recommendation is that the Board of Education approves the overnight trip for the Coyote Hills Elementary fifth grade class to travel to Pigeon Point Education Program.
Action	

Purpose:

The Coyote Hills Elementary community requests permission to take fifth grade students on a curricular, overnight field trip. Students will travel to Pigeon Point Education Program, Pescadero, CA for an outdoor science education camp. Students will study science content standards for ecology, resources, life science, etc. while participating in team building activities with classmates and growing as individuals.

School: Coyote Hills Elementary
 Dates: (Group B) December 13, 2023 - December 15, 2023
 Location: Pigeon Point Education Program, Pescadero, CA

Chaperones for Science Camp:

The ratio of adults to students on school-sponsored trips shall be based on the following formula:
 K-3 1 adult for every 5-8 students
 4-9 1 adult for every 10 students
 10-12 1 adult for every 10 students where strict supervision is required (tours, theaters, etc.)

Overnight trip supervision must be gender appropriate. However, in the event that the supervisors, who stay overnight in proximity to students, are of a gender other than that group of campers, adequate planning, and preparation of campers and the physical arrangements of the camp shall be made to ensure optimal safety and privacy of students (AR 6153).

No student will be denied due to a lack of funds.

Background:

According to Board Policy, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. The site principal and fifth grade teachers request permission to take students on an overnight curricular trip to attend an outdoor education/science camp program that is articulated with grade level curriculum. The programs are taught by credentialed staff members and camp staff and are viewed by the sites as a valuable part of the students' educational experience.

15.18 FIELD TRIP: Curricular, Overnight Trip for Kennedy Elementary fifth grade class to travel to Santa Cruz County Outdoor Science School

Type	Action
Preferred Date	Nov 07, 2023
Absolute Date	Nov 07, 2023
Fiscal Impact	Yes
Dollar Amount	\$32,130.00
Budgeted	Yes
Budget Source	Family Donations & Ed Services
Recommended	The recommendation is that the Board of Education approves the overnight trip for the Kennedy Elementary fifth grade class to travel to Santa Cruz County Outdoor Science School.
Action	

Purpose:

The Kennedy Elementary community requests permission to take fifth grade students on a curricular, overnight field trip. Students will travel to Santa Cruz County Outdoor Science School, Santa Cruz, CA for an outdoor science education camp. Students will study science

content standards for ecology, resources, life science, etc. while participating in team building activities with classmates and growing as individuals.

School: Kennedy Elementary
Dates: December 18, 2023 - December 21, 2023
Location: Santa Cruz County Outdoor Science School, Santa Cruz, CA

Chaperones for Science Camp:

The ratio of adults to students on school-sponsored trips shall be based on the following formula:
K-3 1 adult for every 5-8 students
4-9 1 adult for every 10 students
10-12 1 adult for every 10 students where strict supervision is required (tours, theaters, etc.)

Overnight trip supervision must be gender appropriate. However, in the event that the supervisors, who stay overnight in proximity to students, are of a gender other than that group of campers, adequate planning, and preparation of campers and the physical arrangements of the camp shall be made to ensure optimal safety and privacy of students (AR 6153).

No student will be denied due to a lack of funds.

Background:

According to Board Policy, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. The site principal and fifth grade teachers request permission to take students on an overnight curricular trip to attend an outdoor education/science camp program that is articulated with grade level curriculum. The programs are taught by credentialed staff members and camp staff and are viewed by the sites as a valuable part of the students' educational experience.

15.19 FIELD TRIP: Curricular, Overnight Trip for Schilling Elementary fifth grade class to travel to Semper Virens Science

Type	Action
Preferred Date	Nov 07, 2023
Absolute Date	Nov 07, 2023
Fiscal Impact	Yes
Recommended	The recommendation is that the Board of Education approves the overnight trip for the
Action	Schilling Elementary fifth grade class to travel to Semper Virens Science Camp.

Purpose:

The Schilling Elementary community requests permission to take fifth grade students on a curricular, overnight field trip. Students will travel to Semper Virens Science Camp, Scotts Valley, CA for an outdoor science education camp. Students will study science content standards for ecology, resources, life science, etc. while participating in team building activities with classmates and growing as individuals.

School: Schilling Elementary
Dates: December 5, 2023 - December 8, 2023
Location: Semper Virens Science Camp, Scotts Valley, CA

Chaperones for Science Camp:

The ratio of adults to students on school-sponsored trips shall be based on the following formula:
K-3 1 adult for every 5-8 students
4-9 1 adult for every 10 students
10-12 1 adult for every 10 students where strict supervision is required (tours, theaters, etc.)

Overnight trip supervision must be gender appropriate. However, in the event that the supervisors, who stay overnight in proximity to students, are of a gender other than that group of campers, adequate planning, and preparation of campers and the physical arrangements of the camp shall be made to ensure optimal safety and privacy of students (AR 6153).

No student will be denied due to a lack of funds.

Background:

According to Board Policy, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. The site principal and fifth grade teachers request permission to take students on an overnight curricular trip to attend an outdoor education/science camp program that is articulated with grade level curriculum. The programs are taught by credentialed staff members and camp staff and are viewed by the sites as a valuable part of the students' educational experience.

15.20 PLACEHOLDER - Extend Meeting

Type	Action
Recommended	The recommendation is that the Board of Education extends the meeting to ____ P.M.
Action	

Purpose:

This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

16 STUDENT EXPULSION

16.1 Student Expulsion (Ed Code. 48918) Case# e2324-01

Type	Action
Recommended	The recommendation is that the Board of Education approve the stipulation agreement
Action	regarding the expulsion case number e2324-01.

Purpose:

For the Board to take action on expulsion case e2324-01.

Background:

A Stipulation Expulsion Agreement meeting was held on October 23, 2023. A Stipulation Expulsion Meeting was conducted in accordance with Board Policy and Administrative Regulation 5144.1 and, if applicable, 5144.2 for students with disabilities. The administration asks for approval of this agreement for Case# e2324-01. (Ed Code. 48918).

17 BOARD OF EDUCATION: COMMITTEE REPORTS, ANNOUNCEMENTS, REQUESTS, DEBRIEF

17.1 Board of Education Committee Reports, Announcements, Requests, Debrief and Discussion

AND DISCUSSION

Type Action, Discussion, Information

Purpose:

COMMITTEE REPORTS: The Trustees will provide an update, if available, on the committees of which they are members.
 ANNOUNCEMENTS: The Trustees may acknowledge or recognize specific programs, activities, or personnel at this time.
 REQUESTS: This is an opportunity for the Board of Education to suggest items for placement on future agendas and to review Board requests.
 Approval from the majority of the Board will be required for direction to be provided to the Superintendent.
 DEBRIEF AND DISCUSSION: The Trustees may debrief and discuss items.

Background:

Each year the Board of Education members liaise with schools and committees in order to build relationships, hear from staff, students, and families, and act as a conduit for information to and from the schools.

Board Committees 2022-23

Board Adopted on 12/15/2022	Representative	Alternate
Mission Valley Regional Occupational Center/Program (ROC/P) Executive Board	1. Nancy Thomas	1. Carina V. Plancarte
Regional Policy Board of Special Education Local Plan Area (SELPA)	1. Katherine Jones	1. Phuong Nguyen
Newark Teacher Induction Advisory Council (Formally EBIC)	1. Aiden Hill	1. Carina V. Plancarte
Audit Committee	1. Aiden Hill	2. Katherine Jones
Bond/Parcel Tax Committee	1. Phuong Nguyen	2. Carina V. Plancarte
City of Newark NUSD Liaison Committee	2. Nancy Thomas	1. Katherine Jones

The following derives directly from the Board approved "Governance Team Handbook"

Authority is Collective, Not Individual:

The only authority to direct action rests with the Board as a whole when seated at a regular or special board meeting. Outside of this meeting, there is no authority.

A majority Board vote provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction.

Bringing New Ideas Forward

The Board will be open to having "brainstorming" discussions, or study sessions, around any idea that a Trustee may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Trustee, at their initiative or at the request of a constituent, which was previously discussed during a board meeting.

Trustees will first notify the Board President and Superintendent of their interest in bringing forward a new idea at a board meeting.

When initially agendized, the preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.

Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea. The Superintendent will decide on the delegation of assignments to District staff.

The new idea may be agendized for discussion only. The Board majority will decide if the new idea should be further developed and studied by staff. The Board majority will decide if staff time should be invested in the "fleshing out" of new ideas.

Individual Trustees, in the course of interactions with constituents, will be careful not to make or imply the commitment of the full Board to explore or proceed with implementing new ideas.

18 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

18.1 Superintendent's Concluding Comments, Updates, and Future Agenda Items

AGENDA REQUESTS

Type Information

Purpose:

This is an opportunity for the Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

19 ADJOURNMENT

19.1 Adjournment

Type Action

Recommended Action The recommendation is that the Board of Education adjourns this meeting.

Purpose:

No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time. This action will conclude the meeting.

1 CALL TO ORDER

1.1 Meeting Practices and Information

Type Procedural

In-person Meeting Information:

NUSD has opened its boardroom for in-person meetings and will follow the State's and Alameda County's safety guidelines for public gatherings. Please refrain from attending in-person meetings if you have any of the following symptoms:

- Loss of taste/smell
- Difficulty breathing
- Vomiting
- Diarrhea
- Fever
- Cough
- Headache
- Sore Throat
- Runny Nose

For additional COVID-19 information please go to <https://www.newarkunified.org/covid-19> or <https://www.acoe.org/guidance>

Observe The Board Of Education Meeting:

Members of the public 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.

Public Comment:

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLI COMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLI COMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

1.2 Roll Call

Type Procedural

Trustees:

- President Nancy Thomas
- Vice President/Clerk Aiden Hill
- Member Katherine Jones
- Member Phuong Nguyen
- Member Carina V. Plancarte

Student Board Member:

- Member Diego Torres

1.3 Public Comment on Closed Session Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and tries to make it convenient for members of the community to express their views to the Board.

If a constituent wishes to address the Board on any agenda item:

In-Person Comment: please submit a completed speaker card to the Board's Executive Assistant before the start of the meeting, or prior to the calling of the section for public comment.

Audio-Only Virtual Comment: please fill out a virtual speaker card via email at PUBLI COMMENT@newarkunified.org by 1:00 PM the day of the meeting. Please label your email as " AUDIO-ONLY PUBLIC COMMENT" and include your name as it will appear on Zoom, your phone number, email address, and the agenda item number related to your comment.

Please see detailed instructions for public comment on the link: <http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

1.4 Recess to Closed Session

Type Procedural

Purpose:

The Board will recess to Closed Session, and reconvene to Open Session on or about 7:00 p.m.

2 CLOSED SESSION

2.1 PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE (Gov. Code, 54957, subd. (b)(1))

Type Action, Information, Procedural

Purpose:

Information will be provided by the Superintendent and Executive Director of Human Resources.

2.2 CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a): Employee Organizations - NTA and

Type Action, Information, Procedural

Purpose:

Information may be provided by the agency negotiator, Executive Director of Human Resources. Assistance from the legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided. The employee organizations include NTA & CSEA.

3 REPORT OF CLOSED SESSION ACTIONS

3.1 Report of Closed Session Actions

Type Action, Procedural

Purpose:

If available, a report of the closed session will be provided by the Board President.

4 RECONVENE TO OPEN SESSION

4.1 Pledge of Allegiance

Type Procedural

Purpose:

The Governance Team will recite the Pledge of Allegiance

5 APPROVAL OF AGENDA

5.1 Approval of the Agenda

Type Action

Recommended Action The recommendation is that the Board of Education approve the agenda for this meeting.

Purpose:

Members of the Governance Team may request that the agenda be amended or approved as presented.

6 RECOGNITIONS AND CELEBRATIONS

6.1 Student Spotlight: NMHS Rocketry Club

Type Information

Purpose:

Highlight and recognize the accomplishments of the NMHS Rocketry Club.

Background:

The NMHS Rocketry Club came in 11th place at the American Rocketry Challenge in May 2023. They have qualified for the NASA Student launch for April 2024 and are the only school from the Bay Area and Northern California to be invited. The club will present their accomplishments and begin spreading the word for fundraising.

6.2 Student Spotlight: Ballet Folklorico, Schilling Elementary

Type Information

Purpose:

The School Spotlight gives the Board of Education and the public an opportunity to hear highlights, achievements, and initiatives at each school directly from the principals.

Background:

The presentation and information will be provided by Ballet Folklorico, Schilling Elementary.

6.3 Staff Spotlight CASE Teacher Recognitions

Type Information

Purpose:

The goal of the California Science Education Conference is to give California science educators an opportunity to grow professionally in order to improve student outcomes and access to a high-quality science education. The event will be in Palm Springs, CA on October 20-22. Two NUSD teachers will be honored as a Focus Speaker and a Teacher of the Year Awardee.

Background:

Celebrate the accomplishments of two Newark USD Science Teachers who will be honored at the California Science Education Conference on October 20-22, 2023

1. Jacob Goldsmith, Focus Speaker,
 1. Friday, October 20, 2023 at 8:00 - 9:15 AM.
 2. Zero to CS4LL: A Story Behind One School's DEI-Based Success Creating and Growing a Thriving CS Program
2. Rachel Bloom, Science Teacher of the Year
 1. Award: Upper Elementary

File Attachments

[CASE Teachers 23-24.pdf](#) (985 KB)

6.4 Spotlight: PBIS Awards

Type Information

Purpose:

The School Spotlight gives the Board of Education and the public an opportunity to hear highlights, achievements, and initiatives at each school. In this presentation, we will recognize three schools that earned PBIS Awards for their 2022-2023 work.

Background:

The presentation and information will be provided by NUSD Manager, Parent Engagement, Ashley Acosta. Positive Behavioral Interventions and Supports (PBIS) is an evidenced based tiered framework for supporting students' behavioral, academic, social, emotional, and mental health. When implemented with fidelity, PBIS improves social emotional competence, academic success, and school climate. It also improves teacher health and wellbeing. It is a way to create positive, predictable, equitable and safe learning environments where everyone thrives. More information can be found at pbis.org.

7 STUDENT REPORT

7.1 Student Board Member Report: Joy Lee

Type Information

Purpose:

The Student Report gives the Board of Education and the public an opportunity to hear the highlights, achievements, and initiatives from the viewpoint of the student board member.

Background:

The information will be provided by the Student Board Member, Joy Lee.

8 EMPLOYEE ORGANIZATIONS

8.1 Employee Organizations

Type Information

Purpose:

At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Background:

Discussion items are limited to updates, celebrations, and upcoming events from each of the recognized employee organizations: NTA, CSEA, and NEWMA.

9 PUBLIC COMMENT

9.1 Public Comment on Non-Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their

views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

9.2 Public Comment on Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

10 SUPERINTENDENT REPORT

10.1 Superintendent Report

Type Information

Purpose:

The superintendent will provide the Board of Education with district information, updates, news, or anything in the jurisdiction of the board or the superintendent.

Background:

The presentation and information will be provided by the Superintendent

10.2 District Goals Progress Report

Type Discussion, Information

Purpose:

The purpose is to receive comprehensive progress reports from each cabinet member regarding their respective areas of responsibility, highlighting accomplishments and challenges in alignment with the established district goals. This item aims to provide the Board with a clear overview of the collective efforts towards achieving our strategic objectives, enabling informed decision-making and targeted support where needed.

Background:

This agenda item seeks to provide the Board will a comprehensive update on the progress towards achieving the district's established goals. As outlined in Newark USD Policy 0200, these goals represent the collective vision and priorities of the district for the specified period. It is crucial for the Board to have a clear understanding of the progress made, as well as any challenges faced, in order to make informed decisions and provide appropriate support. The information presented in this report will serve as a valuable foundation for discussions related to strategic planning, resource allocation, and areas of focus moving forward.

11 STAFF REPORT

11.1 District Recruitment Plan

Type Information

Purpose:

To update the public on the District's updated Recruitment Plan for the 2023-24 school year.

Background:

The District recognizes the importance of ensuring we have a team of dedicated and qualified educators to fulfill our mission of providing top-tier education to our students. In light of this, the District has developed a comprehensive Recruitment Plan, which will be presented today for review and approval. This plan delineates a clear timeline for recruitment processes throughout the year, ensuring all necessary steps are taken in a timely and effective manner. In addition to outlining a schedule, the Recruitment Plan highlights innovative teacher recruitment strategies. These strategies are crafted to attract and retain high-quality educators who align with our District's values and are equipped to foster a positive learning environment for our students.

File Attachments

[NUSD Recruitment Plan 2023-24.pdf](#) (105 KB)

11.2 Update on the COVID Safety Plan

Type Procedural

Purpose:

To update the public on the District's COVID Safety Plan (Safe Return to In-Person Instruction and Continuity of Services Plan).

Background:

As part of the American Rescue Plan Act of 2021 (ARP Act), Elementary and Secondary School Emergency Relief III (ESSER III) Fund, and other required local educational agency (LEA) plans, the District is required to review, and if appropriate, revise a Safe Return to In-Person Instruction and Continuity of Services Plan (A.K.A. COVID Safety Plan) until September 2023. In addition, Districts are required to periodically seek public input to inform ongoing revisions and adjustments to the COVID Safety Plan. The public hearing process is one such way Newark Unified has employed to seek public input.

File Attachments

[OFFICIAL - NUSD COVID-19 Safety Plan 8.1.23.pdf](#) (1,732 KB)

11.3 College & Career Readiness Measure (Part II)

Type Information
Goals

Purpose:

To provide the Board of Trustees and the public with an update on NUSD's College and Career Readiness measures.

Background:

California AB-167 states the AG Completion Improvement Grant Program is to "provide additional supports to local educational agencies to help increase the number of California high school pupils, particularly unduplicated pupils, who graduate high school meeting the AG subject matter requirements for admission to the University of California and the California State University." On April 6, 2023, Assistant Superintendent, Dr. Nicole Pierce-Davis, and Coordinator of Equity and Access, Heather Decker, presented the mid year updates on the A-G Completion Improvement Grant Program for NUSD. On September 19, 2023, Ms. Decker presented Part I of an update regarding all relevant College and Career Readiness Indicator (CCRI) measures: Smarter Balanced Summative Assessments, Advanced Placement (AP) Exams, College Credit Courses, State Seal of Biliteracy, Career Technical Education (CTE), and University of California and California State University A-G requirements. Part I focused on student Advanced Placement (AP) and A-G Completion data. Part II will focus on the remaining relevant measures.

File Attachments

[Staff Report_ College and Career Readiness Presentation Pt2.pdf](#) (4,874 KB)

12 CONSENT AGENDA: PERSONNEL ITEMS

12.1 PLACEHOLDER - One Consented Vote

Type Action
Recommended It is recommended that the Board of Education approve, under one consented vote, the
Action agenda items under Consent-Personnel, except for agenda items:

Purpose:

This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:

Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

12.2 Personnel Report

Type Action
Absolute Date Oct 17, 2023
Recommended The recommendation is that the Board of Education ratify the personnel report as presented.
Action

Purpose:

The purpose is for the Board of Education to ratify the Personnel Report as presented.

Background:

All personnel activities including new hires, changes in status, resignation, leaves, and retirements are routinely submitted to the Board for ratification.

File Attachments

[HR PAL 10-17-2023.pdf](#) (354 KB)

13 CONSENT AGENDA: NON-PERSONNEL ITEMS

13.1 PLACEHOLDER - One Consented Vote

Type Action
Recommended It is recommended that the Board of Education approve, under one consented vote, the
Action agenda items under Consent Non-Personnel, except for agenda items:

Purpose:
 This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:
 Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

13.2 LCAP Committee Membership

Type Action (Consent)
Fiscal Impact No
Recommended The recommendation is that the Board of Education approves the proposed membership of
Action the 2023-24 Local Control and Accountability Plan (LCAP) Parent Advisory Committee (PAC).
Goals VISION: The Newark Unified School District, in partnership with the community, will be a model of world-class education that develops the unique abilities of every student.
 1b. Student Achievement
 3a. Parent and Community Engagement and Communication
 4. Fiscal Health

Purpose:
 For the Board to approve the proposed membership of the 2023-24 Local Control and Accountability Plan (LCAP) Parent Advisory Committee (PAC).

Background:
 At its first meeting, the Advisory will review its bylaws, which will include rules regarding processes and procedures. The Assistant Superintendent of Educational Services, Dr. Nicole Pierce-Davis will facilitate meetings. LCAP PAC meetings are open to the public; all agendas and minutes will be posted for interested parties to track progress towards the final draft of the LCAP.

The meetings will be held in person and/or online and child care, light refreshments, and translation will be provided to support member participation. All meetings will be held from 5:00 pm to 6:30 pm in the Board of Education Library Room: 5715 Musick Ave., Newark. The meetings are scheduled as follows:

- October 5, 2023
- November 2, 2023
- December 7, 2023
- January 11, 2024
- February 1, 2024
- March 7, 2024
- April 11, 2024
- May 2, 2024

The attachment lists the names of parent/guardian representatives and additional members. Visit our LCAP webpage to learn more about the development of the LCAP and read previous years' meeting agendas and minutes, and view presentations made to the Committee: <https://www.newarkunified.org/departments/educational-services/lcap>

File Attachments
[LCAP PAC Membership 2023-24.pdf](#) (188 KB)

13.3 Report: Quarterly Report on Contracts - 1st Quarter 2023-24

Type Action
Budget Source Various Funds Per Contract
Recommended The recommendation is that the Board of Education ratify the contracts as presented.
Action
Goals 4. Fiscal Health

Purpose:
 For the Board to ratify the contracts presented on the quarterly report.

Background:
 The Board has requested a report of all contracts for professional services under \$54,650 (50% of formal bid limit) be reviewed by the Board on a quarterly basis. This report only includes contracts that have not been previously approved by the Board. (Reference Board Policy 3312)
 Contracts are on file in the Business Office.

File Attachments
[Q1 23-24 Contracts Under 54K.pdf](#) (16 KB)
[Contracts for Q1 23-24 Contracts Under 54K.pdf](#) (8,663 KB)

13.4 Report: Warrant Report for September 2023

Type	Action
Fiscal Impact	No
Recommended	The recommendation is that the Board of Education approve the Warrant Report as presented.
Action	
Goals	4. Fiscal Health

Purpose:
 The purpose of this item is to present warrants, for the total amount of \$2,924,806.30, made from District funds for September 2023.

Background:
 The warrant registers represent a complete listing of all payments made from District funds for a month. Because Newark Unified School District is a fiscally dependent District, each warrant must pass through two separate audits; first by the District's Fiscal Services department, and second by the County Office of Education. No warrant can be paid until such time as it is examined and approved by the County Office of Education.

File Attachments
[Warrant Report September 2023.pdf](#) (396 KB)

13.5 Services Agreement with Hanover Research

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$50,000.00
Budgeted	Yes
Budget Source	General Fund
Recommended	The recommendation is that the Board of Education approve the Services Agreement with
Action	Hanover Research for one (1) calendar year.

Purpose:
 To approve the Services Agreement with Hanover Research.
 BACKGROUND

As part of our Goal 3 of our updated District Overarching Goals, we will present a public-facing data dashboard for our community, which includes both aggregated and disaggregated school climate data. Due to our current staffing shortage, we will need to contract with an outside vendor to accomplish this goal. Additionally, for Goal 4 of our updated District Overarching Goals, we will complete a Customer Satisfaction Survey. Hanover Research will conduct the independent survey. Lastly, and most importantly, as part of Goal 1, Hanover Research will provide critical student achievement data reports that are interactive and allow us to analyze multiple data sets, including sub-group data, to inform best practice for our teachers and principals. This is something that has been an ongoing challenge with our current student information system (SIS) and compounded by our staffing shortage.

File Attachments
[Hanover-Newark Services Agreement.pdf](#) (509 KB)

13.6 Contract with ZSN Solutions for Special Education Teacher

Type	Action
Preferred Date	Oct 17, 2023
Absolute Date	Oct 17, 2023
Fiscal Impact	Yes
Dollar Amount	\$115,200.00
Budgeted	Yes
Budget Source	Resource 6500 - Special Education and General Fund Contribution
Recommended	The recommendation is that the Board of Education approve the contract with ZSN Solutions.
Action	
Goals	1a. Student Achievement

Purpose:
 ZSN Solutions to provide 1.0 FTE Special Education Teacher for an unfilled position for the 2023-2024 school year.

Background:
 Despite intensive efforts, the District has not been able to hire for this unfilled position. The contracted teacher is intended to fill the position for the 2023-2024 school year only.

File Attachments
[ZSN_NUSD Contract 23-24.pdf](#) (2,521 KB)

13.7 Parent Institute for Quality Education (PIQE) MOU

Type	Action
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Fiscal Impact	Yes
Dollar Amount	\$14,500.00
Budgeted	Yes
Budget Source	LCAP
Recommended	The recommendation is that the Board of Education ratifies the Parent Institute for Quality Education (PIQE) MOU.
Action	Education (PIQE) MOU.
Goals	3a. Parent and Community Engagement and Communication

Purpose:

Parent Institute for Quality Education (PIQE) engages, empowers and transforms families by providing the knowledge and skills to partner with schools and communities to ensure their students achieve their full potential. Staff request ratification for this parent workshop MOU as budgeted for and approved in the 2023-2024 LCAP.

Background:

PIQE will provide parent education on how to better support their children's social emotional growth. PIQE will recruit up to 50 NUSD parents/guardians by phone from a list of school nominations, facilitate 13 weekly training sessions, organize and conduct a question-and-answer forum with schools' leadership teams, and host a graduation ceremony with certificates provided to attendees. The program is designed to develop skills and techniques which will empower parents to address the educational needs of their school-aged children and will be offered in English.

File Attachments

[PIQE Newark MOU.pdf](#) (248 KB)

13.8 California Association for Bilingual Education (CABE) Project 2INSPIRE MOU

Type	Action (Consent)
Fiscal Impact	Yes
Dollar Amount	\$11,500.00
Budgeted	Yes
Budget Source	LCAP
Recommended	The recommendation is that the Board of Education ratify the California Association for Bilingual Education Project 2INSPIRE MOU.
Action	Bilingual Education Project 2INSPIRE MOU.
Goals	3a. Parent and Community Engagement and Communication

File Attachments

[Newark USD_Onsite_MOU_CABE_P2i_L3_2023-24.pdf](#) (239 KB)

13.9 Athletic Trip, Overnight, Round Trip Distance Over 125 Miles Field Trip: Newark Memorial Boys Basketball Team to Clovis

Type	Action
Preferred Date	Oct 17, 2023
Absolute Date	Nov 06, 2023
Fiscal Impact	Yes
Dollar Amount	\$2,600.00
Budgeted	Yes
Budget Source	Athletics ASB, NM Boosters
Recommended	The recommendation is that the Board of Education approve Newark Memorial High School Varsity Boys Basketball Team's trip to Clovis CA.
Action	Varsity Boys Basketball Team's trip to Clovis CA.
Goals	2a. Safe, Secure and Healthy Learning Environments

Purpose:

The Newark Memorials High School Interim Principal and Athletic Director request permission to take students on an athletic and overnight trip to Clovis, CA for the Clovis North High School Children's Hospital Tip-Off Invitational.

Background:

This is a competitive tournament, which provides our athletes with an opportunity to compete at a high level.

Date: November 30 - December 2

Location: Clovis North High School

According to Board Policy 6153, all trips in excess of 125 miles, athletic trips, and overnight trips require Board approval. The Newark Memorials High School Interim Principal and Athletic Director request permission to take students on an athletic and overnight trip to Clovis, CA for the Clovis North High School Children's Hospital Tip-Off Invitational.

Requirements met:

Grade K-3, one adult for every 5-8 students; Grades 4-12, one adult for every 10 students; Board Policy requires at least two adults on every trip regardless of the number of students (BP 6153 and AR 6153)

Overnight trip supervision must be gender appropriate

No student will be denied due to a lack of funds

13.10 POLICY UPDATE: Administrative Regulation 4217.3 - Layoff/Rehire

Type	Action,Procedural
Preferred Date	Oct 17, 2023
Recommended	The recommendation is that the Board of Education approve the updated Administrative Regulation 4217.3 - Layoff/Rehire.
Action	Regulation 4217.3 - Layoff/Rehire.
Goals	MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens.

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated Administrative Regulation 4217.3 - Layoff/Rehire.

Background:

This is the first reading of the attached regulation. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved regulation. The administration has reviewed the recommended regulation and updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the regulation will be brought back to the Board of Education for a second reading.

The 4000 section of the district policy manual is triple coded to divide it into employee classifications: 4100s for certificated employees, 4200s for classified employees, and 4300s for management, supervisory, and confidential employees. Regulation updated to reflect NEW LAW (SB 913, 2022) which provides that for districts with an average daily attendance of less than 250,000, the definition of "length of service" for the purpose of the order of layoff and determination of seniority is the employees' hours in paid status. Regulation also updated to reflect NEW LAW (AB 185, 2022) which authorizes a classified employee to be represented by an attorney or non-attorney representative of the exclusive representative of the district's classified employees at a hearing requested by an employee as part of layoff proceedings.

File Attachments

- [Existing NUSD AR 4217.3 Layoff-Rehire.pdf](#) (95 KB)
- [Recommended CSBA AR 4217.3 Layoff-Rehire.pdf](#) (1,889 KB)

13.11 POLICY UPDATE: Board Policy and Administrative Regulation 4119.43/4219.43/4319.43 - Universal Precautions

Type	Action,Procedural
Preferred Date	Oct 17, 2023
Recommended Action	The recommendation is that the Board of Education approve the updated Board Policy and Administrative Regulation 4119.43/4219.43/4319.43 - Universal Precautions.
Goals	2a. Safe, Secure and Healthy Learning Environments

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated Board Policy and Administrative Regulation 4119.43/4219.43/4319.43 - Universal Precautions.

Background:

This is the first reading of the attached policy and regulation. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policy and regulation. The administration has reviewed the recommended policy/regulation and updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy and/or regulation will be brought back to the Board of Education for a second reading. The 4000 section of the district policy manual is triple coded to divide it into employee classifications: 4100s for certificated employees, 4200s for classified employees, and 4300s for management, supervisory, and confidential employees. The language in BP 4119.43/4219.43/4319.43 and AR 4119.43/4219.43/4319.43 is exactly the same.

Policy updated to include material formerly in the AR on the provision of information to employees regarding acquired immune deficiency syndrome (AIDS), AIDS-related conditions, and hepatitis B and appropriate methods to prevent exposure. Policy also adds optional paragraph regarding the inclusion of related information in employee handbooks.

Regulation updated to add a definition of occupational exposure and delete other unnecessary definitions. Section on "Employee Information" moved to BP. Section on "Infection Control Practices" revised to delete detailed requirements that are specifically applicable to employees identified as having occupational exposure, which are addressed in BP/AR 4119.42 - Exposure Control Plan for Bloodborne Pathogens, and to delete items with limited applicability in school settings.

File Attachments

- [Existing NUSD BP 4119.43 Universal Precautions.pdf](#) (64 KB)
- [Existing NUSD BP 4219.43 Universal Precautions.pdf](#) (64 KB)
- [Existing NUSD BP 4319.43 Universal Precautions.pdf](#) (64 KB)
- [Existing NUSD AR 4119.43 Universal Precautions.pdf](#) (134 KB)
- [Existing NUSD AR 4219.43 Universal Precautions.pdf](#) (135 KB)
- [Existing NUSD AR 4319.43 Universal Precautions.pdf](#) (134 KB)
- [Recommended CSBA BP 4119.43, 4219.43, 4319.43 Universal Precautions.pdf](#) (705 KB)
- [Recommended CSBA AR 4119.43, 4219.43, 4319.43 Universal Precautions.pdf](#) (733 KB)

13.12 POLICY UPDATE: Board Bylaw 9124 Attorney

Type	Action (Consent)
Fiscal Impact	No
Recommended Action	The recommendation is that the Board of Education approve the updated Board Bylaw 9124 Attorney

Purpose:

This is the FIRST reading of the attached bylaw. The Board members reviewed and recommended revisions to reflect district practice.

Background:

The NUSD board bylaw has not been revised since 2007. The language has been replaced to match the Board's revisions to the order of business at each regular meeting.

Board Bylaw 9124 Attorney

Bylaw updated to revise the first philosophical paragraph to recognize the need to provide legal representation to the district and the importance of cost-effective legal advice and services, clarify that the Governing Board may appoint and fix and order paid legal counsel's compensation, expand the types of entities that the Board may contract with to serve as legal counsel, and reflect that the Board supports pursuing collaborative legal efforts with other districts as well as other government agencies as appropriate. Bylaw also updated to clarify that districts may, but are not required, to initiate a Request for Proposals to advertise and solicit proposals for legal services, and that districts may consider the attorney's, firm's, and/or entity's relevant legal reputation when evaluating such attorneys, firms, and/or entities. Additionally, bylaw updated to reflect that any attorney representing the district is required to be admitted to practice law in California.

[File Attachments](#)

[Bylaw 9124 - Attorney.pdf](#) (452 KB)

13.13 POLICY UPDATE: Board Bylaw 9323 - Meeting Conduct

Type	Action (Consent)
Fiscal Impact	No
Recommended	The recommendation is that the Board of Education approve the updated Board Bylaw 9323 -
Action	Meeting Conduct

Purpose:
This is the FIRST reading of the attached bylaw. The Board members reviewed and recommended revisions to reflect district practice.

Background:
The NUSD board bylaw has not been revised since 2007. The language has been replaced to match the Board's revisions to the order of business at each regular meeting.
Board Bylaw 9323 - Meeting Conduct
Bylaw Updated to reflect NEW LAW (SB 1100, 2022) which authorizes the Board President to remove an individual for disrupting a Board meeting, establishes a procedure for warning the individual prior to their removal, and defines "disrupting" and "true threat of force."

[File Attachments](#)

[Bylaw 9323 Meeting Conduct.pdf](#) (500 KB)

13.14 POLICY UPDATE: Board Bylaw 9320 - Meetings And Notices

Type	Action (Consent)
Fiscal Impact	No
Recommended	The recommendation is that the Board of Education approve the updated Board Bylaw 9320 -
Action	Meetings And Notices

Purpose:
This is the FIRST reading of the attached bylaw. The Board members reviewed and recommended revisions to reflect district practice.

Background:
The NUSD board bylaw has not been revised since 2015. The language has been replaced to match the Board's revisions to the order of business at each regular meeting.
Board Bylaw 9320 - Meetings and Notices
Bylaw updated to reflect NEW LAW (AB 2449, 2022) which (1) requires Boards to maintain and implement a procedure for receiving and resolving requests for reasonable accommodation for individuals with disabilities, to resolve any doubt in favor of accessibility, and to give notice of the procedure for receiving and resolving requests for accommodation in each instance in which notice of the time of a meeting is otherwise given or the agenda is otherwise posted, and (2) adds procedures for "Teleconferencing During a Personal Emergency" and "Teleconferencing for `Just Cause". Bylaw also updated to reflect NEW LAW (AB 2647, 2022) which provides a procedure for complying with the Brown Act when distributing materials to the Board less than 72 hours before a regular meeting and outside of regular business hours. Additionally, bylaw updated to reference the expiration of the California COVID-19 State of Emergency on February 28, 2023 and to clarify that a Board may utilize "Teleconferencing During a Proclaimed State of Emergency," if all terms are met pursuant to Government Code 54953, until January 1, 2024

[File Attachments](#)

[BB 9320 - Meetings and Notices.pdf](#) (552 KB)

13.15 POLICY UPDATE: Board Bylaw 9270 - Conflict Of Interest

Type	Action (Consent)
Fiscal Impact	No
Recommended	The recommendation is that the Board of Education approve the updated Board Bylaw 9270 -
Action	Conflict Of Interest

Purpose:
This is the FIRST reading of the attached bylaw. The Board members reviewed and recommended revisions to reflect district practice.

Background:

The NUSD board bylaw has not been revised since 2018. The language has been replaced to match the Board's revisions to the order of business at each regular meeting.

Board Bylaw 9270 - Conflict of Interest

Bylaw updated to reflect NEW LAW (SB 1439, 2022) which makes applicable to elected district officers the prohibition against accepting, soliciting, or directing a contribution of more than \$250 from any party or participant to a proceeding involving a license, permit, or other entitlement for use, including a contract, or from that person's agent, while the proceeding is pending before the Board and for 12 months following the date a final decision is rendered in the proceeding, and from participating in making, or in any way attempting to use the official position to influence the Board's decision when a district officer received a contribution of more than \$250 from a party or participant in the preceding 12 months, as specified. Bylaw also updated to clarify, for a Board member who manages public investments, that when an item on the consent calendar is one in which the Board member has a financial interest, the Board member is required to either make a motion to remove the item from the consent calendar or abstain from voting on the consent calendar.

File Attachments

[Bylaw 9270 - Conflict of Interest.pdf](#) (544 KB)

13.16 POLICY UPDATE: Board Bylaw 9322 - Agenda/Meeting Materials

Type Action (Consent)

Fiscal Impact No

Recommended The recommendation is that the Board of Education approve the updated Board Bylaw 9322 -

Action Agenda/Meeting Materials

Purpose:

This is the FIRST reading of the attached bylaw. The Board members reviewed and recommended revisions to reflect district practice.

Background:

The NUSD board bylaw has not been revised since 2001. The language has been replaced to match the Board's revisions to the order of business at each regular meeting.

Board Bylaw 9322 - Agenda/Meeting Materials

Bylaw updated to move material regarding public comments to be with content related language, amend language to be more closely aligned with code language, add material regarding the means for in-person and remote public comments, and reflect NEW LAW (AB 2449, 2022), which requires boards to maintain and implement a procedure for receiving and swiftly resolving requests for reasonable accommodation to board meetings for individuals with disabilities. Bylaw also updated to provide that each agenda for a regular meeting is required to list the address designated by the Superintendent or designee for public inspection of documents related to records of a statement threatening litigation against the district to be discussed in closed session, in addition to documents related to open session, when such documents have been distributed to the Governing Board less than 72 hours before a Board meeting, clarify that the Board president and Superintendent decide when an item is placed on the agenda, include that public records under the Public Records Act and which relate to an agenda item which contain a claim or written threat of litigation which will be discussed in closed session are required to be made available to the public, in addition to documents which relate to an agenda item scheduled for the open session of a regular meeting, and NEW LAW (AB 2647, 2022) which clarifies how districts can, without opening their offices after normal business hours, comply with the portion of the Brown Act that requires writings or documents distributed to a majority of a local legislative body less than 72 hours before a meeting to also be distributed to the public.

File Attachments

[Bylaw 9322 Agenda Meeting Materials.pdf](#) (513 KB)

14 BOARD OF EDUCATION: COMMITTEE REPORTS, ANNOUNCEMENTS, REQUESTS, DEBRIEF

14.1 Board of Education Committee Reports, Announcements, Requests, Debrief and Discussion

AND DISCUSSION

Type Action, Discussion, Information

Purpose:

COMMITTEE REPORTS: The Trustees will provide an update, if available, on the committees of which they are members.

ANNOUNCEMENTS: The Trustees may acknowledge or recognize specific programs, activities, or personnel at this time.

REQUESTS: This is an opportunity for the Board of Education to suggest items for placement on future agendas and to review Board requests.

Approval from the majority of the Board will be required for direction to be provided to the Superintendent.

DEBRIEF AND DISCUSSION: The Trustees may debrief and discuss items.

Background:

Each year the Board of Education members liaise with schools and committees in order to build relationships, hear from staff, students, and families, and act as a conduit for information to and from the schools.

Board Committees 2022-23

Board Adopted on 12/15/2022

	Representative	Alternate
Mission Valley Regional Occupational Center/Program (ROC/P)	1. Nancy Thomas	1. Carina V. Plancarte
Executive Board		
Regional Policy Board of Special Education Local Plan Area (SELPA)	1. Katherine Jones	1. Phuong Nguyen
Newark Teacher Induction Advisory Council (Formally EBIC)	1. Aiden Hill	1. Carina V. Plancarte
Audit Committee	1. Aiden Hill	2. Katherine Jones
Bond/Parcel Tax Committee	1. Phuong Nguyen	2. Carina V. Plancarte

The following derives

City of Newark NUSD Liaison Committee	1. Phuong Nguyen	directly from the Board
	2. Nancy Thomas	1. Katherine Jones approved "Governance Team Handbook"
		Authority is

Collective, Not Individual:

The only authority to direct action rests with the Board as a whole when seated at a regular or special board meeting. Outside of this meeting, there is no authority.

A majority Board vote provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction.

Bringing New Ideas Forward

The Board will be open to having "brainstorming" discussions, or study sessions, around any idea that a Trustee may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Trustee, at their initiative or at the request of a constituent, which was previously discussed during a board meeting.

Trustees will first notify the Board President and Superintendent of their interest in bringing forward a new idea at a board meeting. When initially agendized, the preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.

Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea. The Superintendent will decide on the delegation of assignments to District staff.

The new idea may be agendized for discussion only. The Board majority will decide if the new idea should be further developed and studied by staff. The Board majority will decide if staff time should be invested in the "fleshing out" of new ideas.

Individual Trustees, in the course of interactions with constituents, will be careful not to make or imply the commitment of the full Board to explore or proceed with implementing new ideas.

15 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

15.1 Superintendent's Concluding Comments, Updates, and Future Agenda Items

AGENDA REQUESTS

Type Information

Purpose:

This is an opportunity for the Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

16 ADJOURNMENT

16.1 PLACEHOLDER - Extend Meeting

Type Action

Recommended Action The recommendation is that the Board of Education extends the meeting to ____ P.M.

Purpose:

This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

16.2 Adjournment

Type Action

Recommended Action The recommendation is that the Board of Education adjourns this meeting.

Purpose:

No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time. This action will conclude the meeting.

1 CALL TO ORDER

Meeting Practices and Information

Type Procedural

In-person Meeting Information:

NUSD has opened its boardroom for in-person meetings and will follow the State's and Alameda County's safety guidelines for public gatherings. Please refrain from attending in-person meetings if you have any of the following symptoms:

- Loss of taste/smell
- Difficulty breathing
- Vomiting
- Diarrhea
- Fever
- Cough
- Headache
- Sore Throat

Runny Nose

For additional COVID-19 information please go to <https://www.newarkunified.org/covid-19> or <https://www.acoe.org/guidance>

Observe The Board Of Education Meeting:

Members of the public 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.

Public Comment:

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

Roll Call

Type Procedural

Trustees:

- President Nancy Thomas
- Vice President/Clerk Aiden Hill
- Member Katherine Jones
- Member Phuong Nguyen
- Member Carina V. Plancarte

Student Board Member:

- Member Joy Lee

Public Comment on Closed Session Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and tries to make it convenient for members of the community to express their views to the Board.

If a constituent wishes to address the Board on any agenda item:

In-Person Comment: please submit a completed speaker card to the Board's Executive Assistant before the start of the meeting, or prior to the calling of the section for public comment.

Audio-Only Virtual Comment: please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org by 1:00 PM the day of the meeting. Please label your email as "AUDIO-ONLY PUBLIC COMMENT" and include your name as it will appear on Zoom, your phone number, email address, and the agenda item number related to your comment.

Please see detailed instructions for public comment on the link: <http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

Recess to Closed Session

Type Procedural

Purpose:

The Board will recess to Closed Session, and reconvene to Open Session on or about 7:00 p.m.

2 CLOSED SESSION

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE (Gov. Code, 54957, subd. (b)(1))

Type Action, Information, Procedural

Purpose:

Information will be provided by the Superintendent and Executive Director of Human Resources.

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a): Employee Organizations - NTA and CSEA

Type Action, Information, Procedural

Purpose:

Information may be provided by the agency negotiator, Executive Director of Human Resources. Assistance from the legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided. The employee organizations include NTA & CSEA.

CONFERENCE WITH LEGAL COUNSEL EXISTING LITIGATION (Gov. Code, 54956.9, subd. (d)(1)): Case #23CV034303

Type Action, Information, Procedural

Purpose:

To discuss the following case(s): Case #23CV034303 Byrd vs. NUSD

3 REPORT OF CLOSED SESSION ACTIONS

Report of Closed Session Actions

Type Action, Procedural

Purpose:
If available, a report of the closed session will be provided by the Board President.

4 RECONVENE TO OPEN SESSION

Pledge of Allegiance

Type Procedural

Purpose:
The Governance Team will recite the Pledge of Allegiance

5 APPROVAL OF AGENDA

Approval of the Agenda

Type Action
Recommended Action The recommendation is that the Board of Education approve the agenda for this meeting.

Purpose:
Members of the Governance Team may request that the agenda be amended or approved as presented.

6 RECOGNITIONS AND CELEBRATIONS

School Spotlight: Newark Middle School

Type Information

Purpose:
The School Spotlight gives the Board of Education and the public an opportunity to hear highlights, achievements, and initiatives at each school directly from the principals.

Background:
The presentation and information will be provided by Newark Middle School Principal, Richelle Piechowski.

School Spotlight: PBIS Gold Awards

Type Information

Purpose:
The School Spotlight gives the Board of Education and the public an opportunity to hear highlights, achievements, and initiatives at each school such as the PBIS Gold Awards.

Background:
The presentation and information will be provided by NUSD Manager, Parent Engagement, Ashley Acosta.

7 STUDENT REPORT

Student Board Member Report

Type Information
Goals 1a. Student Achievement

Purpose:
The Student Report gives the Board of Education and the public an opportunity to hear the highlights, achievements, and initiatives from the viewpoint of the student board member.

Background:
The information will be provided by the student board member, Joy Lee.

8 EMPLOYEE ORGANIZATIONS

Employee Organizations

Type Information

Purpose:

At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Background:

Discussion items are limited to updates, celebrations, and upcoming events.

9 PUBLIC COMMENT

Public Comment on Non-Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and tries to make it convenient for members of the community to express their views to the Board.

If a constituent wishes to address the Board on any agenda item:

In-Person Comment: please submit a completed speaker card to the Board's Executive Assistant before the start of the meeting, or prior to the calling of the section for public comment.

Audio-Only Virtual Comment: please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org by 1:00 PM the day of the meeting. Please label your email as "AUDIO-ONLY PUBLIC COMMENT" and include your name as it will appear on Zoom, your phone number, email address, and the agenda item number related to your comment.

Please see detailed instructions for public comment on the link: <http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

Public Comment on Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and tries to make it convenient for members of the community to express their views to the Board.

If a constituent wishes to address the Board on any agenda item:

In-Person Comment: please submit a completed speaker card to the Board's Executive Assistant before the start of the meeting, or prior to the calling of the section for public comment.

Audio-Only Virtual Comment: please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org by 1:00 PM the day of the meeting. Please label your email as "AUDIO-ONLY PUBLIC COMMENT" and include your name as it will appear on Zoom, your phone number, email address, and the agenda item number related to your comment.

Please see detailed instructions for public comment on the link: <http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

10 SUPERINTENDENT REPORT

Superintendent Report

Type Information

Purpose:

The superintendent will provide the Board of Education with district information, updates, news, or anything in the jurisdiction of the board or the superintendent.

Background:

The presentation and information will be provided by the Superintendent

11 STAFF REPORT

ACOE Approval of NUSD 2023-24 Local Control and Accountability Plan and Adopted Budget

Type Information
Goals 4. Fiscal Health

Purpose:

To inform the Board of the approval of NUSD's 2023-24 Local Control Accountability Plan (LCAP) and Adopted Budget by the Alameda County Office of Education (ACOE).

Background:

A Public Hearing was held on June 1, 2023, on the 2023-24 LCAP and Proposed Budget. At the Board meeting on June 15, 2023, the Board approved both the 2023-24 LCAP and Adopted Budget. The 2023-24 LCAP and Adopted Budget were subsequently submitted to ACOE for review. Based on ACOE's review, both the District's 2023-24 LCAP and Adopted Budget have been approved (see attached letter).

[File Attachments](#)
[Newark 2023-24 Adopted Budget Board Letter FINAL.pdf](#) (190 KB)

12 NEW BUSINESS

RESOLUTION 2023.24.11 - Week of the School Administrator

Type Action
Absolute Date Oct 03, 2023
Recommended The recommendation is that the Board of Education approves Resolution No. 2023.24.11 -
Action Week of the School Administrator, to honor Newark Unified School District administrators during the second full week in October (October 9 to October 13, 2023).
Goals MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens.

Purpose:
The purpose is for the Board of Education to approve Resolution No. 2023.24.11 to honor Newark Unified School District administrators during the second full week in October 2023.

Background:
California Education Code Section 44015.1 designates the second full week in October as Week of the School Administrator in all schools, districts, and counties. Highlighting and acknowledging this week is one way the Association of California School Administrators, the Newark Management Association and Newark Unified School District collaborate to celebrate the educational leaders that work to make our schools succeed and enable students to achieve at their highest levels. The recommendation is that the Board of Education approves this resolution to honor Newark Unified School District administrators during the second full week in October 2023.

[File Attachments](#)
[Week of the Administrator Resolution.pdf](#) (81 KB)

13 CONSENT AGENDA: PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type Action
Recommended It is recommended that the Board of Education approve, under one consented vote, the
Action agenda items under Consent-Personnel, except for agenda items:

Purpose:
This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:
Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Personnel Report

Type Action
Absolute Date Oct 03, 2023
Recommended The recommendation is that the Board of Education ratify the personnel report as presented.
Action
Goals MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens.

Purpose:
The purpose is for the Board of Education to ratify the Personnel Report as presented.

Background:
All personnel activities including new hires, changes in status, resignation, leaves, and retirements are routinely submitted to the Board for ratification.

[File Attachments](#)
[HR PAL 10-03-2023.pdf](#) (357 KB)

14 CONSENT AGENDA: NON-PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type Action
Recommended Action It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent Non-Personnel, except for agenda items:

Purpose: This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background: Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Alliant International University Memorandum of Understanding for Student Teachers and Interns

Type Action
Preferred Date Oct 03, 2023
Recommended Action The recommendation is for the Board of Education approve the Memorandum of Understanding with Alliant International University for student teachers and interns.
Goals MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens.

Purpose: The purpose of this item is for the Board of Education to approve the Memorandum of Understanding with Alliant International University for student teachers and interns.

Background: The District works closely with local institutes of higher education (IHE) and supports student teacher placements and interns. Agreements between Newark Unified School District and a university must be in place before a student teacher or intern can be placed at a school site in the District. Student teachers and interns in training do fieldwork in our schools and are supervised by the administrators who provide supervision and training. Student teachers and interns are able to learn, practice teaching, and fine-tune their craft under the direct supervision of a master teacher. The opportunity to student teach or intern in the District benefits both the student teacher and the District. As vacancies become available in the district, it is invaluable to have the opportunity to observe directly student teachers and interns who may be eligible to interview for vacancies and observe how well they fit into the culture of Newark.

File Attachments
[Alliant MOU Student Teachers and Interns.pdf](#) (241 KB)

CSU East Bay Partnership Agreement Memorandum of Understanding

Type Action
Preferred Date Oct 03, 2023
Recommended Action The recommendation is for the Board of Education to approve the Partnership Agreement Memorandum of Understanding with CSU East Bay.
Goals MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens.

Purpose: This Partnership Agreement will allow students from California State University, East Bay to complete required course volunteer hours at Birch Grove Intermediate. The District will be responsible for verifying service hours and providing feedback about the student volunteer.

Background: The District works closely with local institutes of higher education (IHE) and supports student volunteers, student teacher placements and interns. Agreements between Newark Unified School District and a university must be in place before a student volunteer, student teacher or intern can be placed at a school site in the District. Student volunteers, student teachers and interns in training do fieldwork in our schools and are supervised by the administrators who provide supervision and training. Student volunteers, student teachers and interns are able to learn, practice teaching, and fine-tune their craft under the direct supervision of a master teacher. The opportunity to student volunteer, student teach or intern in the District benefits both the student and the District. As vacancies become available in the district, it is invaluable to have the opportunity to observe directly student volunteers, student teachers and interns who may be eligible to interview for vacancies and observe how well they fit into the culture of Newark.

File Attachments
[CSU East Bay Partnership Agreement MOU for BGI.pdf](#) (118 KB)

Revised Form CA - 2022-23 Unaudited Actuals Certification Form

Type	Action
Recommended	The recommendation is that the Board of Education approve the revised Form CA as part of
Action	the 2022-23 Unaudited Actuals Report.
Goals	4. Fiscal Health

Purpose:
To approve the revised Form CA as part of the 2022-23 Unaudited Actuals Report.

Background:
The Board approved the 2022-23 Unaudited Actuals Report on September 5, 2023. The District subsequently submitted the report to the Alameda County Office of Education (ACOE) on September 6, 2023. On September 11, 2023, the ACOE informed the districts that the California Department of Education sent an update regarding a glitch in the SACS software. Form CA was extracting the wrong data in the "GANN Adjusted Appropriations Limit" line. Consequently, Form CA needed to be corrected and resubmitted to the Board for approval. Attached is the corrected form. The corrected line has been highlighted.

File Attachments
[Form CA Certification 2022-23 Unaudited Actuals_rev.pdf](#) (101 KB)
[Form GANN_rev.pdf](#) (237 KB)

REPORT: Monthly Purchase Order Report

Type	Action
Recommended	The recommendation is that the Board of Education receive the Monthly Purchase Order
Action	Report as presented.
Goals	4. Fiscal Health

Purpose:
The purpose of this item is to present a monthly report on Purchase Order (PO) transactions per Board Policy 3300, Expenditures and Purchases.

Background:
Based on the discussion at the Board's Study Session on January 6, 2022, staff is providing a monthly report on Purchase Order transactions per Board Policy 3300, Expenditures and Purchases. The policy states that "The Board shall review all transactions entered into by the Superintendent or designee on behalf of the Board every 60 days."
This month's report includes 208 PO's dated 8/26/23 through 9/22/23 for a total of \$763,452.48.

File Attachments
[Monthly Purchase Order Report 10-03-2023.pdf](#) (106 KB)

REPORT: Williams Uniform Complaint Quarterly Report July 1, 2023 - September 30, 2023

Type	Action
Preferred Date	Oct 03, 2023
Recommended	The recommendation is that the Board of Education approves the Williams Uniform Complaint
Action	Quarterly Report for the period of July 1, 2023 - September 30, 2023.
Goals	2a. Safe, Secure and Healthy Learning Environments

Purpose:
The purpose is for the Board of Education to receive and approve the Williams Uniform Complaint Quarterly Report for the period of July 1, 2023 - September 30, 2023.

Background:
Education Code 35186 requires that the Superintendent of a school district report summarized data on the nature and resolution of all complaints filed under the Williams Uniform Complaint Procedures to the local Board of Education and the County Superintendent of Schools on a quarterly basis. The report must include the number of complaints by general area, the number of resolved and unresolved complaints, and be publicly presented at a regularly scheduled Board meeting. The attached report is presented to the Board for the period of July 1, 2023 - September 30, 2023.

File Attachments
[Q123-24 UCP Report for Board 10.03.2023.pdf](#) (214 KB)

RESOLUTION 2023.24.12 Declaring Surplus Equipment

Type	Action
Recommended	The recommendation is that the Board of Education approves Resolution 2023.24.12 -
Action	Declaring Surplus Equipment.
Goals	4. Fiscal Health

Purpose:
The purpose of this item is to obtain Board approval of Resolution 2023.24.12- Declaring Surplus Equipment, which lists items to be declared as surplus equipment as recommended.

Background:
Surplus materials will be disposed of per Board Policy and Administrative Regulation 3270 Sale And Disposal Of Books, Equipment And

Supplies. Education Code, Section 17546 states that if the Governing Board, by a unanimous vote of those members present, finds that the property, whether one or more items, does not exceed the value of \$2,500, it may be sold at private sale without advertising, by a District employee empowered for that purpose by the Board; the property may be donated to a charitable organization, or it may be disposed of in a public disposal facility.

The property as described in Resolution 2023.24.12 includes equipment used at Child Nutrition Services. Staff determined that items are obsolete and/or beyond economical repair.

File Attachments

[Resolution 2023.24.12 Declaring Surplus Equipment.pdf](#) (11 KB)

POLICY UPDATE: Board Policy and Administrative Regulation 4119.25/4219.25/4319.25 - Political Activities of Employees

Type Action, Procedural
Preferred Date Oct 03, 2023
Recommended Action The recommendation is that the Board of Education approve the updated Board Policy and Administrative Regulation 4119.25/4219.25/4319.25 - Political Activities of Employees.
Goals 2a. Safe, Secure and Healthy Learning Environments

Purpose:
 The purpose is for the Board of Education to review the recommended changes and approve the updated Board Policy and Administrative Regulation 4119.25/4219.25/4319.25 - Political Activities of Employees.

Background:
 This is the first reading of the attached policy and regulation. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policy and regulation. The administration has reviewed the recommended policy/regulation and updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy and/or regulation will be brought back to the Board of Education for a second reading. The 4000 section of the district policy manual is triple coded to divide it into employee classifications: 4100s for certificated employees, 4200s for classified employees, and 4300s for management, supervisory, and confidential employees. The language in BP 4119.25/4219.25/4319.25 and AR 4119.25/4219.25/4319.25 is exactly the same. Policy updated to recognize the importance of employee political activity, voting, and civic engagement, and reflect Pickering v. Board of Education Township High School District regarding the prohibition against dismissing or demoting an employee due to engagement in constitutionally protected political activity. Regulation updated to reflect law which makes it a misdemeanor to use any reproduction of the district's seal in any campaign literature or mass mailing with the intent to deceive voters, the prohibition against posting or distributing political campaign materials in classrooms or through distance learning platforms, and the court's decision in San Leandro Teachers Association v. Governing Board of San Leandro Unified School District regarding the district's ability to refuse to permit the use of school mailboxes for union communications involving candidate endorsements. Regulation also updated to delete material regarding employee organization communications which do not constitute political activity, now addressed in 4140/4240/4340 - Bargaining Units, and to delete material regarding employee activities during a concerted action or work stoppage.

File Attachments

- [Existing NUSD BP 4119.25 Political Activities Of Employees.pdf](#) (65 KB)
- [Existing NUSD BP 4219.25 Political Activities Of Employees.pdf](#) (65 KB)
- [Existing NUSD BP 4319.25 Political Activities Of Employees.pdf](#) (66 KB)
- [Existing NUSD AR 4119.25 Political Activities Of Employees.pdf](#) (66 KB)
- [Existing NUSD AR 4219.25 Political Activities Of Employees.pdf](#) (67 KB)
- [Existing NUSD AR 4319.25 Political Activities Of Employees.pdf](#) (67 KB)
- [Recommended CSBA BP 4119.25, 4219.25, 4319.25 Political Activities of Employees.pdf](#) (795 KB)
- [Recommended CSBA AR 4119.25, 4219.25, 4319.25 Political Activities of Employees.pdf](#) (719 KB)

POLICY UPDATE: Administrative Regulation 4117.11/4217.11/4317.11 - Preretirement Part-Time Employment

Type Action, Procedural
Preferred Date Oct 03, 2023
Recommended Action The recommendation is that the Board of Education approve the updated Administrative Regulation 4117.11 - Preretirement Part-Time Employment and adopt Administration Regulation 4217.11 and 4317.11 - Preretirement Part-Time Employment.
Goals MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens.

Purpose:
 The purpose is for the Board of Education to review the recommended changes, approve the updated Administrative Regulation 4117.11 - Preretirement Part-Time Employment and adopt Administration Regulation 4217.11 and 4317.11 - Preretirement Part-Time Employment.

Background:
 This is the first reading of the attached regulation. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved regulation. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the regulation will be brought back to the Board of Education for a second reading. The 4000 section of the district policy manual is triple coded to divide it into employee classifications: 4100s for certificated employees, 4200s for classified employees, and 4300s for management, supervisory, and confidential employees.

The language in Regulation 4117.11/4317.11 is exactly the same. The language in Regulation 4267.11 is specific to classified employees.

MANDATED Regulation 4117.11/4317.11 revised to clarify that, if a district allows certificated employees who are members of the defined benefit program of the California State Teachers' Retirement System to reduce their workload to part time while continuing to receive the same service credit and other benefits as full-time employees, it must afford equal treatment to all certificated employees who meet the eligibility requirements. Regulation also adds requirement for the district and/or employee to make the payment or contribution necessary for the employee to retain a benefit in the same manner as if the employee were employed full time.

File Attachments

- Existing NUSD BP 4117.11 Preretirement Part-Time Employment.pdf (64 KB)
- Recommended CSBA AR 4117.11 Preretirement Part-Time Employment.pdf (392 KB)
- Recommended CSBA AR 4217.11 Preretirement Part-Time Employment.pdf (246 KB)
- Recommended CSBA AR 4317.11 Preretirement Part-Time Employment.pdf (394 KB)

POLICY UPDATE: Board Policy and Administrative Regulation 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens

Type Action, Procedural
 Preferred Date Oct 03, 2023
 Recommended The recommendation is that the Board of Education approve the updated Board Policy and
 Action Administrative Regulation 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne
 Pathogens.
 Goals 2a. Safe, Secure and Healthy Learning Environments

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated Board Policy and Administrative Regulation 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens.

Background:

This is the first reading of the attached policy and regulation. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policy and regulation. The administration has reviewed the recommended policy/regulation and updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy and/or regulation will be brought back to the Board of Education for a second reading. The 4000 section of the district policy manual is triple coded to divide it into employee classifications: 4100s for certificated employees, 4200s for classified employees, and 4300s for management, supervisory, and confidential employees. The language in BP 4119.42/4219.42/4319.42 and AR 4119.42/4219.42/4319.42 is exactly the same. Policy updated to add the requirement that the district's exposure control plan for bloodborne pathogens be consistent with the district's injury and illness prevention program established pursuant to Labor Code 6401.7. Legal cites added for training and hepatitis B vaccination requirements, and material deleted regarding the exemption of designated first aid providers from the pre-exposure hepatitis B vaccination, which is repeated in the AR. Paragraph added to include the district's responsibility to implement follow-up procedures in the event of an exposure incident. Regulation updated to add federal legal cites where applicable, add definition of personal protective equipment, and delete requirement to communicate hazards to employees through labels and signs, which is not applicable to school districts. Section on "Preventive Measures" expanded to include the provision of personal protective equipment, observance of universal precautions, and compliance with state regulations for needleless systems, needle devices, and non-needle sharps. Regulation also adds more detail regarding the exemption of certain first aid providers from the pre-exposure hepatitis B vaccine and adds required components of staff training.

File Attachments

- Existing NUSD BP 4119.42 Exposure Control Plan For Bloodborne Pathogens.pdf (67 KB)
- Existing NUSD BP 4219.42 Exposure Control Plan For Bloodborne Pathogens.pdf (67 KB)
- Existing NUSD BP 4319.42 Exposure Control Plan For Bloodborne Pathogens.pdf (67 KB)
- Existing NUSD AR 4119.42 Exposure Control Plan For Bloodborne Pathogens.pdf (170 KB)
- Existing NUSD AR 4219.42 Exposure Control Plan For Bloodborne Pathogens.pdf (170 KB)
- Existing NUSD AR 4319.42 Exposure Control Plan For Bloodborne Pathogens.pdf (170 KB)
- Recommended CSBA BP 4119.42, 4219.42, 4319.42 Exposure Control Plan for Bloodborne Pathogens.pdf (747 KB)
- Recommended CSBA AR 4119.42, 4219.42, 4319.42 Exposure Control Plan for Bloodborne Pathogens.pdf (833 KB)

POLICY UPDATE: Board Policies and Administrative Regulations with No Changes from CSBA

Type Action, Procedural
 Recommended The recommendation is that the Board of Education approve the updated Board Policies and
 Action Administrative Regulations as reviewed by the Board Liaison Committee.
 Goals MISSION: The Newark Unified School District will inspire and educate all students to
 achieve their full potential and be responsible, respectful, and productive citizens.

Purpose:

The purpose is for the Board of Education to review and approve the recommended updates to board policies and administrative regulations as received by the Board Liaison Committee.

Background:

During the Board Meeting on April 20, 2023 the board voted to create a Board Liaison Committee and elected President Thomas and Member Jones to conduct an initial review of 150+ policies.

The attached list of six (6) policies reflect the language sanctioned by the California School Board Association. The Board Liaison Committee has reviewed each policy and recommended updating each policy and regulation to current CSBA language. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a second reading.

File Attachments

- [BPs and ARs with No Changes_10-03-2023.pdf](#) (58 KB)
- [Board Policy 1330.1_ Joint Use Agreements.pdf](#) (166 KB)
- [Board Policy 3000_ Concepts And Roles.pdf](#) (152 KB)
- [Board Policy 3290_ Gifts_ Grants And Bequests.pdf](#) (170 KB)
- [Administrative Regulation 3311.4_ Procurement Of Technological Equipment.pdf](#) (152 KB)
- [Administrative Regulation 3542 School Bus Drivers.pdf](#) (170 KB)
- [Board Policy 7310_ Naming Of Facility.pdf](#) (157 KB)

15 BOARD OF EDUCATION: COMMITTEE REPORTS, ANNOUNCEMENTS, REQUESTS, DEBRIEF

Board of Education Committee Reports, Announcements, Requests, Debrief and Discussion

AND DISCUSSION

Type Action, Discussion, Information

Purpose:

COMMITTEE REPORTS: The Trustees will provide an update, if available, on the committees of which they are members.
 ANNOUNCEMENTS: The Trustees may acknowledge or recognize specific programs, activities, or personnel at this time.
 REQUESTS: This is an opportunity for the Board of Education to suggest items for placement on future agendas and to review Board requests.
 Approval from the majority of the Board will be required for direction to be provided to the Superintendent.
 DEBRIEF AND DISCUSSION: The Trustees may debrief and discuss items.

Background:

Each year the Board of Education members liaise with schools and committees in order to build relationships, hear from staff, students, and families, and act as a conduit for information to and from the schools.

Board Committees 2022-23

Board Adopted on 12/15/2022

	Representative	Alternate
Mission Valley Regional Occupational Center/Program (ROC/P) Executive Board	1. Nancy Thomas	1. Carina V. Plancarte

Regional Policy Board of Special Education Local Plan Area (SELPA)	1. Katherine Jones	1. Phuong Nguyen	The following derives directly from the Board approved "Governance
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Newark Teacher Induction Advisory Council (Formally EBIC)	1. Aiden Hill	1. Carina V. Plancarte	Team Handbook" Authority is
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Audit Committee	1. Aiden Hill	2. Katherine Jones	1. Phuong Nguyen	Collective, Not Individual: The only authority to
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Bond/Parcel Tax Committee n seated at a	1. Phuong Nguyen	2. Carina V. Plancarte	1. Aiden Hill	direct action rests with the Board as a whole
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City of Newark NUSD Liaison Committee	1. Phuong Nguyen	2. Nancy Thomas	1. Katherine Jones	regular or special board meeting. Outside of this meeting, there is no authority.
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A majority Board vote provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction.

Bringing New Ideas Forward

The Board will be open to having "brainstorming" discussions, or study sessions, around any idea that a Trustee may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Trustee, at their initiative or at the request of a constituent, which was previously discussed during a board meeting.

Trustees will first notify the Board President and Superintendent of their interest in bringing forward a new idea at a board meeting. When initially agendized, the preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.

Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea. The Superintendent will decide on the delegation of assignments to District staff.

The new idea may be agendized for discussion only. The Board majority will decide if the new idea should be further developed and studied by staff. The Board majority will decide if staff time should be invested in the "fleshing out" of new ideas.

Individual Trustees, in the course of interactions with constituents, will be careful not to make or imply the commitment of the full

16 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

Superintendent's Concluding Comments, Updates, and Future Agenda Items

AGENDA REQUESTS

Type Information

Purpose:

This is an opportunity for the Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

17 ADJOURNMENT

PLACEHOLDER - Extend Meeting

Type Action
Recommended
Action

The recommendation is that the Board of Education extends the meeting to ____ P.M.

Purpose:
This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

Adjournment

Type Action
Recommended
Action

The recommendation is that the Board of Education adjourns this meeting.

Purpose:
No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time.
This action will conclude the meeting.

1 CALL TO ORDER

Meeting Practices and Information

Type Procedural

In-person Meeting Information:

NUSD has opened its boardroom for in-person meetings and will follow the State's and Alameda County's safety guidelines for public gatherings. Please refrain from attending in-person meetings if you have any of the following symptoms:

- Loss of taste/smell
- Difficulty breathing
- Vomiting
- Diarrhea
- Fever
- Cough
- Headache
- Sore Throat
- Runny Nose

For additional COVID-19 information please go to <https://www.newarkunified.org/covid-19> or <https://www.acoe.org/guidance>

Public Comment:

The public will have the opportunity to address the Board of Education regarding agenda items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

Roll Call

Type Procedural

Trustees:

- President Nancy Thomas
- Vice President/Clerk Aiden Hill
- Member Katherine Jones
- Member Phuong Nguyen
- Member Carina V. Plancarte

Pledge of Allegiance

Type Procedural

Purpose:
The Governance Team will recite the Pledge of Allegiance

2 APPROVAL OF THE AGENDA

Approval of the Agenda

Type Action

Recommended Action The recommendation is that the Board of Education approve the agenda for this meeting.

Purpose:
Members of the Governance Team may request that the agenda be amended or approved as presented.

3 PUBLIC COMMENT

Public Comment on Agenda Items

Type Procedural

The Board of Education encourages the community's participation in its deliberations and tries to make it convenient for members of the community to express their views to the Board.

If a constituent wishes to address the Board on any agenda item:

In-Person Comment: please submit a completed speaker card to the Board's Executive Assistant before the start of the meeting, or prior to the calling of the section for public comment.

Audio-Only Virtual Comment: please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org by 1:00 PM the day before the meeting. Please label your email as "AUDIO-ONLY PUBLIC COMMENT" and include your name as it will appear on Zoom, your phone number, email address, and the agenda item number related to your comment.

Please see detailed instructions for public comment on the link: <http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

4 BOARD WORKSHOP SESSION

Welcome and Icebreaker

Type Discussion, Information

Purpose:
The purpose is to establish a welcoming and inclusive atmosphere at the outset of the board workshop. This aims to encourage positive interactions, build rapport among members, and set a conducive tone for productive discussions and decision-making throughout the session.

State of the District

Type Discussion, Information

Purpose:
The purpose is to provide the Board with a comprehensive update on the current state of the district, particularly focusing on progress towards the 2023-24 Overarching Goals, taking into account the challenges posed by teacher vacancies. This discussion aims to offer transparency and insight into the district's performance and strategies for addressing staffing gaps.

Recruitment Plan

Type Discussion, Information

Purpose:
The purpose is to present and discuss the Recruitment Plan, providing the Board with essential information about strategies and approaches for addressing teacher vacancies. This item serves as an opportunity for the Board to gain a comprehensive understanding of the plan and provide feedback if necessary.

Board Self Evaluation Template and Process

Type Discussion, Information

Purpose:
The purpose is to introduce and explain the Board Self Evaluation Template and Process, equipping board members with a structured tool to assess their performance collectively. This item aims to facilitate constructive self-reflection and identify areas for potential improvement, ultimately enhancing the effectiveness and cohesiveness of the board.

Superintendent Evaluation Template and Process

Type Discussion, Information

Purpose:
The purpose is to equip board members with a structured framework to assess the performance of the Superintendent. The item aims to ensure a comprehensive and fair evaluation process, ultimately contributing to the continued improvement and effectiveness of district leadership.

Background:
BP 2140-Administration: The Governing Board recognizes that, in order to effectively fulfill its responsibilities for setting direction, ensuring accountability, and providing community leadership for the district, it must adopt measures for holding the Superintendent accountable.

Other

Type Discussion, Information

Purpose:

The purpose is to allow for an open forum to address any additional matters or concerns that may arise during the board workshop. This item provides flexibility for board members to bring forth topics that may not be covered by the pre-established agenda, fostering a dynamic and responsive discussion environment.

5 BOARD OF EDUCATION COMMENTS

Board of Education Comments

Type Action, Discussion, Information

Purpose:

DEBRIEF AND DISCUSSION: The Trustees may debrief and discuss items.

6 ADJOURNMENT

Adjournment

Type Action

Recommended Action The recommendation is that the Board of Education adjourns this meeting.

Purpose:

No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time. This action will conclude the meeting.

1 CALL TO ORDER

Meeting Practices and Information

Type Procedural

In-person Meeting Information:

NUSD has opened its boardroom for in-person meetings and will follow the State's and Alameda County's safety guidelines for public gatherings. Please refrain from attending in-person meetings if you have any of the following symptoms:

- Loss of taste/smell
- Difficulty breathing
- Vomiting
- Diarrhea
- Fever
- Cough
- Headache
- Sore Throat
- Runny Nose

For additional COVID-19 information please go to <https://www.newarkunified.org/covid-19> or <https://www.acoe.org/guidance>

Observe The Board Of Education Meeting:

Members of the public 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.

Public Comment:

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

Roll Call

Type Procedural

Trustees:

- President Nancy Thomas
- Vice President/Clerk Aiden Hill
- Member Katherine Jones
- Member Phuong Nguyen
- Member Carina V. Plancarte

Student Board Member:
Member Joy Lee

Public Comment on Closed Session Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and tries to make it convenient for members of the community to express their views to the Board.

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Please see detailed instructions for public comment on the link: <http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

Recess to Closed Session

Type Procedural

Purpose:

The Board will recess to Closed Session, and reconvene to Open Session on or about 7:00 p.m.

2 CLOSED SESSION

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE (Gov. Code, 54957, subd. (b)(1))

Type Action, Information, Procedural

Purpose:

Information will be provided by the Superintendent and Executive Director of Human Resources.

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a): Employee Organizations - NTA and CSEA

Type Action, Information, Procedural

Purpose:

Information may be provided by the agency negotiator, Interim Executive Director of Human Resources. Assistance from the legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided. The employee organizations include NTA & CSEA.

CONFERENCE WITH LEGAL COUNSEL EXISTING LITIGATION (Gov. Code, 54956.9, subd. (d)(1)): Case #23CV034303

Type Action, Information, Procedural

Purpose:

To discuss the following case(s): Case #23CV034303 Byrd vs. NUSD

RATIFICATION AND APPROVAL OF TK ENROLLMENT: (Ed. Code, 48000 & 35146)

Type Action (Consent), Discussion, Information

Preferred Date Sep 19, 2023

Fiscal Impact No

Recommended To approve Transitional Kindergarten "expanded" students who shall reach age 5 after April 2, 2024 and before June 2.

Purpose:

The Board will review student information for approval of newly registered Transitional Kindergarten students who shall reach age 5 after April 2, 2024 and before June 2, 2024. These students are considered "expanded" TK students. The board will also consider admittance of "early enrollment" TK students, which includes students who reach age 5 after June 2, 2024. Starting with the 2023-24 academic school year, there are new requirements for both "expanded" and "early enrollment" TK students, which will be considered when determining whether or not NUSD has the capacity to admit students in these categories. This process will continue on a case by case basis for students who register within the extended window.

Background:

Education Code sections 48000 and 48010, and District Administrative Regulation (AR) 5111, requires the District to enroll any otherwise eligible student who turns age five or six on or before September 1 of a given school year into kindergarten or first grade, as applicable. In addition, if a student turns age five between September 2 and April 2 (for the 2023-2024 academic school year) of a school year, then that student shall be offered an opportunity to enroll in TK. The District may additionally admit younger children to TK "on a case by case basis." Education Code section 48000 specifically provides as follows:

(c)(1) As a condition of receipt of apportionment for pupils in a transitional kindergarten program... a school district shall ensure the following:

(c)(1)(D) In the 2023-24 school year, a child who will have their fifth birthday between September 2 and April 2 shall be admitted to a transitional kindergarten program maintained by the school district.

(c)(2)(A) In a school year, a school district may, at any time during a school year, admit a child to a transitional kindergarten program who will have their fifth birthday after the date specified... with the approval of the parent or guardian, subject to the following conditions:

(c)(2)(A)(i) The governing board of the school district determines that admittance is in the best interest of the child.

(c)(2)(A)(ii) The parent/guardian is given information regarding the advantages and disadvantages and any other explanatory information about the effect of this early admittance.

(c)(2)(B) Notwithstanding any other law, a pupil admitted to a transitional kindergarten program pursuant to subparagraph (A) shall not generate average daily attendance... until the pupil has attained the pupil's fifth birthday, regardless of when the pupil was admitted during the school year.

Consistent with the Education Code, the District's AR 5111 provides:

On a case-by-case basis, a child who will turn five years old in a given school year may be enrolled in kindergarten or TK at any time during that school year with the approval of the child's parent/guardian, provided that: (Education Code 48000)

1. The parent/guardian is given information regarding the advantages and disadvantages and any other explanatory information about the effect of this early admittance.

2. The Governing Board determines that admittance is in the best interest of the child.

For the 2023-2024 school year, the birthday for admittance has been extended to April 2, and will continue being extended by two months each school year, until the 2025-2026 school year, when any student with a birthday after September 1 must be admitted to TK.

3 REPORT OF CLOSED SESSION ACTIONS

Report of Closed Session Actions

Type Action, Procedural

Purpose:

If available, a report of the closed session will be provided by the Board President.

4 RECONVENE TO OPEN SESSION

Pledge of Allegiance

Type Procedural

Purpose:

The Governance Team will recite the Pledge of Allegiance

5 APPROVAL OF AGENDA

Approval of the Agenda

Type Action

Recommended The recommendation is that the Board of Education approve the agenda for this meeting.

Action

Purpose:

Members of the Governance Team may request that the agenda be amended or approved as presented.

6 STUDENT REPORT

Student Board Member Report

Type Information

Purpose:

The Student Report gives the Board of Education and the public an opportunity to hear the highlights, achievements, and initiatives from the viewpoint of the student board member.

Background:

The information will be provided by the student board member, Joy Lee.

7 EMPLOYEE ORGANIZATIONS

Employee Organizations

Type Information

Purpose:

At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Background:

Discussion items are limited to updates, celebrations, and upcoming events from each of the recognized employee organizations: NTA, CSEA, and NEWMA.

8 PUBLIC COMMENT

Public Comment on Non-Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and tries to make it convenient for members of the community to express their views to the Board.

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In-Person Comment: please submit a completed speaker card to the Board's Executive Assistant before the start of the meeting, or prior to the calling of the section for public comment.

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Please see detailed instructions for public comment on the link: <http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

Public Comment on Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and tries to make it convenient for members of the community to express their views to the Board.

If a constituent wishes to address the Board on any agenda item:

In-Person Comment: please submit a completed speaker card to the Board's Executive Assistant before the start of the meeting, or prior to the calling of the section for public comment.

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Please see detailed instructions for public comment on the link: <http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

9 SUPERINTENDENT REPORT

Superintendent Report

Type Information

Purpose:

The superintendent will provide the Board of Education with district information, updates, news, or anything in the jurisdiction of the board or the superintendent.

Background:

The presentation and information will be provided by the Superintendent

10 STAFF REPORT

Information & Technology: JET Report Update

Type Discussion, Information

Purpose:

To inform the board and public about the California IT in Education (CITE) Joint Ed Tech (JET) review, progress towards CITE recommendations, and updates regarding the district Wifi project.

Background:

During the 21-22 school year, CITE evaluated the status of technology in the district as well as department staffing. The JET report findings were presented to the board in February 2022. This staff report is intended to update the board on progress towards recommendations, which includes staffing and a district Wifi project.

File Attachments

[Staff Report_ JET Report Update \(6\).pdf](#) (1,231 KB)

College & Career Readiness Measure (Part I)

Type Information

Purpose:

To provide the Board of Trustees and the public with an update on NUSD's College and Career Readiness measures.

Background:

California AB-167 states the AG Completion Improvement Grant Program is to "provide additional supports to local educational agencies to help increase the number of California high school pupils, particularly unduplicated pupils, who graduate high school meeting the AG subject matter requirements for admission to the University of California and the California State University."

On April 6th, 2023, Assistant Superintendent, Dr. Nicole Pierce-Davis, and Coordinator of Equity and Access, Heather Decker, presented the mid year updates on the A-G Completion Improvement Grant Program for NUSD.

This presentation serves to inform the board of NUSD College and Career Readiness Indicator (CCRI) data, which includes the A-G completion and CTE completion information presented in the previous presentation. It will expand on the previous A-G focus area to include all relevant CCRI measures: Smarter Balanced Summative Assessments, Advanced Placement (AP) Exams, College Credit Courses, State Seal of Biliteracy, Career Technical Education (CTE), and University of California and California State University A-G requirements.

The presentation will be split into two or more parts, with part I focused on student Advanced Placement (AP) and A-G Completion data.

File Attachments

[Staff Report_ College and Career Readiness Presentation Pt1 \(1\).pdf](#) (2,465 KB)

After School Programming Staff Report

Type Information

Purpose:

To inform the board and public about after school programming in NUSD as provided by our Think Together partners.

Background:

Think Together has been a consistent and reliable district partner, providing our After School Education and Safety Program (ASES) services in Newark for multiple years, and now growing with available Expanded Learning Opportunities Program (ELO-P) funding. During the 2022-23 academic school year, Think Together's after school programming expanded to all elementary schools and maintained programming at Newark Middle School. With the help of Think Together, NUSD was also able to expand summer school elementary enrollment from approximately 150 students to over 600 students. This staff report will provide an overview of our current Think Together programming, with respect to this expansion, as well as the tools used for continuous improvement and quality assurance.

File Attachments

[Staff Report_ Afterschool Programing 9.19.23 \(2\).pdf](#) (6,162 KB)

11 CONSENT AGENDA: PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type Action

Recommended Action It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent-Personnel, except for agenda items:

Purpose:

This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:

Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Personnel Report

Type Action

Absolute Date Sep 19, 2023
Recommended Action The recommendation is that the Board of Education ratify the personnel report as presented.

Purpose:

The purpose is for the Board of Education to ratify the Personnel Report as presented.

Background:

All personnel activities including new hires, changes in status, resignation, leaves, and retirements are routinely submitted to the Board for ratification.

[File Attachments](#)
[HR PAL 09-19-2023.pdf](#) (355 KB)

12 CONSENT AGENDA: NON-PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type Action
Recommended It is recommended that the Board of Education approve, under one consented vote, the
Action agenda items under Consent Non-Personnel, except for agenda items:

Purpose:
This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:
Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Local Control Accountability Plan (LCAP) Clarifying Questions

Type Action (Consent)
Fiscal Impact No
Recommended The recommendation is that the Board of Education ratify the Newark Unified School District
Action Clarifying Questions 2023-24 LCAP document submitted to the Alameda County Office of
Education.

Purpose:
After the annual review by the Alameda County Office of Education (ACOE) of our proposed 23-24 Local Control and Accountability Plan (LCAP), NUSD received LCAP Clarifying Questions on August 14, 2023, with the expectation to respond to ACOE on or before August 30, 2023, and bring forth to the Board of Education shortly after.

Background:
This document and the revised LCAP template have been provided to ACOE and will be posted on our district website so that our stakeholders can access this information.
Ed Code 52070:
(a) Not later than five days after adoption of a local control and accountability plan or annual update to a local control and accountability plan, the governing board of a school district shall file the local control and accountability plan or annual update to the local control and accountability plan with the county superintendent of schools.
(b) On or before August 15 of each year, the county superintendent of schools may seek clarification, in writing, from the governing board of a school district about the contents of the local control and accountability plan or annual update to the local control and accountability plan. Within 15 days the governing board of a school district shall respond, in writing, to requests for clarification.

File Attachments
[Newark_ 2023-24 LCAP Clarifying Questions.pdf](#) (262 KB)
[2023-24 LCAP Revised after clarifying questions.pdf](#) (1,307 KB)

Resolution 2023.24.06 - Sufficiency of Instructional Materials

Type Action (Consent), Procedural
Fiscal Impact No
Recommended The recommendation is that the Board of Education approves Resolution 2023.24.06 -
Action Sufficiency of Instructional Materials

Purpose:
For the Board of Education to approve Resolution 2023.24.06 - Sufficiency of Instructional Materials

Background:
To certify compliance with Education Code Section 60119 (as revised by Chapter 704, Statutes of 2006 and California Code of Regulations (CCR), Title 5, Section 9531). In order to be eligible to receive instructional materials funds, the governing board of each district and county office of education is required to hold an annual public hearing and adopt a resolution stating whether each pupil in the district has sufficient textbooks or instructional materials in specified subjects that are aligned to the academic content standards and consistent with the content and cycles of the curriculum frameworks adopted by the state board. The public hearing was held on Sept. 5, 2023.
Under EC Section 60119, the governing board of every local educational agency that receives state instructional materials funds must hold an annual public hearing before the end of the eighth week from the first-day pupils attend school for that year. At the public hearing, the governing board must make a determination as to whether each pupil in each school has sufficient textbooks or instructional materials, or both, that are aligned to the content standards and are consistent with the content and cycles of the curriculum framework adopted by the State Board of Education in reading/language arts, mathematics, science, and history-social science.
Site principals reviewed the site's sufficiency of materials and affirmed.
Governing boards that have met the requirements of Education Code Section 60119 and have also certified compliance with the Instructional Materials Funding Realignment Program (IMFRP) requirements regarding the provision of adopted standards-aligned instructional materials for all students (Education Code Section 60422) may spend 100% of any remaining IMFRP funds from that years allocation for other approved purposes.

[File Attachments](#)

- [Resolution No. 2023.24.06 - Sufficiency of Instructional Materials.pdf](#) (421 KB)
- [Sufficiency of Materials Public Hearing 23-24.docx.pdf](#) (529 KB)

California Department of Education Consolidated Application and Reporting System 2023-2024 Spring Data Collection

Type	Action
Recommended	The recommendation is that the Board of Education ratify the Consolidated Application and
Action	Reporting System (CARS), 2023-24 Spring Data Collection.

Purpose:
 The purpose of this item is to provide the California Department of Education with the information needed to fund a wide variety of federal and state programs that bring supplementary funding into the school district.

Background:
 The Consolidated Application and Reporting System (CARS) -- formerly known as Consolidated Application or "Con App" for short -- is the state's mechanism for both funding of identified state and federal categorical programs and required reporting for many of them. It provides the entitlement amounts of these programs as well as required considerations for expenditures. Each year, the programs included in the CARS change based on federal/state mandates and different methods of gaining or disseminating information. This is the 2023-24 Spring Data Collection. CARS brings funds into the school district for a variety of programs including Title I, Title II, Title III and Title IV. Each of the identified programs has specified guidelines or requirements for their expenditure. All titled programs are federally funded. Title I, Part A dollars are used to support the increased achievement of at-risk students, primarily in reading and math. (We currently have eight schools receiving these funds.) Title II, Part A (Teacher Quality) monies are used to support teacher evaluation, as well as teacher professional development. Title III English Learner and Immigrant are used to support our English language learners. Title IV is used to fund school improvement programs for student academic success.

- File Attachments**
[Con App_July 2021-June 2023.pdf](#) (960 KB)

Agreement with Think Together for After School Programming (ASES)

Type	Action (Consent)
Fiscal Impact	Yes
Dollar Amount	\$576,537.00
Budgeted	Yes
Budget Source	ELO-P
Recommended	The recommendation is that the Board of Education approve the renewal of the agreement
Action	with THINK Together for ASES (After School Educational and Safety) for the 2023-2024 school year.

Purpose:
 The purpose is to approve the expansion of the agreement with THINK Together for running the ASES (After School Educational and Safety) program for 2023-24 at Schilling Elementary, Coyote Hills Elementary, and Newark Middle School as agreed upon August 5, 2021.

Background:
 The District is dedicated to carrying out the Board-approved plan for providing an extended day to our TK-6, unduplicated students as outlined in the Expanding Learning Opportunities Program (ELO-P) plan that was presented and approved by the Board on February 3, 2022. These funds will assist in providing additional academic and social-emotional support to students through a 9-hour extended learning day to our student populations that are historically underserved. NUSD has contracted with Think Together to run the ASES (After School Educational and Safety) program since 2013-14. Students at the three identified schools take part in a daily program that starts after classes end for the day until 6pm and includes academic support and enrichment opportunities.

- File Attachments**
[Think Together-Newark MOU for Extra PLs 2023-24.pdf](#) (394 KB)

Contract with Think Together for After-School Programming (ELO-P)

Type	Action (Consent)
Fiscal Impact	Yes
Dollar Amount	\$1,415,383.00
Budgeted	Yes
Budget Source	ELO-P
Recommended	The recommendation is that the Board approve the Think Together contract for after school
Action	programming.

Purpose:
 We are seeking the approval of the Think Together contract in order to execute the approved ELO-P plan.

Background:
 The proposed contract includes the expansion of Think Together's after school program to four additional Elementary Schools using supplemental ELO-P funding. Think Together was selected as the primary partner for this work because it supports the district's intention to

create a single, comprehensive program. Think Together has been a strong and consistent partner, providing our ASES services in Newark for multiple years.

[File Attachments](#)

[Think Together-Newark MOU for EXLP 2023-24.pdf](#) (392 KB)

Notre Dame de Namur University MOU and Agreement to Place Student Teachers

Type	Action
Preferred Date	Sep 19, 2023
Recommended	The recommendation is that the Board of Education approve the Notre Dame de Namur
Action	University MOU and Agreement to Place Student Teachers.

Purpose:
The purpose of this item is for the Board of Education to approve the MOU and agreement between Notre Dame de Namur University and Newark Unified School District to place student teachers..

Background:
The District works closely with local institutes of higher education (IHE) and supports student teacher placements. Agreements between Newark Unified School District and a university must be in place before a student teacher can be placed at a school site in the District.
Student teachers in training do fieldwork in our schools and are supervised by the administrators who volunteer to provide supervision and training.
Student teachers are able to learn, practice teaching, and fine-tune their craft under the direct supervision of a master teacher. The opportunity to student teach in the District benefits both the student and the District.
As vacancies become available in the district, it is invaluable to have the opportunity to observe directly student teachers who may be eligible to interview for vacancies and observe how well they fit into the culture of Newark.

[File Attachments](#)

[Notre Dame Student Teacher Agreement 2023-2028.pdf](#) (309 KB)

Notre Dame de Namur University MOU and Agreement to Provide Education Specialist and Teaching Interns

Type	Action
Preferred Date	Sep 19, 2023
Recommended	The recommendation is that the Board of Education approve the Notre Dame de Namur
Action	University MOU and Agreement to Provide Education Specialist and Teaching Interns.

Purpose:
The purpose of this item is for the Board of Education to approve the MOU and agreement between Notre Dame de Namur University and Newark Unified School District to provide education specialist and teaching interns.

Background:
The District works closely with local institutes of higher education (IHE) and supports education specialist and teaching intern placements. Agreements between Newark Unified School District and a university must be in place before an intern can be placed at a school site in the District.
Interns do fieldwork in our schools and are supervised by the administrators who volunteer to provide supervision and training. Interns are able to learn, practice teaching, and fine-tune their craft under the direct supervision of a master teacher. The opportunity to intern in the District benefits both the student and the District.
As vacancies become available in the district, it is invaluable to have the opportunity to observe directly interns who may be eligible to interview for vacancies and observe how well they fit into the culture of Newark.

[File Attachments](#)

[Notre Dame Intern Agreement 2023-2028.pdf](#) (281 KB)

MOU with SEWA

Type	Action (Consent)
Recommended	The recommendation is that the Board of Education approves the MOU between SEWA and
Action	NUSD.

Purpose:
The purpose is to approve the Sewa Agreement for the 2023-24 school year to supplement current expanded learning opportunities and enrichment activities.

Background:
Sewa International is a nonprofit service organization founded in 2003 as part of a larger movement that started in India in 1989. The purpose of the Sewa program in NUSD is to support teaching and learning beyond the classroom, especially for those children who have been historically or systemically underserved. This year, Sewa staff and community volunteers will expand to include up to 31 AmeriCorps members.
Sewa staff will collaborate with NUSD staff and designated sites to supplement instructional and enrichment services for NUSD students during the day and/or after school. Provision of enrichment services will enhance student development in the following areas: Homework help, critical thinking and problem solving, health and wellness, building of new skills and interests, and cultural sensitivity and awareness. This includes, but is not limited to the following learning opportunities: lessons, workshops, conferences, and professional presentations in the areas of science, technology, engineering, art, and mathematics (STEAM),

disaster preparedness, cultural celebrations, and other college and career interests.

[File Attachments](#)

[Sewa MOU.pdf](#) (1,422 KB)

Contract with Shalom Staffing for Special Education Teacher

Type	Action
Preferred Date	Sep 19, 2023
Absolute Date	Sep 19, 2023
Fiscal Impact	Yes
Dollar Amount	\$115,600.00
Budgeted	Yes
Budget Source	Resource 6500 - Special Education
Recommended	The recommendation is that the Board of Education approve the contract with Shalom
Action	Staffing.

Purpose:

Shalom Staffing to provide 1.0 FTE Resource Specialist Teacher required for an unfilled position for the 2023-2024 school year.

Background:

Despite intensive efforts, the District has not been able to hire for the unfilled position. The contracted teacher is intended to fill the RSP position at the MacGregor Campus for the 2023-2024 school year only.

[File Attachments](#)

[Shalom Staffing Contract 23-24.pdf](#) (727 KB)

Change Order #1 - Water Filling Stations

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$4,089.23
Budget Source	Fund 25 Capital Facilities Fund
Recommended	The recommendation is that the Board of Education approve Change Order #1 for the Water
Action	Filling Stations Project with Smelly Mel's Plumbing, Inc.

Purpose:

To approve Change Order #1 in the amount of \$4,089.23 for the Water Filling Stations Project with Smelly Mel's Plumbing.

Background:

On December 5, 2022, the Board of Trustees reviewed the preliminary budget for the Water Filling Station project in the amount of \$169,125.

On May 4, 2023 the Board of Trustees awarded a contract to Smelly Mel's Plumbing, Inc. in the amount of \$63,600 to install water bottle filling stations at each school site.

This action item is to approve Change Order #1 in the amount of \$4,089.23. This change is due to unforeseen conditions at three (3) locations (please see attached for details). The adjusted contract amount including the change order will be \$67,689.23 which is \$23,284 below budget.

[File Attachments](#)

[CO 1 Smelly Mel's Water Filling Stations NUSD.pdf](#) (250 KB)

POLICY UPDATE: Administrative Regulation 4161.8/4261.8/4361.8 - Family Care and Medical Leave

Type	Action, Procedural
Preferred Date	Sep 19, 2023
Recommended	The recommendation is that the Board of Education approve the updated Administrative
Action	Regulation 4161.8 - Family Care and Medical Leave and adopt Administrative Regulation 4261.8/4361.8 - Family Care and Medical Leave.

Purpose:

The purpose is for the Board of Education to review the recommended changes, approve updated Administrative Regulation 4161.8 and adopt Administrative Regulations 4261.8/4361.8

Background:

This is the first reading of the attached regulation. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved regulation. The administration has reviewed the recommended regulation and updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the regulation will be brought back to the Board of Education for a second reading.

The 4000 section of the district policy manual is triple coded to divide it into employee classifications: 4100s for certificated employees, 4200s for classified employees, and 4300s for management, supervisory, and confidential employees. The language in AR 4161.8, AR 4261.8 and AR 4361.8 is exactly the same.

Regulation updated to reflect NEW LAW (AB 1041, 2022) which expands the definition of a family member for whom an eligible employee may take leave to care for to include a "designated person," provide that an employee may identify the designated person at the time of the employee's request for leave, and include that the district may limit an employee's use of CFRA leave to

care for one designated person per 12-month period.

NOTE: Administrative Regulation 4161.8 has not been updated since the Board of Education adopted it in 1996. There have been numerous revisions by CSBA over the past 27 years, thus the content red-lined in the attached CSBA recommended update will not match the content in NUSD's existing regulation.

File Attachments

- [Recommended CSBA AR 4161.8 Family Care and Medical Leave 09-19-2023.pdf](#) (820 KB)
- [Recommended CSBA AR 4261.8 Family Care and Medical Leave 09-19-2023.pdf](#) (872 KB)
- [Recommended CSBA AR 4361.8 Family Care and Medical Leave 09-19-2023.pdf](#) (890 KB)
- [Existing NUSD AR 4161.8 Family Care and Medical Leave 09-19-2023.pdf](#) (97 KB)

POLICY UPDATE: Board Policies and Administrative Regulations to Rescind

Type Action, Procedural
Preferred Date Sep 19, 2023
Recommended Action The recommendation is that the Board of Education rescind the Board Policies and Administrative Regulations listed below as recommended by California School Board Association (CSBA).

Purpose:
 The purpose is for the Board of Education to review and rescind the policies and regulations listed below per CSBA recommendations.

- Background:**
 The rescission of these policies and regulations is sanctioned by CSBA:
- BP/AR 4031 Complaints Concerning Discrimination in Employment
 Recommend deletion; incorporated into AR 4030 Nondiscrimination in Employment
 - AR 4040 Employee Use of Technology
 Recommend deletion; incorporated language into the policy and replaced regulation with Exhibit - Acceptable Use Agreement.
 - BP 4119.3 Political Activities of Employees
 Recommend deletion; numbered incorrectly, duplicate policy already exists - BP 4119.25 (to be brought to Board for update at a future Board meeting)
 - BP 4138 Mentor Teachers
 Recommend deletion; due to the elimination of the Certificated Staff Mentoring Program pursuant to AB 97 (2013). Key concepts incorporated into new BP 4131.1 Teacher Support and Guidance.
 - BP 4313.1 Load/Scheduling/Hours of Employment
 Recommend deletion; unnecessary policy

File Attachments

- [Existing NUSD BP 4031 ^Complaints Concerning Discrimination In Employment.pdf](#) (179 KB)
- [Existing NUSD AR 4031 ^Complaints Concerning Discrimination In Employment.pdf](#) (66 KB)
- [Existing NUSD AR 4040 Employee Use Of Technology.pdf](#) (50 KB)
- [Existing NUSD BP 4138 ^Mentor Teachers.pdf](#) (47 KB)
- [Existing NUSD BP 4313.1 ^LoadSchedulingHours Of Employment.pdf](#) (40 KB)
- [Existing NUSD BP 4119.3 ^Political Activities Of Employees.pdf](#) (47 KB)

POLICY UPDATE: Administrative Regulation 4312.4 Tuberculosis Tests

Type Action, Procedural
Preferred Date Sep 19, 2023
Recommended Action The recommendation is that the Board of Education approve the updated title of Administrative Regulation 4312.4 from Tuberculosis Tests to Health Examinations.

Purpose:
 The purpose is for the Board of Education to approve the updated title of Administrative Regulation 4312.4 from Tuberculosis Tests to Health Examinations.

Background:
 This is the first reading of the attached regulation. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved regulation. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the regulation will be brought back to the Board of Education for a second reading.
 The 4000 section of the district policy manual is triple coded to divide it into employee classifications: 4100s for certificated employees, 4200s for classified employees, and 4300s for management, supervisory, and confidential employees. Administrative Regulation 4112.4 (certificated employees) and Administrative Regulation 4212.4 (classified employees) both have the correct title, Health Examinations.
 Administrative Regulation 4312.4 (management) still has the old title, Tuberculosis Tests. The recommendation is to update the title to Health Examinations.
 Language and content in all three is exactly the same.

File Attachments

- [Existing NUSD AR 4112.4 Health Examinations.pdf](#) (59 KB)
- [Existing NUSD AR 4212.4 Health Examinations.pdf](#) (65 KB)

[Existing NUSD AR 4312.4 Tuberculosis Tests.pdf](#) (104 KB)

POLICY UPDATE: Board Policy and Administrative Regulation 4161/4262/4361 Leaves

Type Action, Procedural
Preferred Date Sep 19, 2023
Recommended The recommendation is that the Board of Education approve the updated Board Policy 4361
Action Leaves and adopt Board Policy 4161/4261 Leaves and Administrative Regulation 4161/4262/4361 Leaves.

Purpose:
The purpose is for the Board of Education to approve the updated Board Policy 4361 Leaves and adopt Board Policy 4161/4261 Leaves and Administrative Regulation 4161/4262/4361 Leaves.

Background:
This is the first reading of the attached policy and regulation. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved regulation. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy and/or regulation will be brought back to the Board of Education for a second reading.
The 4000 section of the district policy manual is triple coded to divide it into employee classifications: 4100s for certificated employees, 4200s for classified employees, and 4300s for management, supervisory, and confidential employees. The language in Board Policy and Administrative Regulation 4161/4261/4361 is exactly the same.

- File Attachments**
[Existing NUSD BP 4361 Leaves.pdf](#) (45 KB)
[Recommended CSBA BP 4161 Leaves.pdf](#) (304 KB)
[Recommended CSBA BP 4261 Leaves.pdf](#) (265 KB)
[Recommended CSBA BP 4361 Leaves.pdf](#) (265 KB)
[Recommended CSBA AR 4161 Leaves.pdf](#) (214 KB)
[Recommended CSBA AR 4261 Leaves.pdf](#) (214 KB)
[Recommended CSBA AR 4361 Leaves.pdf](#) (233 KB)

POLICY UPDATE: Board Policy 4312.1 Contracts

Type Action, Procedural
Preferred Date Sep 19, 2023
Recommended The recommendation is that the Board of Education approve the updated Board Policy 4312.1
Action Contracts.

Purpose:
The purpose is for the Board of Education to approve the updated Board Policy 4312.1 Contracts.

Background:
This is the first reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policy. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a second reading.
The 4000 section of the district policy manual is triple coded to divide it into employee classifications: 4100s for certificated employees, 4200s for classified employees, and 4300s for management, supervisory, and confidential employees. Policy updated to reflect NEW LAW (SB 1436, 2016) which requires the board, prior to taking final action on the salary or benefits of employees whose position within the district is established through an employment contract, to orally report a summary of the recommended action during open session of a board meeting. Updated policy also clarifies the limited circumstances under which salary and benefits may be discussed in closed session and the prohibition against discussing salary or other compensation during a special meeting of the board.

- File Attachments**
[Existing NUSD BP 4312.1 Contracts 09-19-2023.pdf](#) (98 KB)
[Recommended CSBA BP 4312.1 Contracts 09-19-2023.pdf](#) (336 KB)

POLICY UPDATE: Board Policy 5132 and Administrative Regulation 5132 - Dress and Grooming

Type Action (Consent), Procedural
Fiscal Impact No
Recommended The recommendation is that the Board of Education discuss and approve the updated Board
Action Policy 5132 and Administrative Regulation 5132 - Dress and Grooming

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation.

Background:
This is the SECOND reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board

approved policies. The updated board policy and administrative regulation has been reviewed by the Board Liaison Committee, Superintendent, and presented to the secondary ASB members for recommended updates for accuracy. Revisions reflect these engagements and district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a third reading.

Board Policy 5132 - Dress and Grooming

The NUSD board policy has not been revised since 2004. The language has been replaced to match the sample board policy provided by the California School Board Association.

Administrative Regulation 5132 - Dress and Grooming

The NUSD administrative regulation has not been revised since 2004. The language has been replaced to match the sample board policy provided by the California School Board Association.

CSBA Language:

(BP revised) Policy updated to reflect NEW LAW (SB 188) which prohibits discrimination against traits historically associated with race, including hair texture and "protective hairstyles" such as braids, locks, and twists.

File Attachments

- [Existing NUSD AR 5132 Dress And Grooming.pdf](#) (64 KB)
- [Existing NUSD BP 5132 Dress And Grooming.pdf](#) (49 KB)
- [Recommended CSBA AR 5132 Dress And Grooming.pdf](#) (217 KB)
- [Recommended CSBA BP 5132 Dress And Grooming.pdf](#) (254 KB)

FIELD TRIP : Non-Curricular Trip for Newark Middle School to travel to Santa Clara, CA

Type	Action (Consent)
Fiscal Impact	Yes
Dollar Amount	\$21,800.00
Budgeted	Yes
Budget Source	ASB Funds
Recommended Action	The recommendation is that the Board of Education approve the non-curricular trip for Newark Middle School eighth grade class to Santa Clara, CA.

Purpose:

The Newark Middle School Principal requests permission to take Newark Middle School eighth grade class on a non-curricular trip to Santa Clara, CA. Transportation will be by chartered bus. This trip is an end-of-year trip for eighth-grade students.

School: Newark Middle School

Dates: May 17, 2024

Location: Santa Clara, CA

Chaperone requirements met

Grade K-3, one adult for every 5-8 students; Grades 4-12, one adult for every 10 students; Board Policy requires at least two adults on every trip regardless of the number of students (BP 6153 and AR 6153)

No student will be denied due to a lack of funds.

Background:

According to Board Policy 6153, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. Newark Middle School Principal requests permission to take Newark Middle School Eighth Grade Class on a non-curricular trip to Santa Clara, CA.

File Attachments

- [Newark Middle School Eighth Grade Field Trip.pdf](#) (570 KB)

MINUTES: Minutes of the August 15, 2023 Regular Meeting of the Board of Education

Type	Action, Minutes
Recommended Action	The recommendation is that the Board of Education approve the minutes of the August 15, 2023 Regular Meeting of the Board of Education.

Purpose:

For the board to review and approve minutes of the August 15, 2023, Regular Meeting of the Board of Education.

Background:

The attached minutes are reflective of the August 15, 2023, Regular Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel [HERE](#).

MINUTES: Minutes of the September 5, 2023 Regular Meeting of the Board of Education

Type	Action, Minutes
Fiscal Impact	No
Recommended Action	The recommendation is that the Board of Education approve the minutes of the September 5, 2023 Regular Meeting of the Board of Education.

Purpose:

For the board to review and approve minutes of the September 5, 2023, Regular Meeting of the Board of Education.

Background:

The attached minutes are reflective of the September 5, 2023, Regular Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel [HERE](#).

13 BOARD OF EDUCATION: COMMITTEE REPORTS, ANNOUNCEMENTS, REQUESTS, DEBRIEF

Board of Education Committee Reports, Announcements, Requests, Debrief and Discussion

AND DISCUSSION

Type Action, Discussion, Information

Purpose:

COMMITTEE REPORTS: The Trustees will provide an update, if available, on the committees of which they are members.

ANNOUNCEMENTS: The Trustees may acknowledge or recognize specific programs, activities, or personnel at this time.

REQUESTS: This is an opportunity for the Board of Education to suggest items for placement on future agendas and to review Board requests.

Approval from the majority of the Board will be required for direction to be provided to the Superintendent.

DEBRIEF AND DISCUSSION: The Trustees may debrief and discuss items.

Background:

Each year the Board of Education members liaise with schools and committees in order to build relationships, hear from staff, students, and families, and act as a conduit for information to and from the schools.

Board Committees 2022-23

Board Adopted on 12/15/2022

	Representative	Alternate
Mission Valley Regional Occupational Center/Program (ROC/P)	1. Nancy Thomas	1. Carina V. Plancarte

Executive Board

Regional Policy Board of Special Education Local Plan Area (SELPA)	1. Katherine Jones	1. Phuong Nguyen
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Newark Teacher Induction Advisory Council (Formally EBIC)	1. Aiden Hill	1. Carina V. Plancarte
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Audit Committee	1. Aiden Hill	2. Katherine Jones	1. Phuong Nguyen
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Bond/Parcel Tax Committee	1. Phuong Nguyen	2. Carina V. Plancarte	1. Aiden Hill
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City of Newark NUSD Liaison Committee	1. Phuong Nguyen	2. Nancy Thomas	1. Katherine Jones
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The following derives directly from the Board approved "Governance Team Handbook"

Authority is Collective, Not Individual:

The only authority to direct action rests with the Board as a whole when seated at a regular or special board meeting. Outside of this meeting, there is no authority.

A majority Board vote provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction.

Bringing New Ideas Forward

The Board will be open to having "brainstorming" discussions, or study sessions, around any idea that a Trustee may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Trustee, at their initiative or at the request of a constituent, which was previously discussed during a board meeting.

Trustees will first notify the Board President and Superintendent of their interest in bringing forward a new idea at a board meeting.

When initially agendized, the preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.

Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea. The Superintendent will decide on the delegation of assignments to District staff.

The new idea may be agendized for discussion only. The Board majority will decide if the new idea should be further developed and studied by staff. The Board majority will decide if staff time should be invested in the "fleshing out" of new ideas.

Individual Trustees, in the course of interactions with constituents, will be careful not to make or imply the commitment of the full Board to explore or proceed with implementing new ideas.

14 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

Superintendent's Concluding Comments, Updates, and Future Agenda Items

AGENDA REQUESTS

Type Information

Purpose:

This is an opportunity for the Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

15 ADJOURNMENT

PLACEHOLDER - Extend Meeting

Type Action

Recommended Action The recommendation is that the Board of Education extends the meeting to ____ P.M.

Purpose:

This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

Adjournment

Type Action

Recommended The recommendation is that the Board of Education adjourns this meeting.
Action

Purpose:

No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time.
This action will conclude the meeting.

1 CALL TO ORDER

Meeting Practices and Information

Type Procedural

In-person Meeting Information:

NUSD has opened its boardroom for in-person meetings and will follow the State's and Alameda County's safety guidelines for public gatherings. Please refrain from attending in-person meetings if you have any of the following symptoms:

- Loss of taste/smell
- Difficulty breathing
- Vomiting
- Diarrhea
- Fever
- Cough
- Headache
- Sore Throat
- Runny Nose

For additional COVID-19 information please go to <https://www.newarkunified.org/covid-19> or <https://www.acoe.org/guidance>

Observe The Board Of Education Meeting:

Members of the public 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.

Public Comment:

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLI COMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLI COMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

Roll Call

Type Procedural

Trustees:

- President Nancy Thomas
- Vice President/Clerk Aiden Hill
- Member Katherine Jones
- Member Phuong Nguyen
- Member Carina V. Plancarte

Student Board Member:

- Member Diego Torres

Public Comment on Closed Session Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and tries to make it convenient for members of the community to express their views to the Board.

If a constituent wishes to address the Board on any agenda item:

In-Person Comment: please submit a completed speaker card to the Board's Executive Assistant before the start of the meeting, or prior to the calling of the section for public comment.

Audio-Only Virtual Comment: please fill out a virtual speaker card via email at PUBLI COMMENT@newarkunified.org by 1:00 PM the day of the meeting. Please label your email as "AUDIO-ONLY PUBLIC COMMENT" and include your name as it will appear on Zoom, your phone number, email address, and the agenda item number related to your comment.

Please see detailed instructions for public comment on the link: <http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

Recess to Closed Session

Type Procedural

Purpose:

The Board will recess to Closed Session, and reconvene to Open Session on or about 7:00 p.m.

2 CLOSED SESSION

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE (Gov. Code, 54957, subd. (b)(1))

Type Action, Information, Procedural

Purpose:

Information will be provided by the Superintendent and Executive Director of Human Resources.

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a): Employee Organizations - NTA and CSEA

Type Action, Information, Procedural

Purpose:

Information may be provided by the agency negotiator, Executive Director of Human Resources. Assistance from the legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided. The employee organizations include NTA & CSEA.

3 REPORT OF CLOSED SESSION ACTIONS

Report of Closed Session Actions

Type Action, Procedural

Purpose:

If available, a report of the closed session will be provided by the Board President.

4 RECONVENE TO OPEN SESSION

Pledge of Allegiance

Type Procedural

Purpose:

The Governance Team will recite the Pledge of Allegiance

5 APPROVAL OF AGENDA

Approval of the Agenda

Type Action

Recommended Action The recommendation is that the Board of Education approve the agenda for this meeting.

Purpose:

Members of the Governance Team may request that the agenda be amended or approved as presented.

6 RECOGNITIONS AND CELEBRATIONS

Student Spotlight - Newark Memorial High School ASB

Type Information

Purpose:

To recognize the Newark Memorial High School ASB.

Background:

The presentation will be provided by the Superintendent.

7 STUDENT REPORT

Student Report - Joy Lee, Student Board Member

Type Information

Purpose:

At regular Board of Education meetings, a spokesperson of a secondary school may make a brief presentation. Discussion items may include updates, celebrations, and upcoming events.

1. Newark Memorial High School: Student Board Member, Joy Lee

8 EMPLOYEE ORGANIZATIONS

Employee Organizations

Type Information

Purpose:

At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Background:

Discussion items are limited to updates, celebrations, and upcoming events.

1. NTA: Sean Abruzzi
2. CSEA: Maria Huffer
3. NEWMA: Vicenta Ditto

9 PUBLIC COMMENT

Public Comment on Non-Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.

<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

Public Comment on Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.

<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

10 SUPERINTENDENT REPORT

Superintendent Report

Type Information

Purpose:

The superintendent will provide the Board of Education with district information, updates, news, or anything in the jurisdiction of the board or the superintendent.

Background:

The presentation and information will be provided by the Superintendent

11 STAFF REPORT

Attendance Update/Awareness

Type Information

Purpose:

Educational Services will update the Board on attendance data, goals, and progress monitoring tools.

Background:

Our country, state, and county are facing an attendance crisis. Prior to the pandemic, eight million students were chronically absent (missing 10% or more of the school year). That number has more than doubled. The adverse social, emotional and academic impact of missing too much school is highest among students and families most affected by educational inequities. Left unaddressed, chronic absence will dramatically increase the number of students struggling with reading, writing, and math and escalate drop out rates. (Attendance Works)

Newark Unified School District has been identified for Differentiated Assistance, along with many other districts in Alameda County, in large part due to continued high post-pandemic chronic absence rates. While the district continues to implement covid-19 protocols and procedures, Ed Services seeks to implement a plan that will continue to increase positive attendance rates back to pre-pandemic levels. This presentation provides a summary of our current attendance data and district-wide improvement initiatives.

File Attachments

[Attendance Month Staff Report BOE 09.05.23 \(1\).pdf](#) (1,377 KB)

CAASPP 2022-23 Status Data

Type Discussion, Information

Purpose:

Educational Services will update the Board on the released California Assessment of Student Performance and Progress (CAASPP) status data.

Background:

The California Department of Education released the results of the California Assessment of Student Performance and Progress (CAASPP). These results are based on the CAASPP tests that were administered during the 2022/23 school year. These assessments are based on the Common Core State Standards and this is the fifth year of testing results. It is important to note that the English Language Arts (ELA) and the Mathematics assessments are administered in grades 3rd-8th grade and 11th grade.

File Attachments

[CAASPP Presentation 2023.pptx.pdf](#) (2,071 KB)

12 PUBLIC HEARINGS

Public Hearing: Sufficiency of Instructional Materials

Type Procedural

Purpose:

For the Board of Education to provide an opportunity for the public to speak on the Sufficiency of Instructional Materials Resolution.

Background:

To certify compliance with Education Code Section 60119 (as revised by Chapter 704, Statutes of 2006 and California Code of Regulations (CCR), Title 5, Section 9531). In order to be eligible to receive instructional materials funds, the governing board of each district and county office of education is required to hold an annual public hearing and adopt a resolution stating whether each pupil in the district has sufficient textbooks or instructional materials in specified subjects that are aligned to the academic content standards and consistent with the content and cycles of the curriculum frameworks adopted by the state board. This is an annual process.

Under EC Section 60119, the governing board of every local educational agency that receives state instructional materials funds must hold an annual public hearing before the end of the eighth week from the first-day pupils attend school for that year. At the public hearing, the governing board must make a determination as to whether each pupil in each school has sufficient textbooks or instructional materials, or both, that are aligned to the content standards and are consistent with the content and cycles of the curriculum framework adopted by the State Board of Education in reading/language arts, mathematics, science, and history-social science.

Site principals reviewed the site's sufficiency of materials and affirmed. Governing boards that have met the requirements of Education Code Section 60119 and have also certified compliance with the Instructional Materials Funding Realignment Program (IMFRP) requirements regarding the provision of adopted standards-aligned instructional materials for all students (Education Code Section 60422) may spend 100% of any remaining IMFRP funds from that year's allocation for other approved purposes. The Board will later have the opportunity to approve Resolution 2023.24.06 - Sufficiency of Instructional Materials.

File Attachments

[Sufficiency of Materials Public Hearing 23-24.docx.pdf](#) (453 KB)

13 NEW BUSINESS

Citizens' Bond Oversight Committee (CBOC) 2021-22 Annual Report

Type Action

Recommended Action The recommendation is that the Board of Education accepts the 2021-22 Citizens' Bond Oversight Committee Annual Report as presented.

Purpose:

The Citizens' Bond Oversight Committee (CBOC) Chair, Cary Knoop will present the Annual Report for the 2021-22 school year.

Background:

Measure G requires an annual report from the Citizens' Bond Oversight Committee.

File Attachments

[CBOC 2021-2022 Annual Report.pdf](#) (461 KB)

[CBOC 2021-2022 Annual Report Presentation.pdf](#) (829 KB)

2022-23 Unaudited Actuals Financial Report

Type	Action
Recommended	The recommendation is that the Board approve the 2022-23 Unaudited Actuals Financial Report.
Action	

Purpose:
The purpose of this item is for the Board to review and approve the 2022-23 Unaudited Actuals Financial Report.

Background:
Assembly Bill 1200 requires that the prior year's unaudited actuals of revenues and expenditures be approved by the Board of Trustees (EC 42100). The unaudited actuals will be reviewed by independent auditors and presented in an annual independent audit report. The report includes the actual results of 2022-23 operations for all funds of the District and includes various supplemental schedules used to convert the District's fund-level statements into entity-wide statements in compliance with Governmental Accounting Standards Board Statement #34 (GASB 34).

The District must close its books for the 2022-23 fiscal year by September 15, 2023, and submit the financial statement to the Alameda County Office of Education which will review the information and forward it to the state. This report is prepared using the state software in a format approved by the California Department of Education (Standardized Account Code Structure, known as SACS). Individual SACS report forms are prepared for each of the District's funds. The financials present the 2022-23 revenues, expenses, assets, liabilities, and fund balances by the fund.

File Attachments

[2022-23 UA Full Book.pdf](#) (7,989 KB)

Resolution 23.24.08 Designating Certain General Funds as Committed Fund Balance for 2022-23

Type	Action
Recommended	The recommendation is that the Board of Education adopt Resolution 2023.24.08 Designating Certain General Funds as Committed Fund Balance for 2022-23.
Action	

Purpose:
To approve the designations to the fund balance as presented in Resolution 2023.24.08 Designating Certain General Funds as Committed Fund Balance for 2022-23.

Background:
As a result of the balance in the Public School System Stabilization Account, the statutory limitation on school district reserves has been triggered for the 2022-23 budget period, pursuant to Education Code (EC) section 42127.01(e). Beginning with the 2022-23 fiscal year, the district reserve cap requires that a school district's adopted or revised budget shall not contain a combined assigned or unassigned ending general fund balance of more than 10 percent of those funds. Assigned and unassigned balances within Fund 17 Special Reserve Fund for Emergency Purposes are included within the 10% reserve cap. Components of the fund balance designated as committed funds are not included in the 10% reserve cap. On September 15, 2022, the Board adopted Resolution 2022.23.07 designating \$11,935,656 in general funds as committed fund balance. Since the ending fund balance in the 2022-23 Unaudited Actuals resulted in an increase of about \$3.9 million, the committed fund balance designations for 2022-23 need to be modified in order to maintain the 10% reserve cap required for the 2022-23 fiscal year.

File Attachments

[Resolution 2023.24.08 Commitment of Fund Balance for 2022-23 Fiscal Year.pdf](#) (16 KB)

Resolution 2023.24.03 Designating Certain General Funds as Committed Fund Balance for 2023-24

Type	Action
Recommended	The recommendation is that the Board of Education adopt Resolution 2023.24.03 Designating Certain General Funds as Committed Fund Balance for 2023-24.
Action	

Purpose:
To approve the designations to the fund balance as presented in Resolution 2023.24.03 Designating Certain General Funds as Committed Fund Balance for 2023-24.

Background:
As a result of the balance in the Public School System Stabilization Account, the statutory limitation on school district reserves has been triggered for the 2022-23 budget period, pursuant to Education Code (EC) section 42127.01(e). Beginning with the 2022-23 fiscal year, the district reserve cap requires that a school district's adopted or revised budget shall not contain a combined assigned or unassigned ending general fund balance of more than 10 percent of those funds. Assigned and unassigned balances within Fund 17 Special Reserve Fund for Emergency Purposes are included within the 10% reserve cap. Components of the fund balance designated as committed funds are not included in the 10% reserve cap. On June 15, 2023, the Board adopted Resolution 2022.23.35 designating \$11,077,876 in general funds as committed fund balance. Since

the ending fund balance in the 2022-23 Unaudited Actuals resulted in an increase of about \$3.9 million, the committed fund balance designations for 2023-24 need to be modified in order to maintain the 10% reserve cap required for the 2023-24 fiscal year.

[File Attachments](#)

[Resolution 2023.24.03 Commitment of Fund Balance for 2023-24 Fiscal Year.pdf](#) (16 KB)

Position/Job Description: Intramural Activities Campus Monitor, Secondary

Type	Action, Discussion
Preferred Date	Sep 05, 2023
Fiscal Impact	Yes
Dollar Amount	\$50,000.00
Budgeted	Yes
Budget Source	Learning Recovery Emergency Block Grant and Title IV
Recommended Action	The recommendation is that the Board approve the position and job description for the Intramural Activities Campus Monitor, Secondary.

Purpose:
To approve the position and job description of the Intramural Activities Campus Monitor, Secondary.

Background:
This is a new job description. The job duties and responsibilities have been developed in coordination with California School Employees Association, Secondary Principals, and the Human Resources Department.

[File Attachments](#)

[Intramural Activities Campus Monitor Job Description.pdf](#) (384 KB)

14 CONSENT AGENDA: PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type	Action
Recommended Action	It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent-Personnel, except for agenda items:

Purpose:
This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:
Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

POLICY UPDATE: Board Policy 4112.2 and Administrative Regulation 4112.2 - Certification

Type	Action, Procedural
Preferred Date	Sep 05, 2023
Recommended Action	The recommendation is that the Board of Education approve the updated Board Policy 4112.2 and Administrative Regulation 4112.2 - Certification.

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation.

Background:
This is the first reading of the attached policy and regulation. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policy and regulation. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy and/or regulation will be brought back to the Board of Education for a second reading.
Policy updated to reference that the Commission on Teacher Credentialing (CTC) has adopted regulations to implement statutory changes to the subject matter competence requirements, add to the first philosophical paragraph, demonstration of competency in the subject matter to be taught to the attributes of certificated staff, provide that the Governing Board is required to adopt an annual resolution that it has made reasonable efforts to recruit a fully prepared teacher before hiring, in accordance with a specified hiring hierarchy, a candidate who is not fully credentialed, clarify that the Board's obligation to take action to approve a notice of intent to employ a provisional internship permit does not require that the item be an action item, and add that the Declaration of Need specify each subject to be listed on the General Education Limited Assignment Single Subject Teaching Permits and the target language on Emergency Bilingual Permits.
Regulation updated to clarify that the district may charge a fee to persons being tested to cover the cost of developing, administering, and grading the district proficiency test, include administrative leave related to dismissal and suspension proceedings and military leave as types of leaves for which the Superintendent or designee may request the Commission on Teacher Credentialing (CTC) to issue a Teaching Permit for Statutory Leave, and add a new section "Early Childhood Education Emergency Specialist Permit/Emergency Transitional Kindergarten Permit" (ETK) which reflects NEW LAW (AB 210, 2022) authorizing the district to request a one-year early childhood education emergency specialist permit which allows the teaching of

all subjects in a self-contained transitional kindergarten general education classroom. Regulation also updated to reference NEW LAW (SB 1397, 2022) which requires CTC, until July 1, 2024, to waive the basic skills proficiency requirement for the issuance of an emergency 30-day substitute permit and NEW LAW (AB 1876, 2022) which requires CTC to accept an alternative verification of substitute teaching as part of the requirements for initial issuance of an emergency career substitute teaching permit.

File Attachments

[Existing NUSD BP 4112.2 Certification 09-05-2023.pdf](#) (116 KB)
[Existing NUSD AR 4112.2 Certification 09-05-2023.pdf](#) (202 KB)
[Recommended CSBA BP 4112.2 Certification 09-05-2023.pdf](#) (1,254 KB)
[Recommended CSBA AR 4112.2 Certification 09-05-2023.pdf](#) (1,521 KB)

POLICY UPDATE: Administrative Regulation 4161.1/4261.1/4361.1 - Personal Illness/Injury Leave

Type Action, Procedural
Preferred Date Sep 05, 2023
Recommended Action The recommendation is that the Board of Education approve the updated Administrative Regulation 4161.1/4261.1 - Personal Illness/Injury Leave and adopt Administration Regulation 4361.1 - Personal Illness/Injury Leave.

Purpose:

The purpose is for the Board of Education to review the recommended changes, approve the updated Administrative Regulation 4161.1/4261.1 - Personal Illness/Injury Leave and adopt Administration Regulation 4361.1 - Personal Illness/Injury Leave.

Background:

This is the first reading of the attached regulation. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved regulation. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the regulation will be brought back to the Board of Education for a second reading. The 4000 section of the district policy manual is triple coded to divide it into employee classifications: 4100s for certificated employees, 4200s for classified employees, and 4300s for management, supervisory, and confidential employees. The language in Regulation 4161.1/4361.1 is exactly the same. The language in Regulation 4261.1 is specific to classified employees. Regulation 4161.1/4361.1 updated to delete outdated material and to reflect NEW LAW (AB 1041, 2022) which includes a "designated person" in the definition of family member for whom an employee may take leave to care for. Regulation 4261.1 updated to align language regarding miscarriage with analogous language in administrative regulation for certificated staff, delete outdated material, and reflect NEW LAW (AB 1041, 2022) which includes a "designated person" in the definition of family member for whom an employee may take leave to care for.

File Attachments

[Existing NUSD AR 4161.1 Personal Illness & Injury Leave 09-05-2023.pdf](#) (123 KB)
[Existing NUSD AR 4261.1 Personal Illness & Injury Leave 09-05-2023.pdf](#) (124 KB)
[Recommended CSBA AR 4161.1 Personal Illness & Injury Leave 09-05-2023.pdf](#) (1,492 KB)
[Recommended CSBA AR 4261.1 Personal Illness & Injury Leave 09-05-2023.pdf](#) (2,019 KB)
[Recommended CSBA AR 4361.1 Personal Illness & Injury Leave 09-05-2023.pdf](#) (976 KB)

POLICY UPDATE: Administrative Regulation 4161.2/4261.2/4361.2 - Personal Leaves

Type Action, Procedural
Preferred Date Sep 05, 2023
Recommended Action The recommendation is that the Board of Education approve the updated Administrative Regulation 4161.2/4261.2/4361.2 - Personal Leaves.

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated administrative regulation.

Background:

This is the first reading of the attached regulation. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved regulation. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the regulation will be brought back to the Board of Education for a second reading. The 4000 section of the district policy manual is triple coded to divide it into employee classifications: 4100s for certificated employees, 4200s for classified employees, and 4300s for management, supervisory, and confidential employees. The language in Regulation 4161.2/4261.2/4361.2 is exactly the same. Regulation updated to reflect NEW LAW (AB 1949, 2022) which requires a district to provide up to five days of bereavement leave to a qualified employee for the death of a family member, and provide clarifying language regarding the definitions of "family member" and "immediate family" and implications for bereavement leave. Regulation also updated to reference NEW LAW (AB 1041, 2022) which expands the definition of a family member for whom an eligible employee may take leave to care for to include a "designated person."

File Attachments

[Existing NUSD AR 4161.2 Personal Leaves 09-05-2023.pdf](#) (154 KB)
[Existing NUSD AR 4261.2 Personal Leaves 09-05-2023.pdf](#) (154 KB)
[Existing NUSD AR 4361.2 Personal Leaves 09-05-2023.pdf](#) (155 KB)
[Recommended CSBA AR 4161.2 Personal Leaves 09-05-2023.pdf](#) (1,624 KB)

[Recommended CSBA AR 4261.2 Personal Leaves 09-05-2023.pdf](#) (1,888 KB)
[Recommended CSBA AR 4361.2 Personal Leaves 09-05-2023.pdf](#) (1,868 KB)

Personnel Report

Type Action
Absolute Date Sep 05, 2023
Recommended The recommendation is that the Board of Education ratify the personnel report as presented.
Action

Purpose:
The purpose is for the Board of Education to ratify the Personnel Report as presented.

Background:
All personnel activities including new hires, changes in status, resignation, leaves, and retirements are routinely submitted to the Board for ratification.

File Attachments
[HR PAL 09-05-2023.pdf](#) (364 KB)

New Agenda Item

Purpose:
(Please explain to the Board why this item is on the agenda)

Background:
(Please give the Board any background information on this item such as the history, policies, and any information that may be useful for the Board to consider)

15 CONSENT AGENDA: NON-PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type Action
Recommended It is recommended that the Board of Education approve, under one consented vote, the
Action agenda items under Consent Non-Personnel, except for agenda items:

Purpose:
This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:
Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Memorandum of Agreement with Bay Area Community Health (BACH)

Type Action (Consent), Information
Fiscal Impact No
Recommended The recommendation is that the Board of Education approves the Memorandum of Agreement
Action with Bay Area Community Health (BACH).

Purpose:
The purpose is to approve the Bay Area Community Health Memorandum of Agreement for the 2023-24 school year to help families in need of health care services.

Background:
Service Provider will provide mobile services to increase further the accessibility of school-linked physicals services offering comprehensive healthcare services, including physicals, sports physicals, immunizations, sick visits, family planning, dental screenings, and services, vision screening and services, linkages to behavioral health services, case management, referrals, translation/interpretation, eligibility assistance, and health education. The focus of BACH will be to provide on-site access to high-quality health care services to pre-school age through high-school age youth enrolled in schools within NUSD, in addition to other community members. Although the mobile will be located at Newark Middle School, other schools may be served by mutual agreement during this term, and any NUSD student can utilize the mobile clinic at any location. Any necessary follow up care will be referred to the student's primary care provider, if one exists.

File Attachments
[Bay Area Community Health MOU_2022-2025.pdf](#) (276 KB)

Revision of the Reclassification Criteria for English Learners

Type Action (Consent)
Fiscal Impact No

Recommended Action The recommendation is that the Board of Education approves the revision to NUSD Reclassification criteria for K-12th graders.

Purpose:

This item is being presented to the Board for approval of the NUSD Reclassification Criteria for the current school year (2023-24).

Background:

Reclassification is the process by which a student is reclassified from English Learner (EL) to fluent English proficient (RFEP). Per California Education Code (EC) Section 313 and Title 5 California Code of Regulations (5 CCR) section 11303, LEAs must use the following four criteria to establish their own reclassification policies:

- 1. Assessment of English language proficiency (ELP), using an objective assessment instrument, including, but not limited to, the state test of English Language Performance Assessment of California (ELPAC) or Alternative ELPAC;
2. Teacher evaluation, including, but not limited to, a review of the student's curriculum mastery;
3. Parent opinion and consultation; and
4. Comparison of student performance in basic skills against an empirically established range of performance in basic skills of English proficient students of the same age.

For criteria 1 above, the statewide standardized ELP is an Overall Performance Level (PL) 4 in the ELPAC. LEAs are to use the Overall PL 4 to determine whether a student has met that criteria. The other three criteria are for the LEAs to determine and establish local measurements. NUSD's approved reclassification criteria align with the state's first three criteria. For criteria 4, NUSD determined to use the following:

Elementary (K-5th):

District Benchmark Assessment in ELA: I-Ready score On or Above grade level, or SBAC ELA score within 5% of English Proficient average

Secondary (6th - 12th):

CAASPP: Most recent SBAC ELA score within 5% of English Proficient average, or PSAT Scores in Illuminate in Yellow or Green (only applies to 10th and 11th graders)
District Benchmark Assessment in ELA: I-Ready score On or Above grade level

RECLASSIFICATION OF ENGLISH LEARNERS WITH DISABILITIES

Considering all guidelines, criteria, resources, and the individual needs of each dual-identified English learner, the IEP team will determine the following:

- Appropriate measures of English language proficiency (ELP)
Appropriate measures of performance in basic skills
Minimum levels of proficiency that would be equivalent to an English proficient peer with similar disabilities in accordance with district reclassification policies

In accordance with federal and state law, the IEP team may address the individual needs of each English learner with a disability using multiple criteria in concert with district reclassification criteria:

- 1. Assessment of English language proficiency (ELP), using an objective assessment instrument, including, but not limited to, the state test of English Language Performance Assessment of California (ELPAC) or Alternative ELPAC;
2. Teacher evaluation, including, but not limited to, the student's classroom performance information based on his or her IEP goals for academics and ELD
3. Parent opinion and consultation; and
4. Comparison of student performance in basic skills
a. The IEP team should specify in the student's IEP an assessment of basic skills to meet the guidelines for reclassification (e.g., the California Alternate Assessment)
b. Other assessments may be considered that are valid and reliable and designed to compare basic skills of dual-identified ELs to native speakers of English with similar disability

Using this information the IEP team, including the parent and EL Site Contact, will decide whether or not to reclassify a student with disabilities. Other criteria may be used to supplement the four required criteria listed above to ensure the most appropriate decision is made for each student.

File Attachments

Reclassification Criteria 2023-24 Proposal.pdf (220 KB)

Interim Executive Director of Human Resources Signature Cards - Mid-Year Revision

Type Action

Recommended Action The recommendation is that the Board of Education approve the Signature Cards Mid-Year Revision for Interim Executive Director of Human Resources as presented.

Purpose:

To update the signature card of Authorized Agents as required by the Alameda County Office of Education.

Background:

This is the "Signature Card" to be kept on file at the Alameda County Office of Education. This is a mid-year revision to update Interim Executive Director of Human Resources signature.

File Attachments

Burrell, Steven_Payroll Warrants and Disbursements, Official Documents and Reports Mid-Year_2023-24.pdf (193 KB)

Resolution 2023.24.05 Declaring Surplus Equipment

Type Action

Recommended Action The recommendation is that the Board of Education approves Resolution 2023.24.05 - Declaring Surplus Equipment.

Purpose:

The purpose of this item is to obtain Board approval of Resolution 2023.24.05- Declaring Surplus Equipment, which lists items to be declared as surplus equipment as recommended.

Background:

Surplus materials will be disposed of per Board Policy and Administrative Regulation 3270 Sale And Disposal Of Books, Equipment And Supplies. Education Code, Section 17546 states that if the Governing Board, by a unanimous vote of those members present, finds that the property, whether one or more items, does not exceed the value of \$2,500, it may be sold at private sale without advertising, by a District employee empowered for that purpose by the Board; the property may be donated to a charitable organization, or it may be disposed of in a public disposal facility.

The property as described in Resolution 2023.24.05 includes equipment used at Child Nutrition Services. Staff determined that items are obsolete and/or beyond economical repair.

File Attachments

[Resolution 2023.24.05 Declaring Surplus Equipment.pdf](#) (11 KB)

Resolution 2023.24.07 Transfer and Close Funds with the Alameda County Auditor and Treasurer

Type Action

Recommended Action The recommendation is that the Board of Education approve Resolution 2023.24.07 Transfer and Close Funds with the Alameda County Auditor and Treasurer.

Purpose:

To adopt Resolution 2023.24.07 Transfer and Close Funds with the Alameda County Auditor and Treasurer.

Background:

Tax Override Funds 63070 and 63071, with the Alameda Auditor and Treasurer, have a zero balance and are no longer required. At the request of Alameda County Office of Education, these funds must be closed with a Resolution from the governing board.

File Attachments

[Resolution 2023.24.07 Transfer and Close Funds with the Alameda County Auditor and Treasurer.pdf](#) (11 KB)

Resolution 2023.24.04 Adopting the 2022-23 and 2023-24 Gann Limit

Type Action

Recommended Action The recommendation is that the Board of Education adopt Resolution 2023.24.04 Adopting the 2022-23 and 2023-24 Gann Limit.

Purpose:

The purpose of this item is for the Board to approve Resolution No. 2023.24.04 Adopting the 2022-23 and 2023-24 Gann Limit.

Background:

The Gann limit was established by Proposition 4 in 1979. Simply put, the purpose of the limit is to keep per-person government spending under 1978-79 levels, adjusted for changes in population and inflation. For school districts, ADA is used to determine population. The limit is based on local property tax revenues and state aid received. If a school district's Gann limit is reduced, they do not lose funding.

School districts are required to adopt a resolution and file a Form GANN every year. Form GANN is part of the Unaudited Actuals SACS report submitted to the Alameda County Office of Education every year.

For reference, a School Services of California article and information from the California Department of Education (CDE), including FAQs, are attached.

File Attachments

[CDE What is the Gann Limit 1-30-2023.pdf](#) (118 KB)

[Resolution 2023.24.04_Gann Limit.pdf](#) (416 KB)

[It's Time to Calculate Your Gann Limit _ SSC 2021.pdf](#) (47 KB)

Report: Monthly Purchase Order Report

Type Action

Recommended Action The recommendation is that the Board of Education receive the Monthly Purchase Order Report as presented.

Purpose:

The purpose of this item is to present a monthly report on Purchase Order transactions per Board Policy 3300, Expenditures and Purchases.

Background:

Based on the discussion at the Board's Study Session on January 6, 2022, staff is providing a monthly report on Purchase Order transactions per Board Policy 3300, Expenditures and Purchases. The policy states that "The Board shall review all transactions entered into by the Superintendent or designee on behalf of the Board every 60 days."

This month's report includes PO's dated 7/21/23 through 8/25/23.

File Attachments

[Monthly Purchase Order Report 09-05-2023.pdf](#) (125 KB)

Report: Warrant Report for August 2023

Type Action
Fiscal Impact No
Recommended The recommendation is that the Board of Education approve the Warrant Report as presented.
Action

Purpose:
The purpose of this item is to present warrants, for the total amount of \$3,512,020.66, made from District funds for August 2023.

Background:
The warrant registers represent a complete listing of all payments made from District funds for a month. Because Newark Unified School District is a fiscally dependent District, each warrant must pass through two separate audits; first by the Districts Fiscal Services department, and second by the County Office of Education. No warrant can be paid until such time as it is examined and approved by the County Office of Education.

File Attachments
Warrant Report August 2023.pdf (375 KB)

POLICY UPDATE: Board Policy 5116.1, Administrative Regulation 5116.1- Intradistrict Open Enrollment

Type Action, Procedural
Fiscal Impact No
Recommended The recommendation is that the Board of Education discuss and approve the updated Board
Action Policy 5116.1, Administrative Regulation 5116.1- Intradistrict Open Enrollment as reviewed by
the Board Liaison Committee

Purpose:
The purpose is for the Board of Education to discuss and review the recommended changes and approve the updated board policy and administrative regulation as reviewed by the Board Liaison Committee.

Background:
The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice as reviewed by the Board Liaison Committee.
Board Policy 5116.1- Intradistrict Open Enrollment
The NUSD board policy has not been revised since 2019. The language has been replaced to match the sample board policy provided by the California School Board Association.
Administrative Regulation 5116.1- Intradistrict Open Enrollment
The NUSD administrative regulation has not been revised since 2019. The language has been replaced to match the sample board policy provided by the California School Board Association.
(12/19) Mandate: Policy establishing open enrollment with specified components.

File Attachments
Existing NUSD AR 5116.1 Intradistrict Open Enrollment.pdf (123 KB)
Existing NUSD BP 5116.2 Involuntary Student Transfers.pdf (74 KB)
Recommended CSBA AR 5116.1_ Intradistrict Open Enrollment.pdf (248 KB)
Recommended CSBA BP 5116.1_ Intradistrict Open Enrollment - Summer.pdf (190 KB)

POLICY UPDATE: Board Policy 6178 and Administrative Regulation 6178 - Career Technical Education

Type Action, Procedural
Fiscal Impact No
Recommended The recommendation is that the Board of Education approve the updated Board Policy 6178
Action and Administrative Regulation 6178 - Career Technical Education as reviewed by the Board
Liaison Committee

Purpose:
The purpose is for the Board of Education to review the recommended approve to adopt the administrative regulation as recommended by the Board Liaison Committee.

Background:
This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration and the Board Liaison Committee has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a second reading.
Board Policy 6178 - Career Technical Education
The NUSD board policy has not been revised since 2012. The language has been replaced to match the sample board policy provided by the California School Board Association.
Administrative Regulation 6178 - Career Technical Education
The NUSD administrative regulation has not been revised since 2012. The language has been replaced to match the sample

board policy provided by the California School Board Association.

CSBA Language:

(9/22) Conditional Mandate: For districts that receive funding through targeted instructional improvement grants, policy comparing district's program to model curriculum; procedures for systemic review of program.

File Attachments

[Recommended CSBA BP 6178 Career Technical Education 09-05-2023.pdf](#) (485 KB)

[Recommended CSBA AR 6178 Career Technical Education 09-05-2023.pdf](#) (470 KB)

[Existing NUSD AR 6178 Career Technical Education 09-05-2023.pdf](#) (65 KB)

[Existing NUSD BP 6178 Career Technical Education 09-05-2023.pdf](#) (135 KB)

POLICY UPDATE: Board Policy 5117, Administrative Regulation 5117- Interdistrict Attendance

Type Action (Consent), Procedural

Recommended The recommendation is that the Board of Education discuss and approve the updated Board

Action Policy 5117, Administrative Regulation 5117- Interdistrict Attendance as reviewed by the Board Liaison Committee

Purpose:

The purpose is for the Board of Education to discuss and review the recommended changes and approve the updated board policy and administrative regulation as reviewed by the Board Liaison Committee.

Background:

The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice as reviewed by the Board Liaison Committee. Board Policy 5117- Interdistrict Attendance

The NUSD board policy has not been revised since 2019. The language has been replaced to match the sample board policy provided by the California School Board Association.

Administrative Regulation 5117- Interdistrict Attendance

The NUSD administrative regulation has not been revised since 2019. The language has been replaced to match the sample board policy provided by the California School Board Association.

File Attachments

[Recommended CSBA BP 5117 Interdistrict Attendance.pdf](#) (388 KB)

[Recommended CSBA AR 5117 - Interdistrict Attendance.pdf](#) (241 KB)

[Existing NUSD BP 5117 - Interdistrict Attendance.pdf](#) (67 KB)

[Existing NUSD AR 5117 - Interdistrict Attendance.pdf](#) (84 KB)

POLICY UPDATE: Board Policy 6185, Administrative Regulation 6185 - Community Day School

Type Action (Consent), Procedural

Fiscal Impact No

Recommended The recommendation is that the Board of Education approve the updated Board Policy 6185,

Action Administrative Regulation 6185 - Community Day School as reviewed by the Board Liaison Committee.

Purpose:

The purpose is for the Board of Education to review the recommended approve to adopt the administrative regulation as recommended by the Board Liaison Committee.

Background:

This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration and the Board Liaison Committee has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a second reading.

Board Policy 6185 - Community Day School

The NUSD board policy has not been revised since 2008. The language has been replaced to match the sample board policy provided by the California School Board Association.

Administrative Regulation 6185 - Community Day School

The NUSD administrative regulation has not been revised since 2008. The language has been replaced to match the sample board policy provided by the California School Board Association.

Language from the guide sheet provided by CSBA:

(10/16) Conditional Mandate: For districts with a community day school, policies and procedures regarding involuntary transfers.

File Attachments

[Recommended CSBA BP 6185 Community Day School.pdf](#) (140 KB)

[Existing NUSD AR 6185 - Community Day School.pdf](#) (101 KB)

[Existing NUSD BP 6185 Community Day School.pdf](#) (64 KB)

[Recommended CSBA AR 6185 - Community Day School.pdf](#) (190 KB)

POLICY UPDATE: Administrative Regulation 6116 - Classroom Interruptions

Type Action (Consent), Procedural

Fiscal Impact No
Recommended Action The recommendation is that the Board of Education approve to adopt the Administrative Regulation 6116- Classroom Interruptions as reviewed by the Board Liaison Committee.

Purpose:
The purpose is for the Board of Education to review the recommended approve to adopt the administrative regulation as recommended by the Board Liaison Committee.

Background:
This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration and the Board Liaison Committee has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a second reading.
Board Policy 6116- Classroom Interruptions
NUSD does not currently have this board policy and would like to adopt the language that has been provided by the sample board policy provided by the California School Board Association.

File Attachments
[Recommended CSBA AR 6116 - Classroom Interruptions.pdf](#) (115 KB)

POLICY UPDATE: Board Policy 5121 and Administrative Regulation 5121 - Grades/Evaluation of Student Achievement

Type Action (Consent), Procedural
Fiscal Impact No
Recommended Action The recommendation is that the Board of Education approves the updates to Board Policy and Administrative Regulation 5121 - Grades/Evaluation of Student Achievement as reviewed by the Board Liaison Committee

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation as reviewed by the Board Liaison Committee.

Background:
This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration and the Board Liaison Committee has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a second reading.
Board Policy 5121 - Grades/Evaluation of Student Achievement
The NUSD board policy has not been revised since 2010. The language has been replaced to match the sample board policy provided by the California School Board Association.
Administrative Regulation 5121 - Grades/Evaluation of Student Achievement
The NUSD administrative regulation has not been revised since 2010. The language has been replaced to match the sample board policy provided by the California School Board Association.

File Attachments
[Recommended CSBA AR 5121_ Grades_Evaluation Of Student Achievement - Summer.pdf](#) (187 KB)
[Existing NUSD AR 5121 GradesEvaluation Of Student Achievement.pdf](#) (133 KB)
[Existing NUSD BP 5121 GradesEvaluation Of Student Achievement.pdf](#) (67 KB)
[Recommended CSBA BP 5121 GradesEvaluation Of Student Achievement - Summer.pdf](#) (231 KB)

POLICY UPDATE: Board Policy 5141.26 Administrative Regulation 5141.26 - Tuberculosis Testing

Type Action (Consent), Procedural
Fiscal Impact No
Recommended Action The recommendation is that the Board of Education approve the updated Administrative Regulation 5141.26 and rescind the Board Policy 5141.26 - Tuberculosis Testing as reviewed by the Board Liaison Committee.

Purpose:
The purpose is for the Board of Education to review and approve the updated Administrative Regulation 5141.26 and rescind the Board Policy 5141.26 - Tuberculosis Testing as reviewed by the Board Liaison Committee.

Background:
This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration and the Board Liaison Committee has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a second reading.
Administrative Regulation 5141.26 - Tuberculosis Testing
The NUSD board policy has not been revised since 1996. The language has been replaced to match the sample board policy provided by the California School Board Association.
In 2014, Alameda County Public Health sent out a memo that it no longer has additional requirements for TB screening for students entering school in Grades 2-12 for the first time, including children recently returning to an Alameda County school

after visiting a TB-endemic area.

Board Policy 5141.26 - Tuberculosis Testing

This board policy is specific to NUSD and has not been revised since 1996. In order to reflect the practices and recommendations of CSBA, the recommendation is to rescind this policy to reflect the recommended CSBA manual.

In 2014, Alameda County Public Health sent out a memo that it no longer has additional requirements for TB screening for students entering school in Grades 2-12 for the first time, including children recently returning to an Alameda County school after visiting a TB-endemic area.

File Attachments

- [Recommended CSBA AR 5141.26 Tuberculosis Testing.pdf](#) (115 KB)
- [Existing NUSD AR 5141.26 Tuberculosis Testing.pdf](#) (65 KB)
- [Existing NUSD BP 5141.26 Tuberculosis Testing.pdf](#) (65 KB)

POLICY UPDATE: Adopt Board Policy 5148.3 and Administrative Regulation 5148.3 - Preschool/Early Childhood Education

Type	Action, Procedural
Fiscal Impact	No
Recommended Action	The recommendation is that the Board of Education discuss and approve and adopt the updated Board Policy 5148.3, Administrative Regulation 5148.3 - Preschool/Early Childhood Education

Purpose:
The purpose is for the Board of Education to discuss and review the recommended changes and approve and adopt the updated board policy and administrative regulation as reviewed by the Board Liaison Committee.

Background:
The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice as reviewed by the Board Liaison Committee.
CSBA Language:
BP/AR 5148.3 (12/22) Preschool/Early Childhood Education CONDITIONAL MANDATE - AR/BP (EC 8254) (5 CCR 17743)
For districts offering California State Preschool Program (CSPP) and charging fees for field trips or diapers, regulation involving parents in decision process. For districts offering CSPP, written admissions policy and procedures with specified components.

- File Attachments**
- [Recommended CSBA AR 5148.3 PreschoolEarly Childhood Education.pdf](#) (953 KB)
 - [Recommended CSBA BP 5148.3 PreschoolEarly Childhood Education.pdf](#) (535 KB)

POLICY UPDATE: Board Policy 5132 and Administrative Regulation 5132 - Dress and Grooming

Type	Action, Procedural
Recommended Action	The recommendation is that the Board of Education discuss and approve the updated Board Policy 5132 and Administrative Regulation 5132 - Dress and Grooming

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation as reviewed by the Board Liaison Committee.

Background:
This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration and the Board Liaison Committee has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a second reading.
Board Policy 5132 - Dress and Grooming
The NUSD board policy has not been revised since 2004. The language has been replaced to match the sample board policy provided by the California School Board Association.
Administrative Regulation 5132 - Dress and Grooming
The NUSD administrative regulation has not been revised since 2004. The language has been replaced to match the sample board policy provided by the California School Board Association.
CSBA Language:
(BP revised) Policy updated to reflect NEW LAW (SB 188) which prohibits discrimination against traits historically associated with race, including hair texture and "protective hairstyles" such as braids, locks, and twists.

- File Attachments**
- [Recommended CSBA AR 5132 Dress And Grooming.pdf](#) (169 KB)
 - [Recommended CSBA BP 5132 Dress And Grooming.pdf](#) (233 KB)
 - [Existing NUSD AR 5132 Dress And Grooming.pdf](#) (64 KB)
 - [Existing NUSD BP 5132 Dress And Grooming.pdf](#) (49 KB)

16 BOARD OF EDUCATION: COMMITTEE REPORTS, ANNOUNCEMENTS, REQUESTS, DEBRIEF

Board of Education Committee Reports, Announcements, Requests, Debrief and Discussion
AND DISCUSSION

Type Action, Discussion, Information

Purpose:

COMMITTEE REPORTS: The Trustees will provide an update, if available, on the committees of which they are members.
ANNOUNCEMENTS: The Trustees may acknowledge or recognize specific programs, activities, or personnel at this time.
REQUESTS: This is an opportunity for the Board of Education to suggest items for placement on future agendas and to review Board requests.
Approval from the majority of the Board will be required for direction to be provided to the Superintendent.
DEBRIEF AND DISCUSSION: The Trustees may debrief and discuss items.

Background:

Each year the Board of Education members liaise with schools and committees in order to build relationships, hear from staff, students, and families, and act as a conduit for information to and from the schools.

Board Committees 2022-23

Table with 3 columns: Board Adopted on 12/15/2022, Representative, Alternate. Rows include Mission Valley Regional Occupational Center/Program (ROC/P), Executive Board, Regional Policy Board of Special Education Local Plan Area (SELPA), Newark Teacher Induction Advisory Council (Formally EBIC), Audit Committee, Bond/Parcel Tax Committee, and City of Newark NUSD Liaison Committee.

The following derives directly from the Board approved "Governance Team Handbook"

Authority is Collective, Not Individual:

The only authority to direct action rests with the Board as a whole when seated at a regular or special board meeting. Outside of this meeting, there is no authority.

A majority Board vote provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction.

Bringing New Ideas Forward

The Board will be open to having "brainstorming" discussions, or study sessions, around any idea that a Trustee may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Trustee, at their initiative or at the request of a constituent, which was previously discussed during a board meeting.

Trustees will first notify the Board President and Superintendent of their interest in bringing forward a new idea at a board meeting.

When initially agendized, the preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.

Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea. The Superintendent will decide on the delegation of assignments to District staff.

The new idea may be agendized for discussion only. The Board majority will decide if the new idea should be further developed and studied by staff. The Board majority will decide if staff time should be invested in the "fleshing out" of new ideas.

Individual Trustees, in the course of interactions with constituents, will be careful not to make or imply the commitment of the full Board to explore or proceed with implementing new ideas.

17 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

Superintendent's Concluding Comments, Updates, and Future Agenda Items

AGENDA REQUESTS

Type Information

Purpose:

This is an opportunity for the Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

18 ADJOURNMENT

PLACEHOLDER - Extend Meeting

Type Action

Recommended The recommendation is that the Board of Education extends the meeting to ____ P.M.
Action

Purpose:

This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

Adjournment

Type Action

Recommended The recommendation is that the Board of Education adjourns this meeting.
Action

Purpose:

No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time. This action will conclude the meeting.

1 CALL TO ORDER

Meeting Practices and Information

Type Procedural

In-person Meeting Information:

NUSD has opened its boardroom for in-person meetings and will follow the State's and Alameda County's safety guidelines for public gatherings. Please refrain from attending in-person meetings if you have any of the following symptoms:

- Loss of taste/smell
- Difficulty breathing
- Vomiting
- Diarrhea
- Fever
- Cough
- Headache
- Sore Throat
- Runny Nose

For additional COVID-19 information please go to <https://www.newarkunified.org/covid-19> or <https://www.acoe.org/guidance>

Observe The Board Of Education Meeting:

Members of the public 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.

Public Comment:

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

Roll Call

Type Procedural

Trustees:

- President Nancy Thomas
- Vice President/Clerk Aiden Hill
- Member Katherine Jones
- Member Phuong Nguyen
- Member Carina V. Plancarte

Student Board Member:

- Member Diego Torres

Public Comment on Closed Session Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and tries to make it convenient for members of the community to express their views to the Board.

If a constituent wishes to address the Board on any agenda item:

In-Person Comment: please submit a completed speaker card to the Board's Executive Assistant before the start of the meeting, or prior to the calling of the section for public comment.

Audio-Only Virtual Comment: please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org by 1:00 PM the day of the meeting. Please label your email as "AUDIO-ONLY PUBLIC COMMENT" and include your name as it will appear on Zoom, your phone number, email address, and the agenda item number related to your comment.

Please see detailed instructions for public comment on the link: <http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

Recess to Closed Session

Type Procedural

Purpose:

The Board will recess to Closed Session, and reconvene to Open Session on or about 7:00 p.m.

2 CLOSED SESSION

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE (Gov. Code, 54957, subd. (b)(1))

Type Action, Information, Procedural

Purpose:
Information will be provided by the Superintendent and Executive Director of Human Resources.

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a): Employee Organizations - NTA and CSEA

Type Action, Information, Procedural

Purpose:
Information may be provided by the agency negotiator, Executive Director of Human Resources. Assistance from the legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided.
The employee organizations include NTA & CSEA.

CONFERENCE WITH LEGAL COUNSEL EXISTING LITIGATION (Gov. Code, 54956.9, subd. (d)(1)): Case #23CV034303 Byrd vs. NUSD and Case #22CV020039 Clinton vs. NUSD

Type Action, Information, Procedural

Purpose:
To discuss the following case(s):
1. Case #23CV034303 Byrd vs. NUSD
2. Case #22CV020039 Clinton vs. NUSD

CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION Significant exposure to litigation pursuant to Gov. Code, 54956.9, subd. (d)[(2) or (3)]: Reference No 2023NUSD001

Type Action, Discussion, Procedural

Purpose:
Information may be provided regarding significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: Student vs Newark Unified School District Reference No 2023NUSD001

3 REPORT OF CLOSED SESSION ACTIONS

Report of Closed Session Actions

Type Action, Procedural

Purpose:
If available, a report of the closed session will be provided by the Board President.

4 RECONVENE TO OPEN SESSION

Pledge of Allegiance

Type Procedural

Purpose:
The Governance Team will recite the Pledge of Allegiance

5 APPROVAL OF AGENDA

Approval of the Agenda

Type Action
Recommended The recommendation is that the Board of Education approve the agenda for this meeting.
Action

Purpose:
Members of the Governance Team may request that the agenda be amended or approved as presented.

6 STUDENT REPORT

Student Report from Newark Memorial High School

Type Information

Purpose:

At regular Board of Education meetings, a spokesperson of a secondary school may make a brief presentation. Discussion items may include updates, celebrations, and upcoming events.
1. Newark Memorial High School

7 RECOGNITIONS AND CELEBRATIONS

Staff Spotlight

Type Information

Purpose:

To recognize the wonderful accomplishments of our NUSD Facilities Maintenance Team.

Background:

The presentation will be provided by the Superintendent.

8 EMPLOYEE ORGANIZATIONS

Employee Organizations

Type Information

Purpose:

At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Background:

Discussion items are limited to updates, celebrations, and upcoming events.

1. NTA: Sean Abruzzi
2. CSEA: Maria Huffer
3. NEWMA: Vicenta Ditto

9 PUBLIC COMMENT

Public Comment on Non-Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

Public Comment on Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

10 SUPERINTENDENT REPORT

Superintendent Report

Type Information

Purpose:

The superintendent will provide the Board of Education with district information, updates, news, or anything in the jurisdiction of the board or the superintendent.

Background:

The presentation and information will be provided by the Superintendent

11 NEW BUSINESS

School Employers Association of California (SEAC) Joint Powers Agreement and Consultant Contract for Personnel Services

Type	Action
Absolute Date	Aug 15, 2023
Dollar Amount	\$200,000.00
Budgeted	Yes
Budget Source	General Fund
Recommended Action	The recommendation is that the Board of Education approve the School Employers Association of California (SEAC) Joint Powers Agreement and Consultant Contract for Personnel Services.

Purpose:

The purpose is for the Board of Education to approve the Joint Powers Agreement and Contract for Services with School Employers Association of California (SEAC) to provide Human Resource services and support, including an Interim Executive Director of Human Resources, until the position can be filled permanently.

Background:

The cost includes the Joint Powers Agency (JPA) membership fee and an estimated cost for contract work, that includes hourly pay and expenses, until the Executive Director of Human Resources position can be filled permanently.

The Executive Director of Human Resources resigned effective July 28, 2023. The district is in need of Human Resources support, while this position is vacant. Steve Burrell is an experienced educational leader with a rich, 30-year journey in education. With a career spanning over two decades at Cupertino Union School District and the past six years at Union School District in San Jose, Steve has embraced a variety of roles, from teacher to principal to Assistant Superintendent of Human Resources. Throughout his journey, a resolute dedication to student-centered learning has been the driving force behind Steve's approach, ensuring that each decision and action taken aims to create impactful and enriching experiences for every student. Steve's strength lies in orchestrating cross-functional teams and fostering collaboration among all employees, while instilling a culture of creativity and development. Committed to propelling collective growth, Steve endeavors to nurture collaboration, creativity, and the success of all within the district, while conducting a search for a highly-qualified candidate for the position of Executive Director of Human Resources.

School Employers Association of California (SEAC) is a JPA comprised of school and community college districts. The mission of its member districts is to promote positive employer-employee relations in the public schools of California. SEAC will provide research, information and advice on all matters relating to collective bargaining, negotiations and related human resources issues. SEAC provides advanced training led by experienced superintendents and HR administrators, delivers specialized services (e.g., health benefit analyses and classification and compensation studies), and advocates on behalf of its members with the California Legislature, the Governor, and state agencies. Because it is a joint powers agency, SEAC can deliver all these services for a low annual membership and very competitive fees for services and training.

As a member of the SEAC Joint Powers Agency, our district will receive a variety of free services and the ability to attend trainings or contract with SEAC consultants at a reduced price.

As a new SEAC member, we will immediately receive:

- Weekly electronic updates on legal decisions, legislation, and key issues
- Timely information updates on breaking news
- Review of our districts collective bargaining agreement or a professional development activity

Upon request we will receive:

- Research on labor relations and negotiations issues
- Sample documents and contract language in specific areas
- Answers to questions related to negotiations, employee-employer relations, and personnel challenges
- Advice in human resources, governance, and leadership areas
- Compensation and job classification studies performed at discounted rates
- Health Benefits analysis, including one free analysis and discounted health benefits consultant services

File Attachments

[School Employers Association of California \(SEAC\)_Joint Powers Agreement_23-24.pdf](#) (460 KB)

[Burrell, Steven_SEAC Contract for Services 2023-24.pdf](#) (16 KB)

Increase Daily Rate for Substitute Teachers

Type	Action
Preferred Date	Aug 15, 2023
Fiscal Impact	Yes
Dollar Amount	\$80,000.00
Budgeted	Yes
Budget Source	General Fund
Recommended Action	The recommendation is that the Board of Education approves the increase in the daily rate for substitute teachers.

Purpose:

To consider increasing the daily and long-term substitute (guest) teacher rates for the 2023-2024 school year to \$235 per day (day-to-day assignments) and \$270 per day for long-term positions (beginning on Day 6 of the assignment), along with a \$300 longevity bonus for substitutes who work 15 days in a month.

Background:

In order to remain competitive with our pool of guest teachers, there is a recommendation to increase our day-to-day and long-term substitute rates. Based on our surrounding and neighboring school districts, the proposed Newark Unified School District substitute teacher pay rate increase is \$235 for short-term and \$270 for long-term substitute teachers. Our goal is to keep our current substitute teachers local and wanting to work with NUSD, as well as to attract new substitute teachers to our district. Beyond working with our great students and staff at our schools, we want to make it financially attractive for our substitute teachers to work with us daily.

PROPOSED SUBSTITUTE PAY RATE INCREASE

Type	Current Rate	Proposed Rate	Percentage Increase
Short-term (1-5 days)	\$220	\$235	6.8%
Long-term (6+ days)	\$250	\$270	8%
Half-day	\$110	\$117.50	6.8%
Newark USD Longevity Bonus	New	\$300 for 15 days worked in a month	

12 CONSENT AGENDA: PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type	Action
Recommended	It is recommended that the Board of Education approve, under one consented vote, the
Action	agenda items under Consent-Personnel, except for agenda items:

Purpose:
This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:
Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Personnel Report

Type	Action
Absolute Date	Aug 15, 2023
Recommended	The recommendation is that the Board of Education ratify the personnel report as presented.
Action	

Purpose:
The purpose is for the Board of Education to ratify the Personnel Report as presented.

Background:
All personnel activities including new hires, changes in status, resignation, leaves, and retirements are routinely submitted to the Board for ratification.

File Attachments
[HR PAL 08-15-2023.pdf](#) (360 KB)

Memorandum of Understanding between NTA and NUSD: Signing Bonus for Special Education Teaching Positions

Type	Action
Absolute Date	Aug 15, 2023
Fiscal Impact	Yes
Dollar Amount	\$60,000.00
Budgeted	Yes
Budget Source	Contribution from General Fund
Recommended	The recommendation is that the Board of Education approve the MOU between NTA and NUSD
Action	to provide a signing bonus for special education teaching positions for the 2023-2024 school year.

Purpose:
The purpose is for the Board of Education to approve the Memorandum of Understanding (MOU) between NTA and NUSD to provide a signing bonus of \$5,000 for eligible special education teaching positions newly hired in the District for the 2023-2024 school year.

Background:
The District and the Association recognize the crucial role of special education teachers in providing quality education and support to students with special needs. To attract and retain highly qualified special education teachers, the District has proposed the implementation of a signing bonus program.

File Attachments
[Signed NTA MOU Sped Signing Bonus.pdf](#) (137 KB)

13 CONSENT AGENDA: NON-PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type Action
 Recommended Action It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent Non-Personnel, except for agenda items:

Purpose:
 This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:
 Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Contract with Ed Theory for Special Education Teacher

Type Action
 Preferred Date Aug 15, 2023
 Absolute Date Aug 15, 2023
 Fiscal Impact Yes
 Dollar Amount \$137,000.00
 Budgeted Yes
 Budget Source Resource 6500 - Special Education
 Recommended Action The recommendation is that the Board of Education approve the contract with Ed Theory.

Purpose:
 Ed Theory to provide 1.0 FTE Resource Specialist (RSP) teacher required for an unfilled position for the 2023-2024 school year.

Background:
 Despite intensive efforts, the District has not been able to hire for this unfilled position. The contracted teacher is intended to fill the RSP position for the 2023-2024 school year only.

File Attachments
[Ed Theory Contract 23-24.pdf](#) (90 KB)

Categorical Programs Application for Funding 2023-24

Type Action
 Recommended Action The recommendation is that the Board of Education approve the 2023-24 Categorical Programs Application for Funding

Purpose:
 The purpose of this item is to approve the 2023-24 Categorical Programs Application for Funding as required by the California Department of Education and the Consolidated Application and Reporting System (CARS).

Background:
 The Consolidated Application and Reporting System (CARS) is a state data collection system to apply for Categorical Program Funding and to report on the use of those funds. The Application for Funding is required to be approved by the governing board. Each year, the programs included in the CARS change based on federal/state mandates and different methods of gaining or disseminating information. CARS brings funds into the school district for a variety of programs including Title I, Title II, Title III, and Title IV. Each of the identified programs has specified guidelines or requirements for their expenditure. All titled programs are federally funded. Title I, Part A funds are used to support the increased achievement of at-risk students, primarily in reading and math. Title II, Part A (Teacher Quality) funds are used to support teacher evaluation, as well as teacher professional development. Title III English Learner funds are used to support our English language learners. Title IV funds are used to improve students' academic achievement.

File Attachments
[AppforFndng 23-24_for board approval.pdf](#) (102 KB)

REPORT: Donations Report

Type Action
 Fiscal Impact Yes
 Budgeted Yes
 Budget Source General Fund (Fund 010) Donations
 Recommended Action The recommendation is that the Board of Education accept the Donations Report as presented.

Purpose:
 The purpose is to acknowledge receipt of donations to the District.

Background:

Throughout the year community members, groups, parents and other individuals make monetary and in-kind (supplies and equipment) donations to NUSD. The exact nature of the source of the donation is submitted to the Business Office on a standard form. It is critical that any restrictions on the funding be indicated and the budget developed based on the donor restrictions. If there is no indication of the school or use of the funding, any proceeds or cash donations received are placed in the NUSD local revenue in the unrestricted general fund. It is recommended that the donations be processed through the Business Office and ultimately approved by the Board so that the funding can be publicly acknowledged and budgeted properly according to donor restrictions. There is acknowledgement and budgeted properly according to donor restrictions. There is acknowledgement at the public Board meeting and a letter of thanks is sent of the donor by the Business Office for NUSD.

File Attachments

[Donations Report_8-15-2023.pdf](#) (19 KB)

REPORT: Warrant Report for July 2023

Type Action

Recommended The recommendation is that the Board of Education approve the Warrant Report as presented.
Action

Purpose:

The purpose of this item is to present warrants, for the total amount of \$3,796,877.04 made from District funds for July 2023.

Background:

The warrant registers represent a complete listing of all payments made from District funds for a month. Because Newark Unified School District is a fiscally dependent District, each warrant must pass through two separate audits; first by the Districts Fiscal Services department, and second by the County Office of Education. No warrant can be paid until such time as it is examined and approved by the County Office of Education.

File Attachments

[Warrant Report July 2023.pdf](#) (382 KB)

MINUTES: Minutes of the August 1, 2023 Regular Meeting of the Board of Education

Type Action, Minutes

Recommended The recommendation is that the Board of Education approve the minutes of the August 1,
Action 2023 Regular Meeting of the Board of Education.

Purpose:

For the board to review and approve minutes of the August 1, 2023, Regular Meeting of the Board of Education.

Background:

The attached minutes are reflective of the August 1, 2023, Regular Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel [HERE](#).

POLICY UPDATE: Board Policy 5145.6 and Administrative Regulation 5145.6 - Parent/Guardian Notifications

Type Action, Procedural

Fiscal Impact No

Recommended The recommendation is that the Board of Education approve the updated Board Policy 5145.6

Action and Administrative Regulation 5145.6 - Parent/Guardian Notifications as recommended by the CSBA June 2023 Guidesheet

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated administrative regulation.

Background:

This is the FIRST reading of the attached regulation. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a second reading.

Board Policy 5145.6 - Parent/Guardian Notifications

The NUSD board policy has not been revised since 2021. The language has been replaced to match the sample board policy provided by the California School Board Association.

Administrative Regulation 5145.6 - Parent/Guardian Notifications

The NUSD board policy has not been revised since 2021. The language has been replaced to match the sample board policy provided by the California School Board Association.

CSBA Policy Guidesheet June 2023 states:

"Policy 5145.6 - Parent/Guardian Notifications Policy updated to reflect Health Care Services Policy and Procedures letter No. 21-017R and No. 23-004 which require districts to develop a plan to meet alternative formatting requirements for individuals with disabilities to enable individuals with speech, vision, and hearing disabilities to effectively communicate and participate in the Medi-Cal program.

Exhibit(1) 5145.6 - Parent/Guardian Notifications Exhibit updated to add parent/guardian notifications related to (1) the manner in which district-established graduation requirements and career and technical education courses satisfy college entrance A-G course criteria, (2) California's child access prevention laws and laws related to the safe storage of firearms, (3) transfer of coursework and credits for highly mobile student populations, (4) how to access mental health services at school and/or in the community, (5) the online distribution of a digitized mental health poster, (6) type 1 diabetes information, (7) the opportunity to submit written comments on the local control and accountability plan, (8) student's participation in state assessments and option to request an exemption from testing, (9) information related to the district's food service programs, (10) upcoming eye examinations at school site and option to opt-out of eye examinations, (11) potential eligibility for services or accommodations pursuant to Section 504 or an individualized education program, (12) limitations on disenrollment of a child in a preschool or child care program, including expulsion and suspension, including how to file an appeal in the event of expulsion or suspension, (13) program plan for maintaining a child's safe participation in a preschool or child care program when a child exhibits persistent and serious challenging behaviors, (14) receipt of a "Notice of Action, Recipient of Services," prior to suspending or expelling a child in a preschool program, (15) the provision of a suspension and expulsion notice, manifestation determination notice, involuntary transfer notice, and related information to a foster youth's educational rights holder, attorney, and county social worker, and an Indian child's tribal social worker and, if applicable, county social worker, (16) findings from an evaluation of participating in an independent study course when satisfactory education progress is not being met, (17) exemption from district-established graduation requirements for students with disabilities, (18) requirement to stock and make available an adequate supply of menstrual products free of cost, (19) posting of child care license, and (20) requirement to post rates, discounts and scholarship options at child care facilities. exhibit also updated for conforming changes."

File Attachments

- [Existing NUSD BP 5145.6 - Parent. Guardian Notifications.pdf](#) (63 KB)
- [Existing NUSD Exhibit 5145.6 - Parent. Guardian Notifications.pdf](#) (166 KB)
- [Recommended CSBA BP 5145.6 ParentGuardian Notifications.pdf](#) (169 KB)
- [Recommended CSBA Exhibit 5145.6-E\(1\) ParentGuardian Notifications.pdf](#) (693 KB)

POLICY UPDATE: Board Policy 5117 and Administrative Regulation 5117- Interdistrict Attendance

Type Action, Procedural
Fiscal Impact No
Recommended Action The recommendation is that the Board of Education approve the updated Board Policy 5117 and Administrative Regulation 5117- Interdistrict Attendance as recommended by the CSBA June 2023 Guidesheet

Purpose:
 The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation.

Background:
 This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a second reading.
Board Policy 5117- Interdistrict Attendance
 The NUSD board policy has not been revised since 2019. The language has been replaced to match the sample board policy provided by the California School Board Association.
Administrative Regulation 5117- Interdistrict Attendance
 The NUSD administrative regulation has not been revised since 2019. The language has been replaced to match the sample administrative regulation provided by the California School Board Association.
 CSBA Guide Sheet June 2023 states:
 "Board Policy 5117 - Interdistrict Attendance Policy updated to reference NEW LAW (AB 185, 2022) which extends the school district of choice program to July 1, 2028, and to reflect NEW LAW (SB 941 2022) which authorizes a district to enter into an Instruction Collaboration Agreement with another local educational agency(ies) (LEA) to offer the same or similar courses and coursework to students from another LEA who have been impacted by teacher shortages, disruptions, or cancellations in science, technology, engineering, and mathematics classes, or dual language immersion programs."

File Attachments

- [Existing NUSD AR 5117 - Interdistrict Attendance.pdf](#) (84 KB)
- [Existing NUSD BP 5117 - Interdistrict Attendance.pdf](#) (67 KB)
- [Recommended CSBA BP 5117 Interdistrict Attendance.pdf](#) (390 KB)
- [Recommended CSBA AR 5117 Interdistrict Attendance.pdf](#) (488 KB)

POLICY UPDATE: Board Policy 6174 and Administrative Regulation 6174 - Education For English Learners

Type Action, Procedural
Fiscal Impact No
Recommended Action The recommendation is that the Board of Education approve the updated Board Policy 6174 and Administrative Regulation 6174 - Education For English Learners recommended from the June 2023 CSBA Guidesheet

Purpose:
 The purpose is for the Board of Education to review the recommended agency changes and approve the updated board policy.

Background:

This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a second reading.

Board Policy 6174 - Education For English Learners

The NUSD board policy has not been revised since 2018. The language has been replaced to match the sample board policy provided by the California School Board Association.

Administrative Regulation 6174 - Education For English Learners

The NUSD board policy has not been revised since 2018. The language has been replaced to match the sample board policy provided by the California School Board Association.

CSBA Policy Guidesheet June 2023 states:

"Board Policy 6174 - Education for English Learners Policy updated to remove outdated material and reflect NEW LAW (SB 941, 2022) which permits a district to enter into an instruction collaboration agreement with another school district, county office of education, or charter school to offer the same or similar courses and coursework to students who have been impacted by teacher shortages, disruptions, or cancellations to science, technology, engineering, and mathematics classes, or dual language immersion programs.

Administrative Regulation 6174 - Education for English Learners Regulation updated to remove outdated material and reflect updated information from the California Department of Education's (CDE) English Learner Federal Program Monitoring 2022-23 Instrument, CDE's Reclassification Criteria website, and letters from CDE which provide updated reclassification guidance regarding the criteria used to determine whether an English learner should be reclassified, including a review of the student's curriculum mastery and academic performance, the provision of an interpreter for parents/guardians, when necessary, as part of the parent/guardian involvement, comparison of student performance on an objective assessment of basic skills in English against an empirically established range of performance in basic skills, based on the performance of English proficient students of the same age, which demonstrates whether the student is sufficiently proficient in English to participate effectively in a curriculum designed for students of the same age whose native language is English. Regulation also updated to include that the four years of post-reclassification monitoring should be utilized to ensure that students have not prematurely exited, any academic deficit incurred through participation in the English learner program has been remedied, and the students are meaningfully participating in the standard instructional program compared to students who had never participated in an English learner program. Additionally, regulation updated to clarify that the LCAP advisory committee provides input regarding exiting language acquisition programs and the possible establishment of other programs."

[File Attachments](#)

- [Existing NUSD AR 6174 Education For English Learners.pdf](#) (92 KB)
- [Existing NUSD BP 6174 Education For English Learners.pdf](#) (201 KB)
- [Recommended CSBA BP 6174 Education For English Learners.pdf](#) (529 KB)
- [Recommended CSBA AR 6174 Education For English Learners.pdf](#) (572 KB)

14 BOARD OF EDUCATION: COMMITTEE REPORTS, ANNOUNCEMENTS, REQUESTS, DEBRIEF

Board of Education Committee Reports, Announcements, Requests, Debrief and Discussion

AND DISCUSSION

Type Action, Discussion, Information

Purpose:

COMMITTEE REPORTS: The Trustees will provide an update, if available, on the committees of which they are members.
 ANNOUNCEMENTS: The Trustees may acknowledge or recognize specific programs, activities, or personnel at this time.
 REQUESTS: This is an opportunity for the Board of Education to suggest items for placement on future agendas and to review Board requests.

Approval from the majority of the Board will be required for direction to be provided to the Superintendent.

DEBRIEF AND DISCUSSION: The Trustees may debrief and discuss items.

Background:

Each year the Board of Education members liaise with schools and committees in order to build relationships, hear from staff, students, and families, and act as a conduit for information to and from the schools.

Board Committees 2022-23

Board Adopted on 12/15/2022

	Representative	Alternate
Mission Valley Regional Occupational Center/Program (ROC/P)	1. Nancy Thomas	1. Carina V. Plancarte

Executive Board

Regional Policy Board of Special Education Local Plan Area (SELPA)	1. Katherine Jones	1. Phuong Nguyen
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Newark Teacher Induction Advisory Council (Formally EBIC)	1. Aiden Hill	1. Carina V. Plancarte
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Audit Committee	1. Aiden Hill	2. Katherine Jones	1. Phuong Nguyen
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The following derives

Bond/Parcel Tax Committee	1. Phuong Nguyen	2. Carina V. Plancarte	1. Aiden Hill	directly from the Board approved "Governance Team Handbook"
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City of Newark NUSD Liaison Committee	1. Phuong Nguyen	2. Nancy Thomas	1. Katherine Jones	Authority is Collective, Not Individual:
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The only authority to

direct action rests with the Board as a whole when seated at a regular or special board meeting. Outside of this meeting, there is no authority.

A majority Board vote provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction.

Bringing New Ideas Forward

consideration. "New Ideas" are defined as any proposal brought forward by a Trustee, at their initiative or at the request of a constituent, which was previously discussed during a board meeting.

Trustees will first notify the Board President and Superintendent of their interest in bringing forward a new idea at a board meeting. When initially agendized, the preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.

Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea. The Superintendent will decide on the delegation of assignments to District staff.

The new idea may be agendized for discussion only. The Board majority will decide if the new idea should be further developed and studied by staff. The Board majority will decide if staff time should be invested in the "fleshing out" of new ideas.

Individual Trustees, in the course of interactions with constituents, will be careful not to make or imply the commitment of the full Board to explore or proceed with implementing new ideas.

15 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

Superintendent's Concluding Comments, Updates, and Future Agenda Items

AGENDA REQUESTS

Type Information

Purpose:

This is an opportunity for the Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

16 ADJOURNMENT

PLACEHOLDER - Extend Meeting

Type Action

Recommended The recommendation is that the Board of Education extends the meeting to ____ P.M.
Action

Purpose:

This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

Adjournment

Type Action

Recommended The recommendation is that the Board of Education adjourns this meeting.
Action

Purpose:

No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time. This action will conclude the meeting.

1 CALL TO ORDER

Meeting Practices and Information

Type Procedural

In-person Meeting Information:

NUSD has opened its boardroom for in-person meetings and will follow the State's and Alameda County's safety guidelines for public gatherings. Please refrain from attending in-person meetings if you have any of the following symptoms:

- Loss of taste/smell
- Difficulty breathing
- Vomiting
- Diarrhea
- Fever
- Cough
- Headache
- Sore Throat
- Runny Nose

For additional COVID-19 information please go to <https://www.newarkunified.org/covid-19> or <https://www.acoe.org/guidance>

Observe The Board Of Education Meeting:

Members of the public 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.

Public Comment:

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLI COMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLI COMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card

with the Executive Assistant.

Roll Call

Type Procedural

Trustees:
President Nancy Thomas
Vice President/Clerk Aiden Hill
Member Katherine Jones
Member Phuong Nguyen
Member Carina V. Plancarte

Student Board Member:
Member Joy Lee

Public Comment on Closed Session Items

Type Procedural

Purpose:
The Board of Education encourages the community's participation in its deliberations and tries to make it convenient for members of the community to express their views to the Board.
If a constituent wishes to address the Board on any agenda item:
In-Person Comment: please submit a completed speaker card to the Board's Executive Assistant before the start of the meeting, or prior to the calling of the section for public comment.
Audio-Only Virtual Comment: please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org by 1:00 PM the day of the meeting. Please label your email as " AUDIO-ONLY PUBLIC COMMENT" and include your name as it will appear on Zoom, your phone number, email address, and the agenda item number related to your comment.
Please see detailed instructions for public comment on the link: http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40

Recess to Closed Session

Type Procedural

Purpose:
The Board will recess to Closed Session, and reconvene to Open Session on or about 7:00 p.m.

2 CLOSED SESSION

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE (Gov. Code, 54957, subd. (b)(1))

Type Action, Information, Procedural

Purpose:
Information will be provided by the Superintendent and Executive Director of Human Resources.

PUBLIC EMPLOYMENT (Gov. Code, 54957, subd. (b)(1) Title: Lincoln Principal

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a): Employee Organizations - NTA and CSEA

Type Action, Information, Procedural

Purpose:
Information may be provided by the agency negotiator, Executive Director of Human Resources. Assistance from the legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided.
The employee organizations include NTA & CSEA.

CONFERENCE WITH LEGAL COUNSEL EXISTING LITIGATION (Gov. Code, 54956.9, subd. (d)(1)): Case #23CV034303

Type Action, Information, Procedural

Purpose:
To discuss the following case(s): Case #23CV034303

CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION Significant exposure to litigation pursuant to Gov. Code, 54956.9, subd. (d)[(2) or (3)]: Keenan Claim No 624800

Type Action, Discussion, Procedural

Purpose:

Information may be provided regarding significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: Keenan Claim No 624800

3 REPORT OF CLOSED SESSION ACTIONS

Report of Closed Session Actions

Type Action, Procedural

Purpose:

If available, a report of the closed session will be provided by the Board President.

4 RECONVENE TO OPEN SESSION

Pledge of Allegiance

Type Procedural

Purpose:

The Governance Team will recite the Pledge of Allegiance

5 APPROVAL OF AGENDA

Approval of the Agenda

Type Action

Recommended The recommendation is that the Board of Education approve the agenda for this meeting.
Action

Purpose:

Members of the Governance Team may request that the agenda be amended or approved as presented.

Motion & Voting

The recommendation is that the Board of Education approve the agenda for this meeting.

Motion by Aiden Hill, second by Katherine Jones.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

6 RECOGNITIONS AND CELEBRATIONS

Introduction of New Administrators

Type Information

Purpose:

The purpose of this agenda item is to recognize and introduce new administrators to the board and to the NUSD community.

Background:

Please join us in welcoming our new new Principal at Kennedy Elementary, Ify Obodozie as well as welcoming back our Interim Co-Principals for NMHS, Pat Urbi and John Bernard.

7 EMPLOYEE ORGANIZATIONS

Employee Organizations

Type Information

Purpose:

At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Background:

Discussion items are limited to updates, celebrations, and upcoming events.

1. NTA: Sean Abruzzi

2. CSEA: Maria Huffer

3. NEWMA: Vicenta Ditto

8 PUBLIC COMMENT

Public Comment on Non-Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items. <http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

Public Comment on Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items. <http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

9 SUPERINTENDENT REPORT

Superintendent Report

Type Information

Purpose:

The superintendent will provide the Board of Education with district information, updates, news, or anything in the jurisdiction of the board or the superintendent.

Background:

The presentation and information will be provided by the Superintendent

10 OLD BUSINESS

Approval of the 2023-24 Newark Unified School District Overarching Goals

Type Action

Fiscal Impact No

Recommended The recommendation is that the Board of Education approve the 2023-24 Newark Unified

Action School District Overarching Goals.

Purpose:

Goal-setting is an integral part of the continuous improvement model. Annually, the board will adopt relevant SMART (Specific, Measurable, Attainable, Relevant, Time-bound) goals that address areas of needed improvement within the educational program. SMART goals refer to goals that provide an accountability structure within the goal to ensure progress. District Accountability Reports related to the district goals will be held throughout the year to provide available data to inform next steps and ensure attainment of the goals. Once adopted, the district will use these goals to develop strategic initiatives, associated strategic plans and discreet sub-goals, which become our divisional, departmental and school site work plans for the ensuing year(s)

Background:

On June 21, 2023, the Governance Team, comprised of the members of the Newark Unified School District Board of Education and Superintendent of Schools, conducted an all-day workshop to review roles and responsibilities, set team norms and work on drafting district goals. At the conclusion of the workshop, the board asked the superintendent to convene a board working group to review and refine the draft goals. The working group, Members Jones, Hill and Superintendent DeLeon, met on July 24, 2023 to finalize the goals presented tonight.

We ask that the board approve the 2023-24 Newark Unified School District Overarching goals as presented.

File Attachments

[NUSD District Overarching Goals_2023-24.pdf](#) (632 KB)

Motion & Voting

The recommendation is that the Board of Education approve the 2023-24 Newark Unified School District Overarching Goals.

Motion by Katherine Jones, second by Carina V Plancarte.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

11 NEW BUSINESS

Resolution 2023.24.01 Declaration of Surplus Instructional Materials

Type	Action
Fiscal Impact	No
Budgeted	No
Recommended Action	The purpose of this item is to obtain Board approval of Resolution 2023.24.01 Declaring Surplus Instructional Materials, declaring instructional materials that are no longer suitable for use as surplus.

Purpose:
 The purpose of this item is to obtain Board approval of Resolution 2023.24.01 Declaring Surplus Instructional Materials, declaring instructional materials that are no longer suitable for use as surplus.

Background:
 Surplus materials will be disposed of per Board Policy and Administrative Regulation 3270 Sale And Disposal Of Books, Equipment And Supplies.
 The property as described in Resolution 2021.22.12 includes instructional materials used at Newark Memorial High School. Staff determined that items are obsolete and/or no longer usable.

File Attachments
[Resolution 2023.24.01 Declaring Surplus Instructional Materials.pdf](#) (178 KB)

Motion & Voting
 The purpose of this item is to obtain Board approval of Resolution 2023.24.01 Declaring Surplus Instructional Materials, declaring instructional materials that are no longer suitable for use as surplus.
 Motion by Phuong Nguyen, second by Katherine Jones.
 Final Resolution: Motion Carries
 Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

Approval of Single Plan for Student Achievement (SPSA) for Lincoln Elementary

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$118,637.00
Budgeted	Yes
Budget Source	LCFF, Title 1, and LRE
Recommended Action	The recommendation is that the Board approve the Single Plans for Student Achievement (SPSAs) for 2023-24 as presented

Purpose:
Purpose: We seek the Board of Education's approval of the Single Plan for Student Achievement for Lincoln Elementary School.

Background:
 The School Plan for Student Achievement (SPSA) is a plan of action to improve student academic performance by coordinating all educational services and resources. Pursuant to California Education Code Section 64001, schools that receive state and federal funds are required to consolidate all school plans into a SPSA. SPSA specifics are also included in the Federal Program Monitoring process. The SPSA is used to meet planning requirements for Title I School wide Programs (SWP), Comprehensive Support and Improvement (CSI), Targeted Support and Improvement (TSI), and Additional Targeted Support and Improvement (ATSI). California Education Code (EC) Section 64001 requires that a School Site Council (SSC) develop the SPSA.
 It is the goal of Newark Unified School District (NUSD) to provide equitable opportunities to each of our students and school sites. Each site-specific SPSA and the district-wide Local Control and Accountability Plan (LCAP) is a roadmap created in partnership with all district stakeholders to achieve our vision and mission.
 The SPSAs are informed by data. Each goal area includes data analysis on current measures across student subgroups and on outcome measures to determine progress. Local and State data are used to develop each goal and research is used to identify best practices to address student needs. Progress is evaluated through the School Site Councils (SSCs). The SSCs meet to review SPSA goals, actions, and budgets. California Dashboard data and other local data is used to measure the impact of actions on student achievement. The principal and staff evaluate academic progress at minimum three times a year through an academic Professional Learning Community (PLC) model with benchmark data. Educational Partners are key in the development of the SPSAs. California Education Code Section 64001 requires that the School Site Council (SSC) develop the SPSA. The SSCs responsibilities include approving the plan, recommending it to the local governing board for approval, monitoring its implementation, and evaluating the effectiveness of the plan at least annually. The SSC must seek the review, advice, and certification of applicable advisory committees, including the English Learner Advisory Committee (ELAC).

File Attachments
[2023_School_Plan_for_Student_Achievement_Lincoln_Elementary_School_20230524.pdf](#) (792 KB)

Motion & Voting
 The recommendation is that the Board approve the Single Plans for Student Achievement (SPSAs) for 2023-24 as presented
 Motion by Carina V Plancarte, second by Katherine Jones.
 Final Resolution: Motion Carries
 Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

Update Textbooks and Licenses for French and Spanish Courses

Type	Action, Procedural
Absolute Date	Aug 15, 2023
Fiscal Impact	Yes
Dollar Amount	\$141,168.08
Budgeted	Yes
Budget Source	Lottery: Instructional Materials
Recommended Action	The recommendation is for the Board of Education to approve the purchase of updated textbooks and licenses for French and Spanish courses.

Purpose:

As presented at the June 15, 2023 Board Meeting during staff report on Local Indicators, current textbooks for Spanish and French course are out-dated and have been discontinued. These courses are designed to meet UC/CSU A-G requirements, E-Foreign Language.

Background:

The D'Accord and Descubre curriculum was presented to and approved by the Curriculum Council on January 26, 2017. Updated texts are now being presented for approval by the Board of Education. The recommended textbooks are, Descubre" (2022) and "D'accord" (2024) published by Vista Higher Learning Inc. Materials requested are student and teacher edition texts, workbooks, testing materials, and access to Supersite online.

File Attachments

[VHL Update- Quote - 5_19_2023.pdf](#) (84 KB)

Motion & Voting

The recommendation is for the Board of Education to approve the purchase of updated textbooks and licenses for French and Spanish courses.

Motion by Nancy Thomas, second by Aiden Hill.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

Policy Update: Board Policies and Administrative Regulations to Rescind

Type	Action, Procedural
Fiscal Impact	No
Recommended Action	The recommendation is that the Board of Education rescind the Board Policies and Administrative Regulations listed below as recommended by Board Liaison Committee.

Purpose:

The purpose is for the Board of Education to review and rescind the following policies per the Board Liaison Committee and CSBA recommendations.

Background:

During the Board Meeting on April 20, 2023 the board voted to create a Board Liaison Committee and elected President Thomas and Member Jones to conduct an initial review of 150+ policies.

The attached list of policies reflect the language sanctioned by the California School Board Association. The Board Liaison Committee has reviewed each policy and recommended updating each policy and regulation to current CSBA language. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a second reading.

The rescission of these policies is sanctioned by the California School Board Association.

BP/AR 0440 - District Technology Plan

Recommended deletion; tech plans no longer a precondition for state technology grant programs due to the self-repeal of Education Code 51870, 51871.5

AR 1325 - Advertising And Promotion

Recommended deletion; incorporated in BP 1325

BP 4112.3 - Oath Or Affirmation

Recommended deletion; incorporated in AR 4112.3

AR 1020 - Youth Services

Recommend deletion; CSBA deleted and moved key concepts into BP 1400 "Relations between Other Governmental Agencies and the Schools"

AR 6163.4 - Student Use of Technology

Recommended deletion; incorporated in BP 6163.4

AR 5111.12 - Residency Based on Parent/Guardian Employment

Recommended deletion; incorporated in 5111.1 and/ or in Interdistrict Transfer MOU.

BP 6116 - Classroom Interruptions

Recommend deletion; obsolete

BP/AR 6030.3 - School To Career Instruction

Recommend deletion; refer to CTE BP/AR 6178

BP 6010 - Instructional Goals & Objectives

Recommend deletion; per CSBA

AR 6144 - Controversial Issues

Recommend deletion: No CSBA Regulations

File Attachments

[Existing NUSD AR 0440 District Technology Plan.pdf](#) (66 KB)

- [Existing NUSD BP 0440 District Technology Plan.pdf](#) (64 KB)
- [Existing NUSD AR 1325 - Advertising and Promotion.pdf](#) (63 KB)
- [Existing NUSD BP 4112.3 - Oath Or Affirmation.pdf](#) (60 KB)
- [Existing NUSD BP 1020 - Youth Services.pdf](#) (61 KB)
- [Existing NUSD AR 6163.4 - Student Use Of Technology.pdf](#) (69 KB)
- [Existing NUSD AR 5111.12 - Residency Based On Parent.Guardian Employment.pdf](#) (66 KB)
- [Existing NUSD BP 6116 - Classroom Interruptions.pdf](#) (58 KB)
- [Existing NUSD AR 6030.3 - School To Career Instruction.pdf](#) (61 KB)
- [Existing NUSD BP 6030.3 - School To Career Instruction.pdf](#) (62 KB)
- [Existing NUSD BP 6010 - Instructional Goals and Objectives.pdf](#) (63 KB)
- [Existing NUSD AR 6144 - Controversial Issues.pdf](#) (60 KB)

Motion & Voting

The recommendation is that the Board of Education rescind the Board Policies and Administrative Regulations listed below as recommended by Board Liaison Committee.

Motion by Phuong Nguyen, second by Carina V Plancarte.
 Final Resolution: Motion Carries
 Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

Pappas Energy Contract Change Order #2

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$2,096.97
Budget Source	Bay Area Air Quality Management District Grant and Fund 40 Special Reserve for Capital
	Outlay
Recommended Action	The recommendation is that the Board of Education approve Change Order #2 for the Pappas Energy contract for the Electric Vehicle Charging Stations.

Purpose:
 To approve a change order to an agreement with Pappas Energy to provide lighting for the EV stations.

Background:
 On December 15, 2022, the Board of Education approved a contract with Pappas Energy to install of five (5) electric vehicle charging stations at the district MOT yard, which includes the concrete pad, and wiring from the electrical panel to the EV chargers.
 On April 6, 2023, the Board of Education approved Change Order #1 in the amount of \$1,856.29 for an added requirement from PG&E for the owner's responsibilities to include trench and conduit for the PG&E under metered panel pad.
 As part of the original plan, Pappas Energy was to reuse light poles and LED lights that were taken down from the Newark Memorial High School parking lot for the solar project. These were removed and stored at the MOT yard. When they were ready to install the lights, only the poles were found.
 Change Order #2, in the amount of \$2096.97, is to cover the costs of three (3) LED lights that are needed to complete the EV stations and provide sufficient lighting so the EV stations can be used regardless of time of day and for security purposes.

Date	Activity	Amount
12/15/2022	Pappas Energy Contract	\$52,500.00
4/6/2023	PG&E New Requirement Change Order 1	\$ 1,856.29
8/1/2023	Lights Change Order 2	\$2,096.97
	New Contract Amount	\$56,453.26

File Attachments

- [Pappas Change Order 2.pdf](#) (206 KB)
- [Pappas Change Order 2_LED Light Specs.pdf](#) (2,624 KB)

Motion & Voting

The recommendation is that the Board of Education approve Change Order #2 for the Pappas Energy contract for the Electric Vehicle Charging Stations.

Motion by Carina V Plancarte, second by Phuong Nguyen.
 Final Resolution: Motion Carries
 Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

Position/Job Description: Intramural Activities Campus Monitor, Secondary

Type	Action, Discussion
Absolute Date	Aug 01, 2023
Fiscal Impact	Yes
Dollar Amount	\$50,000.00
Budgeted	Yes
Budget Source	Learning Recovery Emergency Block Grant and Title IV
Recommended Action	The recommendation is that the Board approve the position and job description for the Intramural Activities Campus Monitor, Secondary.

Purpose:
 To approve the position and job description of the Intramural Activities Campus Monitor, Secondary.

Background:

This is a new job description. The job duties and responsibilities have been developed in coordination with California School Employees Association, Secondary Principals, and the Human Resources Department.

File Attachments

Intramural Activities Campus Monitor.pdf (384 KB)

Revised Job Descriptions: Cook and Food Service Delivery Driver

Type Action, Discussion

Absolute Date Aug 01, 2023

Recommended Action The purpose is for the Board of Education to approve the revised job descriptions for Cook and Food Service Delivery Driver.

Purpose:

The purpose is for the Board of Education to approved the revised job descriptions for Cook and Food Service Delivery Driver.

Background:

The job descriptions for Cook and Food Service Delivery Driver were last revised in April 1995, over 28 years ago. The new job descriptions better reflect the duties and responsibilities of the positions.

File Attachments

Cook Job Description.pdf (134 KB)

Food Service Delivery Driver Job Description.pdf (129 KB)

Motion & Voting

The purpose is for the Board of Education to approve the revised job descriptions for Cook and Food Service Delivery Driver.

Motion by Katherine Jones, second by Carina V Plancarte.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

45-Day Budget Revision 2023-24

Type Action, Information

Recommended Action The recommendation is that the Board of Education accept and approve the budget revisions as presented.

Purpose:

The purpose is to advise the Board and the public concerning the impact of the State Enacted Budget on the District's Adopted Budget.

Background:

The Board approved and adopted the District's 2023-24 budget on June 15, 2023, which was prior to the Governor signing the 2023-24 State Budget.

The 2023-24 State Budget was signed by the Governor on June 27, 2023. Not later than 45 days after the Governor signs the Budget Act, school districts must make available to the public any budget revisions made as a result of that Budget Act [E.C. 42127].

The 2023-24 enacted budget included a 5.6% reduction to the Arts, Music, and Instructional Materials Discretionary Block Grant (AMIM) and 14.4% reduction to the Learning Recovery Emergency Block Grant (LRE). The budget intends to restore the LRE grant over 3 years starting in 2025-26. Changes to the AMIM and LRE allocations are estimated as follows:

Description	Original Allocation	Revised Amount	Change
AMIM	3,143,753	2,967,703	-176,050
LRE	6,152,134	5,266,227	-885,907

The actual impact to the district budget will be reflected in the First Interim Budget Report.

Attached is a summary analysis of the 2023-24 Enacted Budget from School Services of California.

File Attachments

2023-24 Enacted Budget Summary_SSC.pdf (7,443 KB)

Motion & Voting

The recommendation is that the Board of Education accept and approve the budget revisions as presented.

Motion by Carina V Plancarte, second by Katherine Jones.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

12 CONSENT AGENDA: PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type Action

Recommended Action It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent-Personnel, except for agenda items:

Purpose:

This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:

Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Motion & Voting

It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent-Personnel, except for agenda items:

Motion by Carina V Plancarte, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

Personnel Report

Type Action

Absolute Date Aug 01, 2023

Recommended The recommendation is that the Board of Education ratify the personnel report as presented.

Action

Purpose:

The purpose is for the Board of Education to ratify the Personnel Report as presented.

Background:

All personnel activities including new hires, changes in status, resignation, leaves, and retirements are routinely submitted to the Board for ratification.

File Attachments

[HR PAL 08-01-2023.pdf](#) (368 KB)

Memorandum of Understanding between CSEA and NUSD: Revised Job Descriptions

Type Action

Absolute Date Aug 01, 2023

Recommended The recommendation is that the Board of Education approve the Memorandum of

Action Understanding between CSEA and NUSD regarding revised job descriptions.

Purpose:

The purpose is for the Board of Education approve the Memorandum of Understanding (MOU) between CSEA and NUSD regarding revised job descriptions.

Background:

The district and CSEA met to discuss revised job descriptions for two positions: Cook and Food Service Delivery Driver. The Cook position is currently vacant. The incumbent Food Service Delivery Drivers shall retain their current FTE, work calendars, seniority dates and accrued seniority hours. The district and CSEA came to an agreement and signed the attached MOU on June 8, 2023.

File Attachments

[CSEA MOU Job Descriptions 8.1.23.pdf](#) (71 KB)

Memorandum of Understanding between CSEA and NUSD: New Job Description - Intramural Activities Campus Monitor,

Type Action

Absolute Date Aug 01, 2023

Recommended The recommendation is that the Board of Education approve the Memorandum of

Action Understanding between CSEA and NUSD regarding a new job description - Intramural Activities Campus Monitor, Secondary.

Purpose:

The purpose is for the Board of Education approve the Memorandum of Understanding (MOU) between CSEA and NUSD regarding a new job description - Intramural Activities Campus Monitor, Secondary.

Background:

The district and CSEA met to discuss a new job description - Intramural Activities Campus Monitor, Secondary. The district and CSEA came to an agreement and signed the attached MOU on July 13, 2023.

File Attachments

[Signed MOU RE Intramural Activities Campus Monitor.pdf](#) (319 KB)

13 CONSENT AGENDA: NON-PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type Action

Recommended Action It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent Non-Personnel, except for agenda items:

Purpose:
This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:
Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Motion & Voting
It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent Non-Personnel, except for agenda items:
Motion by Phuong Nguyen, second by Carina V Plancarte.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

LCAP Federal Addendum 2023-24

Type Action
Fiscal Impact No
Budgeted No
Recommended Action The recommendation is that the Board of Education approves the LCAP Federal Addendum for 2023-24.

Purpose:
To provide an annual update on the NUSDs use of Title funds in alignment with Federal requirements.

Background:
The LCAP Federal Addendum is a requirement for Local Educational Agencies (LEAs) applying for Every Student Succeeds Act (ESSA) funding. Its purpose is to supplement the LCAP in order to ensure that LEAs meet the requirements and provisions of the ESSA. Per the CDE, ESSA funding should be strategically considered and planned for on a yearly basis. Thus, it is also their recommendation that LEAs review and update their LCAP Federal Addendum annually. Federal Addendum is reviewed through the Federal Program Monitoring process in the Supporting Effective Instruction Program Instrument and the English Learner Program Instrument.

File Attachments
[2023_LCAP_Federal_Addendum_Newark_Unified_School_District_20230614.pdf](#) (251 KB)

2023-24 MOU with Jackie Melcher, Behavioral Health Consultant

Type Action
Fiscal Impact Yes
Dollar Amount \$106,424.00
Budgeted Yes
Budget Source Learning Recovery Emergency Block Grant
Recommended Action The recommendation is that the Board of Education approve the 2023-24 Memorandum of Understanding with Jackie Melcher, Mental Health Clinician for Schilling and Coyote Hills Elementary Schools.

Purpose:
To provide Schilling and Coyote Hills Elementary students with an onsite behavioral health consultant who will support Tier I and Tier II needs. The clinician, Ms. Jackie Melcher, will also support the implementation of Positive Behavioral Interventions and Support (PBIS) and work at the school five (5) days a week.

Background:
This support role meets the ongoing needs of students and the implementation of PBIS and their Coordination of Services Team (COST).

File Attachments
[Jackie Melcher_MOU for Schilling & CHE 23-24.pdf](#) (156 KB)

Contract with Anova Center for Education, Non-Public School (NPS)

Type Action
Preferred Date Aug 01, 2023
Absolute Date Aug 01, 2023
Fiscal Impact Yes
Dollar Amount \$67,263.00
Budgeted Yes
Budget Source Resource 6500 - Special Education
Recommended Action The recommendation is that the Board of Education approve the contract and the individual services agreement with Anova Center for Education.

Purpose:

For the Board of Education to approve the contract and the individual service agreement with Anova Center for Education for day treatment services for the 2023-2024 school year.

Background:

NUSD student's least restrictive environment per IDEA was determined to be placed in a Non-Public School (NPS) setting due to a significant disability, behavioral, or programmatic need that has impacted their current ability to be successful within the general education setting.

File Attachments

- [Anova Contract 2023-24.pdf](#) (4,559 KB)
- [Anova ISA 2023-24 redacted.pdf](#) (187 KB)

Contract with Esther B. Clark, Non-Public School (NPS)

Type	Action
Preferred Date	Aug 01, 2023
Absolute Date	Aug 01, 2023
Fiscal Impact	Yes
Dollar Amount	\$224,507.00
Budgeted	Yes
Budget Source	Resource 6500 - Special Education, Resource 6546 - Special Education Mental Health
Recommended Action	The recommendation is that the Board of Education approve the contract and the individual service agreements with Esther B. Clark.

Purpose:

For the Board of Education to approve the contract and the individual service agreements with Esther B. Clark for the day treatment services for the 2023-2024 school year.

Background:

NUSD students' least restrictive environment per IDEA was determined to be placed in a Non-Public School (NPS) setting due to a significant disability, behavioral, or programmatic need that has impacted their current ability to be successful within the general education setting.

File Attachments

- [Esther B. Clark Contract 23-24.pdf](#) (537 KB)
- [Esther B. Clark ISA 24-07a redacted.pdf](#) (193 KB)
- [Esther B. Clark ISA 24-07b redacted.pdf](#) (176 KB)

Contract with Cinnamon Hills Youth Crisis Center, Residential Treatment Center (RTC)

Type	Action
Preferred Date	Aug 01, 2023
Absolute Date	Aug 01, 2023
Fiscal Impact	Yes
Dollar Amount	\$215,570.70
Budgeted	Yes
Budget Source	Resource 6500 - Special Education, Resource 6546 - Special Education Mental Health
Recommended Action	The recommendation is that the Board of Education approve the contract and the individual service agreement with Cinnamon Hills Youth Crisis Center.

Purpose:

For the Board of Education to approve the contract and the individual service agreement with Cinnamon Hills Youth Crisis Center for day treatment services for the 2023-2024 school year.

Background:

NUSD students' least restrictive environment per IDEA was determined to be placed in a Residential Treatment Center (RTC) setting due to a significant disability, behavioral, or programmatic need that has impacted their current ability to be successful within the general education setting.

File Attachments

- [Cinnamon Hills Contract 23-24.docx](#) (434 KB)
- [Cinnamon Hills ISA 2023-24_Redacted.pdf](#) (45 KB)

Contract with Pacific Autism Center for Education (PACE), Non-Public School (NPS)

Type	Action
Preferred Date	Aug 01, 2023
Absolute Date	Aug 01, 2023
Fiscal Impact	Yes
Dollar Amount	\$146,004.00
Budgeted	Yes
Budget Source	Resource 6500 - Special Education
Recommended Action	The recommendation is that the Board of Education approve the contract and the individual service agreement with Pacific Autism Center for Education (PACE).

Purpose:

For the Board of Education to approve the contract and the individual service agreement with Pacific Autism Center for Education for day treatment services for the 2023-2024 school year.

Background:

NUSD students' least restrictive environment per IDEA was determined to be placed in a Non-Public School (NPS) setting due to a significant disability, behavioral, or programmatic need that has impacted their current ability to be successful within the general education setting.

File Attachments

- [PACE Contract 2023-24.PDF](#) (311 KB)
- [PACE ISA 04-08a redacted.pdf](#) (190 KB)

Contract with The Stepping Stones Group for Special Education Services

Type	Action
Preferred Date	Aug 01, 2023
Absolute Date	Jun 01, 2023
Fiscal Impact	Yes
Dollar Amount	\$171,600.00
Budgeted	Yes
Budget Source	Resource 6500 - Special Education
Recommended Action	The recommendation is that the Board of Education approve the contract with The Stepping Stones Group.

Purpose:

For the Board of Education to approve the contract with The Stepping Stones Group for the 2023-2024 school year.

Background:

The District contracts with Non-Public Agencies (NPA) when necessary to provide assessments and related services to students with Individual Education Programs (IEPs). The Stepping Stones Group will provide assistive technology assessments/services and augmentative alternative communication assessments/services to support Students With Disabilities (SWDs).

File Attachments

- [The Stepping Stones Group Contract 23-24.pdf](#) (661 KB)

Contract with UpFront Interpreting for Special Education Services

Type	Action
Preferred Date	Aug 01, 2023
Absolute Date	Aug 01, 2023
Fiscal Impact	Yes
Dollar Amount	\$119,748.00
Budgeted	Yes
Budget Source	Resource 6500 - Special Education
Recommended Action	The recommendation is that the Board of Education approve the contract with UpFront Interpreting.

Purpose:

For the Board of Education to approve the contract with UpFront Interpreting for American Sign Language (ASL) Aide services for the 2023-2024 school year.

Background:

In order to meet the communication needs of this student in particular, it was determined by the Individualized Educational Program team that the student requires the assistance of a paraeducator who can sign in order to access her education and maintain her safety.

File Attachments

- [Upfront Interpreting Contract 23-24.pdf](#) (172 KB)

Contract with Rising Star Sped Academy, Non-Public School (NPS)

Type	Action
Preferred Date	Aug 01, 2023
Absolute Date	Aug 01, 2023
Fiscal Impact	Yes
Dollar Amount	\$344,410.00
Budgeted	Yes
Budget Source	Resource 6500 - Special Education
Recommended Action	The recommendation is that the Board of Education approve the contract and the individual service agreements with Rising Star Sped Academy.

Purpose:

For the Board of Education to approve the contract and the individual service agreements with Rising Star Sped Academy for the 2023-2024 school year.

Background:

NUSD students' least restrictive environment per IDEA was determined to be placed in a Non-Public School (NPS) setting due to a significant disability, behavioral, or programmatic need that has impacted their current ability to be successful within the general education setting.

File Attachments

- [Rising Star Sped Academy Contract 23-24.pdf](#) (477 KB)
- [Rising Star ISA 24-06a_redacted.pdf](#) (175 KB)
- [Rising Star ISA 24-06b_redacted.pdf](#) (187 KB)

Contract with Seneca Family of Agencies, Non-Public School (NPS)

Type	Action
Preferred Date	Aug 01, 2023
Absolute Date	Aug 01, 2023
Fiscal Impact	Yes
Dollar Amount	\$120,054.00
Budgeted	Yes
Budget Source	Resource 6500 - Special Education, Resource 6546 - Special Education Mental Health
Recommended	The recommendation is that the Board of Education approve the contract and the individual
Action	service agreement with Seneca Family of Agencies.

Purpose:
For the Board of Education to approve the contract and the individual service agreement with Seneca Family of Agencies for day treatment services for the 2023-2024 school year.

Background:
NUSD students' least restrictive environment per IDEA was determined to be placed in a Non-Public School (NPS) setting due to a significant disability, behavioral, or programmatic need that has impacted their current ability to be successful within the general education setting.

- File Attachments**
- [Seneca Newark Contract 23-24.pdf](#) (810 KB)
 - [Seneca ISA 23-24_redacted.pdf](#) (174 KB)

Contract with Maxim Healthcare Services, Inc. for Nursing Services for Special Education Student

Type	Action
Preferred Date	Aug 01, 2023
Absolute Date	Aug 01, 2023
Fiscal Impact	Yes
Dollar Amount	\$78,975.00
Budgeted	Yes
Budget Source	Resource 6500 - Special Education
Recommended	The recommendation is that the Board of Education approve the agreement with Maxim
Action	Healthcare Services, Inc.

Purpose:
For the Board of Education to approve the renewal agreement with Maxim Healthcare Services, Inc. for the 2023-24 school year.

Background:
In order to meet the health needs of this student in particular, nursing services are required in the educational setting to attend school and receive a free appropriate public education (FAPE). Due to this student's severe medical needs, there is a need for a 1:1 nurse to access his educational needs and provide him with the medical care when he is in school.

- File Attachments**
- [Maxim Health Services_Newark Contract 23-24.pdf](#) (288 KB)

Policy Update: Board Policies and Administrative Regulations with No Changes from CSBA

Type	Action, Procedural
Fiscal Impact	No
Budgeted	No
Recommended	The recommendation is that the Board of Education approve the updated Board Policies and
Action	Administrative Regulations as reviewed by the Board Liaison Committee.

Purpose:
The purpose is for the Board of Education to review and approve the recommended updates to board policies and administrative regulations as reviewed by the Board Liaison Committee.

Background:
During the Board Meeting on April 20, 2023 the board voted to create a Board Liaison Committee and elected President Thomas and Member

Jones to conduct an initial review of 150+ policies.

The attached list of 92 policies reflect the language sanctioned by the California School Board Association. The Board Liaison Committee has reviewed each policy and recommended updating each policy and regulation to current CSBA language. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a second reading.

Due to the volume of policies, please click this link to review.

[File Attachments](#)

[BP_AR Ed Services Updates - 2023 Summer - No Changes from CSBA.pdf](#) (127 KB)

Resolution 2023.24.02 - Temporary Borrowing Between Funds

Type Action, Procedural

Recommended The recommendation is that the Board of Education adopt Resolution No. 2023.24.02 -

Action Temporary Borrowing Between Funds.

Purpose:

To adopt this Resolution No. 2023.24.02, allowing temporary borrowing between funds for cashflow purposes.

Background:

In accordance with Education Code Section 42603, the governing board of any school district may direct that moneys held in any fund or account may be temporarily transferred to another fund or account of the district for payment of obligations. This temporary transfer of funds will be accounted for as temporary borrowing between funds and will not be available for appropriation or be considered revenue to the borrowing fund or account. Amounts transferred must be repaid either in the same fiscal year or in the following fiscal year if the transfer occurs within the final 120 calendar days of a fiscal year. Borrowing will occur only when the fund or account receiving the money will earn sufficient revenue, during the current fiscal year, to repay the amount transferred. No more than 75% of the maximum of moneys held in any fund or account during a fiscal year may be transferred.

[File Attachments](#)

[Resolution No. 2023.24.02_Temporary Borrowing Between Funds.pdf](#) (10 KB)

Report: Williams Uniform Complaint Quarterly Report April 1, 2023 - June 30, 2023

Type Action

Absolute Date Aug 01, 2023

Recommended The recommendation is that the Board of Education approves the Williams Uniform Complaint

Action Quarterly Report for the period of April 1, 2023 - June 30, 2023.

Purpose:

The purpose is for the Board of Education to receive and approve the Williams Uniform Complaint Quarterly Report for the period of April 1, 2023 - June 30, 2023.

Background:

Education Code 35186 requires that the Superintendent of a school district report summarized data on the nature and resolution of all complaints filed under the Williams Uniform Complaint Procedures to the local Board of Education and the County Superintendent of Schools on a quarterly basis. The report must include the number of complaints by general area, the number of resolved and unresolved complaints, and be publicly presented at a regularly scheduled Board meeting. The attached report is presented to the Board for the period of April 1, 2023 - June 30, 2023.

[File Attachments](#)

[Q124 UCP Report for Board 08.01.2023.pdf](#) (376 KB)

Report: Monthly Purchase Order Report

Type Action

Recommended The recommendation is that the Board of Education receive the Monthly Purchase Order

Action Report as presented.

Purpose:

The purpose of this item is to present a monthly report on Purchase Order transactions per Board Policy 3300, Expenditures and Purchases.

Background:

Based on the discussion at the Board's Study Session on January 6, 2022, staff is providing a monthly report on Purchase Order transactions per Board Policy 3300, Expenditures and Purchases. The policy states that "The Board shall review all transactions entered into by the Superintendent or designee on behalf of the Board every 60 days." This month's report includes PO's dated 5/20/23 through 7/20/23.

[File Attachments](#)

[Monthly Purchase Order Report 08-01-2023.pdf](#) (140 KB)

Report: Warrant Report for June 2023

Type Action

Fiscal Impact No

Recommended The recommendation is that the Board of Education approve the Warrant Report as presented.

Action

Purpose:

The purpose of this item is to present warrants, for the total amount of \$3,222,063.16, made from District funds for June 2023.

Background:

The warrant registers represent a complete listing of all payments made from District funds for a month. Because Newark Unified School District is a fiscally dependent District, each warrant must pass through two separate audits; first by the Districts Fiscal Services department, and second by the County Office of Education. No warrant can be paid until such time as it is examined and approved by the County Office of Education.

File Attachments

[Warrant Report June 2023_signed.pdf](#) (381 KB)

Report: Quarterly Report on Contracts - 4th Quarter 2022-23

Type Action

Budget Source General Fund

Recommended The recommendation is that the Board of Education ratify the contracts as presented.

Action

Purpose:

For the Board to ratify the contracts presented on the quarterly report.

Background:

The Board has requested a report of all contracts for professional services under \$54,650 (50% of formal bid limit) be reviewed by the Board on a quarterly basis. This report only includes contracts that have not been previously approved by the Board. (Reference Board Policy 3312) Contracts are on file in the Business Office.

File Attachments

[Q4 2223 Contracts_08-01-2023.pdf](#) (5,465 KB)

[Q4 22-23 Contracts Under 54K.pdf](#) (11 KB)

MINUTES: Minutes of the June 1, 2023 Regular Meeting of the Board of Education

Type Action, Minutes

Recommended The recommendation is that the Board of Education approve the minutes of the June 1, 2023

Action Regular Meeting of the Board of Education.

Purpose:

For the board to review and approve minutes of the June 1, 2023, Regular Meeting of the Board of Education.

Background:

The attached minutes are reflective of the June 1, 2023, Regular Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel [HERE](#).

MINUTES: Minutes of the June 15, 2023 Regular Meeting of the Board of Education

Type Action, Minutes

Recommended The recommendation is that the Board of Education approve the minutes of the June 15, 2023

Action Regular Meeting of the Board of Education.

Purpose:

For the board to review and approve minutes of the June 15, 2023, Regular Meeting of the Board of Education.

Background:

The attached minutes are reflective of the June 15, 2023, Regular Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel [HERE](#).

MINUTES: Minutes of the June 21, 2023 Special Meeting of the Board of Education

Type Action, Minutes

Recommended The recommendation is that the Board of Education approve the minutes of the June 21, 2023

Action Special Meeting of the Board of Education.

Purpose:

For the board to review and approve minutes of the June 21, 2023, Special Meeting of the Board of Education.

Background:

The attached minutes are reflective of the June 21, 2023, Special Meeting of the Board of Education.

Board Policy Whistleblower and Conflict of Interest

Type Information

Purpose:

Information items give the Board of Education an opportunity to discuss topics of interest, review information related to the topics and give direction to the superintendent regarding future board agenda items.

Background:

Newark Unified School District has a strong interest in increasing transparency and strengthening our board policies to ensure we are following best practice related to whistleblower protections and conflicts of interest

File Attachments

- Recommended CSBA Exhibit 9270 - Conflict of Interest.pdf (288 KB)
Recommended CSBA Bylaw 9270 - Conflict of Interest.pdf (391 KB)
Labor Code 1102.5_Whistleblower Protections.pdf (154 KB)
Govt Code 87100_87103_Conflict of Interest.PDF (702 KB)
CSBA Conflict of Interest Fact Sheet.pdf (107 KB)
Existing NUSD Bylaw 9270 Conflict Of Interest.pdf (137 KB)
Existing NUSD Exhibit (PDF) 9270-E PDF(1) Conflict Of Interest.pdf (167 KB)

15 BOARD OF EDUCATION: COMMITTEE REPORTS, ANNOUNCEMENTS, REQUESTS, DEBRIEF

Board of Education Committee Reports, Announcements, Requests, Debrief and Discussion

AND DISCUSSION

Type Action, Discussion, Information

Purpose:

COMMITTEE REPORTS: The Trustees will provide an update, if available, on the committees of which they are members.
ANNOUNCEMENTS: The Trustees may acknowledge or recognize specific programs, activities, or personnel at this time.
REQUESTS: This is an opportunity for the Board of Education to suggest items for placement on future agendas and to review Board requests.
Approval from the majority of the Board will be required for direction to be provided to the Superintendent.
DEBRIEF AND DISCUSSION: The Trustees may debrief and discuss items.

Background:

Each year the Board of Education members liaise with schools and committees in order to build relationships, hear from staff, students, and families, and act as a conduit for information to and from the schools.

Board Committees 2022-23

Table with columns: Board Adopted on 12/15/2022, Representative, Alternate. Rows include Mission Valley Regional Occupational Center/Program (ROC/P), Executive Board, Regional Policy Board of Special Education Local Plan Area (SELPA), Newark Teacher Induction Advisory Council (Formally EBIC), Audit Committee, Bond/Parcel Tax Committee, and City of Newark NUSD Liaison Committee.

The following derives directly from the Board approved "Governance Team Handbook"

Authority is Collective, Not Individual:

The only authority to direct action rests with the Board as a whole when seated at a regular or special board meeting. Outside of this meeting, there is no authority.
A majority Board vote provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction.

Bringing New Ideas Forward

The Board will be open to having "brainstorming" discussions, or study sessions, around any idea that a Trustee may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Trustee, at their initiative or at the request of a constituent, which was previously discussed during a board meeting.

Trustees will first notify the Board President and Superintendent of their interest in bringing forward a new idea at a board meeting. When initially agendized, the preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.

Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea. The Superintendent will decide on the delegation of assignments to District staff.

The new idea may be agendized for discussion only. The Board majority will decide if the new idea should be further developed and studied by staff. The Board majority will decide if staff time should be invested in the "fleshing out" of new ideas.

Individual Trustees, in the course of interactions with constituents, will be careful not to make or imply the commitment of the full Board to explore or proceed with implementing new ideas.

16 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

Superintendent's Concluding Comments, Updates, and Future Agenda Items

AGENDA REQUESTS

Type Information

Purpose:

This is an opportunity for the Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

17 ADJOURNMENT

PLACEHOLDER - Extend Meeting

Type Action

Recommended The recommendation is that the Board of Education extends the meeting to ____ P.M.
Action

Purpose:

This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

Adjournment

Type Action

Recommended The recommendation is that the Board of Education adjourns this meeting.
Action

Purpose:

No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time. This action will conclude the meeting.

Motion & Voting

The recommendation is that the Board of Education adjourns this meeting.

Motion by Phuong Nguyen, second by Katherine Jones.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

1 CALL TO ORDER

Meeting Practices and Information

Type Procedural

In-person Meeting Information:

NUSD has opened its boardroom for in-person meetings and will follow the State's and Alameda County's safety guidelines for public gatherings. Please refrain from attending in-person meetings if you have any of the following symptoms:

- Loss of taste/smell
- Difficulty breathing
- Vomiting
- Diarrhea
- Fever
- Cough
- Headache
- Sore Throat
- Runny Nose

For additional COVID-19 information please go to <https://www.newarkunified.org/covid-19> or <https://www.acoe.org/guidance>

Public Comment:

The public will have the opportunity to address the Board of Education regarding agenda items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

Roll Call

Type Procedural

Trustees:

- President Nancy Thomas
- Vice President/Clerk Aiden Hill
- Member Katherine Jones
- Member Phuong Nguyen
- Member Carina V. Plancarte

Public Comment on Closed Session Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and tries to make it convenient for members of the community to express their views to the Board.

If a constituent wishes to address the Board on any agenda item:

In-Person Comment: please submit a completed speaker card to the Board's Executive Assistant before the start of the meeting, or prior to the calling of the section for public comment.

Audio-Only Virtual Comment: please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org by 1:00 PM the day before the meeting. Please label your email as " AUDIO-ONLY PUBLIC COMMENT" and include your name as it will appear on Zoom, your phone number, email address, and the agenda item number related to your comment.

Please see detailed instructions for public comment on the link: <http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

Recess to Closed Session

Type Procedural

Purpose:

The Board will recess to Closed Session, and reconvene to Open Session on or about 9:00 a.m.

2 CLOSED SESSION

PUBLIC EMPLOYMENT (Gov. Code, 54957, subd. (b)(1) Title: Newark Memorial High School Interim Principal

Type Action, Discussion, Procedural

CONFERENCE WITH LEGAL COUNSEL EXISTING LITIGATION (Gov. Code, 54956.9, subd. (d)(1)): Case #23CV034303

Type Action, Information, Procedural

Purpose:

To discuss the following case(s): Case #23CV034303

3 REPORT OF CLOSED SESSION ACTIONS

Report of Closed Session Actions

Type Action, Procedural

Purpose:

If available, a report of the closed session will be provided by the Board President.

4 RECONVENE TO OPEN SESSION

Pledge of Allegiance

Type Procedural

Purpose:

The Governance Team will recite the Pledge of Allegiance

5 APPROVAL OF AGENDA

Approval of the Agenda

Type Action

Recommended Action The recommendation is that the Board of Education approve the agenda for this meeting.

Purpose:

Members of the Governance Team may request that the agenda be amended or approved as presented.

6 PUBLIC COMMENT

Public Comment on Agenda Items

Type Procedural

The Board of Education encourages the community's participation in its deliberations and tries to make it convenient for members of the community to express their views to the Board.

If a constituent wishes to address the Board on any agenda item:

In-Person Comment: please submit a completed speaker card to the Board's Executive Assistant before the start of the meeting, or prior to the calling of the section for public comment.

Audio-Only Virtual Comment: please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org by 1:00 PM the day before the meeting. Please label your email as " AUDIO-ONLY PUBLIC COMMENT" and include your name as it will appear on Zoom, your phone number, email address, and the agenda item number related to your comment.

Please see detailed instructions for public comment on the link: <http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

7 NEW BUSINESS

School Naming - Newark Junior High School

Type Action

Recommended Action The recommendation is that the Board of Education approve the renaming of Newark Junior High School to Newark Middle School.

Purpose:

After review of Board Policy 7130, and at the direction of the Board of Education, the Superintendent recommends the renaming of Newark Junior High School to Newark Middle School.

Background:

After a year of planning and preparation, in the 2022-23 school year, the 6th grade was moved from our elementary schools to Newark Junior High School. The purpose of this transition was the implementation of a middle school instructional model. This item is brought as one of the final pieces of the restructure of Newark Junior High School.

Contract with Effective School Solutions for Special Education Services

Type Action

Fiscal Impact Yes
 Dollar Amount \$625,000.00
 Budgeted Yes
 Budget Source Resource 6500 - Special Education
 Recommended Action The recommendation is that the Board of Education approves the contract with Effective School Solutions.

Purpose:

The purpose is to approve the contract with Effective School Solutions for mental health services and support for the 2023-2024 school year in the amount of \$625,000.00. This contract is aligned to the staff report presented to the board at the June 15, 2023 Regular Board meeting which will support the special education department in shifting Mental Health programming in NUSD for the 23-24 academic school year.

Background:

The impact of COVID caused a larger need for mental health services for all students, but especially our students with special needs under the eligibility of Other Health Impairment, Emotional Disturbance, and Autism. The contract will begin our partnership with ESS in order to improve our practices, resources, and support to our students who have intensive counseling needs and/or are chronically absent due to their mental health. ESS will provide training and resources to administrators, teachers, and aides. They will provide individual, group, student, and parent counseling/therapy as needed for students in our BLAST program.

File Attachments

- ESS and NUSD.pdf (4,505 KB)
- Effective School Solutions, LLC 2023-24.pdf (186 KB)

8 BOARD WORKSHOP SESSION

Strategic Planning, Implementation and Progress Monitoring

Type Discussion, Information

Workshop Agenda Items

1. Community Building Activity
2. Review of Effective Governance Practices
3. Norms Review and Discussion
4. Protocol Review and Discussion
5. Group Discussion of Duties, Responsibilities and Needs
6. Develop District Priority and Focus Goals 2023-24
Lunch
7. Brown Act Workshop

8. Ethics Training

Recess to Closed Session

Type Procedural

Purpose:
The Board will recess to Closed Session, and reconvene to Open Session.

9 CLOSED SESSION

PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Gov. Code, 54957, subd. (b) (1)) Title: Superintendent Evaluation

Type Discussion, Information, Procedural
Evaluation Of The Superintendent

BP 2140-Administration: The Governing Board recognizes that, in order to effectively fulfill its responsibilities for setting direction, ensuring accountability, and providing community leadership for the district, it must adopt measures for holding the Superintendent accountable.

10 REPORT OF CLOSED SESSION ACTIONS

Report of Closed Session Actions

Type Action, Procedural

Purpose:
If available, a report of the closed session will be provided by the Board President.

11 RECONVENE TO OPEN SESSION

Reconvene to Open Session

12 BOARD OF EDUCATION: COMMENTS

Board of Education Comments

Type Action, Discussion, Information

Purpose:
DEBRIEF AND DISCUSSION: The Trustees may debrief and discuss items.

13 ADJOURNMENT

Adjournment

Type Action
Recommended Action The recommendation is that the Board of Education adjourns this meeting.

Purpose:
No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time.
This action will conclude the meeting.

1 CALL TO ORDER

Meeting Practices and Information

Type Procedural

In-person Meeting Information:
NUSD has opened its boardroom for in-person meetings and will follow the State's and Alameda County's safety guidelines for public gatherings. Please refrain from attending in-person meetings if you have any of the following symptoms:

- Loss of taste/smell
- Difficulty breathing
- Vomiting
- Diarrhea
- Fever
- Cough

Headache
Sore Throat
Runny Nose

For additional COVID-19 information please go to <https://www.newarkunified.org/covid-19> or <https://www.acoe.org/guidance>

Observe The Board Of Education Meeting:

Members of the public 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.

Public Comment:

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

Roll Call

Type Procedural

Trustees:

President Nancy Thomas
Vice President/Clerk Aiden Hill
Member Katherine Jones
Member Phuong Nguyen
Member Carina V. Plancarte

Public Comment on Closed Session Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and tries to make it convenient for members of the community to express their views to the Board.

If a constituent wishes to address the Board on any agenda item:

In-Person Comment: please submit a completed speaker card to the Board's Executive Assistant before the start of the meeting, or prior to the calling of the section for public comment.

Audio-Only Virtual Comment: please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org by 1:00 PM the day of the meeting. Please label your email as "AUDIO-ONLY PUBLIC COMMENT" and include your name as it will appear on Zoom, your phone number, email address, and the agenda item number related to your comment.

Please see detailed instructions for public comment on the link: <http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

Recess to Closed Session

Type Procedural

Purpose:

The Board will recess to Closed Session, and reconvene to Open Session on or about 7:00 p.m.

2 CLOSED SESSION

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a): Agency Negotiator: Cathreene Ingham-Watters: Employee Organizations - NTA and CSEA

Type Action, Information, Procedural

Purpose:

Information may be provided by the agency negotiator, Executive Director of Human Resources, Cathreene Ingham-Watters. Assistance from the legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided. The employee organizations include NTA & CSEA.

CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION Significant exposure to litigation pursuant to Gov. Code, 54956.9, subd. (d)[(2) or (3)]: One Case

Type Action, Discussion, Procedural

Purpose:

Information may be provided regarding significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: One case

CONFERENCE WITH LEGAL COUNSEL EXISTING LITIGATION (Gov. Code, 54956.9, subd. (d)(1)): Claim #569505

Type Action, Information, Procedural

Purpose:

To discuss the following case(s): Claim #569505

PUBLIC EMPLOYMENT (Gov. Code, 54957, subd. (b)(1) Title: Kennedy Principal, Newark Memorial High School Interim

STUDENT EXPULSION (Ed. Code, 48918): Case # e2223-08

Type Discussion, Information, Procedural

Purpose:

For the Board to review the Stipulation Expulsion Agreement.

Background:

A Stipulation Expulsion Agreement meeting was held on May 31, 2023. A Stipulation Expulsion Meeting was conducted in accordance with Board Policy and Administrative Regulation 5144.1 and, if applicable, 5144.2 for students with disabilities.

The Board will discuss this in closed session and then take action in open session. The administration asks for approval of the recommendation for Case# e2223-08 (Ed Code. 48918).

STUDENT EXPULSION (Ed. Code, 48918): Case# e2122- 14, Case # e2122-18

Type Discussion, Information, Procedural

Purpose:

For the Board to review expulsion cases that are eligible for readmission.

Background:

California Education Code Section 48916 requires that "an expulsion order shall remain in effect until the governing board orders a readmission of the pupil."

The following expulsions are up for termination or continuance. The Board will discuss this in closed session and then take action in open session. Staff recommends the following actions:

e2122- 14 - Continue Suspended Enforcement of Expulsion

e2122- 18 - Terminate Expulsion

3 REPORT OF CLOSED SESSION ACTIONS

Report of Closed Session Actions

Type Action, Procedural

Purpose:

If available, a report of the closed session will be provided by the Board President.

4 RECONVENE TO OPEN SESSION

Pledge of Allegiance

Type Procedural

Purpose:

The Governance Team will recite the Pledge of Allegiance

5 APPROVAL OF AGENDA

Approval of the Agenda

Type Action

Recommended The recommendation is that the Board of Education approve the agenda for this meeting.

Action

Purpose:

Members of the Governance Team may request that the agenda be amended or approved as presented.

Motion & Voting

The recommendation is that the Board of Education approve the agenda for this meeting.

Motion by Carina V Plancarte, second by Aiden Hill.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

6 EMPLOYEE ORGANIZATIONS

Employee Organizations

Type Information

Purpose:

At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Background:

Discussion items are limited to updates, celebrations, and upcoming events.

1. NTA
2. CSEA
3. NEWMA

7 PUBLIC COMMENT

Public Comment on Non-Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and tries to make it convenient for members of the community to express their views to the Board.

If a constituent wishes to address the Board on any agenda item:

In-Person Comment: please submit a completed speaker card to the Board's Executive Assistant before the start of the meeting, or prior to the calling of the section for public comment.

Audio-Only Virtual Comment: please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org by 1:00 PM the day of the meeting. Please label your email as "AUDIO-ONLY PUBLIC COMMENT" and include your name as it will appear on Zoom, your phone number, email address, and the agenda item number related to your comment.

Please see detailed instructions for public comment on the link: <http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

Public Comment on Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and tries to make it convenient for members of the community to express their views to the Board.

If a constituent wishes to address the Board on any agenda item:

In-Person Comment: please submit a completed speaker card to the Board's Executive Assistant before the start of the meeting, or prior to the calling of the section for public comment.

Audio-Only Virtual Comment: please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org by 1:00 PM the day of the meeting. Please label your email as "AUDIO-ONLY PUBLIC COMMENT" and include your name as it will appear on Zoom, your phone number, email address, and the agenda item number related to your comment.

Please see detailed instructions for public comment on the link: <http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

8 SUPERINTENDENT REPORT

Superintendent Report

Type Information

Purpose:

The superintendent will provide the Board of Education with district information, updates, news, or anything in the jurisdiction of the board or the superintendent.

Background:

The presentation and information will be provided by the Superintendent

9 STAFF REPORT

Presentation on the 2023-24 California Dashboard Local Indicators

Type Discussion, Information

Purpose:

The administration presents California Dashboard Local Indicators for Newark Unified School District.

Background:

Each year the California Department of Education prepares and releases the California Accountability Dashboard, consisting of state and local indicators of status and growth for California schools and Districts. The State Board of Education (SBE) has approved standards for the local indicators that support school districts in measuring and reporting their progress within the appropriate priority area. For each local indicator, the performance standards are as follows:

- Annually measure its progress in meeting the requirements of the specific LCFF priority
- Report the results as part of a non-consent item at a regularly scheduled public meeting of the local governing board/body in conjunction with the adoption of the LCAP

Report results to the public through the Dashboard utilizing the SBE-adopted self-reflection tools for each local indicator

Five indicators based on information collected by school districts, county offices of education and charter schools regarding LCFF priorities:

- Priority 1: Appropriately Assigned Teachers, Access to Curriculum-Aligned Instructional Materials and Safe, Clean and Functional School Facilities
- Priority 2: Implementation of State Academic Standards
- Priority 3: Parent Engagement
- Priority 6: School Climate
- Priority 7: Access to a Broad Course of Study

The collection and reflection on locally available information relevant to progress regarding local priority areas will support districts in completing the self-reflection tools, reporting in the Dashboard, and in local planning and improvement efforts.

File Attachments

2023 California Dashboard and Local Indicator Results.pdf (556 KB)

Special Education Effective School Solutions

Type Discussion, Information

Purpose:

This presentation details a proposal to shift Special Education Mental Health programming in NUSD for the 23-24 academic school year and a partnership with Effective School Solutions.

Background:

The impact of COVID caused a larger need for mental health services for all students, but especially our students with special needs. This proposal will provide our students with our highest counseling needs and chronically absent students with the resources and safe environment they need to access their education.

File Attachments

ESS and NUSD.pdf (4,505 KB)

10 NEW BUSINESS

Approval of the 2023-24 Local Control and Accountability Plan (LCAP)

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$6,378,009.00
Budgeted	Yes
Recommended Action	The recommendation is that the Board of Education approve the 2023-24 Local Control and Accountability Plan (LCAP) revisions as presented.

Purpose:

The administration presents the 2023-24 Local Control and Accountability Plan (LCAP) for approval.

Background:

Education Code 52062(b)(2) A governing board of a school district shall adopt an LCAP or annual update to the LCAP in a public meeting. This meeting shall be held after, but not on the same day as, the public hearing held pursuant to paragraph (1). This meeting shall be the same meeting as that during which the governing board of the school district adopts a budget pursuant to Education Code 42127 (a)(2). In addition, the LCAP must be adopted at the same public meeting in which the Local Indicator results are presented as a non-consent agenda item to the Board of Education pursuant to Education Code 52064.5(e) (2)

File Attachments

2023 Local Control and Accountability Plan Newark Unified School District_20230615.pdf (1,294 KB)

Motion & Voting

The recommendation is that the Board of Education approve the 2023-24 Local Control and Accountability Plan (LCAP) revisions as presented.

- Motion by Phuong Nguyen, second by Katherine Jones.
- Final Resolution: Motion Carries
- Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

2023-24 Budget Adoption - Resolution 2022.23.31

Type	Action
Recommended	The recommendation is that the Board of Education adopt the 2023-24 Budget, Resolution

Action 2022.23.31, and the Public Hearing Reserve Disclosure Certificate, and certify that the budget was developed using the State-adopted Criteria and Standards.

Purpose: The purpose of this item is for the Board of Education to adopt the 2023-24 Proposed Budget prior to July 1, 2023.

Background: Following a mandated public hearing, held June 1, 2023, on the 2023-24 Proposed Budget, the Board will consider adopting the District budget. The most significant items that will impact this budget are the final enacted State budget, the actual closing of the books for the 2022-23 fiscal year, and the actual 2023-24 enrollment and attendance in the Newark Unified School District. Education Code 42127 requires the governing board of each school district to adopt a budget on or before July 1 of each year for the upcoming fiscal year. Staff recommends the Board adopt the 2023-24 budgets for the following funds: General Fund; Adult Education Fund; Child Development Fund; Cafeteria Fund; Special Reserve for Other Than Capital Outlay Fund; Building Fund; Capital Facilities Fund; Special Reserve Fund for Capital Outlay Projects; Bond Interest and Redemption Fund; and Self-Insurance Fund. Once the Legislature reaches a compromise on the 202324 State Budget Act, each house will need to approve the budget bill by June 15. The Governor will then have 12 days to sign the budget bill as presented, approve the budget bill with line-item reductions, or veto the budget bill and send it back to the Legislature. The District will have 45 days from the date the Governor signs the budget to make public any significant revisions it decides to make to the Adopted Budget based upon the State's enacted budget.

- File Attachments
Resolution 2022.23.31_Budget Adoption for 2023-24.pdf (90 KB)
A7 Public Hearing Reserve Disclosure Certificate_23-24_adoption.pdf (30 KB)
23-24 Adopted Budget_full book_Final.pdf (5,948 KB)
2023-24 Proposed Adopted Budget- Board Presentation 6_15_23.pdf (3,305 KB)

Motion & Voting
The recommendation is that the Board of Education adopt the 2023-24 Budget, Resolution 2022.23.31, and the Public Hearing Reserve Disclosure Certificate, and certify that the budget was developed using the State-adopted Criteria and Standards.
Motion by Phuong Nguyen, second by Katherine Jones.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

RESOLUTION 2022.23.35 Designating Certain General Funds as Committed Fund Balance for 2023-2024

Type Action
Recommended The recommendation is that the Board of Education adopt Resolution 2022.23.35 Designating
Action Certain General Funds as Committed Fund Balance for 2023-2024

Purpose: To approve the commitments to fund balance as presented in the resolution.

Background: As a result of the balance in the Public School System Stabilization Account, the statutory limitation on school district reserves has been triggered for the 2023-24 budget period, pursuant to Education Code (EC) section 42127.01(e). For the 2023-24 fiscal year, the district reserve cap requires that a school district's adopted or revised budget shall not contain a combined assigned or unassigned ending general fund balance of more than 10 percent of those funds. Assigned and unassigned balances within the Fund 17 Special Reserve Fund for Other than Capital Outlay and the General Fund may not exceed the 10 percent reserve cap. Committed fund balances are not included in the 10 percent reserve cap.

- File Attachments
Resolution 2022.23.35 Commit to Budget Balance Reserves for 2023-24 Fiscal Year.pdf (18 KB)

Motion & Voting
The recommendation is that the Board of Education adopt Resolution 2022.23.35 Designating Certain General Funds as Committed Fund Balance for 2023-2024
Motion by Katherine Jones, second by Carina V Plancarte.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

RESOLUTION 2022.23.36 to Commit to Budget Balancing Solutions for the 2023-24 Fiscal Year

Type Action
Recommended The recommendation is that the Board of Education adopt Resolution 2022.23.36 to commit
Action to budget balancing solutions for the 2023-24 fiscal year.

Purpose: To address the deficit projected in the 2023-24 Proposed Budget and to commit to continue to resolve the district's structural budget deficit.

Background: The multi-year projection in the 2023-24 Proposed Budget projects deficits of \$6 million and \$8 million in the 2024-25 and 2025-26 fiscal years, respectively. This resolution commits the district to developing and completing a budget balancing plan to maintain fiscal stability.

[File Attachments](#)

[Resolution 2022.23.36 Budget Balancing Solutions for 24-25 and 25-26.pdf](#) (13 KB)

[Motion & Voting](#)

The recommendation is that the Board of Education adopt Resolution 2022.23.36 to commit to budget balancing solutions for the 2023-24 fiscal year.

Motion by Nancy Thomas, second by Carina V Plancarte.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

Approval of Single Plan for Student Achievement (SPSA), Part 2

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$2,212,811.00
Budgeted	Yes
Budget Source	LCFF, Title 1, and LRE
Recommended Action	The recommendation is that the Board approve the Single Plans for Student Achievement (SPSAs) for 2023-24 as presented.

[Purpose:](#)

Purpose: We seek the Board of Education's approval of the Single Plan for Student Achievement for the following schools; Newark Junior High, Coyote Hills Elementary, and Schilling Elementary. The dollar amount presented represents the total SPSAs dollar allocations across all NUSD school sites (part I and part II).

[Background:](#)

The School Plan for Student Achievement (SPSA) is a plan of action to improve student academic performance by coordinating all educational services and resources. Pursuant to California Education Code Section 64001, schools that receive state and federal funds are required to consolidate all school plans into a SPSA. SPSA specifics are also included in the Federal Program Monitoring process. The SPSA is used to meet planning requirements for Title I School wide Programs (SWP), Comprehensive Support and Improvement (CSI), Targeted Support and Improvement (TSI), and Additional Targeted Support and Improvement (ATSI). California Education Code (EC) Section 64001 requires that a School Site Council (SSC) develop the SPSA.

It is the goal of Newark Unified School District (NUSD) to provide equitable opportunities to each of our students and school sites. Each site-specific SPSA and the district-wide Local Control and Accountability Plan (LCAP) is a roadmap created in partnership with all district stakeholders to achieve our vision and mission.

The SPSAs are informed by data. Each goal area includes data analysis on current measures across student subgroups and on outcome measures to determine progress. Local and State data are used to develop each goal and research is used to identify best practices to address student needs. Progress is evaluated through the School Site Councils (SSCs). The SSCs meet to review SPSA goals, actions, and budgets. California Dashboard data and other local data is used to measure the impact of actions on student achievement. The principal and staff evaluate academic progress at minimum three times a year through an academic Professional Learning Community (PLC) model with benchmark data. Educational Partners are key in the development of the SPSAs. California Education Code Section 64001 requires that the School Site Council (SSC) develop the SPSA. The SSC's responsibilities include approving the plan, recommending it to the local governing board for approval, monitoring its implementation, and evaluating the effectiveness of the plan at least annually. The SSC must seek the review, advice, and certification of applicable advisory committees, including the English Learner Advisory Committee (ELAC).

[File Attachments](#)

[2023_School_Plan_for_Student_Achievement_Newark_Junior_High_School_20230530.pdf](#) (1,834 KB)

[2023_School_Plan_for_Student_Achievement_Coyote_Hills_Elementary_School_20230605.pdf](#) (756 KB)

[2023_School_Plan_for_Student_Achievement_August_Schilling_Elementary_School_20230602 \(1\).pdf](#) (634 KB)

[Motion & Voting](#)

The recommendation is that the Board approve the Single Plans for Student Achievement (SPSAs) for 2023-24 as presented.

Motion by Carina V Plancarte, second by Katherine Jones.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

POSITION/JOB DESCRIPTION: Elementary Site Support Coordinator

Type	Action, Discussion
Absolute Date	Jun 15, 2023
Fiscal Impact	Yes
Dollar Amount	\$29,500.00
Budgeted	Yes
Budget Source	LCAP; Title 1
Recommended Action	The recommendation is that the Board approve the position and job description for Elementary Site Support Coordinator.

[Purpose:](#)

To approve the position and job description of the School Site Coordinator.

[Background:](#)

This is a new job description. The job duties and responsibilities have been developed in coordination with Newark Teachers Association, Educational Services, and the Human Resources Department. The mission of the Site Support Coordinator is to

support all staff/school sites he/she is assigned to in the implementation of the District Dual Language Immersion (DLI) Master Plan. The Coordinator will work directly with teachers in a school providing collaborative and one-to-one support, and facilitating teacher inquiry and related professional development. The Coordinator will focus on enhancing teachers' ability to help develop and implement instructional strategies that promote language acquisition and cultural proficiency. The Coordinator will also work with administrators and teachers to collect and analyze data, interpret, and use it to guide instructional decisions.

[File Attachments](#)

[Elementary Site Support Coordinator.pdf](#) (372 KB)

[Motion & Voting](#)

The recommendation is that the Board approve the position and job description for Elementary Site Support Coordinator.

Motion by Phuong Nguyen, second by Carina V Plancarte.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

POLICY UPDATE: Board Policy 4030 - Nondiscrimination in Employment

Type Action, Procedural
Preferred Date Jun 15, 2023
Recommended Action The recommendation is that the Board of Education approve the updated Board Policy 4030 - Nondiscrimination in Employment.

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated board policy.

Background:
This is the first reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a second reading. Policy updated to reflect NEW LAW (SB 523, 2022) which adds reproductive health decision-making as a form of prohibited discrimination, and prohibits an employer from requiring an applicant or employee to disclose information relating to an employee's reproductive health decision-making.

[File Attachments](#)

[Existing NUSD BP 4030 Nondiscrimination In Employment 06.15.2023.pdf](#) (101 KB)
[CSBA Recommended BP 4030 Nondiscrimination in Employment 06.15.2023.pdf](#) (1,270 KB)

[Motion & Voting](#)

The recommendation is that the Board of Education approve the updated Board Policy 4030 - Nondiscrimination in Employment and waive the second reading.

Motion by Katherine Jones, second by Carina V Plancarte.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

POLICY UPDATE: Board Policy 4218 and Administrative Regulation 4218 - Dismissal/Suspension/Disciplinary Action

Type Action, Procedural
Preferred Date Jun 15, 2023
Recommended Action The recommendation is that the Board of Education approve the updated Board Policy 4218 and Administrative Regulation 4218 - Dismissal/Suspension/Disciplinary Action.

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation.

Background:
This is the first reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the regulation will be brought back to the Board of Education for a second reading. Policy updated to reflect NEW LAW (AB 2413, 2022) which prohibits a district from suspending, demoting, or dismissing a permanent classified employee who timely requests a hearing pending the outcome of that hearing. Regulation updated to clarify that a classified employee against whom a recommendation for disciplinary action has been issued may remain on active duty or may be placed on paid leave pending a hearing on the charges. Regulation also updated to reflect NEW LAW (AB 2413, 2022) which prohibits a district from suspending without pay, suspending or demoting with a reduction in pay, or dismissing a permanent classified employee who timely requests a hearing unless it is found by a preponderance of the evidence at the time discipline was imposed that the employee (1) engaged in criminal misconduct, (2) engaged in misconduct that presents a risk of harm to students, staff, or property, or (3) committed habitual violations of the district's policies or regulations. Additionally, regulation updated to provide that a district may cease paying an employee if a decision has not been rendered within 30 days of the date the hearing was requested.

[File Attachments](#)

[Existing NUSD BP4218 DismissalSuspensionDisciplinary Action 06.15.2023.pdf](#) (106 KB)
[Existing NUSD AR 4218 DismissalSuspensionDisciplinary Action 06.15.2023.pdf](#) (149 KB)

[CSBA Recommended BP 4218 Dismissal Suspension Disciplinary Action 06.15.2023.pdf](#) (595 KB)
[CSBA Recommended AR 4218 Dismissal Suspension Disciplinary Action 06.15.2023.pdf](#) (1,275 KB)

Motion & Voting

The recommendation is that the Board of Education approve the updated Board Policy 4218 and Administrative Regulation 4218 - Dismissal/Suspension/Disciplinary Action and waive the second reading.

Motion by Katherine Jones, second by Carina V Plancarte.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

POLICY UPDATE: Board Policy 4119.1 - Civil and Legal Rights

Type Action, Procedural
Preferred Date Jun 15, 2023
Recommended Action The recommendation is that the Board of Education approve the updated Board Policy 4119.1 - Civil and Legal Rights.

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated board policy.

Background:
This is the first reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a second reading. Policy updated to reflect NEW COURT DECISION (Kennedy v. Bremerton School District), in which the U.S. Supreme Court held that the district's decision not to rehire a high school coach who refused to follow district direction to refrain from offering prayers openly in the presence of students after football games, violated the employee's free exercise and free speech rights. Policy also updated to include types of retaliation prohibited when an employee is acting solely to protect a student engaged in conduct authorized by Education Code 48907 (freedom of speech and press) or 48950 (speech and other communication), and clarify that an employee is prohibited from using official authority status or influence to attempt to intimidate, threaten, coerce, or command another employee for the purpose of interfering with that employee's right to disclose improper governmental activity.

File Attachments
[Existing NUSD BP 4119.1 Civil And Legal Rights 06.15.2023.pdf](#) (100 KB)
[Recommended CSBA BP 4119.1 Civil and Legal Rights 06.15.2023.pdf](#) (720 KB)

Motion & Voting

The recommendation is that the Board of Education approve the updated Board Policy 4119.1 - Civil and Legal Rights and waive the second reading.

Motion by Phuong Nguyen, second by Katherine Jones.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

POLICY UPDATE: Board Policy 5141.4 and Administrative Regulation 5141.4 - Child Abuse Prevention and Reporting

Type Action, Procedural
Preferred Date Jun 15, 2023
Recommended Action The recommendation is that the Board of Education approve the updated Board Policy 5141.4 and Administrative Regulation 5141.4 - Child Abuse Prevention and Reporting.

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation.

Background:
This is the first reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the regulation will be brought back to the Board of Education for a second reading. Board policy updated to clarify that districts are not required, but are authorized, to include age-appropriate and culturally sensitive child abuse prevention curriculum in the instructional program, add material regarding displaying posters on campus notifying students of the appropriate telephone number to call to report child abuse or neglect, include the requirement for student identifications cards for students in grades 7-12 to include the National Domestic Hotline telephone number, and clarify that the training regarding duties of mandated reporters be according to law and administrative regulation. Regulation updated to reflect NEW LAW (AB 1145, 2020) which amends the definition of sexual assault for purposes of mandated reporting to not include voluntary conduct in violation of Penal Code 286, 287, or 289 (sodomy, oral copulation, or sexual penetration) if there are no indicators of abuse unless such conduct is between a person who is 21 years of age or older and a minor who is under 16 years of age. Regulation also adds licensees of licensed child day care facilities to the list of mandated reporters, reflects that the California Department of Justice form is now titled BCIA 8572, clarifies that when a staff member or volunteer aide is selected by a child to be present at an interview where child abuse is being investigated that the principal or designee inform the person of specified requirements prior to the interview, and reflects NEW STATE REGULATION (Register 2020, No. 21) which authorizes parents/guardians of special education students to file a complaint with CDE for safety concerns that interfere with the provision of a free appropriate public education pursuant to 5 CCR 3200-3205 rather than through uniform complaint procedures.

[File Attachments](#)

- [Existing NUSD BP 5141.4 Child Abuse Prevention And Reporting 06.15.2023.pdf](#) (67 KB)
- [Existing NUSD AR 5141.4 Child Abuse Prevention And Reporting 06.15.2023.pdf](#) (206 KB)
- [Recommended CSBA BP 5141.4 Child Abuse Prevention and Reporting 06.15.2023.pdf](#) (476 KB)
- [Recommended CSBA AR 5141.4 Child Abuse Prevention and Reporting 06.15.2023.pdf](#) (645 KB)

[Motion & Voting](#)

The recommendation is that the Board of Education approve the updated Board Policy 5141.4 and Administrative Regulation 5141.4 - Child Abuse Prevention and Reporting and waive the second reading.

Motion by Katherine Jones, second by Carina V Plancarte.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

POLICY UPDATE: Board Policy 5131.7 and Administrative Regulation 5131.7 - Weapons & Dangerous Instruments

Type	Action, Procedural
Preferred Date	Jun 15, 2023
Recommended	The recommendation is that the Board of Education approve the updated Board Policy 5131.7
Action	and Administrative Regulation 5131.7 - Weapons & Dangerous Instruments.

[Purpose:](#)

The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation.

[Background:](#)

This is the first reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the regulation will be brought back to the Board of Education for a second reading. Policy updated to (1) expand the concept of district provided transportation, (2) reflect NEW LAW (SB 906, 2022) which requires certificated and classified employees of the district, and other school officials such as Governing Board members, whose duties bring the employee or other school official in contact on a regular basis with students in any of grades 6-12, as part of a middle school or high school, who are alerted to or observe any threat or perceived threat of a homicidal act, to immediately report the threat or perceived threat to law enforcement, (3) move language regarding student suspension and expulsion in order to keep related content together, and (4) add language regarding staff training to align with staff responsibilities to report potential homicidal acts. Regulation also updated to add headings for the Options regarding tear gas or tear gas weapons, and to emphasize that for districts that allow students to bring tear gas or tear gas weapons to school, the student needs to either be accompanied by, or have the written consent, of a parent/guardian. Regulation updated to expand the list of prohibited weapons and dangerous instruments to include additional items that are listed in law.

[File Attachments](#)

- [Existing NUSD BP 5131.7 Weapons & Dangerous Instruments.pdf](#) (67 KB)
- [Existing NUSD AR 5131.7 Weapons & Dangerous Instruments 06.15.2023.pdf](#) (66 KB)
- [Recommended CSBA BP 5131.7 Weapons & Dangerous Instruments.pdf](#) (1,235 KB)
- [Recommended CSBA AR 5131.7 Weapons & Dangerous Instruments.pdf](#) (1,133 KB)

[Motion & Voting](#)

The recommendation is that the Board of Education approve the updated Board Policy 5131.7 and Administrative Regulation 5131.7 - Weapons & Dangerous Instruments and waive the second reading.

Motion by Katherine Jones, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

POLICY UPDATE: Board Policy 3513.3 and Administrative Regulation 3513.3 - Tobacco-Free Schools

Type	Action, Procedural
Preferred Date	Jun 15, 2023
Recommended	The recommendation is that the Board of Education approve the updated Board Policy 3513.3
Action	and Administrative Regulation 3513.3 - Tobacco-Free Schools.

[Purpose:](#)

The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation.

[Background:](#)

This is the first reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the regulation will be brought back to the Board of Education for a second reading. BP/AR revised 7/16 Policy updated to reflect NEW LAW (ABX2 9, 2016) which requires all districts, not just those receiving state Tobacco-Use Prevention Education funds, to prohibit tobacco use on school campuses. Policy also reflects new definitions of "smoking" and

"tobacco" pursuant to NEW LAW (SBX2 5, 2016). Regulation reflects provision of ABX2 9 which requires signs prohibiting tobacco use to be displayed at all school entrances, and deletes option to designate a smoking area on campus.

File Attachments

- Existing NUSD BP 3513.3 Tobacco-Free Schools.pdf (68 KB)
- Existing NUSD AR 3513.3 Tobacco-Free Schools.pdf (67 KB)
- Recommended CSBA BP 3513.3 Tobacco-Free Schools 06.15.2023.pdf (89 KB)
- Recommended CSBA AR 3513.3 Tobacco-Free Schools.pdf (88 KB)

Motion & Voting

The recommendation is that the Board of Education approve the updated Board Policy 3513.3 and Administrative Regulation 3513.3 - Tobacco-Free Schools and waive the second reading.

Motion by Aiden Hill, second by Carina V Plancarte.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

11 CONSENT AGENDA: PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type	Action
Recommended	It is recommended that the Board of Education approve, under one consented vote, the
Action	agenda items under Consent-Personnel, except for agenda items:

Purpose:
This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:
Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Motion & Voting

It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent-Personnel.

Motion by Phuong Nguyen, second by Katherine Jones.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

Personnel Report

Type	Action
Absolute Date	Jun 15, 2023
Recommended	The recommendation is that the Board of Education ratify the personnel report as presented.
Action	

Purpose:
The purpose is for the Board of Education to ratify the Personnel Report as presented.

Background:
All personnel activities including new hires, changes in status, resignation, leaves, and retirements are routinely submitted to the Board for ratification.

- File Attachments**
- HR PAL 06-15-2023.pdf (363 KB)

San Francisco State University Special Education Intern Agreement

Type	Action
Preferred Date	Jun 15, 2023
Recommended	The recommendation is that the Board of Education approve the San Francisco State
Action	University Special Education Intern Agreement.

Purpose:
The purpose of this item is for the Board of Education to approve the San Francisco State University Special Education Intern Agreement.

Background:
The District works closely with local institutes of higher education (IHE) and supports student teacher placements and interns. Agreements between Newark Unified School District and a university must be in place before a student teacher or intern can be placed at a school site in the District.
Student teachers and interns in training do fieldwork in our schools and are supervised by the administrators who provide supervision and training.
Student teachers and interns are able to learn, practice teaching, and fine-tune their craft under the direct supervision of a

master teacher. The opportunity to student teach or intern in the District benefits both the student teacher and the District. As vacancies become available in the district, it is invaluable to have the opportunity to observe directly student teachers and interns who may be eligible to interview for vacancies and observe how well they fit into the culture of Newark.

[File Attachments](#)

[SFSU Intern Agreement.pdf](#) (895 KB)

12 CONSENT AGENDA: NON-PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type Action

Recommended It is recommended that the Board of Education approve, under one consented vote, the
Action agenda items under Consent Non-Personnel, except for agenda items:

Purpose:

This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:

Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Motion & Voting

It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent Non-Personnel, except for agenda items: 12.7 and 12.15.

Motion by Phuong Nguyen, second by Carina V Plancarte.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

RESOLUTION 2022.23.32 Regarding the Education Protection Account (EPA) Use of Funds 2023-24

Type Action

Recommended The recommendation is that the Board of Education approve Resolution 2022.23.32 Regarding
Action the Education Protection Account.

Purpose:

The purpose of this item is for the Board to approve Resolution 2022.23.32 Regarding the Education Protection Account to fulfill the requirements of Propositions 30 and 55, which created and extended the Education Protection Account.

Background:

Pursuant to Article XIII Section 36 of the California Constitution, School Districts, County Offices of Education, and Community College Districts are required to determine how the money received from the Education Protection Account (EPA) will be spent in the schools within its jurisdiction, provided that the governing board makes the spending determinations in an open session of a public meeting. The language in the constitutional amendment requires that funds shall not be used for the salaries and benefits of administrators or any other administrative costs.

Resolution 2022.23.32 Regarding the Education Protection Account fulfills the spending determination requirement. All districts must also post on their website annually an accounting of how much money was received from the EPA and how it was spent.

File Attachments

[Resolution 2022.23.32 Regarding the Education Protection Account.pdf](#) (97 KB)

RESOLUTION 2022.23.33 Budget Transfers for 2022-23 (Year End)

Type Action, Procedural

Recommended The recommendation if that the Board of Education adopt Resolution 2022.23.33 Budget
Action Transfers for 2022-23 (Year End).

Purpose:

The resolution allows the Superintendent and the Chief Business Official, or designee thereof, to authorize and make necessary budget transfers to allow for the payment of obligations incurred by the District during the end of the 2022-23 school year.

Background:

Education Code Section 42600-42602 and 42610 provide the Board the authority to request from the County Office of Education through their designee any needed transfers as may be necessary to permit the payment of obligations incurred during the school year.

File Attachments

[Resolution 2022.23.33_Budget Transfers Year End 22-23.pdf](#) (66 KB)

RESOLUTION 2022.23.34 Budget Transfers for 2023-24 (New Fiscal Year)

Type Action, Procedural

Recommended The recommendation is that the Board of Education adopt Resolution 2022.23.34 Budget

Action Transfers for the Fiscal Year 2023-24 (New Fiscal Year).

Purpose:

The resolution allows the Superintendent and the Chief Business Official, or designee thereof, to authorize and make necessary budget transfers to allow for the payment of obligations incurred by the District during the upcoming 2023-24 school year.

Background:

Education Code Section 42600-42602 and 42610 provide the Board the authority to request from the County Office of Education through their designee any needed transfers as may be necessary to permit the payment of obligations incurred during the school year.

File Attachments

[Resolution 2022.23.34_Budget Transfers New Year 23-24.pdf](#) (68 KB)

California Department of Education Consolidated Application and Reporting System 2022-2023 Winter Data Collection

Type Action

Recommended The recommendation is that the Board of Education ratify the Consolidated Application and
Action Reporting System (CARS), 2022-23 Winter Data Collection.

Purpose:

The purpose of this item is to provide the California Department of Education with the information needed to fund a wide variety of federal and state programs that bring supplementary funding into the school district.

Background:

The Consolidated Application and Reporting System (CARS) -- formerly known as Consolidated Application or "Con App" for short -- is the state's mechanism for both funding of identified state and federal categorical programs and required reporting for many of them. It provides the entitlement amounts of these programs as well as required considerations for expenditures.

Each year, the programs included in the CARS change based on federal/state mandates and different methods of gaining or disseminating information. This is the 2022-23 Winter Data Collection.

CARS brings funds into the school district for a variety of programs including Title I, Title II, Title III and Title IV.

Each of the identified programs has specified guidelines or requirements for their expenditure. All titled programs are federally funded. Title I, Part A dollars are used to support the increased achievement of at-risk students, primarily in reading and math. (We currently have eight schools receiving these funds.) Title II, Part A (Teacher Quality) monies are used to support teacher evaluation, as well as teacher professional development. Title III English Learner and Immigrant are used to support our English language learners. Title IV is used to fund school improvement programs for student academic success.

File Attachments

[ConApp 22-23 Winter Data Collection.pdf](#) (1,417 KB)

2023-24 MOU with Mark Bishop, Mental Health Clinician

Type Action

Fiscal Impact Yes

Dollar Amount \$86,400.00

Budgeted Yes

Budget Source Learning Recovery Emergency Block Grant

Recommended The recommendation is that the Board of Education approve the 2023-24 Memorandum of
Action Understanding with Mark Bishop, Mental Health Clinician for Newark Memorial High School.

Purpose:

Mr. Mark Bishop serves as a Mental Health Clinician supporting the students at Newark Memorial High School. This Memorandum of Understanding (MOU) is for his continued service and work for the 2023-2024 school year.

Background:

Newark Memorial High School (NMHS) will provide individual therapy to students as part of the school's Coordination of Services Team (COST) referral process. Mr. Mark Bishop, a Mental Health Clinician, will provide individual therapy with a caseload of 20-25 students and will also support the school with crisis mental health support for the whole student body along with supporting the referrals from the COST. This work will be accomplished under the direction of the Principal.

File Attachments

[Mark Bishop MOU_2023-24.pdf](#) (161 KB)

Edgenuity Independent Study Software (23-24)

Type Action

Preferred Date Jun 15, 2023

Fiscal Impact Yes

Dollar Amount \$72,000.00

Budgeted Yes

Recommended The recommendation is that the Board of Education approve the agreement with Edgenuity
Action for Crossroads Independent Study.

Purpose:

To continue the use of Edgenuity for Independent Study for Crossroads Independent Study.

Background:

Governor Gavin Newsom signed Assembly Bill (AB) 130 into law on July 9, 2021 and AB 181 on June 30, 2022, which guided districts on how to implement independent study programs. In conjunction with NTA, Edgenuity was selected as a platform to support NUSD's independent study at the secondary level. Educational services seeks to renew this contract for the 2023-2024 academic school year, then consult with NTA over the course of the 2023-2024 academic school year to evaluate continued platform efficacy. Reduction of the number of licenses represents an anticipated reduction of students enrolled in independent study, as students continue to return to in-person learning. If more students enroll, more licenses will be purchased on an as-needed basis.

File Attachments

[Newark USD - 23-24 Renewal Quote #281754 \(20 Instructional Services\).pdf](#) (18 KB)

Motion & Voting

The recommendation is that the Board of Education approve the agreement with Edgenuity for Crossroads Independent Study.

Motion by Aiden Hill, second by Katherine Jones.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

Addendum to the Contract with Pawar Transportation LLC, for District-Wide Special Education Transportation

Type	Action
Preferred Date	Jun 15, 2023
Absolute Date	Jun 15, 2023
Fiscal Impact	Yes
Dollar Amount	\$542,000.00
Budgeted	Yes
Budget Source	Resource 6500 - Special Education
Recommended Action	The recommendation is that the Board of Education approve the agreement with Pawar Transportation, LLC.

Purpose:

The purpose is to provide transportation to students in Special Education identified as needing transportation as a related service to access their Free Appropriate Public Education (FAPE).

Background:

The Special Education Department recommends that the Board of Education approve the contract for Pawar Transportation LLC. Pawar Transportation has provided dependable, safe, and affordable transportation for our Special Education students with IEP-recommended transportation in the 2022-23 school year. No additional funding is required for this change, as PAWAR assumed required transportation responsibilities for ZUM, which was previously supporting elementary and ESY programs.

File Attachments

[Pawar Addendum 6-15-23 .docx.pdf](#) (52 KB)

Contract with Welldom Inc. for Special Education Services

Type	Action
Preferred Date	Jun 15, 2023
Absolute Date	Aug 01, 2023
Fiscal Impact	Yes
Dollar Amount	\$112,500.00
Budgeted	Yes
Budget Source	Resource 6500 - Special Education
Recommended Action	The recommendation is that the Board of Education approves the contract with Welldom Inc.

Purpose:

The purpose is to ratify the contract with Welldom Inc. for physical therapy services and assessment for the 2023-2024 school year in the amount of \$112,500.00.

Background:

Welldom Inc. provides physical therapy services and assessments to ensure compliant practices in supporting students' Individual Education Programs (IEPs). Physical therapy services and assessments are legally mandated per the Individual Disability Education Act (IDEA). Without Welldom Inc.'s services, Newark Unified School District would be out of compliance.

File Attachments

[Welldom_Master Contract 23-24.docx.pdf](#) (466 KB)

Contract with Ed Sped Solutions Inc. for Special Education Services

Type	Action
Preferred Date	Jun 15, 2023
Absolute Date	Aug 01, 2023
Fiscal Impact	Yes
Dollar Amount	\$1,443,116.00
Budgeted	Yes

Budget Source Resource 6500 - Special Education
 Recommended The Recommendation is that the Board of Education approves the contract with Ed Sped
 Action Solutions.

Purpose:

To ratify the contract with Ed Sped Solutions for Special Education services for the 2023-2024 school year in the amount of \$1,443,116.00.

Background:

The district contracts with non-public agencies when necessary to provide related services to students with Individual Education Programs (IEPs). Ed Sped Solutions will provide the following personnel to support related services to Students With Disabilities (SWDs) needed for unfilled positions for the 2023-2024 school year including Extended School Year (ESY).

- 13.5 FTE Instructional Aides
- 0.4 FTE Case Manager
- 1 FTE Mental Health Counselor
- 1 FTE Assessment Teacher
- 20 Psycho-Educational Assessments

File Attachments

[Ed Sped Contract 23-24.docx.pdf](#) (434 KB)

Contract with Ascend Rehab Services Inc. for Special Education Services

Type	Action
Preferred Date	Jun 15, 2023
Absolute Date	Aug 01, 2023
Fiscal Impact	Yes
Dollar Amount	\$1,746,660.00
Budgeted	Yes
Budget Source	Resource 6500 - Special Education
Recommended	The recommendation is that the Board of Education approves the contract with Ascend Rehab
Action	Services, Inc.

Purpose:

To ratify the contract with Ascend Rehab Services Inc. for Special Education services for the 2023-2024 school year in the amount of \$1,746,660.00

Background:

The District contracts with non-public agencies (NPAs) when necessary to provide related services to students with Individual Education Programs (IEPs). Ascend Rehab Services Inc. will provide the following personnel to support related services to Students With Disabilities (SWDs) needed for unfilled positions for the 2023-2024 school year including Extended School Year (ESY):

- 1 FTE Special Education Teacher
- 3.75 FTE Instructional Aides
- 7.85 FTE Speech Therapists

File Attachments

[Ascend Rehab Master Contract 23-24.docx.pdf](#) (434 KB)

RESOLUTION 2022.23.38 Signature Card - Authorized Agents Official Documents & Reports

Type	Action
Recommended	The recommendation is that the Board of Education adopt Resolution No. 2022.23.38:
Action	Authorized Agents to Sign Official Documents and Reports.

Purpose:

The purpose is to adopt Resolution 2022.23.38, Authorized Agents to Sign Official Documents and Reports. It is the "Signature Card" to be kept on file at the Alameda County Office of Education.

Background:

Whenever a change in the official signers of the District occurs, the County Superintendent of Schools requires certification in the form of a resolution from the Board of Education naming the new official signers for reports on behalf of the District. This resolution reflects those designated to sign on reports to the County and State on behalf of the District. The Executive Cabinet members are the designated signers for reports. This authorization is in place for all official documents of the District, and it is a county requirement. The Alameda County Office of Education recommends that the governing board take necessary action for completion of the attached resolution no later than the first board meeting of the fiscal year.

File Attachments

[Resolution 2022.23.38_Signature Card_Official Documents & Reports 2023-24.pdf](#) (90 KB)

RESOLUTION 2022.23.37 Signature Card - Board Members

Type	Action
Recommended	The recommendation is that the Board of Education adopt Resolution 2022.23.37 Signature
Action	Card Board Members.

Purpose:

Resolution 2022.23.37 is to provide signatures of each member presently serving on the Governing Board. It is the 2023-24 "Signature Card" to be kept on file at the Alameda County Office of Education

Background:

This resolution reflects those designated as Board Members to the Alameda County Superintendent of Schools, and it is a county requirement. The Alameda County Office of Education recommends that the governing board take necessary action for the completion of the attached resolution no later than the first board meeting of the fiscal year.

File Attachments

[Resolution 2022.23.37_Signature Card_Board Members.pdf](#) (34 KB)

RESOLUTION 2022.23.39 Signature Card-Authorized Agents Payroll Warrants & Disbursements

Type Action

Recommended The recommendation is that the Board of Education adopt Resolution 2022.23.39 Authorized Agents to Sign Payroll Warrants and Disbursements.
Action

Purpose:

The purpose is to adopt Resolution 2022.23.39, Authorized Agents to Sign Payroll Warrants and Disbursements. It is the 2023-24 "Signature Card" to be kept on file at the Alameda County Office of Education.

Background:

Pursuant to Education Code Section 42632 for Education, each order drawn on the funds of the School District shall be signed by at least a majority of the members of the governing board of the district or by a person(s) authorized by the governing board to sign orders in its name. This resolution reflects those designated to sign on the payroll warrants and disbursements to the Alameda County Superintendent of Schools. This authorization is in place for all disbursements for payroll and accounts payable, and it is a county requirement. Alameda County Office of Education recommends that the governing board take necessary action for completion of the attached resolution no later than the first board meeting of the fiscal year.

File Attachments

[Resolution 2022.23.39 Signature Card_Payroll Warrants & Disbursements 23-24.pdf](#) (79 KB)

REPORT: Warrant Report for May 2023

Type Action

Fiscal Impact No
Recommended The recommendation is that the Board of Education approve the Warrant Report as presented.
Action

Purpose:

The purpose of this item is to present warrants, for the total amount of \$2,936,386.58, made from District funds for May 2023.

Background:

The warrant registers represent a complete listing of all payments made from District funds for a month. Because Newark Unified School District is a fiscally dependent District, each warrant must pass through two separate audits; first by the District's Fiscal Services department, and second by the County Office of Education. No warrant can be paid until such time as it is examined and approved by the County Office of Education.

File Attachments

[Warrant Report May 2023.pdf](#) (400 KB)

Motion & Voting

The recommendation is that the Board of Education approve the Warrant Report as presented.

Motion by Aiden Hill, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

MINUTES: Minutes of the May 18, 2023 Regular Meeting of the Board of Education

Type Action, Minutes

Recommended The recommendation is that the Board of Education approve the minutes of the May 18, 2023
Action Regular Meeting of the Board of Education.

Purpose:

for the board to review and approve minutes of the May 18, 2023, Regular Meeting of the Board of Education.

Background:

The attached minutes are reflective of the May 18, 2023, Regular Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel [HERE](#).

13 STUDENT EXPULSION

Continue Suspended Enforcement of Student Expulsion (Ed Code. 48918) Case# e2122-14

Type Action
Recommended Action The recommendation is that the Board of Education continue suspended enforcement of expulsion as it relates to the Expulsion Case e2122-14.

Purpose:
For the Board to take action on expulsion case e2122-14.

Background:
California Education Code Section 48916 requires that "an expulsion order shall remain in effect until the governing board orders a readmission of the pupil."

Motion & Voting
The recommendation is that the Board of Education continue suspended enforcement of expulsion as it relates to the Expulsion Case e2122-14.
Motion by Phuong Nguyen, second by Katherine Jones.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

Termination Student Expulsion (Ed Code. 48918) Case# e2122-18

Type Action
Recommended Action The recommendation is that the Board of Education terminate student expulsion as it relates to the Expulsion Case e2122-18.

Purpose:
For the Board to take action on expulsion case e2122-18.

Background:
California Education Code Section 48916 requires that "an expulsion order shall remain in effect until the governing board orders a readmission of the pupil."

Motion & Voting
The recommendation is that the Board of Education terminate student expulsion as it relates to the Expulsion Case e2122-18.
Motion by Phuong Nguyen, second by Katherine Jones.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

Student Expulsion (Ed Code. 48918) Case# e2223-08

Type Action
Absolute Date Jun 15, 2023
Recommended Action The recommendation is that the Board of Education approve the stipulation agreement regarding the expulsion case number e2223-08.

Purpose:
For the Board to take action on expulsion case e2223-08.

Background:
A Stipulation Expulsion Agreement meeting was held on May 31, 2023. A Stipulation Expulsion Meeting was conducted in accordance with Board Policy and Administrative Regulation 5144.1 and, if applicable, 5144.2 for students with disabilities. The administration asks for approval of this agreement for Case# e2223-08. (Ed Code. 48918).

Motion & Voting
The recommendation is that the Board of Education approve the stipulation agreement regarding the expulsion case number e2223-08.
Motion by Phuong Nguyen, second by Carina V Plancarte.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

14 BOARD OF EDUCATION: COMMITTEE REPORTS, ANNOUNCEMENTS, REQUESTS, DEBRIEF

Renaming of the Newark Junior High School

AND DISCUSSION

Type Discussion

Purpose:
For the Board to discuss the possibility of renaming Newark Junior High School.

Background:

President Thomas requested to agendize a Board discussion on the process to rename Newark Junior High School.

File Attachments

Policy 7310 Naming Of Facility.pdf (73 KB)

Board of Education Committee Reports, Announcements, Requests, Debrief and Discussion

AND DISCUSSION

Type Action, Discussion, Information

Purpose:

COMMITTEE REPORTS: The Trustees will provide an update, if available, on the committees of which they are members.

ANNOUNCEMENTS: The Trustees may acknowledge or recognize specific programs, activities, or personnel at this time.

REQUESTS: This is an opportunity for the Board of Education to suggest items for placement on future agendas and to review Board requests.

Approval from the majority of the Board will be required for direction to be provided to the Superintendent.

DEBRIEF AND DISCUSSION: The Trustees may debrief and discuss items.

Background:

Each year the Board of Education members liaise with schools and committees in order to build relationships, hear from staff, students, and families, and act as a conduit for information to and from the schools.

Board Committees 2022-23

Board Adopted on 12/15/2022

	Representative	Alternate
Mission Valley Regional Occupational Center/Program (ROC/P)	1. Nancy Thomas	1. Carina V. Plancarte

	Representative	Alternate
Executive Board		
Regional Policy Board of Special Education Local Plan Area (SELPA)	1. Katherine Jones	1. Phuong Nguyen
Newark Teacher Induction Advisory Council (Formally EBIC)	1. Aiden Hill	1. Carina V. Plancarte
Audit Committee	1. Aiden Hill	2. Katherine Jones
Bond/Parcel Tax Committee	1. Phuong Nguyen	2. Carina V. Plancarte
	1. Aiden Hill	

City of Newark NUSD Liaison Committee 2. Nancy Thomas 1. Katherine Jones

The following derives directly from the Board approved "Governance Team Handbook"

Authority is Collective, Not Individual:

The only authority to direct action rests with the Board as a whole when seated at a regular or special board meeting. Outside of this meeting, there is no authority.

A majority Board vote provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction.

Bringing New Ideas Forward

The Board will be open to having "brainstorming" discussions, or study sessions, around any idea that a Trustee may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Trustee, at their initiative or at the request of a constituent, which was previously discussed during a board meeting.

Trustees will first notify the Board President and Superintendent of their interest in bringing forward a new idea at a board meeting. When initially agendized, the preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.

Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea. The Superintendent will decide on the delegation of assignments to District staff.

The new idea may be agendized for discussion only. The Board majority will decide if the new idea should be further developed and studied by staff. The Board majority will decide if staff time should be invested in the "fleshing out" of new ideas.

Individual Trustees, in the course of interactions with constituents, will be careful not to make or imply the commitment of the full Board to explore or proceed with implementing new ideas.

15 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

Superintendent's Concluding Comments, Updates, and Future Agenda Items

AGENDA REQUESTS

Type Information

Purpose:

This is an opportunity for the Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

16 ADJOURNMENT

PLACEHOLDER - Extend Meeting

Type Action

Recommended The recommendation is that the Board of Education extends the meeting to ____ P.M.

Action

Purpose:

This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

Adjournment

Type Action
Recommended Action The recommendation is that the Board of Education adjourns this meeting.

Purpose: No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time. This action will conclude the meeting.

Motion & Voting The recommendation is that the Board of Education adjourns this meeting. Motion by Aiden Hill, second by Katherine Jones. Final Resolution: Motion Carries Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

1 CALL TO ORDER

Meeting Practices and Information

Type Procedural

In-person Meeting Information: NUSD has opened its boardroom for in-person meetings and will follow the State's and Alameda County's safety guidelines for public gatherings. Please refrain from attending in-person meetings if you have any of the following symptoms:

- Loss of taste/smell
Difficulty breathing
Vomiting
Diarrhea
Fever
Cough
Headache
Sore Throat
Runny Nose

For additional COVID-19 information please go to https://www.newarkunified.org/covid-19 or https://www.acoe.org/guidance

Observe The Board Of Education Meeting: Members of the public 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.

Public Comment: The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

Roll Call Member Plancarte joined at 6:02 PM. Student Member Torres not present.

Type Procedural

Trustees: President Nancy Thomas Vice President/Clerk Aiden Hill Member Katherine Jones Member Phuong Nguyen Member Carina V. Plancarte

Student Board Member: Member Diego Torres

Public Comment on Closed Session Items

Type Procedural

Purpose: The Board of Education encourages the community's participation in its deliberations and tries to make it convenient for members of the community to express their views to the Board.

If a constituent wishes to address the Board on any agenda item: In-Person Comment: please submit a completed speaker card to the Board's Executive Assistant before the start of the meeting, or prior to the calling of the section for public comment. Audio-Only Virtual Comment: please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org by 1:00 PM the day of the meeting. Please label your email as " AUDIO-ONLY PUBLIC COMMENT" and include your name as it will appear on Zoom, your phone number, email address, and the agenda item number related to your comment.

Please see detailed instructions for public comment on the link: <http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

Recess to Closed Session

Type Procedural

Purpose:

The Board will recess to Closed Session, and reconvene to Open Session on or about 7:00 p.m.

3 CLOSED SESSION

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE (Gov. Code, 54957, subd. (b)(1))

Type Action, Information, Procedural

Purpose:

Information will be provided by the Superintendent and Executive Director of Human Resources.

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a): Employee Organizations - NTA and CSEA

Type Action, Information, Procedural

Purpose:

Information may be provided by the agency negotiator, Executive Director of Human Resources. Assistance from the legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided. The employee organizations include NTA & CSEA.

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a)): Employee group- Contracted Management; District Negotiator: Superintendent, Position: Assistant Superintendent for Educational Services

Type Action, Discussion, Procedural

Purpose:

Information may be provided by the agency negotiator, the Executive Director of Human Resources, and the Superintendent. Assistance from legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided. The employee organizations include Unrepresented Supervisors and Contracted Management.

CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION Significant exposure to litigation pursuant to Gov. Code, 54956.9, subd. (d)[(2) or (3)]: One Case

Type Action, Discussion, Procedural

Purpose:

Information may be provided regarding significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: One case

4 REPORT OF CLOSED SESSION ACTIONS

Report of Closed Session Actions

Type Action, Procedural

Purpose:

If available, a report of the closed session will be provided by the Board President.

5 RECONVENE TO OPEN SESSION

Pledge of Allegiance

Type Procedural

Purpose:

The Governance Team will recite the Pledge of Allegiance

6 APPROVAL OF AGENDA

Approval of the Agenda

Type Action

Recommended Action The recommendation is that the Board of Education approve the agenda for this meeting.

Purpose:
Members of the Governance Team may request that the agenda be amended or approved as presented.

Motion & Voting
The recommendation is that the Board of Education approve the agenda for this meeting except item 16.8.
Motion by Phuong Nguyen, second by Katherine Jones.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

7 EMPLOYEE ORGANIZATIONS

Employee Organizations

Type Information

Purpose:
At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Background:
Discussion items are limited to updates, celebrations, and upcoming events.
1. NTA: Sean Abruzzi
2. CSEA: Maria Huffer
3. NEWMA: Vicenta Ditto

8 PUBLIC COMMENT

Public Comment on Non-Agenda Items

Type Procedural

Purpose:
The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:
Please see the instructions on the link below for public comment information on non-agenda items and agenda items.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

Public Comment on Agenda Items

Type Procedural

Purpose:
The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:
Please see the instructions on the link below for public comment information on non-agenda items and agenda items.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

9 SUPERINTENDENT REPORT

Superintendent Report

Type Information

Purpose:
The superintendent will provide the Board of Education with district information, updates, news, or anything in the jurisdiction of the board or the superintendent.

Background:
The presentation and information will be provided by the Superintendent

10 STAFF REPORT

2023-2024 Proposed Local Control and Accountability Plan (LCAP)

Type Discussion, Information

Purpose:

To present the 2023-24 Local Control and Accountability Plan (LCAP) to the public and the Newark Unified School District Board of Education.

Background:

The 2023-24 LCAP is available for public inspection as an attachment to this agenda and also in person at the Business Services office. Education Code 52062(b)(2) A governing board of a school district shall adopt an LCAP or annual update to the LCAP in a public meeting. This meeting shall be held after, but not on the same day as, the public hearing held pursuant to paragraph (1). This meeting shall be the same meeting as that during which the governing board of the school district adopts a budget pursuant to Education Code 42127 (a)(2). The public hearing on the proposed LCAP was held earlier in this meeting. Staff will recommend the adoption of the 2023-24 LCAP at the Board's meeting on June 15, 2023.

File Attachments

[23-24 LCAP Superintendent Responses to Parent Advisory _ Respuestas del superintendente al aviso para padres \(1\).pdf](#) (283 KB)

[LCAP Public Hearing BOE Presentation 2023.06.01.pdf](#) (2,479 KB)

[2023_Local_Control_and_Accountability_Plan_Newark_Unified_School_District_20230526 \(1\).pdf](#) (1,306 KB)

11 PUBLIC HEARINGS

Public Hearing on the 2023-24 Local Control and Accountability Plan (LCAP)

Type Procedural

Purpose:

To present the 2023-24 Local Control and Accountability Plan (LCAP) to the public and the Newark Unified School District Board of Education, and for the Board to conduct a Public Hearing.

Staff will recommend the adoption of the 2023-24 LCAP at the Board's meeting on June 15, 2023.

Background:

Notice of the public hearing was posted in English and Spanish at all NUSD school sites and the District Office on May 19, 2023 (see attached).

The 2023-24 LCAP is available for public inspection as an attachment to this agenda and also in person at the Business Services office. Education Code 52062(b)(1) A governing board of a school district shall hold at least one public hearing to solicit the recommendations and comments of members of the public regarding the specific actions and expenditures proposed to be included in the LCAP or annual update to the LCAP. The agenda for the public hearing shall be posted at least 72 hours before the public hearing and shall include the location where the LCAP or annual update to the LCAP will be available for public inspection. The public hearing shall be held at the same meeting as the public hearing for the budget to be adopted as required by Education Code 42127(a)(1).

Education Code 52062(b)(2) A governing board of a school district shall adopt an LCAP or annual update to the LCAP in a public meeting. This meeting shall be held after, but not on the same day as, the public hearing held pursuant to paragraph (1). This meeting shall be the same meeting as that during which the governing board of the school district adopts a budget pursuant to Education Code 42127 (a)(2).

File Attachments

[2023-24 LCAP and Budget Public Hearing Notice_English & Spanish_posted 5-19-23_new PC instructions.pdf](#) (123 KB)

[2023_Local_Control_and_Accountability_Plan_Newark_Unified_School_District_20230526.pdf](#) (1,306 KB)

12 STAFF REPORT

2023-2024 Proposed Budget

Type Discussion, Information

Purpose:

To present the 2023-24 Proposed Budget to the public and the Newark Unified School District Board of Education

Background:

The 2023-24 Proposed Budget is available for public inspection as an attachment to this agenda and also in person at the Business Services office.

In accordance with Education Code 42103, the Governing Board of each school district shall hold a Public Hearing on the proposed budget, held earlier in this meeting.

Education Code 42127 requires the Board of each school district to adopt a budget on or before July 1 of each year for the upcoming fiscal year.

Staff will recommend the Board adopt the 2023-24 budget at the June 15, 2023, meeting for the following funds: General Fund; Adult Education Fund; Child Development Fund; Cafeteria Fund; Special Reserve Fund for Other Than Capital Outlay Projects; Building Fund; Capital Facilities Fund; Special Reserve Fund for Capital Outlay Projects; Bond Interest and Redemption Fund; Self Insurance Fund.

File Attachments

[23-24 Adopted Budget_full book.pdf](#) (3,533 KB)

13 PUBLIC HEARINGS

Public Hearing on the 2023-24 Proposed Budget

Type Procedural

Purpose:

To present the 2023-24 Proposed Budget to the public and Newark Unified School District Board of Education, and for the Board to conduct a Public Hearing.

Staff will recommend the adoption of the 2023-24 Budget at the Board's meeting on June 15, 2023.

Background:

Notice of the public hearing was posted in English and Spanish at all NUSD school sites and the District Office on May 19, 2023 (see attached).

The 2023-24 Proposed Budget is available for public inspection as an attachment to this agenda and also in person at the Business Services office.

In accordance with Education Code 42103, the Governing Board of each school district shall hold a Public Hearing on the proposed budget. Education Code 42127 requires the Board of each school district to adopt a budget on or before July 1 of each year for the upcoming fiscal year.

Staff will recommend the Board adopt the 2023-24 budget at the June 15, 2023 meeting for the following funds: General Fund; Adult Education Fund; Child Development Fund; Cafeteria Fund; Special Reserve Fund for Other Than Capital Outlay Projects; Building Fund; Capital Facilities Fund; Special Reserve Fund for Capital Outlay Projects; Bond Interest and Redemption Fund; Self Insurance Fund.

File Attachments

[2023-24 LCAP and Budget Public Hearing Notice_English & Spanish_posted 5-19-23_new PC instructions.pdf](#) (123 KB)

[A7 Public Hearing Reserve Disclosure Certificate_23-24.pdf](#) (97 KB)

[23-24 Adopted Budget_full book.pdf](#) (3,533 KB)

14 NEW BUSINESS

VERBAL SUMMARY of the financial terms of the employment agreement for the Assistant Superintendent for Educational

Purpose:

For the Board to provide a verbal summary of the financial terms of the Assistant Superintendent of Educational Services employment agreement.

Background:

The District will consider approving an Employment Agreement for Dr. Nicole A Pierce Davis to serve as the Assistant Superintendent of Educational Services of the Newark Unified School District.

Review, discussion and approval of employment agreement for the Assistant Superintendent for Educational Services.

Type Action

Recommended The recommendation is that the Board of Education approve the contract renewal for the Assistant Superintendent of Educational Services.

Purpose:

Governing Boards must orally report out a summary of a recommendation for final action on certain local agency salaries, salary schedules or other compensation.

Background:

The original contract for the Assistant Superintendent of Educational Services is set to expire June 30, 2023. This Addendum and Amendment #2 to the existing contract will provide new language for salary and educational stipends.

Motion & Voting

The recommendation is that the Board of Education approve the contract renewal for the Assistant Superintendent of Educational Services with addendum of a one year term.

Motion by Katherine Jones, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

Approval of Single Plan for Student Achievement (SPSA), Part 1

Type Action

Fiscal Impact Yes

Dollar Amount \$2,212,811.00

Budgeted Yes

Budget Source LCFF, Title 1, and LRE

Recommended The recommendation is that the Board approve the Single Plans for Student Achievement Action (SPSAs) for 2023-24 as presented.

Purpose:

Purpose: We seek the Board of Education's approval of the Single Plan for Student Achievement for the following schools; Birch Grove Primary, Birch Grove Intermediate, Bridgepoint Continuation High School, Crossroads Independent Study School, Kennedy Elementary, and Newark Memorial High School. The remaining schools will be presented at the June 15th Board of Education Meeting. The dollar amount presented represents the total SPSAs dollar allocations across all NUSD school sites (part I and part II).

Background:

The School Plan for Student Achievement (SPSA) is a plan of action to improve student academic performance by coordinating all educational services and resources. Pursuant to California Education Code Section 64001, schools that receive state and federal funds are required to consolidate all school plans into a SPSA. SPSA specifics are also included in the Federal Program Monitoring process. The SPSA is used to meet planning requirements for Title I School wide Programs (SWP), Comprehensive Support and Improvement (CSI), Targeted Support and Improvement (TSI), and Additional Targeted Support and Improvement (ATSI). California Education Code (EC) Section 64001 requires that a School Site Council (SSC) develop the SPSA.

It is the goal of Newark Unified School District (NUSD) to provide equitable opportunities to each of our students and school sites. Each site-specific SPSA and the district-wide Local Control and Accountability Plan (LCAP) is a roadmap created in partnership with all district stakeholders to achieve our vision and mission.

The SPSAs are informed by data. Each goal area includes data analysis on current measures across student subgroups and on outcome measures to determine progress. Local and State data are used to develop each goal and research is used to identify best practices to address student needs. Progress is evaluated through the School Site Councils (SSCs). The SSCs meet to review SPSA goals, actions, and budgets. California Dashboard data and other local data is used to measure the impact of actions on student achievement. The principal and staff evaluate academic progress at minimum three times a year through an academic Professional Learning Community (PLC) model with benchmark data. Educational Partners are key in the development of the SPSAs. California Education Code Section 64001 requires that the School Site Council (SSC) develop the SPSA. The SSC's responsibilities include approving the plan, recommending it to the local governing board for approval, monitoring its implementation, and evaluating the effectiveness of the plan at least annually. The SSC must seek the review, advice, and certification of applicable advisory committees, including the English Learner Advisory Committee (ELAC).

File Attachments

- [2023_School_Plan_for_Student_Achievement_Newark_Memorial_High_School_20230525.pdf](#) (808 KB)
- [2023_School_Plan_for_Student_Achievement_John_F_Kennedy_Elementary_School_20230524.pdf](#) (686 KB)
- [2023_School_Plan_for_Student_Achievement_Birch_Grove_Primary_School_20230524.pdf](#) (782 KB)
- [2023_School_Plan_for_Student_Achievement_Birch_Grove_Intermediate_School_20230524.pdf](#) (657 KB)
- [2023_School_Plan_for_Student_Achievement_Bridgepoint_20230526.pdf](#) (747 KB)
- [2023_School_Plan_for_Student_Achievement_Crossroads_High_School_20230526.pdf](#) (689 KB)

Motion & Voting

The recommendation is that the Board approve the Single Plans for Student Achievement (SPSAs) for 2023-24 as presented.

Motion by Katherine Jones, second by Phuong Nguyen.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

15 CONSENT AGENDA: PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type	Action
Recommended	It is recommended that the Board of Education approve, under one consented vote, the
Action	agenda items under Consent-Personnel, except for agenda items:

Purpose:
This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:
Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Motion & Voting

It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent-Personnel, except for agenda items: 15.2.
Motion by Aiden Hill, second by Phuong Nguyen.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

Personnel Report

Type	Action
Absolute Date	Jun 01, 2023
Recommended	The recommendation is that the Board of Education ratify the personnel report as presented.
Action	

Purpose:
The purpose is for the Board of Education to ratify the Personnel Report as presented.

Background:

All personnel activities including new hires, changes in status, resignation, leaves, and retirements are routinely submitted to the Board for ratification.

File Attachments

- [HR PAL 06-01-2023.pdf](#) (352 KB)
- [HR PAL 06-01-2023 REVISED 5.31.23.pdf](#) (233 KB)

Motion & Voting

The recommendation is that the Board of Education ratify the personnel report as presented.

Motion by Aiden Hill, second by Nancy Thomas.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

2022-23 and 2023-24 CSEA Salary Schedules

Type	Action, Discussion
Recommended	The recommendation is that the Board of Education approve the 2022-23 and 2023-24 CSEA
Action	Salary Schedules effective July 1, 2022, July 1, 2023 and January 1, 2024.

Purpose:

For the Board of Education to approve the 2022-23 and 2023-24 CSEA (California School Employees Association) Salary Schedules effective July 1, 2022, July 1, 2023 and January 1, 2024.

Background:

The CSEA salary schedules reflect the salary increases presented to the Board on May 18, 2023.

File Attachments

- [CSEA 2223 10 pct approved 05.18.23.pdf](#) (116 KB)
- [CSEA 2223a 2 pct approved 05.18.23.pdf](#) (118 KB)
- [CSEA 2223b 4 pct approved 05.18.23.pdf](#) (121 KB)
- [CSEA PERS 2223 10 pct approved 05.18.23.pdf](#) (114 KB)
- [CSEA PERS 2223a 2 pct approved 05.18.23.pdf](#) (117 KB)
- [CSEA PERS 2223b 4 pct approved 05.18.23.pdf](#) (117 KB)
- [CSEA 2223 10 pct approved 05.18.23 - Revised.pdf](#) (118 KB)
- [CSEA PERS 2223 10 pct approved 05.18.23 - Revised.pdf](#) (115 KB)

Motion & Voting

The recommendation is that the Board of Education approve the 2022-23 and 2023-24 CSEA Salary Schedules effective July 1, 2022, July 1, 2023 and January 1, 2024.

Motion by Aiden Hill, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

2022-23 and 2023-24 NEWMA Salary Schedules

Type	Action
Recommended	The recommendation is that the Board of Education approve the 2022-23 and 2023-24
Action	NEWMA Salary Schedules effective July 1, 2022, July 1, 2023 and January 1, 2024.

Purpose:

For the Board of Education to approve the 2022-23 and 2023-24 NEWMA (Newark Management Association) Salary Schedules effective July 1, 2022, July 1, 2023 and January 1, 2024.

Background:

The salary schedules reflect the salary increases presented to the Board on May 18, 2023.

File Attachments

- [NEWMA 2223 10 pct approved 05.18.23.pdf](#) (244 KB)
- [NEWMA 2324a 2 pct approved 05.18.23.pdf](#) (138 KB)
- [NEWMA 2324b 4 pct approved 05.18.23.pdf](#) (243 KB)
- [NEWMA PERS 2223 10 pct approved 05.18.23.pdf](#) (123 KB)
- [NEWMA PERS 2324a 2 pct approved 05.18.23.pdf](#) (123 KB)
- [NEWMA PERS 2324b 4 pct approved 05.18.23.pdf](#) (225 KB)

Motion & Voting

The recommendation is that the Board of Education approve the 2022-23 and 2023-24 NEWMA Salary Schedules effective July 1, 2022, July 1, 2023 and January 1, 2024.

Motion by Aiden Hill, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

16 CONSENT AGENDA: NON-PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type	Action
Recommended	It is recommended that the Board of Education approve, under one consented vote, the
Action	agenda items under Consent Non-Personnel, except for agenda items:

Purpose:
This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:
Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Motion & Voting
It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent Non-Personnel, except for agenda items: 16.3, 16.4 and 16.7.
Motion by Aiden Hill, second by Katherine Jones.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

REPORT: Monthly Purchase Order Report

Type	Action
Recommended	The recommendation is that the Board of Education receive the Monthly Purchase Order
Action	Report as presented.

Purpose:
The purpose of this item is to present a monthly report on Purchase Order transactions per Board Policy 3300, Expenditures and Purchases.

Background:
Based on the discussion at the Board's Study Session on January 6, 2022, staff is providing a monthly report on Purchase Order transactions per Board Policy 3300, Expenditures and Purchases. The policy states that "The Board shall review all transactions entered into by the Superintendent or designee on behalf of the Board every 60 days."

File Attachments
[Monthly Purchase Order Report 06-01-2023.pdf](#) (108 KB)

Motion & Voting
The recommendation is that the Board of Education receive the Monthly Purchase Order Report as presented.
Motion by Aiden Hill, second by Katherine Jones.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

Elementary Social-Emotional Learning (SEL) Curriculum - Character Strong (23-24)

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$4,491.00
Budgeted	Yes
Budget Source	LCAP
Recommended	The recommendation is that the Board approve Character Strong as an elementary SEL
Action	curriculum for Newark Unified School District.

Purpose:
Character Strong, a comprehensive Social-Emotional Curriculum, is designed for students in grades TK-12 at both the elementary and secondary levels. The curriculum is updated each year and includes relevant topics for students, including character education, navigating social media, and dealing with emotions as a result of the pandemic. The curriculum includes ready-made videos, lessons, and supplementary resources for teachers. Students and teachers have voiced significant interest in having an SEL curriculum and with Character Strong, Newark Unified will have a comprehensive vertically-aligned SEL curriculum TK-12. Focusing on the mental health of our students stands as one of the district's three instructional priorities.

Background:
As a result of the pandemic, educators and leaders at the state and county level strongly recommend creating a space for students to engage in Social-Emotional Learning. Teachers and students alike have requested an SEL curriculum to create a space to engage in relevant topics that are not covered in traditional academic courses. Moving forward with Character Strong will allow Newark Unified teachers to have a comprehensive vertically-aligned SEL curriculum for grades TK-12 for the 2023-2024 school year. At this time, Educational Services is bringing forward the elementary portion of this curriculum.

File Attachments
[Character Strong Estimate 13166.pdf](#) (41 KB)

Motion & Voting

The recommendation is that the Board approve Character Strong as an elementary SEL curriculum for Newark Unified School District and not renew secondary licenses.

Motion by Phuong Nguyen, second by Aiden Hill.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

CONTRACT: Lozano Smith Attorneys at Law - Agreement for Legal Services 2023-2024

Type	Action
Fiscal Impact	Yes
Budgeted	Yes
Budget Source	General Fund
Recommended Action	The recommendation is that the Board of Education approve the Agreement for Legal Services for Lozano Smith Attorneys at Law for 2023-2024.

Purpose:

To renew the legal services agreement with Lozano Smith Attorneys at Law for legal services in the 2023-2024 fiscal year.

Background:

Lozano Smith has served as the District's legal counsel for 23 years. They have provided NUSD with legal counsel in a wide variety of areas, including general legal services, business and contract services, construction advice, developer fees, litigation, procurement, and governance. The hourly rate schedule has been updated for 2023-2024.

File Attachments

LozanoSmith 23-24 Agreement.pdf (236 KB)

Motion & Voting

The recommendation is that the Board of Education approve the Agreement for Legal Services for Lozano Smith Attorneys at Law for 2023-2024.

Motion by Aiden Hill, second by Katherine Jones.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Katherine Jones, Carina V Plancarte

Nay: Phuong Nguyen

Central State University College of Education MOU Regarding Student Teachers

Type	Action
Preferred Date	Jun 01, 2023
Absolute Date	Jun 01, 2023
Recommended Action	The recommendation is that the Board of Education approve the Central State University College of Education MOU Regarding Student Teachers.

Purpose:

The purpose of this item is for the Board of Education to approve the MOU between Central State University College of Education and Newark Unified School District regarding student teachers.

Background:

The District works closely with local institutes of higher education (IHE) and supports student teacher placements and interns. Agreements between Newark Unified School District and a university must be in place before a student teacher or intern can be placed at a school site in the District.

Student teachers and interns in training do fieldwork in our schools and are supervised by the administrators who provide supervision and training.

Student teachers and interns are able to learn, practice teaching, and fine-tune their craft under the direct supervision of a master teacher. The opportunity to student teach or intern in the District benefits both the student teacher and the District. As vacancies become available in the district, it is invaluable to have the opportunity to observe directly student teachers and interns who may be eligible to interview for vacancies and observe how well they fit into the culture of Newark.

File Attachments

Central State Student Teacher Agreement.pdf (218 KB)

Motion & Voting

The recommendation is that the Board of Education approve the Central State University College of Education MOU Regarding Student Teachers.

Motion by Aiden Hill, second by Katherine Jones.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

University of Massachusetts Global Supervised Internship Agreement

Type	Action
Preferred Date	Jun 01, 2023
Absolute Date	Jun 01, 2023

Recommended Action The recommendation is that the Board of Education approve the University of Massachusetts Global Supervised Internship Agreement.

Purpose:

The purpose of this item is for the Board of Education to approve the University of Massachusetts Global Supervised Internship Agreement.

Background:

The District works closely with local institutes of higher education (IHE) and supports student teacher placements and interns. Agreements between Newark Unified School District and a university must be in place before a student teacher or intern can be placed at a school site in the District. Student teachers and interns in training do fieldwork in our schools and are supervised by the administrators who provide supervision and training. Student teachers and interns are able to learn, practice teaching, and fine-tune their craft under the direct supervision of a master teacher. The opportunity to student teach or intern in the District benefits both the student teacher and the District. As vacancies become available in the district, it is invaluable to have the opportunity to observe directly student teachers and interns who may be eligible to interview for vacancies and observe how well they fit into the culture of Newark.

File Attachments

[University of Massachusetts Global Agreement.pdf](#) (71 KB)

Motion & Voting

The recommendation is that the Board of Education approve the University of Massachusetts Global Supervised Internship Agreement.

Motion by Aiden Hill, second by Katherine Jones.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

CDW-G Wifi Equipment Purchase

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$244,892.50
Budgeted	Yes
Budget Source	Learning Recovery Emergency Block Grant
Recommended Action	The recommendation is that the Board of Education approve the purchase of wifi hardware equipment from CDW-G as part of the wifi improvement project at Newark Memorial High School as presented.

Purpose:

To replace the vendor for the purchase of controllers and access points for the wifi improvement project at Newark Memorial High School.

Background:

At the February 2, 2023 Board meeting, the Board approved the purchase and installation of the controllers and access points from Colligo Systems LLC as part of the wifi improvement project at Newark Memorial High School. Unfortunately, due to unforeseen circumstances, Colligo is unable to provide the hardware equipment portion of the purchase order. Staff consequently received two quotes from alternate vendors for the hardware equipment. The recommendation is that the Board approve the purchase of the hardware equipment from CDW-G who provided the lower quote of \$244,892.50. This quote is comparable to the original cost that was previously awarded to Colligo Systems. The pricing from CDW-G is based on a piggyback contract with the California State Department of General Services and the Utah NASPO ValuePoint Master Agreement Number AR3288.

Vendor	Quote
CDW-G	\$244,892.50
AMS	\$276,576.82

File Attachments

[CDW-G_Quote for Controllers and Access Points.pdf](#) (82 KB)

Motion & Voting

The recommendation is that the Board of Education approve the purchase of wifi hardware equipment from CDW-G as part of the wifi improvement project at Newark Memorial High School as presented.

Motion by Phuong Nguyen, second by Carina V Plancarte.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

MINUTES: Minutes of the May 18, 2023 Regular Meeting of the Board of Education

Type	Action, Minutes
Recommended Action	The recommendation is that the Board of Education approve the minutes of the May 18, 2023 Regular Meeting of the Board of Education.

Purpose:

for the board to review and approve minutes of the May 18, 2023, Regular Meeting of the Board of Education.

Background:

The attached minutes are reflective of the May 18, 2023, Regular Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel [HERE](#).

17 BOARD OF EDUCATION: COMMITTEE REPORTS, ANNOUNCEMENTS, REQUESTS, DEBRIEF

Board of Education Committee Reports, Announcements, Requests, Debrief and Discussion

AND DISCUSSION

Type Action, Discussion, Information

Purpose:

COMMITTEE REPORTS: The Trustees will provide an update, if available, on the committees of which they are members.
ANNOUNCEMENTS: The Trustees may acknowledge or recognize specific programs, activities, or personnel at this time.
REQUESTS: This is an opportunity for the Board of Education to suggest items for placement on future agendas and to review Board requests.

Approval from the majority of the Board will be required for direction to be provided to the Superintendent.

DEBRIEF AND DISCUSSION: The Trustees may debrief and discuss items.

Background:

Each year the Board of Education members liaise with schools and committees in order to build relationships, hear from staff, students, and families, and act as a conduit for information to and from the schools.

Board Committees 2022-23

Board Adopted on 12/15/2022	Representative	Alternate
Mission Valley Regional Occupational Center/Program (ROC/P)	1. Nancy Thomas	1. Carnia V. Plancarte
Executive Board		
Regional Policy Board of Special Education Local Plan Area (SELPA)	1. Katherine Jones	1. Phuong Nguyen
Newark Teacher Induction Advisory Council (Formally EBIC)	1. Aiden Hill	1. Carnia V. Plancarte
Audit Committee	1. Aiden Hill	2. Katherine Jones
Bond/Parcel Tax Committee	1. Phuong Nguyen	2. Carina V. Plancarte
City of Newark NUSD Liaison Committee	2. Nancy Thomas	1. Katherine Jones

The following derives directly from the Board approved "Governance Team Handbook" Authority is Collective, Not Individual:

The only authority to direct action rests with the Board as a whole when seated at a regular or special board meeting. Outside of this meeting, there is no authority.

A majority Board vote provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction.

Bringing New Ideas Forward

The Board will be open to having "brainstorming" discussions, or study sessions, around any idea that a Trustee may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Trustee, at their initiative or at the request of a constituent, which was previously discussed during a board meeting.

Trustees will first notify the Board President and Superintendent of their interest in bringing forward a new idea at a board meeting. When initially agendized, the preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.

Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea. The Superintendent will decide on the delegation of assignments to District staff.

The new idea may be agendized for discussion only. The Board majority will decide if the new idea should be further developed and studied by staff. The Board majority will decide if staff time should be invested in the "fleshing out" of new ideas.

Individual Trustees, in the course of interactions with constituents, will be careful not to make or imply the commitment of the full Board to explore or proceed with implementing new ideas.

18 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

Superintendent's Concluding Comments, Updates, and Future Agenda Items

AGENDA REQUESTS

Type Information

Purpose:

This is an opportunity for the Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

19 ADJOURNMENT

PLACEHOLDER - Extend Meeting

Type Action

Recommended The recommendation is that the Board of Education extends the meeting to ____ P.M.
Action

Purpose:

This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

Adjournment

Type Action
Recommended Action The recommendation is that the Board of Education adjourns this meeting.

Purpose: No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time. This action will conclude the meeting.

Motion & Voting The recommendation is that the Board of Education adjourns this meeting. Motion by Katherine Jones, second by Carina V Plancarte. Final Resolution: Motion Carries Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

1 CALL TO ORDER

Meeting Practices and Information

Type Procedural

In-person Meeting Information: NUSD has opened its boardroom for in-person meetings and will follow the State's and Alameda County's safety guidelines for public gatherings. Please refrain from attending in-person meetings if you have any of the following symptoms:

- Loss of taste/smell
Difficulty breathing
Vomiting
Diarrhea
Fever
Cough
Headache
Sore Throat
Runny Nose

For additional COVID-19 information please go to https://www.newarkunified.org/covid-19 or https://www.acoe.org/guidance

Observe The Board Of Education Meeting: Members of the public 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.

Public Comment: The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

Roll Call

Type Procedural

Trustees: President Nancy Thomas Vice President/Clerk Aiden Hill Member Katherine Jones Member Phuong Nguyen Member Carina V. Plancarte

Student Board Member: Member Diego Torres

2 APPROVAL OF AGENDA

Approval of the Agenda

Type Action Recommended Action The recommendation is that the Board of Education approve the agenda for this meeting.

Purpose: Members of the Governance Team may request that the agenda be amended or approved as presented.

Motion & Voting

The recommendation is that the Board of Education approve the agenda for this meeting.

Motion by Phuong Nguyen, second by Katherine Jones.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Phuong Nguyen, Katherine Jones, Diego Torres, Carina V Plancarte

Not Present at Vote: Aiden Hill

3 STUDY SESSION

Property Asset Management

Type Discussion, Information

Purpose:

To (1) review the process and options for considering how best to manage District real estate and (2) to provide the staff guidance regarding next steps.

Background:

On June 16, 2022, the Board held a study session on the topic of managing , and Clarissa Canady from the DWK law firm presented the process and options for disposing of unused school properties. At that study session, the Board gave staff direction to pursue consulting services. Attached is the Request for Proposals (RFP) generated by staff in February 2023. This RFP is being shared as a point of reference only, and we are not asking the Board to approve it at this time. Given that nearly a year has passed since the Board has discussed this topic and there are now three new members of the Board, we are expecting to "start over" with a presentation from Ms. Canady and a preliminary discussion of board member questions and interests. We have asked Ms. Canady to broaden the scope of last year's presentation to include leasing options and potential agreements/partnerships with non-profit organizations.

As further background, in the fall of 2018, the District hired Plum Architects to examine the prospect of moving the District Office to the Whiteford Building on the MacGregor Campus. At the April 4, 2019, board meeting, Plum Architects shared preliminary plans and an estimate of \$4.2M in costs for the relocation. Staff believes that this cost estimate discouraged future pursuit of this course of action. Staff does not recommend moving the district office now or in the foreseeable future.

File Attachments

[RFP_02-2022-23_Property_Asset_Management_Consultant.pdf](#) (236 KB)

4 CLOSED SESSION

Public Comment on Closed Session Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and tries to make it convenient for members of the community to express their views to the Board.

If a constituent wishes to address the Board on any agenda item:

In-Person Comment: please submit a completed speaker card to the Board's Executive Assistant before the start of the meeting, or prior to the calling of the section for public comment.

Audio-Only Virtual Comment: please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org by 1:00 PM the day of the meeting. Please label your email as " AUDIO-ONLY PUBLIC COMMENT" and include your name as it will appear on Zoom, your phone number, email address, and the agenda item number related to your comment.

Please see detailed instructions for public comment on the link: <http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

Recess to Closed Session

Type Procedural

Purpose:

The Board will recess to Closed Session, and reconvene to Open Session on or about 7:00 p.m.

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE (Gov. Code, 54957, subd. (b)(1))

Type Action, Information, Procedural

Purpose:

Information will be provided by the Superintendent and Executive Director of Human Resources.

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a)): Employee Group - NEWMA, Unrepresented

Type Action, Discussion, Procedural

Purpose:

Information may be provided by the agency negotiator, the Executive Director of Human Resources, and the Superintendent. Assistance from legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided.

The employee organizations include NEWMA, Unrepresented Supervisors, and Contracted Management

CONFERENCE WITH LEGAL COUNSEL EXISTING LITIGATION (Gov. Code, 54956.9, subd. (d)(1))

Type Action, Information, Procedural

Purpose:
To discuss the following case(s): Byrd vs NUSD Case No. ADJ14828663.

STUDENT EXPULSION (Ed. Code, 48918)

Type Information, Procedural

Purpose:
For the Board to review expulsion case that is eligible for readmission.

Background:
The following expulsion are up for readmission. Staff recommends the following actions:
e2122- 17 - Re-Admit.

5 REPORT OF CLOSED SESSION ACTIONS

Report of Closed Session Actions

Type Action, Procedural

Purpose:
If available, a report of the closed session will be provided by the Board President.

6 RECONVENE TO OPEN SESSION

Pledge of Allegiance

Type Procedural

Purpose:
The Governance Team will recite the Pledge of Allegiance

7 RECOGNITIONS AND CELEBRATIONS

School Spotlight: Newark Jr High School

Type Information

Purpose:
The School Spotlight gives the Board of Education and the public an opportunity to hear the highlights, achievements, and initiatives at each school from the principals.

Background:
The presentation and information will be provided by Newark Jr High School Principal, Richelle Piechowski.

8 EMPLOYEE ORGANIZATIONS

Employee Organizations

Type Information

Purpose:
At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Background:
Discussion items are limited to updates, celebrations, and upcoming events.
1. NTA
2. CSEA
3. NEWMA

9 PUBLIC COMMENT

Public Comment on Non-Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and tries to make it convenient for members of the community to express their views to the Board.

If a constituent wishes to address the Board on any agenda item:

In-Person Comment: please submit a completed speaker card to the Board's Executive Assistant before the start of the meeting, or prior to the calling of the section for public comment.

Audio-Only Virtual Comment: please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org by 1:00 PM the day of the meeting. Please label your email as "AUDIO-ONLY PUBLIC COMMENT" and include your name as it will appear on Zoom, your phone number, email address, and the agenda item number related to your comment.

Please see detailed instructions for public comment on the link: <http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

Public Comment on Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and tries to make it convenient for members of the community to express their views to the Board.

If a constituent wishes to address the Board on any agenda item:

In-Person Comment: please submit a completed speaker card to the Board's Executive Assistant before the start of the meeting, or prior to the calling of the section for public comment.

Audio-Only Virtual Comment: please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org by 1:00 PM the day of the meeting. Please label your email as "AUDIO-ONLY PUBLIC COMMENT" and include your name as it will appear on Zoom, your phone number, email address, and the agenda item number related to your comment.

Please see detailed instructions for public comment on the link: <http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

10 SUPERINTENDENT REPORT

Superintendent Report

Type Information

Purpose:

The superintendent will provide the Board of Education with district information, updates, news, or anything in the jurisdiction of the board or the superintendent.

Background:

The presentation and information will be provided by the Superintendent

11 STAFF REPORT

STEAM Initiative Update (STAR and NewGO!)

Type Information

Purpose:

Present the highlights of the activities of NUSD's STEAM Initiative, specifically updates on STAR and NewGO! initiatives in 22-23.

Background:

The STEAM Resolution of 2018 laid the foundation for the STEAM Initiative established in 2020. Two components of the STEAM Initiative are: STAR & NewGO!

Newark Goes Outdoors (NewGO!) is grounded in the Newark USD Environmental Literacy Plan. Its vision states: All students will have access to high-quality environmental literacy learning experiences based in inquiry, reflection, and real-life applications, utilizing safe and available outdoor spaces (e.g. school gardens, parks adjacent to schools) that engage students in engineering and design thinking to prototype solutions for real-world environmental justice issues in the community.

Science Technology Aerospace and Robotics (STAR) is focused on the establishing a TK-12 focus on computer science by developing computational thinking and engineering. In 22-23, the STAR Elementary Cohort was established. Its main goal was to support the teachers who enrolled in "Creating Conditions for Equity through Computer Science" and provide on-going professional learning opportunities elementary classroom teachers. Through this school year, the Tech TOSA under the supervision of the Program Administrator for Science, provided group and/or individualized mentoring to elementary classroom teachers. They both presented at all six elementary staff meetings, and collaborated with teachers who showed an interest in integrating computational thinking, unplugged computer science activities, and/or coding into their classroom instructional design. Three teachers will share their experience working with the Tech TOSA and describe the impact of the unplugged computer science activities and coding on their students. By supporting students in accessing computer science principals early through elementary activities and makerspaces and middle school robotics and coding classes, Educational Services aims to reduce gendered and racial disproportionality in students who enroll in classes such as AP Computer Science and who ultimately earn their Certificate of Code in high school.

File Attachments

Highlights_ STAR & NewGO! 22-23.pdf (32,551 KB)

12 NEW BUSINESS

POLICY UPDATE: Board Policies and Administrative Regulations Title Changes

Type Action, Procedural
Recommended The recommendation is that the Board of Education approve the Board Policy and
Action Administrative Regulation title changes, as presented, to align with California School Board
Association titles.

Purpose:
The purpose is for the Board of Education to review the recommended title changes and approve the updated titles for the board
policies and administrative regulations as presented.

Background:
This is the FIRST reading of the attached policies and regulations. The title changes are sanctioned by the California School Board
Association (CSBA). It is important to note that staff is proposing changes in titles only, not changes to any of the content of
these policies and administrative regulations.
In October of 2020, CSBA announced a transition to a new Board Policy platform, GAMUT Policy Plus. This platform is an upgrade
to and replacement for our previous Manual Maintenance service. GAMUT Policy Plus includes new features that make it simple,
fast and effective to manage and update board policies.
The GAMUT Policy Plus platform relies on consistent policy titles and numbering across all districts. This allows CSBA to push
updates directly to us, makes it simple for us to edit and adopt policy updates into our manual and allows CSBA to maintain
consistent Legal references and citations.
The titles presented here are from our old manual and do not match the titles that CSBA assigned to that policy number in the
codification system that underpins GAMUT Policy Plus. As a result, the system did not recognize these policies when they were
transferred from the old platform. These policies were imported as drafts and now need to be retitled to match the title that
CSBA uses. (Note: Policy and regulation titles that begin with a '^' designate them as unique to Newark and will be updated with
the symbol in the title).
The language and/or content of the policies and regulations presented here are not being updated at this time. Should any of
these policies or administrative regulations need content updates, those policies will be reviewed by staff and brought back at a
future meeting with recommended language changes.

File Attachments

Board Policies and Administrative Regulations Title Changes-Pending Board Approval 05-18-2023.pdf (65 KB)

Motion & Voting

The recommendation is that the Board of Education approve the Board Policy and Administrative Regulation title changes, as
presented, to align with California School Board Association titles and waive the second reading.

Motion by Katherine Jones, second by Phuong Nguyen.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Diego Torres, Carina V Plancarte

Memorandum of Understanding between CSEA and NUSD Concerning Compensation

Type Action
Absolute Date May 18, 2023
Budgeted Yes
Recommended The recommendation is that the Board of Education approve the Memorandum of
Action Understanding between CSEA and NUSD concerning compensation.

Purpose:
The purpose is for the Board of Education to approve the Memoradum of Understanding (MOU) between CSEA and NUSD concerning
compensation.

Background:
The attached MOU between CSEA and the District changes CSEA's former salary increase agreement to align with NTA's salary increase.
On November 3, 2022, the Board of Education ratified the Collective Bargaining Agreement with CSEA, which included the following
compensation:
Effective July 1, 2022, the CSEA bargaining unit salary schedule shall be increased ongoing by 6.5%. All retroactive amounts shall be paid
by the second pay cycle following Board ratification.
Effective July 1, 2023, the CSEA bargaining unit salary schedule shall be increased ongoing by 3.5%.
In addition, CSEA members will receive a one-time off-schedule payment as follows:
2022-2023 - 3% paid August 31, 2023. To be eligible a bargaining unit member must be in paid status
as of June 1, 2023
2023-2024 - 3% paid August 30, 2024. To be eligible a bargaining unit member must be in paid status
as of June 3, 2024.
On April 20, 2023, the Board of Education ratified the Collective Bargaining Agreement with NTA, which included the following compensation
for NTA members:
2022-2023 School Year: 10% increase retroactive to July 1, 2022.
2023-2024 School Year: Effective July 1, 2023 all bargaining unit salary schedules shall be increased by 2%.
Effective January 1, 2024 all bargaining unit salary schedules shall be increased by 4%.

File Attachments

- [Signed MOU RE CSEA Compensation April 2023.pdf \(405 KB\)](#)
- [NUSD 2022-23 AB1200 Collective Bargaining Board Letter FINAL.pdf \(328 KB\)](#)
- [AB1200_CSEA and NEWMA 22-23-24.pdf \(799 KB\)](#)

Motion & Voting

The recommendation is that the Board of Education approve the Memorandum of Understanding between CSEA and NUSD concerning compensation.

Motion by Phuong Nguyen, second by Katherine Jones.
 Final Resolution: Motion Carries
 Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte
 Abstain: Diego Torres

Memorandum of Understanding between NEWMA and NUSD Concerning Compensation

Type	Action
Absolute Date	May 18, 2023
Budgeted	Yes
Recommended Action	The recommendation is that the Board of Education approve the Memorandum of Understanding between NEWMA and NUSD concerning compensation.

Purpose:
 The purpose is for the Board of Education to approve the Memorandum of Understanding (MOU) between NEWMA and NUSD concerning compensation.

Background:
 On April 20, 2023, the Board of Education ratified the Collective Bargaining Agreement with Newark Teachers Association (NTA), which included the following compensation for NTA members:
 2022-2023 School Year: 10% increase retroactive to July 1, 2022.
 2023-2024 School Year: Effective July 1, 2023 all bargaining unit salary schedules shall be increased by 2%. Effective January 1, 2024 all bargaining unit salary schedules shall be increased by 4%.
 The attached MOU between NEWMA and the District will grant the same compensation.

File Attachments

- [Signed MOU Re NEWMA Compensation May 2023.pdf \(181 KB\)](#)
- [NUSD 2022-23 AB1200 Collective Bargaining Board Letter FINAL.pdf \(328 KB\)](#)
- [AB1200_CSEA and NEWMA 22-23-24.pdf \(799 KB\)](#)

Motion & Voting

The recommendation is that the Board of Education approve the Memorandum of Understanding between NEWMA and NUSD concerning compensation.

Motion by Phuong Nguyen, second by Katherine Jones.
 Final Resolution: Motion Carries
 Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte
 Abstain: Diego Torres

13 CONSENT AGENDA: PERSONNEL ITEMS

Personnel Report

Type	Action
Absolute Date	May 18, 2023
Recommended Action	The recommendation is that the Board of Education ratify the personnel report as presented.

Purpose:
 The purpose is for the Board of Education to ratify the Personnel Report as presented.

Background:
 All personnel activities including new hires, changes in status, resignation, leaves, and retirements are routinely submitted to the Board for ratification.

File Attachments

- [HR PAL 05-18-2023.pdf \(173 KB\)](#)

Motion & Voting

The recommendation is that the Board of Education ratify the personnel report as presented.

Motion by Phuong Nguyen, second by Carina V Plancarte.
 Final Resolution: Motion Carries
 Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte
 Abstain: Diego Torres

14 CONSENT AGENDA: NON-PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type Action
 Recommended Action It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent Non-Personnel, except for agenda items:

Purpose:
 This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:
 Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Motion & Voting
 It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent Non-Personnel.
 Motion by Katherine Jones, second by Carina V Plancarte.
 Final Resolution: Motion Carries
 Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Diego Torres, Carina V Plancarte

Wellness Together Contract Extension (2023-2024)

Type Action
 Fiscal Impact Yes
 Dollar Amount \$251,465.76
 Budgeted Yes
 Budget Source LCAP and MHSSA Grant Funds
 Recommended Action The recommendation is that the Board of Education approve the Wellness Together and HearYou.org Contract for 23-24.

Purpose:
 Staff is seeking the approval of Wellness Together contracts in alignment with the LCAP Goals and Actions (LCAP 2.8).

Background:
 As a result of engagement with numerous educational partners, LCAP PAC and District identified mental health and wellness as a priority for continued support in our LCAP for the 23-24 school year. The Community identified the following in their feedback:
 1. Ensure that ALL students in need have access to mental health services (vacancies, health insurance barriers, etc.) and increase the frequency of support from academic counselors.
 2. Continue to fund (increase and/or address vacancy issues that we experienced this year) in order to provide mental health services for ALL.
 3. Increase frequency of counselor-student conferences.
 As a result of ESSER III funds in 2021-22, we developed a partnership with Wellness Together, a non-profit that places qualified Mental Health Clinicians in schools to provide 1:1, group, and classroom support for students. Schools, with Wellness Together clinicians, have reported positive impacts resulting from these services, and we hope to continue and expand this service in our schools.
 The following contract provides details about the contracts for Wellness Together for the 2023-24 school year.

File Attachments
[Wellness_Together_-_N.pdf](#) (303 KB)

Motion & Voting
 The recommendation is that the Board of Education approve the Wellness Together and HearYou.org Contract for 23-24.
 Motion by Katherine Jones, second by Carina V Plancarte.
 Final Resolution: Motion Carries
 Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Diego Torres, Carina V Plancarte

Agreement with Curriculum Associates, LLC for I-Ready Services (2023-2024)

Type Action
 Fiscal Impact Yes
 Dollar Amount \$140,683.00
 Budgeted Yes
 Budget Source LCFF (LCAP & SPSA)
 Recommended Action The recommendation is that the Board of Education approve the agreement with Curriculum Associates, LLC. Goals.

Purpose:
 This 2023-24 school year agreement will provide diagnostics and student licenses in English Language Arts (ELA) and Mathematics for Kindergarten through grade 8, as well as licenses for English Language Learners to use at the secondary level, grades 6-12. LCAP funds will be used to maintain I-Ready for grades K-6 as provided during the 2022-23 school year, and NJHS will contribute SPSA funds to pilot I-Ready in grades 7 and 8.

Background:

I-Ready is a part of the district-wide progress monitoring assessment program. This is the eighth year of implementation of I-Ready; this continuity allows staff the ability to identify trends in student data results and adjust instructional planning accordingly at the site level. The cost for the district will be \$140,683.00.

File Attachments

[Newark USD_updated_RepQuote307955.5.pdf](#) (786 KB)

Motion & Voting

The recommendation is that the Board of Education approve the agreement with Curriculum Associates, LLC. Goals.

Motion by Katherine Jones, second by Carina V Plancarte.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Diego Torres, Carina V Plancarte

Service Agreement between NUSD and BaySci (2023-2024)

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$55,000.00
Budgeted	Yes
Budget Source	LCAP Funds
Recommended Action	The purpose is for the Board of Education to approve the Service Agreement between NUSD and BaySci for the 2023-2024 school year.

Purpose:

The purpose of this item is for the Board of Education to approve the Service Agreement between the Regents of the University of California, Berkeley - Lawrence Hall of Science and Newark Unified School District. This Service Agreement outlines the services to be provided by BaySci for 2023-2024 to support district Science initiatives and curriculum development and implementation.

Background:

BaySci at the Lawrence Hall of Science, University of California, Berkeley supports the development and deepening of district-wide capacities for equitable, high-quality science education and environmental literacy. BaySci is dedicated to leadership, innovation and excellence in STEM education and learning, and has a long history of addressing the needs of groups who are situated at the margins of equitable, high-quality instruction in science, math, engineering, and environmental education. In 2023-2024, BaySci will:

1. Provide support for the Newark Unified School District (District) science/environmental literacy leadership team to develop an implementation plan for District wide coherence across these disciplines and in connection to other district initiatives and efforts overseen by the District Educational Services department.
2. Provide support for partnerships with community-based organizations as part of a Districtwide, coherent science/environmental literacy program.
3. Provide support for meaningful teacher collaboration, building off District structures and lessons learned during COVID to sustain teacher collaboration around science, environmental literacy and computational thinking.

File Attachments

[Newark Issued PE5_5_23.pdf](#) (239 KB)

Motion & Voting

The purpose is for the Board of Education to approve the Service Agreement between NUSD and BaySci for the 2023-2024 school year.

Motion by Katherine Jones, second by Carina V Plancarte.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Diego Torres, Carina V Plancarte

Addendum to the Contract with Shalom Staffing

Type	Action
Preferred Date	May 18, 2023
Absolute Date	May 18, 2023
Fiscal Impact	Yes
Dollar Amount	\$48,960.00
Budgeted	Yes
Budget Source	Resource 6500 - Special Education
Recommended Action	The recommendation is that the Board of Education ratifies the addendum to the contract with Shalom Staffing.

Purpose:

For the Board of Education to approve the addendum to the contract with Shalom Staffing.

Background:

This is an addendum to the contract with Shalom Staffing adding a special education teacher for case management services for the Moderate Severe Program at Birch Grove Primary. While we were able to staff the class with a guest teacher, the case manager needs to hold the appropriate credentials to manage Individual Education Plans (IEP). The original contract was approved by the Board of Education on 8/4/22. An amendment to the contract was approved by the Board of Education on 8/18/22.

File Attachments

- [Shalom Staffing_NUSD Contract 22-23 8-4-22.pdf](#) (292 KB)
- [Shalom Amendment 8-18-22.pdf](#) (59 KB)
- [Addendum Shalom Staffing 5-18-23.docx.pdf](#) (49 KB)

Motion & Voting

The recommendation is that the Board of Education ratifies the addendum to the contract with Shalom Staffing.
 Motion by Katherine Jones, second by Carina V Plancarte.
 Final Resolution: Motion Carries
 Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Diego Torres, Carina V Plancarte

Updated School Lunch Prices 2023-2024

Type	Action
Recommended	The recommendation is that the Board of Education approve the updated fees for school
Action	meals, effective for the 2023-2024 school year, as presented.

Purpose:
 To increase school lunch prices in order to be in compliance with the 2023-2024 USDA Paid Lunch Equity Requirement. At this time, NUSD Child Nutrition is not meeting the required weighted average of \$3.56.

Background:
 Regulation 7 CFR 210.14 (e) requires school food authorities (SFAs) participating in the National School Lunch Program to ensure sufficient funds are provided to the nonprofit school food service account for meals served to students not eligible for free or reduced-price meals. There are two ways to meet this requirement: changing the prices charged for "paid" meals, or through other non-Federal sources provided to the nonprofit school food service account.
 Although students will continue to receive free meals based on the current California Department of Education guidance which allows for free meals to all students no matter their status, they are required to pay for their second meal. We are requesting to increase the prices for school lunches in order to remain in compliance with the USDA guidance from the Paid Lunch Equity tool. We are requesting that the all school second meal prices increase, which will put us in compliance with the current guidance.
 Elementary School Second Lunch Prices will increase from \$3.00 to \$3.25 (\$0.25 increase)
 Newark Junior High School Second Lunch Prices will increase from \$3.50 to \$3.75 (\$0.25 increase)
 Newark Memorial High School Second Lunch Prices will increase from \$3.75 to \$4.00 (\$0.25 increase)
 Increasing lunch prices will increase revenues in the National School Lunch Program and that will ensure more monies to the nonprofit school food service account and allow them to avoid impinging on the general fund.

Motion & Voting
 The recommendation is that the Board of Education approve the updated fees for school meals, effective for the 2023-2024 school year, as presented.
 Motion by Katherine Jones, second by Carina V Plancarte.
 Final Resolution: Motion Carries
 Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Diego Torres, Carina V Plancarte

Adult Education Community Classes Fee Increase

Type	Action
Recommended	The recommendation is that the Board of Education approve the Adult Education Community
Action	classes fee increases as presented.

Purpose:
 The purpose of the fee increases is to balance the budget.

Background:
 The majority of the Adult Education classes are free to students. The free classes are covered by the state's Adult Education Block Grant.
 The Adult Community classes are the Adult Education program's fee-based classes. Our Tole Painting is recognized as the longest-running adult education program in the country. Our Taiko program has entertained and educated our community for decades.
 Measures are needed to make Adult Community Education fiscally solvent. Staff recommends a three (3) year fee structure that increases fees 5% over three years.
 The last Adult Education Community Classes Fee Increase was approved by the Board of Education on November 6, 2018.

File Attachments
[Adult Ed Fees Increase_FY24 - 26_5 per cent over 3 years.pdf](#) (19 KB)

Motion & Voting
 The recommendation is that the Board of Education approve the Adult Education Community classes fee increases as presented.
 Motion by Katherine Jones, second by Carina V Plancarte.
 Final Resolution: Motion Carries
 Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Diego Torres, Carina V Plancarte

Signature Card - Mid Year Revision

Type	Action
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Recommended Action The recommendation is that the Board of Education approve the Signature Card Mid-Year Revision for the Superintendent as presented.

Purpose:

To update the Signature Card of Authorized Agents as required by the Alameda County Office of Education (ACOE) for the following:

- Payroll, Warrants, and Disbursements
Official Documents and Reports

Background:

The Board approved a contract for the District Superintendent of Schools at their May 8, 2023 meeting. A mid-year revision to update the signature for the Superintendent of Schools is required by the ACOE. The "Signature Card" is kept on file at the ACOE

File Attachments

Signature Card_Mid Year_Payroll Warrants and Disbursements_Official Documents and Reports_Penelope DeLeon.pdf (124 KB)

Motion & Voting

The recommendation is that the Board of Education approve the Signature Card Mid-Year Revision for the Superintendent as presented.

- Motion by Katherine Jones, second by Carina V Plancarte.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Diego Torres, Carina V Plancarte

FIELD TRIP: Non-Curricular Trip for Coyote Hills Elementary Kinder through Fifth Classes to travel to Newark, CA

Type Action
Recommended Action The recommendation is that the Board of Education approve the non-curricular trip for Coyote Hills Elementary (kinder through fifth grade classes (Special Day Class) to Newark, CA (Mayhews Landing).

Purpose:

The Coyote Hills Elementary Principal requests permission to take Coyote Hills Elementary kinder through fifth graders on a non-curricular trip to Newark, CA. This will be a walking field trip for an End of Year picnic / transition activity for IEP.

- School: Coyote Hills Elementary
Dates: May 22, 2023
Location: Newark, CA (Mayhews Landing)

Additional requirements include the following:

- Grade K-3, one adult for every 5-8 students; Grades 4-12, one adult for every 10 students; Board Policy requires at least two adults on every trip regardless of the number of students (BP 6153 and AR 6153)
No student will be denied due to a lack of funds

Background:

According to Board Policy 6153, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. Coyote Hills Elementary Principal requests permission to take Coyote Hills Elementary Kinder through Fifth Grade Classes on a non-curricular trip to Newark, CA.

Motion & Voting

The recommendation is that the Board of Education approve the non-curricular trip for Coyote Hills Elementary (kinder through fifth grade classes (Special Day Class) to Newark, CA (Mayhews Landing).

- Motion by Katherine Jones, second by Carina V Plancarte.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Diego Torres, Carina V Plancarte

FIELD TRIP: Curricular and Non-Curricular Trip for Kennedy Elementary Fifth Grade Class to travel to Newark, CA

Type Action
Budgeted No
Budget Source Family Donations
Recommended Action The recommendation is that the Board of Education approve the non-curricular trip for Kennedy Elementary fifth grade class to Newark, CA.

Purpose:

The Kennedy Elementary Principal requests permission to take Kennedy Elementary fifth graders on a non-curricular trip to Newark, CA. The students will be transported by private vehicle.

- School: Kennedy Elementary
Dates: May 31, 2023
Location: Newark, CA (AMC Theater)

Additional requirements include the following:

- Grade K-3, one adult for every 5-8 students; Grades 4-12, one adult for every 10 students; Board Policy requires at least two adults on every trip regardless of the number of students (BP 6153 and AR 6153)
No student will be denied due to a lack of funds

Background:

According to Board Policy 6153, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. Kennedy Elementary Principal requests permission to take Kennedy Elementary Fifth Grade Class on a non-curricular trip to Newark, CA.

Motion & Voting

The recommendation is that the Board of Education approve the non-curricular trip for Kennedy Elementary fifth grade class to Newark, CA.

Motion by Katherine Jones, second by Carina V Plancarte.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Diego Torres, Carina V Plancarte

REPORT: Warrant Report for April 2023

Type	Action
Fiscal Impact	No
Recommended	The recommendation is that the Board of Education approve the Warrant Report as presented.
Action	

Purpose: The purpose of this item is to present warrants, for the total amount of \$2,605,500.46, made from District funds for April 2023.

Background: The warrant registers represent a complete listing of all payments made from District funds for a month. Because Newark Unified School District is a fiscally dependent District, each warrant must pass through two separate audits; first by the District's Fiscal Services department, and second by the County Office of Education. No warrant can be paid until such time as it is examined and approved by the County Office of Education.

File Attachments
Warrant Report April 2023.pdf (361 KB)

Motion & Voting

The recommendation is that the Board of Education approve the Warrant Report as presented.

Motion by Katherine Jones, second by Carina V Plancarte.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Diego Torres, Carina V Plancarte

MINUTES: Minutes of the May 4, 2023 Regular Meeting of the Board of Education

Type	Action, Minutes
Recommended	The recommendation is that the Board of Education approve the minutes of the May 4, 2023
Action	Regular Meeting of the Board of Education.
Minutes	View Minutes for May 4, 2023 - Regular Meeting of the Board of Education

Purpose: for the board to review and approve minutes of the May 4, 2023, Regular Meeting of the Board of Education.

Background: The attached minutes are reflective of the May 4, 2023, Regular Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel HERE.

Motion & Voting

The recommendation is that the Board of Education approve the minutes of the May 4, 2023 Regular Meeting of the Board of Education.

Motion by Katherine Jones, second by Carina V Plancarte.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Diego Torres, Carina V Plancarte

15 STUDENT EXPULSION

Readmission of Student Expulsion (Ed Code. 48918) Case# e2122-017

Type	Action
Recommended	The recommendation is that the Board of Education readmit the student into NUSD as it
Action	relates to the Expulsion Case e2122-17.

Purpose: For the Board to take action on expulsion case e2122-17.

Background: California Education Code Section 48916 requires that "an expulsion order shall remain in effect until the governing board orders a readmission of the pupil."

Motion & Voting

The recommendation is that the Board of Education readmit the student into NUSD as it relates to the Expulsion Case

e2122-17.

Motion by Phuong Nguyen, second by Aiden Hill.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte
Abstain: Diego Torres

16 BOARD OF EDUCATION: COMMITTEE REPORTS, ANNOUNCEMENTS, REQUESTS, DEBRIEF

Appointment of Board Representative to Committees

AND DISCUSSION

Type Discussion

Purpose: To nominate and appoint a representative and/or alternate to committees that may not have one.

Background: Since last setting committee participants, the Board has appointed a new trustee, Member Carina Valencia Plancarte. Board Bylaw 9140: The Governing Board recognizes that effective performance of its community leadership responsibilities may require its participation in district or community committees on matters of concern to the district and its students. As needed, the Board may appoint any of its members to serve as its representative on a district committee or on a committee of another public agency or organization of which the Board or district is a member or to which the Board is invited to participate.

Table with 3 columns: Board Committees 2022-23, Representative, Alternate. Rows include Mission Valley Regional Occupational Center/Program (ROC/P), Executive Board, Regional Policy Board of Special Education Local Plan Area (SELPA), Newark Teacher Induction Advisory Council (Formally EBIC), Audit Committee, Bond/Parcel Tax Committee, and City of Newark NUSD Liaison Committee.

Board of Education Committee Reports, Announcements, Requests, Debrief and Discussion

AND DISCUSSION

Type Action, Discussion, Information

Purpose: COMMITTEE REPORTS: The Trustees will provide an update, if available, on the committees of which they are members. ANNOUNCEMENTS: The Trustees may acknowledge or recognize specific programs, activities, or personnel at this time. REQUESTS: This is an opportunity for the Board of Education to suggest items for placement on future agendas and to review Board requests.

Approval from the majority of the Board will be required for direction to be provided to the Superintendent. DEBRIEF AND DISCUSSION: The Trustees may debrief and discuss items.

Background: Each year the Board of Education members liaise with schools and committees in order to build relationships, hear from staff, students, and families, and act as a conduit for information to and from the schools.

Table with 3 columns: Board Committees 2022-23, Representative, Alternate. Rows include Mission Valley Regional Occupational Center/Program (ROC/P), Executive Board, Regional Policy Board of Special Education Local Plan Area (SELPA), Newark Teacher Induction Advisory Council (Formally EBIC), Audit Committee, Bond/Parcel Tax Committee, and City of Newark NUSD Liaison Committee.

Superintendent. Board members will not undermine the ability of staff to carry out Board direction. Bringing New Ideas Forward The Board will be open to having "brainstorming" discussions, or study sessions, around any idea that a Trustee may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Trustee, at their initiative or at the request of a constituent, which was previously discussed during a board meeting. Trustees will first notify the Board President and Superintendent of their interest in bringing forward a new idea at a board meeting. When initially agendized, the preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge. Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea. The

The new idea may be agendized for discussion only. The Board majority will decide if the new idea should be further developed and studied by staff. The Board majority will decide if staff time should be invested in the "fleshing out" of new ideas. Individual Trustees, in the course of interactions with constituents, will be careful not to make or imply the commitment of the full Board to explore or proceed with implementing new ideas.

17 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

Superintendent's Concluding Comments, Updates, and Future Agenda Items

AGENDA REQUESTS

Type Information

Purpose:

This is an opportunity for the Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

18 ADJOURNMENT

PLACEHOLDER - Extend Meeting

Type Action

Recommended The recommendation is that the Board of Education extends the meeting to ____ P.M.
Action

Purpose:

This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

Adjournment

Type Action

Recommended The recommendation is that the Board of Education adjourns this meeting.
Action

Purpose:

No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time. This action will conclude the meeting.

Motion & Voting

The recommendation is that the Board of Education adjourns this meeting.

Motion by Diego Torres, second by Katherine Jones.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Diego Torres, Carina V Plancarte

1 CALL TO ORDER

Meeting Practices and Information

Type Procedural

In-person Meeting Information:

NUSD has opened its boardroom for in-person meetings and will follow the State's and Alameda County's safety guidelines for public gatherings. Please refrain from attending in-person meetings if you have any of the following symptoms:

- Loss of taste/smell
- Difficulty breathing
- Vomiting
- Diarrhea
- Fever
- Cough
- Headache
- Sore Throat
- Runny Nose

For additional COVID-19 information please go to <https://www.newarkunified.org/covid-19> or <https://www.acoe.org/guidance>

Observe The Board Of Education Meeting:

Members of the public 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.

Public Comment:

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLI COMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLI COMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

Roll Call

Type Procedural

Trustees:

President Nancy Thomas
Vice President/Clerk Aiden Hill
Member Katherine Jones
Member Phuong Nguyen
Member Carina V. Plancarte

Student Board Member:

Member Diego Torres

Public Comment on Closed Session Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and tries to make it convenient for members of the community to express their views to the Board.

If a constituent wishes to address the Board on any agenda item:

In-Person Comment: please submit a completed speaker card to the Board's Executive Assistant before the start of the meeting, or prior to the calling of the section for public comment.

Audio-Only Virtual Comment: please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org by 1:00 PM the day of the meeting. Please label your email as "AUDIO-ONLY PUBLIC COMMENT" and include your name as it will appear on Zoom, your phone number, email address, and the agenda item number related to your comment.

Please see detailed instructions for public comment on the link: <http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

Recess to Closed Session

Type Procedural

Purpose:

The Board will recess to Closed Session, and reconvene to Open Session on or about 7:00 p.m.

2 CLOSED SESSION

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE (Gov. Code, 54957, subd. (b)(1))

Type Action, Information, Procedural

Purpose:

Information will be provided by the Superintendent and Executive Director of Human Resources.

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a): Employee Organizations - NTA and CSEA

Type Action, Information, Procedural

Purpose:

Information may be provided by the agency negotiator, Executive Director of Human Resources. Assistance from the legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided.
The employee organizations include NTA & CSEA.

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a)): Employee Group - NEWMA, Unrepresented Supervisors, and Contracted Management

Type Action, Discussion, Procedural

Purpose:

Information may be provided by the agency negotiator, the Executive Director of Human Resources, and the Superintendent. Assistance from legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided.
The employee organizations include NEWMA, Unrepresented Supervisors, and Contracted Management

CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION Significant exposure to litigation pursuant to Gov. Code, 54956.9, subd. (d)[(2) or (3)]

Type Action, Discussion, Procedural

Purpose:

Information may be provided regarding significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9:

One case

PUBLIC EMPLOYMENT (Gov. Code, 54957, subd. (b)(1) Titles: Assistant Superintendent of Educational Services and Chief Business Official

PUBLIC EMPLOYMENT (Gov. Code, 54957, subd. (b)(1) Title: Superintendent

3 REPORT OF CLOSED SESSION ACTIONS

Report of Closed Session Actions

Type Action, Procedural

Purpose:
If available, a report of the closed session will be provided by the Board President.

4 RECONVENE TO OPEN SESSION

Pledge of Allegiance

Type Procedural

Purpose:
The Governance Team will recite the Pledge of Allegiance

5 APPROVAL OF AGENDA

Approval of the Agenda

Type Action
Recommended The recommendation is that the Board of Education approve the agenda for this meeting.
Action

Purpose:
Members of the Governance Team may request that the agenda be amended or approved as presented.

Motion & Voting
The recommendation is that the Board of Education approve the agenda for this meeting removing 12.5.
Motion by Aiden Hill, second by Katherine Jones.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Diego Torres, Carina V Plancarte

6 STUDENT REPORT

Student Reports from Newark Junior High School, Alternative Education, and Newark Memorial High School

Type Information

Purpose:
At regular Board of Education meetings, a spokesperson of each secondary school may make a brief presentation. Discussion items may include updates, celebrations, and upcoming events.
1. Newark Junior High School
2. Alternative Education
3. Newark Memorial High School

7 RECOGNITIONS AND CELEBRATIONS

Staff Spotlight

Type Information

Purpose:
To recognize the wonderful accomplishments of our NUSD Team.

Background:
The presentation will be provided by the Superintendent.

8 EMPLOYEE ORGANIZATIONS

Employee Organizations

Type Information

Purpose:

At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Background:

Discussion items are limited to updates, celebrations, and upcoming events.

1. NTA
2. CSEA
3. NEWMA

9 PUBLIC COMMENT

Public Comment on Non-Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and tries to make it convenient for members of the community to express their views to the Board.

If a constituent wishes to address the Board on any agenda item:

In-Person Comment: please submit a completed speaker card to the Board's Executive Assistant before the start of the meeting, or prior to the calling of the section for public comment.

Audio-Only Virtual Comment: please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org by 1:00 PM the day of the meeting. Please label your email as "AUDIO-ONLY PUBLIC COMMENT" and include your name as it will appear on Zoom, your phone number, email address, and the agenda item number related to your comment.

Please see detailed instructions for public comment on the link: <http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

Public Comment on Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and tries to make it convenient for members of the community to express their views to the Board.

If a constituent wishes to address the Board on any agenda item:

In-Person Comment: please submit a completed speaker card to the Board's Executive Assistant before the start of the meeting, or prior to the calling of the section for public comment.

Audio-Only Virtual Comment: please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org by 1:00 PM the day of the meeting. Please label your email as "AUDIO-ONLY PUBLIC COMMENT" and include your name as it will appear on Zoom, your phone number, email address, and the agenda item number related to your comment.

Please see detailed instructions for public comment on the link: <http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

10 SUPERINTENDENT REPORT

Superintendent Report

Type Information

Purpose:

The interim superintendent will provide the Board of Education with district information, updates, news, or anything in the jurisdiction of the board or the superintendent.

Background:

The presentation and information will be provided by the Interim Superintendent

11 NEW BUSINESS

VERBAL SUMMARY of Financial Terms of Superintendent's Employment Agreement

Type Procedural

Purpose:

For the Board to provide a verbal summary of the financial terms of the Superintendent's employment agreement.

Background:

The District will consider approving an Employment Agreement for Dr. Penelope DeLeon to serve as the Superintendent of the Newark Unified School District. The Agreement for the Superintendent will commence on May 15, 2023 and terminate on June 30, 2026. A summary of the financial terms are as follows:

1. The base salary of the Superintendent will be \$270,000 based upon a 225-day work year.
2. The Superintendent will be eligible to purchase and participate in the health insurance benefit plan that is provided to other certificated administrative employees of the District.
3. The District will pay the cost of the Superintendent's annual membership dues in the Association of California School Administrators, the Association of American School Administrators and the California Association of Latino School Administrators.
4. The District will reimburse the Superintendent for the cost of moving her household to Alameda County up to \$10,000, provided the move is accomplished no later than June 30, 2024.

CONTRACT: Superintendent Employment Agreement

Type	Action, Discussion
Fiscal Impact	Yes
Dollar Amount	\$285,000.00
Budget Source	General Fund
Recommended Action	The recommendation is that the Board of Education approves the contract with Penelope DeLeon to serve as Superintendent.

Purpose: Review, discussion and approval of the Superintendent's Employment Agreement.

Background: The District engaged the services of Leadership Associates to obtain community input, to consider direction from the Board, and to conduct a search for the District's next Superintendent. After this process, the Board of Education selected Dr. Penelope DeLeon. The term of the Agreement is effective May 15, 2023 through June 30, 2026.

File Attachments
Superintendent Contract_Penelope DeLeon.pdf (140 KB)

Motion & Voting
The recommendation is that the Board of Education approves the contract with Penelope DeLeon to serve as Superintendent.
Motion by Aiden Hill, second by Katherine Jones.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte
Abstain: Diego Torres

POLICY UPDATE: Board Policy 5126 and Administrative Regulation 5126 - Awards For Achievement

Type	Action, Procedural
Fiscal Impact	No
Budgeted	No
Recommended Action	The recommendation is that the Board of Education approve the updated Board Policy 5126 and Administrative Regulation 5126 - Awards For Achievement

Purpose: The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation.

Background: This is the first reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a second reading.
Board Policy 5126 - Awards For Achievement
The NUSD board policy has not been revised since 2015. The language has been replaced to match the sample board policy provided by the California School Board Association.
Administrative Regulation 5126 - Awards For Achievement
The NUSD administrative regulation has not been revised since 2015. The language has been replaced to match the sample board policy provided by the California School Board Association.
Language from the guide sheet provided by CSBA are as follows:
BP/AR 5126 - Awards for Achievement (12/20)
(BP/AR revised 12/20)
Policy updated to add optional language for the presentation of biliteracy awards to students who are English learners upon their reclassification as fluent English proficient. New optional section on "State Seal of Civic Engagement" addresses awards for students who have demonstrated excellence in civics education and participation and an understanding of the U.S. Constitution, the California Constitution, and the democratic system of government. Policy also clarifies that a district committee established by the board to administer a scholarship and loan fund is subject to the open meeting requirements of the Brown Act. Regulation updated to add eligibility criteria for the Golden State Seal Merit Diploma which had been removed while the criteria were in flux. Regulation also adds eligibility criteria for the State Seal of Biliteracy and reflects NEW LAW (SB 98, 2020) which authorizes the

Superintendent of Public Instruction to provide alternative criteria for students on track to graduate in 2020 or 2021 who were not able to take the English Language Proficiency Assessments for California or who did not receive a letter grade in English language arts due to COVID-19, and waives the requirement to take the California Assessment of Student Performance and Progress for students who were not able to take the exam. New section on "State Seal of Civic Engagement" includes eligibility criteria, clarifies that the state criteria establish a framework for the development of qualifications based on local contexts, and adds material regarding the provision of insignias.

(BP/AR revised 4/15)

Updated policy, mandated for districts that maintain a scholarship and loan fund, includes material formerly in AR re: board responsibilities related to the scholarship and loan fund. Material related to selection of the scholarship and loan committee revised to delegate to the Superintendent the appointment of staff, community, and student representatives. Updated regulation deletes detailed eligibility criteria for the Golden State Seal Merit Diploma and State Seal of Biliteracy, as these criteria are in transition.

(BP/AR revised 3/12)

Policy updated to reflect NEW LAW (AB 815) which establishes a State Seal of Biliteracy to recognize high school graduates who have attained a high level of proficiency in one or more languages in addition to English. Policy also contains optional language for districts that choose to provide "pathway awards" recognizing benchmarks toward biliteracy at earlier grade levels.

MANDATED regulation updated to reflect eligibility criteria and other requirements for State Seal of Biliteracy as added by AB 815. Regulation also adds optional general rules governing student applications for the district's scholarship and loan fund and optional notifications to inform students of eligibility requirements for various awards.

(Revise BP/AR (3/09))

Updated policy clarifies the purpose and process of awarding the Golden State Seal Merit Diploma, and adds new optional section on "Biliteracy Award" to recognize student proficiency in one or more languages in addition to English. MANDATED regulation updated to revise section on "Golden State Seal Merit Diploma" to specifically state the eligibility requirements and add submission of insignia request to the CDE. Regulation also includes new optional section on "Biliteracy Award" with sample eligibility criteria.

File Attachments

- [Existing NUSD AR 5126 Awards For Achievement.pdf](#) (67 KB)
- [Existing NUSD BP 5126 Awards For Achievement.pdf](#) (66 KB)
- [CSBA Recommended AR 5126_ Awards For Achievement 05-04-2023.pdf](#) (136 KB)
- [CSBA Recommended BP 5126_ Awards For Achievement 05-04-2023.pdf](#) (102 KB)
- [Full CSBA Recommended BP 5126 Awards For Achievement.pdf](#) (243 KB)
- [Full CSBA Recommended AR 5126 Awards For Achievement.pdf](#) (325 KB)

Motion & Voting

The recommendation is that the Board of Education approve the updated Board Policy 5126 and Administrative Regulation 5126 - Awards For Achievement

Motion by Phuong Nguyen, second by Carina V Plancarte.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Diego Torres, Carina V Plancarte

Resolution No. 2022.23.29 Day of the Teacher

Type	Action
Absolute Date	May 04, 2023
Recommended	The recommendation is that the Board of Education adopt Resolution No. 2022.23.29 Day of
Action	the Teacher.

Purpose:
The purpose of this item is to adopt Resolution No. 2022.23.29 recognizing Day of the Teacher, May 10, 2023.

Background:
Newark teachers continue to provide outstanding instruction and learning opportunities for each Newark student. Students, parents, administrators, and the Board of Education appreciate the efforts of our credentialed instructional staff. Newark teachers are dedicated professionals who commit long hours beyond the school day in the interest of our students. Our teachers continue to study and prepare themselves to provide for the success of all of our students. Resolution No. 2022.23.29 acknowledges the contributions of the District's certificated employees.

- File Attachments**
- [Res. No. 2022.23.29 Day of the Teacher.pdf](#) (33 KB)

Motion & Voting
The recommendation is that the Board of Education adopt Resolution No. 2022.23.29 Day of the Teacher.

Motion by Katherine Jones, second by Aiden Hill.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Diego Torres, Carina V Plancarte

Resolution No. 2022.23.30 Classified School Employees Week

Type	Action
Absolute Date	May 04, 2023
Recommended	The recommendation is that the Board of Education adopt Resolution No. 2022.23.30
Action	Classified School Employees Week.

Purpose:

The purpose of this item is to adopt Resolution No. 2022.23.30 recognizing Classified School Employees Week, May 21-27, 2023.

Background:

Classified employees continue to provide valuable services to support the district's mission to ensure success for all students. The valuable contributions of our dedicated classified support staff have a broad impact on students, classrooms, offices, maintenance, grounds, cafeterias, and other support areas. This year, the week of May 21-27 has been designated as Classified Employees Week. Classified employees provide support to both students and staff in the Newark Unified School District. Students, teachers, administrators, and the Board of Education appreciate their efforts. Resolution No. 2022.23.30 acknowledges the contributions of the District's classified employees.

File Attachments

Res. No. 2022.23.30 Classified Employees Week.pdf (34 KB)

Motion & Voting

The recommendation is that the Board of Education adopt Resolution No. 2022.23.30 Classified School Employees Week.

Motion by Phuong Nguyen, second by Carina V Plancarte.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Diego Torres, Carina V Plancarte

CONTRACT: Rodan Builders, Inc.- Phase 2 HVAC Replacement Project at Birch Grove Primary, Coyote Hills Elementary, Kennedy Elementary

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$175,080.00
Budgeted	Yes
Budget Source	Fund 25 Capital Facilities Fund
Recommended Action	The recommendation is that the Board of Education reject all bids and award the contract for Phase 2 HVAC Replacement Project at Birch Grove Primary, Coyote Hills Elementary and Kennedy Elementary to Rodan Builders, Inc. as presented.

Purpose:

To authorize district staff to award a contract to Rodan Builders, Inc. for the Phase 2 HVAC Replacement Project at Birch Grove Primary, Coyote Hills and Kennedy.

Background:

The Phase 2 HVAC replacement project at BGP (1 unit), Kennedy (2 units) and Coyote Hills (2 units) will replace a total of 5 units. This will be the last phase of this project.

On February 17, 2022, the Board of Trustees reviewed the preliminary budget for the Phase 2 projects in the amount of \$2,431,193. Since that time, there has been a dramatic increase in the cost of HVAC equipment which was ordered in March 2022. All HVAC units have been delivered for the elementary school projects. Other impacts that have increased costs include escalation and smaller scale of scope. Prior HVAC projects have had more units in each bid package which provided an economy of scale. As we reach the end of the HVAC projects, there are fewer units that need to be installed.

To provide opportunities to smaller contractors, separate bid packages were created for each school.

The project has undergone a competitive bidding process. A Notice to Bidders was placed in Plan Rooms on March 17, 2023. A mandatory pre-bid conference occurred on March 23, 2023 where two (2) contractors attended. Bids were publicly opened on April 4, 2023.

On April 4, 2023, one (1) bid was received from Trahan Mechanical, for each school, for a total of \$280,600:

Trahan Mechanical	
Birch Grove Primary	\$102,400
Coyote Hills	\$75,700
Kennedy	\$102,500
Total	\$280,600

Per the California Uniform Public Construction Cost Accounting Act (CUPCAA), the District may negotiate contracts if less than or equal to \$60,000 per project. Other contractors were solicited with the following results:

Rodan Builders, Inc.	
Birch Grove Primary	\$59,600
Coyote Hills	\$56,190
Kennedy	\$59,290
Total	\$175,080

Rodan Builders' price provides significant savings to the District. Staff recommends rejecting all bids and awarding to Rodan Builders, Inc.

The action items are:

The Board reject all bids for the BGP, Coyote Hills and Kennedy HVAC Phase 2 projects opened on April 4, 2023.

The Board award contracts to Rodan Builders, Inc. in the amounts of \$59,600 at BGP, \$56,190 at Coyote Hills and \$59,290 at Kennedy for a total of \$175,080.

File Attachments

Bid Results - Birch Grove Primary HVAC Units Replacement - Phase 2.pdf (35 KB)

Bid Results - Coyote Hills ES HVAC Units Replacement - Phase 2.pdf (35 KB)

Bid Results - Kennedy ES HVAC Units Replacement - Phase 2.pdf (35 KB)

Rodan Proposal.pdf (339 KB)

Motion & Voting

The recommendation is that the Board of Education reject all bids and award the contract for Phase 2 HVAC Replacement Project at Birch Grove Primary, Coyote Hills Elementary and Kennedy Elementary to Rodan Builders, Inc. as presented.

Motion by Nancy Thomas, second by Phuong Nguyen.

Final Resolution: Motion Carries

CONTRACT: Saboo, Inc. - Bid Award for Phase 2 HVAC Replacement Project at Newark Memorial High School

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$1,189,000.00
Budgeted	Yes
Budget Source	Fund 25 Capital Facilities Fund
Recommended	The recommendation is that the Board of Education award a contract to Saboo, Inc for the
Action	Phase 2 HVAC Replacement Project at Newark Memorial High School as presented.

Purpose:
To authorize staff to award a contract to Saboo, Inc. for the Phase 2 HVAC Replacement Project at Newark Memorial High School (NMHS).

Background:
The Phase 2 HVAC Replacement Project at NMHS includes replacement of thirty-one (31) HVAC units. This will be the last phase of this project. On February 17, 2022, the Board of Trustees reviewed the preliminary budget for the Phase 2 projects in the amount of \$2,431,193. Since that time, there has been a dramatic increase in the cost of HVAC equipment which was ordered in March 2022. We are still waiting for some of the HVAC units for this project to be delivered. Other impacts that have increased costs include escalation, smaller scale of scope and Division of the State Architect (DSA) added requirements. Prior HVAC projects have had more units in each bid package which provided an economy of scale. As we reach the end of the HVAC projects, there are fewer units that need to be installed. During the review and approval process with DSA, the addition of anchor posts on the roof for safety was required, which increased the cost of the project. The project has undergone a competitive bidding process. A Notice to Bidders was publicly advertised in the Argus Newspaper on March 3, 2023, and March 10, 2023. Mandatory pre-bid conferences occurred on March 8 and 15 where five (5) contractors attended. Bids were publicly opened on April 4, 2023. On April 4, 2023, two (2) bids were received. The lowest base bid price is \$1,149,000 and there is an allowance of \$40,000 for a total base bid amount of \$1,189,000. This action item is: Subject to DSA approval, authorize staff to award the contract to the lowest, responsive bidder Saboo, Inc. in the amount of \$1,189,000.

File Attachments
[Bid Results_Newark Memorial HS Units Replacement - Phase 2_04042023.pdf](#) (94 KB)

Motion & Voting
The recommendation is that the Board of Education award a contract to Saboo, Inc for the Phase 2 HVAC Replacement Project at Newark Memorial High School as presented.
Motion by Phuong Nguyen, second by Katherine Jones.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Diego Torres, Carina V Plancarte

CONTRACT: Grade Tech, Inc. - Bid Award for the Birch Grove Primary (BGP) Parking Lot Project

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$704,701.00
Budgeted	Yes
Budget Source	Fund 25 Capital Facilities Fund
Recommended	The recommendation is that the Board of Education award the contract to Grade Tech, Inc. for
Action	the Birch Grove Primary Parking Lot Project.

Purpose:
To authorize staff to award the Birch Grove Primary (BGP) Parking Lot Project to the lowest, responsible and responsive bidder, Grade Tech, Inc. The Project includes paving, concrete, fencing, landscaping, vehicle gates, sealcoat and striping.

Background:
On January 19, 2023, the Board of Trustees reviewed the preliminary budget for the project in the amount of \$841,631. Since that time, the Division of the State Architect (DSA) required changes in the plans to include modifications in accessible parking space path and crosswalk, and additional asphalt paving in the bicycle parking area as requested by the site. The project has undergone a competitive bidding process. A Notice to Bidders was publicly advertised in the Argus Newspaper on March 24, 2023, and March 31, 2023. Mandatory pre-bid conferences occurred on April 4, 2023 where nine (9) contractors attended. Bids were publicly opened on April 19, 2023. On April 19, 2023, five (5) bids were received. The lowest base bid price is \$679,701 and there is an allowance of \$25,000 for a total base bid amount of \$704,701. This project received approval from the Division of the State Architect on April 20, 2023. This action item is: To authorize staff to award the contract to the lowest, responsible and responsive bidder, Grade Tech, Inc. in the amount of \$704,701.

File Attachments
[Bid Results - Birch Grove Primary - Parking Lot.2.pdf](#) (114 KB)

Motion & Voting
The recommendation is that the Board of Education award the contract to Grade Tech, Inc. for the Birch Grove Primary Parking Lot Project.

Motion by Phuong Nguyen, second by Katherine Jones.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Diego Torres, Carina V Plancarte

CONTRACT: Smelly Mel's Plumbing, Inc. - Bid Award for the Water Filling Stations Project

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$63,600.00
Budget Source	Fund 25 Capital Facilities Fund
Recommended Action	The recommendation is that the Board of Education approve the contract for Smelly Mel's Plumbing, Inc. to install the Water Filling Stations at all school sites and the District Office.

Purpose:
To authorize staff to award the Water Filling Stations Project at all school sites and the District Office to the lowest, responsible and responsive bidder, Smelly Mel's Plumbing, Inc. The Project includes replacement of fourteen (14) drinking fountains with water filling stations:

- Newark Memorial High School 2 units
- Newark Junior High School 2 units
- Birch Grove Primary 1 unit
- Birch Grove Intermediate 1 unit
- Coyote Hill Elementary 2 units (one donated)
- Kennedy Elementary 1 unit
- Lincoln Elementary 1 unit
- Schilling Elementary 2 units (one donated)
- Bridgeport High School 1 unit
- District Office 1 unit (donated)

Background:
On December 5, 2022, the Board of Trustees reviewed the preliminary budget for the Water Filling Stations project in the amount of \$169,125. Since that time, the procurement of eleven (11) water filling stations is in progress and delivery is expected by mid-May. The cost of the water stations was \$14,327.
The project has undergone a competitive informal bidding process for the installation of the water stations. A Notice to Bidders was placed in plan rooms on April 11, 2023. A mandatory pre-bid conference occurred on April 18, 2023 where four (4) contractors attended. Bids were publicly opened on April 26, 2023.
On April 26, 2023, four (4) bids were received. The base bid price is \$48,600 and there is an allowance of \$15,000 for a total base bid amount of \$63,600.
The total cost of the equipment and installation is \$77,927 which is \$27,373 below budget.

File Attachments
[Water Filling Stations Bid Opening_4-26-2023.pdf](#) (203 KB)

Motion & Voting
The recommendation is that the Board of Education approve the contract for Smelly Mel's Plumbing, Inc. to install the Water Filling Stations at all school sites and the District Office.
Motion by Katherine Jones, second by Phuong Nguyen.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Diego Torres, Carina V Plancarte

12 CONSENT AGENDA: PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type	Action
Recommended Action	It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent-Personnel, except for agenda items:

Purpose:
This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:
Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Motion & Voting
It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent-Personnel, except for agenda items: 12.5.
Motion by Phuong Nguyen, second by Katherine Jones.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte
Abstain: Diego Torres

Personnel Report

Type Action
Absolute Date May 04, 2023
Recommended The recommendation is that the Board of Education ratify the personnel report as presented.
Action

Purpose:
The purpose is for the Board of Education to ratify the Personnel Report as presented.

Background:
All personnel activities including new hires, changes in status, resignation, leaves, and retirements are routinely submitted to the Board for ratification.

File Attachments
HR PAL 05-04-2023.pdf (160 KB)

Motion & Voting
The recommendation is that the Board of Education ratify the personnel report as presented.
Motion by Phuong Nguyen, second by Katherine Jones.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte
Abstain: Diego Torres

Memorandum of Understanding between CSEA and NUSD: Job Descriptions and Employee Placement

Type Action
Absolute Date May 04, 2023
Budgeted Yes
Recommended The recommendation is that the Board of Education approve the Memorandum of
Action Understanding between CSEA and NUSD regarding revised and new job descriptions,
positions, and employee placement.

Purpose:
The purpose is for the Board of Education to approve the Memo of Understanding (MOU) between CSEA and NUSD regarding revised and new job descriptions, positions, and employee placement.

Background:
School Services of California (SSC) conducted an organizational review of the Human Resources (HR) department and presented their findings and recommendations to the Board of Education on October 14, 2022. The recommendations included the restructuring of the HR department to create a comprehensive distribution of duties among management, technical, and clerical support positions in the department. Specifically, the recommendation was to eliminate two management positions (HR Classified Manager and HR Certificated Manager) and create two classified positions (HR Generalist and HR Technician). The attached MOU between the district and CSEA reflects these recommendations, as well as addresses the reclassification of the Substitute Placement Clerk to Clerk, Human Resources and HR Secretary I to District Office Staff Secretary, Bilingual. The 2023-24 salary including burdens is as follows:
District Office Staff Secretary I, Bilingual = \$74,000
Clerk, HR = \$76,000
Generalist, HR = \$84,000
Technician, HR = \$95,000

Approval of this agenda item will encompass approval of the new job descriptions and associated vacancies for those positions. Additionally, it will include the approval of the revised job description and placement of the employee in the Clerk, HR position.

File Attachments
Signed MOU_CSEA_job descriptions.pdf (1,512 KB)

Motion & Voting
The recommendation is that the Board of Education approve the Memorandum of Understanding between CSEA and NUSD regarding revised and new job descriptions, positions, and employee placement.
Motion by Phuong Nguyen, second by Katherine Jones.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte
Abstain: Diego Torres

2022-23 and 2023-24 NTA Salary Schedules

Type Action, Discussion
Recommended The recommendation is that the Board of Education ratify the 2022-23 and 2023-24 NTA
Action Salary Schedules effective July 1, 2022, July 1, 2023 and January 1, 2024.

Purpose:
For the Board of Education to ratify the 2022-23 and 2023-24 NTA (Newark Teacher Association) Salary Schedules effective July 1, 2022, July 1, 2023 and January 1, 2024.

Background:

On April 20, 2023 the Board ratified the agreement between the District and NTA which included the following increase in compensation:
2022-2023 School Year: Effective July 1, 2022, all NTA bargaining unit salary schedules shall be increased by 10%.
2023-2024 School Year: Effective July 1, 2023 all NTA bargaining unit salary schedules shall be increased by 2%. Effective January 1, 2024 all NTA bargaining unit salary schedules shall be increased by 4%.

File Attachments

- NTA ALL 22-23 10 prcnt approved 04.20.23.pdf (118 KB)
- NTA ALL 23-24a 2 prcnt approved 04.20.23.pdf (121 KB)
- NTA ALL 23-24b 4 prcnt approved 04.20.23.pdf (121 KB)

Motion & Voting

The recommendation is that the Board of Education ratify the 2022-23 and 2023-24 NTA Salary Schedules effective July 1, 2022, July 1, 2023 and January 1, 2024.

Motion by Phuong Nguyen, second by Katherine Jones.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte
Abstain: Diego Torres

CONTRACT RENEWAL: Assistant Superintendent of Educational Services

Type Action
Recommended Action The recommendation is that the Board of Education approve the contract renewal for the Assistant Superintendent of Educational Services.

Purpose:
The purpose of this item is for the Board of Education to approve the contract renewal of the Assistant Superintendent of Educational Services.

Background:
The original contract for the Assistant Superintendent of Educational Services is set to expire June 30, 2023. This Addendum and Amendment #2 will expand the term by one additional year, as well as provide new language for salary and educational stipends.

File Attachments

- Assistant Superintendent Contract 03.2021-signed.pdf (269 KB)
- (CORRECTED) Addendum and Amendment #1 to Assistant Superintendent Agreement 8.18.2022.pdf (15 KB)
- Assistant Superintendent Addendum #2 5.4.23.pdf (14 KB)

13 CONSENT AGENDA: NON-PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type Action
Recommended Action It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent Non-Personnel, except for agenda items:

Purpose:
This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:
Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Motion & Voting

It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent Non-Personnel, except for agenda items: 13.4.
Motion by Phuong Nguyen, second by Carina V Plancarte.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Diego Torres, Carina V Plancarte

CONTRACT AMENDMENT: Ratcliff Architects for Phase 2 HVAC Project at Newark Jr High School

Type Action
Fiscal Impact Yes
Dollar Amount \$10,840.00
Budgeted Yes
Budget Source Fund 25 Capital Facilities Fund
Recommended Action The recommendation is that the Board of Education approve Amendment 2 to the Contract with Ratcliff Architects for the HVAC Project at Newark Jr High School.

Purpose:
To approve an amendment (2) to the agreement with Ratcliff Architects to provide ceiling replacement and lighting mounting details, and coordination at NJHS G7 & G8 for above ceiling mounted heat pumps and related ductwork as required by the Division of the State Architect

(DSA) for the Newark Junior High School Heating Ventilation and Air Conditioning Project.

Background:

On December 16, 2021, the Board of Trustees approved a contract with Ratcliff Architects to develop Phase 2 HVAC plans and specification for Division of the State Architect (DSA) approval for five (5) units at elementary schools, nine (9) units at NJHS and thirty-one (31) units at NMHS.

On February 2, 2023, the Board of Trustees approved an amendment (1) with Ratcliff Architects for DSA required anchor posts on the roof for safety at NJHS and NMHS in the amount of \$26,740 for a total contract amount of \$253,456.

At Newark Junior High School in rooms G7 & G8, the ceiling and lighting needs to be replaced due to the replacement of ductwork for the heat pumps. Ratcliff and their electrical engineer have performed this work in order to receive timely DSA approval for the project. This amendment (2) increases the contract by \$10,840. The new contract amount will be \$264,296.

File Attachments

- [NewarkUSD-HVAC Ph2_AmendmentToAgreement_AddSvc2_230417.pdf](#) (101 KB)
- [NewarkUSD-HVAC Ph2_Add Service 02_230417_DW-signed.pdf](#) (526 KB)

Motion & Voting

The recommendation is that the Board of Education approve Amendment 2 to the Contract with Ratcliff Architects for the HVAC Project at Newark Jr High School.

Motion by Phuong Nguyen, second by Carina V Plancarte.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Diego Torres, Carina V Plancarte

CONTRACT AMENDMENT: Gelfand Partners Architects for Coyote Hills Elementary School Fence Project

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$8,800.00
Budget Source	Fund 25 Capital Facilities Fund
Recommended Action	The recommendation is that the Board of Education approve the Amendment to the Contract with Gelfand Partners Architects for the Coyote Hills Elementary School Fence Project.

Purpose:

To approve an amendment to the agreement with Gelfand Partners Architects to provide structural details at grade beam, as required by the Division of the State Architect (DSA) for the Coyote Hills Fence Project.

Background:

On August 18, 2021, the Board of Trustees approved a contract with Gelfand Partners Architects to develop plans and specifications for Division of the State Architect (DSA) approval for ornamental fencing at Coyote Hills in the amount of \$40,309.

In December 2022, approval for amendment (1) with Gelfand Partners Architects for DSA required structural footing details due to unforeseen underground utilities in the amount of \$4,125 for a total contract amount of \$44,434.

During construction a grade beam was discovered at the MPR (Multi-Purpose Room) which was not shown in the original as-built drawings of the building. Gelfand Partners Architects and their structural engineer have provided structural footing details in order to receive timely DSA approval for the project and complete the installation of the project during Spring Break.

This amendment (2) increases the contract by \$8,800. The new contract amount will be \$53,234.

File Attachments

- [Gelfand Coyote Hills MOD 2.pdf](#) (448 KB)

Motion & Voting

The recommendation is that the Board of Education approve the Amendment to the Contract with Gelfand Partners Architects for the Coyote Hills Elementary School Fence Project.

Motion by Phuong Nguyen, second by Carina V Plancarte.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Diego Torres, Carina V Plancarte

CONTRACT AMENDMENT: RGM Kramer General Planning Services Agreement

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$88,030.00
Budget Source	Fund 25 Capital Facilities Fund
Recommended Action	The recommendation is that the Board of Education approve Amendments 1 and 2 to the General Planning Services Agreement with RGM Kramer, Inc.

Purpose:

To approve the contract Amendment 1 and Amendment 2 to RGM Kramer's General Planning Services Agreement. Amendment 1 is for construction management services for the Birch Grove Primary Parking Lot Project and Amendment 2 is for construction management services for the Water Bottle Filling Stations Project.

Background:

On December 5, 2022 the Board approved the General Planning Services Agreement for RGM Kramer. The basic scope of services for the planning phase of the projects does not include construction management services. The purpose of the amendments is to add the construction management phase of the project once the project has gone out to bid and a contractor has been determined.

Amendment 1- Construction Management Services for the BGP Parking Lot Project

On January 19, 2023 the Board approved the Birch Grove Primary Parking Lot Project and preliminary budget. At this Board meeting (5/4/23), the Bid Award for the Birch Grove Primary Parking Lot Project is being presented for Board approval. With the approval of the bid award, an amendment for construction management services for the Birch Grove Primary Parking Lot Project is presented here. The amount for Amendment 1 is \$45,000 which is in line with the preliminary budget that was approved by the Board.

Amendment 2- Construction Management Services for the Water Filling Stations Project

On December 5, 2022 the Board approved the Water Filling Stations Project and preliminary budget. At this Board meeting (5/4/23), the Bid Award for the installation of Water Filling Stations is being presented for Board approval. With the approval of the bid award, an amendment for construction management services for the Water Filling Stations Project is presented here. The amount for Amendment 2 is \$43,030 which is in line with the preliminary budget that was approved by the Board.

File Attachments

- [RGM Kramer Planning Services Agreement fully executed.pdf](#) (353 KB)
- [RGMK Amendment 1- BGP Parking Lot CM Services 23 05 04 R.pdf](#) (27 KB)
- [RGMK Amendment 2- Water Stations CM Services 23 05 04 R.pdf](#) (27 KB)

Motion & Voting

The recommendation is that the Board of Education approve Amendments 1 and 2 to the General Planning Services Agreement with RGM Kramer, Inc.

Motion by Phuong Nguyen, second by Katherine Jones.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Diego Torres, Carina V Plancarte

FIELD TRIP: Non-Curricular Trip for Coyote Hills Elementary Third Grade Class to travel to Newark, CA

Type	Action
Preferred Date	May 04, 2023
Absolute Date	May 18, 2023
Fiscal Impact	No
Budget Source	N/A
Recommended Action	The recommendation is that the Board of Education approve the non-curricular trip for Coyote Hills Elementary (third grade class) to Newark, CA (Mayhews Landing).

Purpose:

The Coyote Hills Elementary Principal requests permission to take Coyote Hills Elementary third graders on a non-curricular trip to Newark, CA. This will be a walking field trip for an End of Year culmination of Third Grade.

School: Coyote Hills Elementary

Dates: May 25, 2023

Location: Newark, CA (Mayhews Landing)

Additional requirements include the following:

Grade K-3, one adult for every 5-8 students; Grades 4-12, one adult for every 10 students; Board Policy requires at least two adults on every trip regardless of the number of students (BP 6153 and AR 6153)

No student will be denied due to a lack of funds

Background:

According to Board Policy 6153, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. Coyote Hills Elementary Principal requests permission to take Coyote Hills Elementary Third Grade Class on a non-curricular trip to Newark, CA.

Motion & Voting

The recommendation is that the Board of Education approve the non-curricular trip for Coyote Hills Elementary (third grade class) to Newark, CA (Mayhews Landing).

Motion by Phuong Nguyen, second by Carina V Plancarte.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Diego Torres, Carina V Plancarte

FIELD TRIP: Non-Curricular Trip for Coyote Hills Elementary Transitional Kinder Grade Class to travel to Newark, CA

Type	Action
Preferred Date	May 04, 2023
Absolute Date	May 18, 2023
Fiscal Impact	No
Budget Source	N/A
Recommended Action	The recommendation is that the Board of Education approve the non-curricular trip for Coyote Hills Elementary transitional kindergarten class to Newark, CA (Mayhews Landing).

Purpose:

The Coyote Hills Elementary Principal requests permission to take Coyote Hills Elementary transitional kindergarten class on a non-curricular trip to Newark, CA. This will be a walking field trip for a celebration for end of the year picnic.

School: Coyote Hills Elementary

Dates: May 25, 2023

Location: Newark, CA (Mayhews Landing)

Additional requirements include the following:

Grade K-3, one adult for every 5-8 students; Grades 4-12, one adult for every 10 students; Board Policy requires at least two adults on every trip regardless of the number of students (BP 6153 and AR 6153)

No student will be denied due to a lack of funds

Background:

According to Board Policy 6153, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. Coyote Hills Elementary Principal requests permission to take Coyote Hills Elementary Transitional Kindergarten Class on a non-curricular trip to Newark, CA.

Motion & Voting

The recommendation is that the Board of Education approve the non-curricular trip for Coyote Hills Elementary transitional kindergarten class to Newark, CA (Mayhews Landing).

Motion by Phuong Nguyen, second by Carina V Plancarte.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Diego Torres, Carina V Plancarte

FIELD TRIP: Non-Curricular Trip for Coyote Hills Elementary Fifth Grade Class to travel to Newark, CA

Type Action

Preferred Date May 04, 2023

Absolute Date May 18, 2023

Fiscal Impact No

Budget Source N/A

Recommended The recommendation is that the Board of Education approve the non-curricular trip for Coyote

Action Hills Elementary fifth grade class to Newark, CA (Mayhews Landing).

Purpose:

The Coyote Hills Elementary Principal requests permission to take Coyote Hills Elementary fifth graders on a non-curricular trip to Newark, CA. This will be a walking field trip for a celebration for end of elementary school & Fifth Grade.

School: Coyote Hills Elementary

Dates: May 24, 2023

Location: Newark, CA (Mayhews Landing)

Additional requirements include the following:

Grade K-3, one adult for every 5-8 students; Grades 4-12, one adult for every 10 students; Board Policy requires at least two adults on every trip regardless of the number of students (BP 6153 and AR 6153)

No student will be denied due to a lack of funds

Background:

According to Board Policy 6153, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. Coyote Hills Elementary Principal requests permission to take Coyote Hills Elementary Fifth Grade Class on a non-curricular trip to Newark, CA.

Motion & Voting

The recommendation is that the Board of Education approve the non-curricular trip for Coyote Hills Elementary fifth grade class to Newark, CA (Mayhews Landing).

Motion by Phuong Nguyen, second by Carina V Plancarte.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Diego Torres, Carina V Plancarte

FIELD TRIP: Non-Curricular Trip for Coyote Hills Elementary Third and Fourth Class to travel to Newark, CA

Type Action

Preferred Date May 04, 2023

Absolute Date May 18, 2023

Fiscal Impact No

Budget Source N/A

Recommended The recommendation is that the Board of Education approve the non-curricular trip for Coyote

Action Hills Elementary third and fourth grade classes to Newark, CA (Mayhews Landing).

Purpose:

The Coyote Hills Elementary Principal requests permission to take Coyote Hills Elementary third and fourth graders on a non-curricular trip to Newark, CA. This will be a walking field for an End of Year picnic to Newark, CA.

School: Coyote Hills Elementary

Dates: May 23, 2023

Location: Newark, CA (Mayhews Landing)

Additional requirements include the following:

Grade K-3, one adult for every 5-8 students; Grades 4-12, one adult for every 10 students; Board Policy requires at least two adults on every trip regardless of the number of students (BP 6153 and AR 6153)

No student will be denied due to a lack of funds

Background:

According to Board Policy 6153, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. Coyote Hills Elementary Principal requests permission to take Coyote Hills Elementary Third and Fourth Class on a non-curricular trip to Newark, CA.

Motion & Voting

The recommendation is that the Board of Education approve the non-curricular trip for Coyote Hills Elementary third and fourth grade classes to Newark, CA (Mayhews Landing).

Motion by Phuong Nguyen, second by Carina V Plancarte.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Diego Torres, Carina V Plancarte

FIELD TRIP: Non-Curricular Trip for Birch Grove Intermediate Fifth Grade Class to travel to Newark, CA

Type	Action
Preferred Date	May 04, 2023
Absolute Date	May 18, 2023
Fiscal Impact	Yes
Dollar Amount	\$558.00
Budgeted	Yes
Budget Source	Student Donations
Recommended	The recommendation is that the Board of Education approve the non-curricular trip for Birch Grove Intermediate fifth grade class to Newark, CA (Birch Grove Park).
Action	

Purpose:

The Birch Grove Intermediate Principal requests permission to take Birch Grove Intermediate fifth graders on a non-curricular trip to Newark, CA. This will be a walking field trip for a celebration for end of year celebration for the fifth grade class going on to the middle school.

School: Birch Grove Intermediate

Dates: May 31, 2023

Location: Newark, CA (Birch Grove Park)

Additional requirements include the following:

Grade K-3, one adult for every 5-8 students; Grades 4-12, one adult for every 10 students; Board Policy requires at least two adults on every trip regardless of the number of students (BP 6153 and AR 6153)

No student will be denied due to a lack of funds

Background:

According to Board Policy 6153, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. Birch Grove Intermediate Principal requests permission to take Birch Grove Intermediate fifth graders on a non-curricular trip to Newark, CA.

Motion & Voting

The recommendation is that the Board of Education approve the non-curricular trip for Birch Grove Intermediate fifth grade class to Newark, CA (Birch Grove Park).

Motion by Phuong Nguyen, second by Carina V Plancarte.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Diego Torres, Carina V Plancarte

FIELD TRIP: Non-Curricular Trip for Birch Grove Intermediate Fifth Grade Class to travel to Fremont, CA

Type	Action
Preferred Date	May 04, 2023
Absolute Date	May 18, 2023
Fiscal Impact	Yes
Dollar Amount	\$5,027.00
Budgeted	Yes
Budget Source	ASB Funds and Family Donations
Recommended	The recommendation is that the Board of Education approve the non-curricular trip for Birch Grove Intermediate fifth grade class to Fremont, CA.
Action	

Purpose:

The Birch Grove Intermediate Principal requests permission to take Birch Grove Intermediate fifth graders on a non-curricular trip to Fremont, CA. This will be a chartered field trip for a Fifth Grade end-of-year trip given as a reward for those students who have met academic and behavioral goals in fifth grade.

School: Birch Grove Intermediate

Dates: May 30, 2023

Location: Fremont, CA (Sky Zone)

Additional requirements include the following:

Grade K-3, one adult for every 5-8 students; Grades 4-12, one adult for every 10 students; Board Policy requires at least two adults on every trip regardless of the number of students (BP 6153 and AR 6153)

No student will be denied due to a lack of funds

Background:

According to Board Policy 6153, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. Birch Grove Intermediate Principal requests permission to take Birch Grove Intermediate fifth graders on a non-curricular trip to Fremont, CA.

Motion & Voting

The recommendation is that the Board of Education approve the non-curricular trip for Birch Grove Intermediate fifth grade class to Fremont, CA.

Motion by Phuong Nguyen, second by Carina V Plancarte.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Diego Torres, Carina V Plancarte

FIELD TRIP: Non-Curricular Trip for Schilling Elementary Fifth Grade Class to travel to Santa Clara, CA

Type	Action
Absolute Date	May 04, 2023

Fiscal Impact	Yes
Dollar Amount	\$3,441.00
Budgeted	Yes
Budget Source	Student Donations
Recommended Action	The recommendation is that the Board of Education approve the non-curricular trip for Schilling Elementary fifth grade class to Santa Clara, CA.

Purpose:

The Schilling Elementary Principal requests permission to take Schilling Elementary fifth graders on a non-curricular trip to Santa Clara, CA. Transportation will be by chartered bus. This trip is a graduation gift for fifth-grade students.

School: Schilling Elementary

Dates: May 5, 2023

Location: Santa Clara, CA

Additional requirements include the following:

Grade K-3, one adult for every 5-8 students; Grades 4-12, one adult for every 10 students; Board Policy requires at least two adults on every trip regardless of the number of students (BP 6153 and AR 6153)

No student will be denied due to a lack of funds

Background:

According to Board Policy 6153, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. Schilling Elementary Principal requests permission to take Schilling Elementary Fifth Grade Class on a non-curricular trip to Great America in Santa Clara, CA.

Motion & Voting

The recommendation is that the Board of Education approve the non-curricular trip for Schilling Elementary fifth grade class to Santa Clara, CA.

Motion by Phuong Nguyen, second by Carina V Plancarte.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Diego Torres, Carina V Plancarte

FIELD TRIP: Non-Curricular Trip for Newark Memorial High School Rocketry Club to travel to Washington, DC and Manassas, VA

Type	Action
Absolute Date	May 04, 2023
Fiscal Impact	Yes
Dollar Amount	\$15,525.00
Budgeted	Yes
Budget Source	ASB funds
Recommended Action	The recommendation is that the Board of Education approve the non-curricular trip for Newark Memorial High School Rocketry Club to travel to Washington, DC and Manassas, VA.

Purpose:

The Newark Memorials High School Principal and Director of Student Activities request permission to take the Rocketry Club on a non-curricular trip to Washington, DC and Manassas, VA. Transportation will be by airfare and private vehicle. The Rocketry Club has qualified for the national championship (American Rocketry Challenge).

School: Newark Memorial High School

Dates: May 17-22, 2023

Location: Washington, DC and Manassas, VA

Additional requirements include the following:

Grade K-3, one adult for every 5-8 students; Grades 4-12, one adult for every 10 students; Board Policy requires at least two adults on every trip regardless of the number of students (BP 6153 and AR 6153)

No student will be denied due to a lack of funds

Background:

According to Board Policy 6153, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. The Newark Memorials High School Principal and Director of Student Activities request permission to take the Rocketry Club on a non-curricular trip to Washington, DC and Manassas, VA.

FIELD TRIP: Non-Curricular Trip for Kennedy Elementary Fourth Grade Class to travel to Newark, CA

Type	Action
Preferred Date	May 04, 2023
Absolute Date	May 18, 2023
Fiscal Impact	Yes
Dollar Amount	\$760.00
Budgeted	Yes
Budget Source	Spellathon Funds
Recommended Action	The recommendation is that the Board of Education approve the non-curricular trip for Kennedy Elementary fourth grade class to Newark, CA.

Purpose:

The Kennedy Elementary Principal requests permission to take Kennedy Elementary fourth graders on a non-curricular trip to Newark, CA. The students will be transported by private vehicle.

School: Kennedy Elementary

Dates: May 31, 2023

Location: Newark, CA

Additional requirements include the following:

Grade K-3, one adult for every 5-8 students; Grades 4-12, one adult for every 10 students; Board Policy requires at least two adults on every trip regardless of the number of students (BP 6153 and AR 6153)

No student will be denied due to a lack of funds

Background:

According to Board Policy 6153, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. Kennedy Elementary Principal requests permission to take Kennedy Elementary Fourth Grade Class on a non-curricular trip to Newark, CA.

Motion & Voting

REPORT: Monthly Purchase Order Report

Type Action

Recommended The recommendation is that the Board of Education receive the Monthly Purchase Order

Action Report as presented.

Purpose:

The purpose of this item is to present a monthly report on Purchase Order transactions per Board Policy 3300, Expenditures and Purchases.

Background:

Based on the discussion at the Board's Study Session on January 6, 2022, staff is providing a monthly report on Purchase Order transactions per Board Policy 3300, Expenditures and Purchases. The policy states that "The Board shall review all transactions entered into by the Superintendent or designee on behalf of the Board every 60 days."

File Attachments

Monthly Purchase Order Report 05-04-2023.pdf (355 KB)

Motion & Voting

The recommendation is that the Board of Education receive the Monthly Purchase Order Report as presented.

Motion by Phuong Nguyen, second by Carina V Plancarte.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Diego Torres, Carina V Plancarte

MINUTES: Minutes of the April 6, 2023 Regular Meeting of the Board of Education

Type Action, Minutes

Recommended The recommendation is that the Board of Education approve the minutes of the April 6, 2023

Action Regular Meeting of the Board of Education.

Minutes View Minutes for Apr 6, 2023 - Regular Meeting of the Board of Education

Purpose:

For the board to review and approve minutes of the April 6, 2023, Regular Meeting of the Board of Education.

Background:

The attached minutes are reflective of the April 6, 2023, Regular Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel HERE.

Motion & Voting

The recommendation is that the Board of Education approve the minutes of the April 6, 2023 Regular Meeting of the Board of Education.

Motion by Phuong Nguyen, second by Carina V Plancarte.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Diego Torres, Carina V Plancarte

MINUTES: Minutes of the April 20, 2023 Regular Meeting of the Board of Education

Type Action, Minutes

Recommended The recommendation is that the Board of Education approve the minutes of the April 20, 2023

Action Regular Meeting of the Board of Education.

Minutes View Minutes for Apr 20, 2023 - Regular Meeting of the Board of Education

Purpose:

For the board to review and approve minutes of the April 20, 2023, Regular Meeting of the Board of Education.

Background:

The attached minutes are reflective of the April 20, 2023, Regular Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel HERE.

Motion & Voting

The recommendation is that the Board of Education approve the minutes of the April 20, 2023 Regular Meeting of the Board of Education.

Motion by Phuong Nguyen, second by Carina V Plancarte.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Diego Torres, Carina V Plancarte

MINUTES: Minutes of the April 21, 2023 Special Meeting of the Board of Education

Type	Action, Minutes
Recommended	The recommendation is that the Board of Education approve the minutes of the April 21, 2023
Action	Special Meeting of the Board of Education.
Minutes	View Minutes for Apr 21, 2023 - Special Meeting of the Board of Education

Purpose:
For the board to review and approve minutes of the April 21, 2023, Special Meeting of the Board of Education.

Background:
The attached minutes are reflective of the April 21, 2023, Special Meeting of the Board of Education. The meeting was not recorded.

Motion & Voting
The recommendation is that the Board of Education approve the minutes of the April 21, 2023 Special Meeting of the Board of Education.

Motion by Phuong Nguyen, second by Carina V Plancarte.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Diego Torres, Carina V Plancarte

MINUTES: Minutes of the April 23, 2023 Special Meeting of the Board of Education

Type	Action, Minutes
Recommended	The recommendation is that the Board of Education approve the minutes of the April 23, 2023
Action	Special Meeting of the Board of Education.
Minutes	View Minutes for Apr 23, 2023 - Special Meeting of the Board of Education

Purpose:
For the board to review and approve minutes of the April 23, 2023, Special Meeting of the Board of Education.

Background:
The attached minutes are reflective of the April 23, 2023, Special Meeting of the Board of Education. The meeting was not recorded.

Motion & Voting
The recommendation is that the Board of Education approve the minutes of the April 23, 2023 Special Meeting of the Board of Education.

Motion by Phuong Nguyen, second by Carina V Plancarte.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Diego Torres, Carina V Plancarte

MINUTES: Minutes of the April 30, 2023 Special Meeting of the Board of Education

Type	Action, Minutes
Recommended	The recommendation is that the Board of Education approve the minutes of the April 30, 2023
Action	Special Meeting of the Board of Education.
Minutes	View Minutes for Apr 30, 2023 - Special Meeting of the Board of Education

Purpose:
For the board to review and approve minutes of the April 30, 2023, Special Meeting of the Board of Education.

Background:
The attached minutes are reflective of the April 30, 2023, Special Meeting of the Board of Education. This meeting was not recorded.

Motion & Voting
The recommendation is that the Board of Education approve the minutes of the April 30, 2023 Special Meeting of the Board of Education.

Motion by Phuong Nguyen, second by Carina V Plancarte.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Diego Torres, Carina V Plancarte

14 BOARD OF EDUCATION: COMMITTEE REPORTS, ANNOUNCEMENTS, REQUESTS, DEBRIEF

Board of Education Committee Reports, Announcements, Requests, Debrief and Discussion

AND DISCUSSION

Type Action, Discussion, Information

Purpose:
COMMITTEE REPORTS: The Trustees will provide an update, if available, on the committees of which they are members.
ANNOUNCEMENTS: The Trustees may acknowledge or recognize specific programs, activities, or personnel at this time.

REQUESTS: This is an opportunity for the Board of Education to suggest items for placement on future agendas and to review Board requests.

Approval from the majority of the Board will be required for direction to be provided to the Superintendent.

DEBRIEF AND DISCUSSION: The Trustees may debrief and discuss items.

Background:

Each year the Board of Education members liaise with schools and committees in order to build relationships, hear from staff, students, and families, and act as a conduit for information to and from the schools.

Board Committees 2022-23

Board Adopted on 12/15/2022

Mission Valley Regional Occupational Center/Program (ROC/P) Representative 1. Nancy Thomas Alternate 1.

Executive Board

Regional Policy Board of Special Education Local Plan Area (SELPA) 1. Katherine Jones 1. Phuong Nguyen

Newark Teacher Induction Advisory Council (Formally EBIC) 1. Aiden Hill 1. Phuong Nguyen

Audit Committee 1. Aiden Hill 2. Katherine Jones 1. Phuong Nguyen

Bond/Parcel Tax Committee 1. Phuong Nguyen 2. Katherine Jones 1. Aiden Hill

1. Phuong Nguyen

City of Newark NUSD Liaison Committee 2. Nancy Thomas 1. Katherine Jones

The following derives directly from the Board approved "Governance Team Handbook"

Authority is Collective, Not Individual:

The only authority to direct action rests with the Board as a whole when seated at a regular or special board meeting. Outside of this meeting, there is no authority.

A majority Board vote provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction.

Bringing New Ideas Forward

The Board will be open to having "brainstorming" discussions, or study sessions, around any idea that a Trustee may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Trustee, at their initiative or at the request of a constituent, which was previously discussed during a board meeting.

Trustees will first notify the Board President and Superintendent of their interest in bringing forward a new idea at a board meeting.

When initially agendized, the preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.

Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea. The Superintendent will decide on the delegation of assignments to District staff.

The new idea may be agendized for discussion only. The Board majority will decide if the new idea should be further developed and studied by staff. The Board majority will decide if staff time should be invested in the "fleshing out" of new ideas.

Individual Trustees, in the course of interactions with constituents, will be careful not to make or imply the commitment of the full Board to explore or proceed with implementing new ideas.

15 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

Superintendent's Concluding Comments, Updates, and Future Agenda Items

AGENDA REQUESTS

Type Information

Purpose:

This is an opportunity for the Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

16 ADJOURNMENT

PLACEHOLDER - Extend Meeting

Type Action

Recommended The recommendation is that the Board of Education extends the meeting to ____ P.M.

Action

Purpose:

This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

Adjournment

Type Action

Recommended The recommendation is that the Board of Education adjourns this meeting.

Action

Purpose:

No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time. This action will conclude the meeting.

Motion & Voting

The recommendation is that the Board of Education adjourns this meeting.

Motion by Katherine Jones, second by Nancy Thomas.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Diego Torres, Carina V Plancarte

1 CALL TO ORDER

1.1 Meeting Practices and Information

Type Procedural

In-person Meeting Information:

NUSD has opened its boardroom for in-person meetings and will follow the State's and Alameda County's safety guidelines for public gatherings. Please refrain from attending in-person meetings if you have any of the following symptoms:

- Loss of taste/smell
- Difficulty breathing
- Vomiting
- Diarrhea
- Fever
- Cough
- Headache
- Sore Throat
- Runny Nose

For additional COVID-19 information please go to <https://www.newarkunified.org/covid-19> or <https://www.acoe.org/guidance>

Observe The Board Of Education Meeting:

This meeting will not be televised on NUSD YouTube Channel or Comcast Channel 26.

Public Comment:

The public will have the opportunity to address the Board of Education regarding agenda items with a written comment by submitting a speaker card via email at PUBLI COMMENT@newarkunified.org by 1:00 pm the day before the meeting, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

1.2 Roll Call

Type Procedural

Trustees:

- President Nancy Thomas
- Vice President/Clerk Aiden Hill
- Member Katherine Jones
- Member Phuong Nguyen
- Member Carina V. Plancarte

Student Board Member:

Diego Torres (not expected at this meeting)

1.3 Public Comment on Closed Session Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and tries to make it convenient for members of the community to express their views to the Board.

If a constituent wishes to address the Board on any agenda item:

In-Person Comment: please submit a completed speaker card to the Board's Executive Assistant before the start of the meeting, or prior to the calling of the section for public comment.

Written Comment: please fill out a virtual speaker card via email at PUBLI COMMENT@newarkunified.org by 1:00 PM the day of the meeting. Please label your email as "AUDIO-ONLY PUBLIC COMMENT" and include the agenda item number related to your comment.

Please see detailed instructions for public comment on the link: <http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

1.4 Pledge of Allegiance

Type Procedural

Purpose:

The Governance Team will recite the Pledge of Allegiance.

1.5 Approval of the Agenda

Type Action

Recommended Action The recommendation is that the Board of Education approve the agenda for this meeting.

Purpose:

Members of the Governance Team may request that the agenda be amended or approved as presented.

Motion & Voting

The recommendation is that the Board of Education approve the agenda for this meeting.

Motion by Aiden Hill, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

1.6 Recess to Closed Session

Type Procedural

Purpose:

The Board will recess to Closed Session.

2 CLOSED SESSION

2.1 CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a)): Employee Group - NEWMA, Unrepresented Supervisors, and Contracted Management: Superintendent

Type Discussion

3 ADJOURNMENT

3.1 Adjournment

Type Action, Procedural

Recommended The recommendation is that the Board of Education adjourns this meeting.

Action

Purpose:

This action will conclude the meeting.

Motion & Voting

The recommendation is that the Board of Education adjourns this meeting.

Motion by Katherine Jones, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

1 CALL TO ORDER

1.1 Meeting Practices and Information

Type Procedural

In-person Meeting Information:

NUSD has opened its boardroom for in-person meetings and will follow the State's and Alameda County's safety guidelines for public gatherings. Please refrain from attending in-person meetings if you have any of the following symptoms:

- Loss of taste/smell
- Difficulty breathing
- Vomiting
- Diarrhea
- Fever
- Cough
- Headache
- Sore Throat
- Runny Nose

For additional COVID-19 information please go to <https://www.newarkunified.org/covid-19> or <https://www.acoe.org/guidance>

Observe The Board Of Education Meeting:

This meeting will not be televised on NUSD YouTube Channel or Comcast Channel 26.

Public Comment:

The public will have the opportunity to address the Board of Education regarding agenda items with a written comment by submitting a speaker card via email at PUBLICCOMMENT@newarkunified.org by 1:00 pm the day before the meeting, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

1.2 Roll Call

Type Procedural

Trustees:

President Nancy Thomas
Vice President/Clerk Aiden Hill
Member Katherine Jones
Member Phuong Nguyen
Member Carina V. Plancarte

Student Board Member:

Diego Torres

1.3 Public Comment on Closed Session Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and tries to make it convenient for members of the community to express their views to the Board.

If a constituent wishes to address the Board on any agenda item:

In-Person Comment: please submit a completed speaker card to the Board's Executive Assistant before the start of the meeting, or prior to the calling of the section for public comment.

Written Comment: please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org by 1:00 PM the day of the meeting. Please label your email as " AUDIO-ONLY PUBLIC COMMENT" and include the agenda item number related to your comment.

Please see detailed instructions for public comment on the link: <http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

1.4 Pledge of Allegiance

Type Procedural

Purpose:

The Governance Team will recite the Pledge of Allegiance.

1.5 Approval of the Agenda

Type Action

Recommended Action The recommendation is that the Board of Education approve the agenda for this meeting.

Purpose:

Members of the Governance Team may request that the agenda be amended or approved as presented.

Motion & Voting

The recommendation is that the Board of Education approve the agenda for this meeting.

Motion by Aiden Hill, second by Katherine Jones.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

1.6 Recess to Closed

Type Procedural

Purpose:

The Board will recess to Closed Session.

2 CLOSED SESSION

2.1 PUBLIC EMPLOYEE APPOINTMENT/DISCUSSION (Gov. Code, 54957, subd. (b) (1) Title: Superintendent

Type Discussion, Information

3 ADJOURNMENT

3.1 Adjournment

Type Action, Procedural

Recommended Action The recommendation is that the Board of Education adjourns this meeting.

Purpose: This action will conclude the meeting.

Motion & Voting The recommendation is that the Board of Education adjourns this meeting. Motion by Nancy Thomas, second by Katherine Jones. Final Resolution: Motion Carries Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

1 CALL TO ORDER

Meeting Practices and Information

Type Procedural

In-person Meeting Information: NUSD has opened its boardroom for in-person meetings and will follow the State's and Alameda County's safety guidelines for public gatherings. Please refrain from attending in-person meetings if you have any of the following symptoms:

- Loss of taste/smell
Difficulty breathing
Vomiting
Diarrhea
Fever
Cough
Headache
Sore Throat
Runny Nose

For additional COVID-19 information please go to https://www.newarkunified.org/covid-19 or https://www.acoe.org/guidance

Observe The Board Of Education Meeting: This meeting will not be televised on NUSD YouTube Channel or on Comcast Channel 26.

Public Comment: The public will have the opportunity to address the Board of Education regarding agenda items with a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org by 1:00 pm the day before the meeting, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

Roll Call

Type Procedural

Trustees: President Nancy Thomas Vice President/Clerk Aiden Hill Member Katherine Jones Member Phuong Nguyen Member Carina V. Plancarte

Student Board Member: Diego Torres

Public Comment on Closed Session Items

Type Procedural

Purpose: The Board of Education encourages the community's participation in its deliberations and tries to make it convenient for members of the community to express their views to the Board. If a constituent wishes to address the Board on any agenda item: In-Person Comment: please submit a completed speaker card to the Board's Executive Assistant before the start of the meeting, or prior to the calling of the section for public comment. Written Comment: please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org by 1:00 PM the day before the meeting. Please label your email as " AUDIO-ONLY PUBLIC COMMENT" and include the agenda item number related to your comment. Please see detailed instructions for public comment on the link: http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40

Pledge of Allegiance

Type Procedural

Purpose:

The Governance Team will recite the Pledge of Allegiance.

Approval of the Agenda

Type Action

Recommended The recommendation is that the Board of Education approve the agenda for this meeting.
Action

Purpose:

Members of the Governance Team may request that the agenda be amended or approved as presented.

Motion & Voting

The recommendation is that the Board of Education approve the agenda for this meeting.

Motion by Phuong Nguyen, second by Carina V Plancarte.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

Recess to Closed

Type Procedural

Purpose:

The Board will recess to Closed Session.

2 CLOSED SESSION

PUBLIC EMPLOYEE APPOINTMENT/DISCUSSION (Gov. Code, 54957, subd. (b) (1) Title: Superintendent

Type Discussion, Information

3 ADJOURNMENT

Adjournment

Type Action, Procedural

Recommended The recommendation is that the Board of Education adjourns this meeting.
Action

Purpose:

This action will conclude the meeting.

Motion & Voting

The recommendation is that the Board of Education adjourns this meeting.

Motion by Katherine Jones, second by Nancy Thomas.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

1 CALL TO ORDER

Meeting Practices and Information

Type Procedural

In-person Meeting Information:

NUSD has opened its boardroom for in-person meetings and will follow the State's and Alameda County's safety guidelines for public gatherings. Please refrain from attending in-person meetings if you have any of the following symptoms:

- Loss of taste/smell
- Difficulty breathing
- Vomiting
- Diarrhea
- Fever
- Cough
- Headache
- Sore Throat
- Runny Nose

For additional COVID-19 information please go to <https://www.newarkunified.org/covid-19> or <https://www.acoe.org/guidance>

Observe The Board Of Education Meeting:

Members of the public 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.

Public Comment:

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

Roll Call

Type Procedural

Trustees:

President Nancy Thomas
Vice President/Clerk Aiden Hill
Member Phuong Nguyen
Member Katherine Jones
Member Carina V. Plancarte

Student Board Member:

Member Diego Torres

Public Comment on Closed Session Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and tries to make it convenient for members of the community to express their views to the Board.

If a constituent wishes to address the Board on any agenda item:

In-Person Comment: please submit a completed speaker card to the Board's Executive Assistant before the start of the meeting, or prior to the calling of the section for public comment.

Audio-Only Virtual Comment: please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org by 1:00 PM the day of the meeting. Please label your email as "AUDIO-ONLY PUBLIC COMMENT" and include your name as it will appear on Zoom, your phone number, email address, and the agenda item number related to your comment.

Please see detailed instructions for public comment on the link: <http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

Recess to Closed Session

Type Procedural

Purpose:

The Board will recess to Closed Session, and reconvene to Open Session on or about 7:00 p.m.

2 CLOSED SESSION

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a): Employee Organizations - NTA and CSEA

Type Action, Information, Procedural

Purpose:

Information may be provided by the agency negotiator, Executive Director of Human Resources. Assistance from the legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided. The employee organizations include NTA & CSEA.

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a): Employee Group - NEWMA, Unrepresented Supervisors, and Contracted Management

Type Action, Discussion, Procedural

Purpose:

Information may be provided by the agency negotiator, the Executive Director of Human Resources, and the Superintendent. Assistance from legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided. The employee organizations include NEWMA, Unrepresented Supervisors, and Contracted Management

CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION Significant exposure to litigation pursuant to Gov. Code, 54956.9, subd. (d)][(2) or (3)]

Type Action, Discussion, Procedural

Purpose:

Information may be provided regarding significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: Two Cases: Alternative Dispute Resolution-ADR and Keenan Claim 615419.

CONFERENCE WITH LEGAL COUNSEL EXISTING LITIGATION (Gov. Code, 54956.9, subd. (d)(1))

Type Action, Information, Procedural

Purpose:

To discuss the following case(s): OAH Case No. 2023020144, OAH Case No. 2022120182, and OAH Case No. 2023030525.

Conference with Labor Negotiator (GC 54957.6) Contracted Management - Assistant Superintendent of Educational Services and Chief Business Official

Type Discussion, Information

Information will be provided by the Interim Superintendent and Executive Director of Human Resources.

STUDENT EXPULSION (Ed. Code, 48918)

Type Discussion, Information, Procedural

Purpose:

For the Board to review the Stipulation Expulsion Agreement.

Background:

A Stipulation Expulsion Agreement meeting was held on April 12, 2023. A Stipulation Expulsion Meeting was conducted in accordance with Board Policy and Administrative Regulation 5144.1 and, if applicable, 5144.2 for students with disabilities.

The Board will discuss this in closed session and then take action in open session (agenda item 15.1). The administration asks for approval of the recommendation for Case# e2223-03 (Ed Code. 48918).

3 REPORT OF CLOSED SESSION ACTIONS

Report of Closed Session Actions

Type Action, Procedural

Purpose:

If available, a report of the closed session will be provided by the Board President.

4 RECONVENE TO OPEN SESSION

Pledge of Allegiance

Type Procedural

Purpose:

The Governance Team will recite the Pledge of Allegiance

5 APPROVAL OF AGENDA

Approval of the Agenda

Type Action

Recommended The recommendation is that the Board of Education approve the agenda for this meeting.
Action

Purpose:

Members of the Governance Team may request that the agenda be amended or approved as presented.

Motion & Voting

The recommendation is that the Board of Education approve the agenda for this meeting.

Motion by Aiden Hill, second by Katherine Jones.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Diego Torres, Carina V Plancarte

6 RECOGNITIONS AND CELEBRATIONS

Staff Spotlight

Type Information

Purpose:

To recognize the wonderful accomplishments of our NUSD Team.

Background:

The presentation will be provided by the Superintendent.

School Spotlight: Coyote Hills Elementary

Type Information

Purpose:

The School Spotlight gives the Board of Education and the public an opportunity to hear the highlights, achievements, and initiatives at each school from the principals.

Background:

The presentation and information will be provided by Principal Coyote Hills Elementary, Kristi Palomino.

7 EMPLOYEE ORGANIZATIONS

Employee Organizations

Type Information

Purpose:

At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Background:

Discussion items are limited to updates, celebrations, and upcoming events.

- 1. NTA
- 2. CSEA
- 3. NEWMA

8 PUBLIC COMMENT

Public Comment on Non-Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and tries to make it convenient for members of the community to express their views to the Board.

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Please see detailed instructions for public comment on the link: <http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

Public Comment on Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and tries to make it convenient for members of the community to express their views to the Board.

If a constituent wishes to address the Board on any agenda item:

In-Person Comment: please submit a completed speaker card to the Board's Executive Assistant before the start of the meeting, or prior to the calling of the section for public comment.

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Please see detailed instructions for public comment on the link: <http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

9 SUPERINTENDENT REPORT

Superintendent Report

Type Information

Purpose:

The Interim Superintendent will provide the Board of Education with district information, updates, news, or anything in the jurisdiction of the

Board or the Superintendent.

Background:

The presentation and information will be provided by the Interim Superintendent

10 STAFF REPORT

SEAL Programming (Sobrato Early Academic Literacy)

Type Reports

Purpose:

To provide an update on the SEAL program implementation and the impact of this program on teacher practices and student achievement.

Background:

Sobrato Early Academic Language (SEAL) has been a partner organization, working with NUSD since 2019. The work has supported English Language and Dual Language Learners to make significant strides in developing the academic language skills necessary for high academic achievement. The partnership started with grades TK-3 and expanded to include grades 4-5 at our elementary schools with the highest concentration of students that are English Learners and come from low-income households. The work has been transformational for students and teachers, alike. Looking ahead, we hope to continue to sustain the program through ongoing professional learning and to consider expansion into additional grade levels and/or schools.

File Attachments

[NUSD SEAL Program Board Presentation 2023.04.20.pdf](#) (3,795 KB)

Special Education Update

Type Information

Purpose:

To provide an overview of the Special Education Department including services, staff, programs, areas of growth, and upcoming events.

Background:

This presentation comes as a board request. The presentation will provide a brief overview of Special Education in Newark Unified School District. Special education services are provided to students aged preschool through twenty-two years of age in Newark Unified. California provides specially designed instruction, at no cost to parents, to meet the unique needs of children with disabilities. This instruction is provided in a variety of settings that allow students to be educated with their peers as much as possible; that is, in the least restrictive environment. Special education services are available in a variety of settings, including preschool, regular classrooms, classrooms that emphasize specially designed instruction, the community, and the work environment.

File Attachments

[Board of Education SPED.pdf](#) (3,327 KB)

11 OLD BUSINESS

Guidance on Updating Board Policies

Type Discussion

Purpose:

To provide guidance to staff regarding the updating of NUSD's Board Policies.

Background:

NUSD relies on the California School Boards Association (CSBA) to keep its board policies up to date. We pay to use CSBA's GAMUT online portal to digitally store and catalog our policies, and we subscribe to a CSBA service to send us recommended policy updates based upon changes in federal law, state law, and state education code. A few years ago, NUSD migrated from the old GAMUT system to the new GAMUT system, which created some problems with NUSD's policies. Moreover, the previous superintendent Dr. Triplett and staff discovered that NUSD hadn't consistently reviewed and acted upon the recommended updates from CSBA. This is not uncommon. As a point of reference, Belmont-Redwood Shores had fallen so far behind on its policy maintenance when I (Michael Milliken) started there, we chose to work with CSBA to start over and adopt the entire recommended CSBA policy portfolio, tailored to our district by senior staff and an ad hoc board subcommittee during a multi-day workshop. At the beginning of the 2022-23 school year, NUSD staff consulted remotely with CSBA to review the District's board policies. The review identified that of NUSD's approximate total of 340 board policies (BP's) and administrative regulations (AR's), 240 were identified to be updated. In some cases, the updates include new policy titles and/or new recommended language. In other cases, NUSD has policies that are unique or that CSBA no longer has listed in their recommended policy portfolio. To date this school year, 84 (35%) of those 240 identified policies have been updated and approved by the Board. This leaves approximately 156 policies (65%) to be updated. Staff would like to continue this work, with the goal of getting NUSD's policies entirely current by August 2023. Additionally, staff suggests that the Board identify two Members to serve as policy liaisons so that staff can consult with Board representatives as needed, and those liaisons may provide an initial review of these 150+ policies. An alternative approach to update NUSD's board policies would be to meet with a CSBA policy consultant in person to for a 3-day intensive workshop. Staff seeks Board guidance on how best to update NUSD's board policies, and if the Board chooses to follow staff's suggested course of action, we ask that two Members be identified to serve as policy liaisons.

12 NEW BUSINESS

CONTRACT: Bid Award of Phase 2 HVAC Replacement Project at Newark Junior High School

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$744,000.00
Budgeted	Yes
Budget Source	Fund 25 Capital Facilities Fund
Recommended Action	The recommendation is that the Board of Education approve the bid award to contract with Rodan Builders for Phase 2 of the Newark Junior High School HVAC Replacement Project.

Purpose: To award a contract to Rodan Builders for Phase 2 of the Newark Junior High School (NJHS) HVAC Replacement Project.

Background: We have been working on replacing 321 HVAC units throughout the district since early 2020, which is the majority of our HVAC units. The District has a total of 485 HVAC units. About 25% (117 units) were replaced in 2014, 2015, and 2016. Another 47 units do not need replacing because they have been individually replaced or are located at closed schools. This has left 321 units to be replaced, which was broken into two phases: (1) the 276 units that could be replaced without review and permitting by the Division of the State Architect (DSA), and (2) the 45 units that required DSA approval to replace. We have completed replacing the 276 units as part of phase 1. Now we are focusing on replacing the 45 units that are part of phase 2, which require DSA approval. The purpose of this item is to move forward on the HVAC units at NJHS part of Phase 2 (9 units).

This project (phase 1 and 2) started in 2020 just before the COVID pandemic hit as part of the Measure G bond improvement projects. The Board allocated an initial \$3.3 million out of the Measure G bond funds towards HVAC upgrades and replacements. As COVID emerged, the project evolved and the budget expanded to the Capital Facilities Fund (revenue from Developer Fees) and Capital Outlay Reserves (aka Ruschin Fund) in order to replace as many units as possible to ensure the health and safety of our students and staff.

Phase 1, Increment 1 HVAC projects have been completed (99 units at BGP, Coyote Hills, Kennedy and Schilling). Phase 1, Increment 2 HVAC projects at NJHS and NMHS: all units have been installed, testing and balancing has been completed and final commissioning is in progress (177 units).

On February 17, 2022, the Board of Trustees reviewed the preliminary budget for the Phase 2 projects in the amount of \$2,431,193. Since that time and the purchase of the Phase 1 equipment, there has been a dramatic increase in the cost of HVAC equipment ordered in March 2022. The Board was apprised of this increase at the April 7, 2022 meeting. We are still waiting for some of the HVAC units and miscellaneous components for this project to be delivered.

The addition of 4 additional HVAC units servicing Rooms G7 and G8 at NJHS were added to the project after the preliminary budget was provided. These units were discovered during the early design phase in the ceiling areas and do not have rooftop units like most of the district's schools. These units were not in the district's various inventories and apparently were never approved by the state. The classrooms have 4 failing heat pumps which require removal and replacement of the entire ceiling, lighting and ductwork. (This information regarding the units in Rooms G7 and G8 was provided to the Board at the April 7, 2022 meeting.) During the review and approval process with the Division of the State Architect, the addition of anchor posts on the roof for safety was also required. Together, the added scope increased the cost by approximately \$380,000.

The Phase 2 of the Newark Junior High School HVAC Replacement Project has undergone a competitive bidding process. A Notice to Bidders was publicly advertised in the Argus Newspaper on January 20, 2023, and January 27, 2023. A mandatory pre-bid conference occurred on February 2, 2023 where seven (7) contractors attended. Bids were publicly opened on March 23, 2023 and two (2) bids were received. One bidder, S&H Construction, requested to withdraw their bid due to a clerical error. The second lowest qualified bid was submitted by Rodan Builders at \$744,000. Staff recommends the bid award to Rodan Builders for \$744,000. The contract cost will be covered by Capital Facilities Fund 25 (Developer Fees).

Bid awards for Phase 2 HVAC Replacement Project for the elementary schools (5 units distributed across BGP, Coyote Hills, and Kennedy) and NMHS (31 units) will be presented to the Board at a future meeting. At present, we are still vetting the single bidder for the elementary school project, and the NMHS project has been successfully bid, but has yet to be approved by DSA, which is required before we award the project.

File Attachments

- [Bid Results_NJHS HVAC Units Replacement - Phase 2_Revised.pdf](#) (84 KB)
- [S&H Construction Withdrawal Letter_Newark USD_HVAC Newark Junior High School.pdf](#) (292 KB)

Motion & Voting

The recommendation is that the Board of Education approve the bid award to contract with Rodan Builders for Phase 2 of the Newark Junior High School HVAC Replacement Project.

Motion by Phuong Nguyen, second by Katherine Jones.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Diego Torres, Carina V Plancarte

Ratify Collective Bargaining Agreement with Newark Teachers Association

Type	Action
Preferred Date	Apr 20, 2023
Recommended Action	The recommendation is that the Board of Education ratify the Collective Bargaining Agreement with Newark Teachers Association.

Purpose: The purpose is for the Board of Education to ratify the Collective Bargaining Agreement with Newark Teachers Association for 2022-2023, 2023-2024 and 2024-2025.

Background:

The current Collective Bargaining Agreement with NTA sunset on June 30, 2022 resulting in both sides sunshining their reopeners for a successor agreement. Formal negotiations began on August 18, 2022. After several rounds of negotiations, we were able to reach a Tentative Agreement on March 31, 2023 for a three year agreement. The District submitted documentation to the Alameda County Office of Education (ACOE) indicating that the District can afford this agreement. ACOE has reviewed the documentation and agreed to our findings. NTA membership ratified the agreement by a 98.8% vote to approve on April 5, 2023. With the approval of the Tentative Agreement, the District was able to submit the AB1200 documents to ACOE. During the 2023-2024 school year, both parties shall meet to negotiate for the 2024-2025 school year. The parties mutually agree to reopen negotiations on Article 13 (Compensation) and one additional article of each parties' choice.

The articles that updated in this agreement are:

- Article 3: Association Rights
- Article 6: Work Year
- Article 7: Work Day
- Article 8: Class Size
- Article 9: Evaluation and System of Educator Support
- Article 10: Reassignment/Transfer
- Article 11: Leaves
- Article 13: Compensation
- Article 14: Safety
- Article 18: Special Education
- Article 19: Technology
- Article 22: Term and Renegotiation

Side Letter: Sixth Grade Core Class Size at Newark Junior High School

Memorandum of Understanding: In-House Substituting for 2022-2023

Memorandum of Understanding: Crossroads Independent Studies Program (CISP) 2022-2023 School Year

NTA members will receive the following compensation:

2022-2023 School Year: 10% increase retroactive to July 1, 2022.

2023-2024 School Year: Effective July 1, 2023 all bargaining unit salary schedules shall be increased by 2%. Effective January 1, 2024 all bargaining unit salary schedules shall be increased by 4%.

Attached are the AB1200 documents outlining the financial impact of the agreement.

File Attachments

NTA TAs 2023-2025.pdf (9,059 KB)

AB1200_NTA 22-23-24_4-4-23_signed.pdf (250 KB)

NUSD 2022-23 Second Interim Board Letter FINAL and AB1200 Review NTA.pdf (383 KB)

Motion & Voting

The recommendation is that the Board of Education ratify the Collective Bargaining Agreement with Newark Teachers Association.

Motion by Katherine Jones, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

Abstain: Diego Torres

13 CONSENT AGENDA: PERSONNEL ITEMS

Personnel Report

Type Action

Absolute Date Apr 20, 2023

Recommended The recommendation is that the Board of Education ratify the personnel report as presented.

Action

Purpose:

The purpose is for the Board of Education to ratify the Personnel Report as presented.

Background:

All personnel activities including new hires, changes in status, resignation, leaves, and retirements are routinely submitted to the Board for ratification.

File Attachments

HR PAL 04-20-2023.pdf (161 KB)

Motion & Voting

The recommendation is that the Board of Education ratify the personnel report as presented.

Motion by Phuong Nguyen, second by Katherine Jones.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

Abstain: Diego Torres

14 CONSENT AGENDA: NON-PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type Action
Recommended It is recommended that the Board of Education approve, under one consented vote, the
Action agenda items under Consent Non-Personnel, except for agenda items:

Purpose:
 This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:
 Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Motion & Voting
 It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent Non-Personnel.
 Motion by Phuong Nguyen, second by Katherine Jones.
 Final Resolution: Motion Carries
 Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Diego Torres, Carina V Plancarte

FIELD TRIP: Curricular and Non-Curricular Trip for Newark Junior High School Band and Choir to travel to Oakland, CA.

Type Action
Absolute Date Apr 20, 2023
Fiscal Impact Yes
Dollar Amount \$4,150.00
Budgeted Yes
Budget Source ASB funds
Recommended The recommendation is that the Board of Education the approve the curricular and non-
Action curricular trip for Newark Junior High School Band and Choir to travel to Oakland, CA.

Purpose:
 The Newark Junior High School Principal requests permission to take Newark Junior High School Band and Choir on a fieldtrip to Oakland, CA. Transportation will be by chartered bus. This trip's purpose is in response to an invitation for the Band and Choir to perform the National Anthem before the start of the A's game.
 School: Newark Junior High School
 Dates: May 4, 2023 (subject to change)
 Location: Oakland, CA
 Additional requirements are as follows:
 Grade K-3, one adult for every 5-8 students; Grades 4-12, one adult for every 10 students; Board Policy requires at least two adults on every trip regardless of the number of students (BP 6153 and AR 6153)
 No student will be denied due to a lack of funds

Background:
 According to Board Policy 6153, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. Newark Junior High School Principal requests permission to take the Band and Choir to travel to Oakland, CA.

Motion & Voting
 The recommendation is that the Board of Education the approve the curricular and non-curricular trip for Newark Junior High School Band and Choir to travel to Oakland, CA.
 Motion by Phuong Nguyen, second by Katherine Jones.
 Final Resolution: Motion Carries
 Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Diego Torres, Carina V Plancarte

FIELD TRIP: Curricular and Non-Curricular Trip for Newark Junior High School Band and Choir to travel to Fairfield, CA and

Type Action
Fiscal Impact Yes
Dollar Amount \$3,058.00
Budgeted Yes
Budget Source ASB funds
Recommended The recommendation is that the Board of Education approve the curricular and non-curricular
Action trip for Newark Junior High School Band and Choir to travel to Fairfield, CA and Vallejo, CA.

Purpose:
 The Newark Junior High School Principal requests permission to take Newark Junior High School Band and Choir on a Curricular and Non-Curricular Trip trip to to Fairfield, CA and Vallejo, CA. Transportation will be by chartered bus. This trip's purpose is to accept an invitation for the Band and Choir to travel to a local music festival to perform in competition and receive feedback from professionals and peers.
 School: Newark Junior High School
 Dates: May 13, 2023
 Location: Fairfield, CA and Vallejo, CA.
 Chaperone requirements met
 Grade K-3, one adult for every 5-8 students; Grades 4-12, one adult for every 10 students; Board Policy requires at least two adults on every trip regardless of the number of students (BP 6153 and AR 6153)
 No student will be denied due to a lack of funds

Background:

According to Board Policy 6153, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. Newark Junior High School Principal requests permission to take the Band and Choir to travel to Fairfield, CA and Vallejo, CA.

Motion & Voting

The recommendation is that the Board of Education approve the curricular and non-curricular trip for Newark Junior High School Band and Choir to travel to Fairfield, CA and Vallejo, CA.

Motion by Phuong Nguyen, second by Katherine Jones.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Diego Torres, Carina V Plancarte

FIELD TRIP: Non-Curricular Trip for Kennedy Elementary Fifth Grade Class to travel to Santa Clara, CA

Type Action

Preferred Date Apr 20, 2023

Fiscal Impact Yes

Dollar Amount \$8,477.36

Budgeted Yes

Budget Source Donations

Recommended The recommendation is that the Board of Education approve the non-curricular trip for

Action Kennedy Elementary Fifth Grade Class to Santa Clara, CA.

Purpose:

The Kennedy Elementary Principal requests permission to take Kennedy Elementary fifth graders on a non-curricular trip to Great America, Santa Clara, CA. Transportation will be by chartered bus. This trip is an End of Year trip for fifth-grade students.

School: Kennedy Elementary

Dates: May 12, 2023

Location: Santa Clara, CA

Additional requirements include the following:

Grade K-3, one adult for every 5-8 students; Grades 4-12, one adult for every 10 students; Board Policy requires at least two adults on every trip regardless of the number of students (BP 6153 and AR 6153)

No student will be denied due to a lack of funds

Background:

According to Board Policy 6153, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. Kennedy Elementary Principal requests permission to take Kennedy Elementary Fifth Grade Class on a non-curricular trip to Great America in Santa Clara, CA.

Motion & Voting

The recommendation is that the Board of Education approve the non-curricular trip for Kennedy Elementary Fifth Grade Class to Santa Clara, CA.

Motion by Phuong Nguyen, second by Katherine Jones.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Diego Torres, Carina V Plancarte

Board Members Signature Card - Mid Year Revision

Type Action

Recommended The recommendation is that the Board of Education approve the Signature Card Mid-Year

Action Revision for Board Members as presented.

Purpose:

To update the signature card of Board Members as required by the Alameda County Office of Education.

Background:

This is the "Signature Card" for Authorized Agents and Board Members kept on file at the Alameda County Office of Education. This is a mid-year revision to update a Board Member's signature.

File Attachments

Plancarte, Carina_Board Member Mid-Year_2022-23.pdf (187 KB)

Motion & Voting

The recommendation is that the Board of Education approve the Signature Card Mid-Year Revision for Board Members as presented.

Motion by Phuong Nguyen, second by Katherine Jones.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Diego Torres, Carina V Plancarte

CONTRACT: Addendum to the Contract with ProCare Therapy

Type Action

Preferred Date Apr 20, 2023

Absolute Date Apr 20, 2023

Fiscal Impact Yes

Dollar Amount \$24,000.00

Budgeted Yes
Budget Source Resource 6500 - Special Education and General Fund Contribution
Recommended The recommendation is that the Board of Education approves the Addendum to the Contract
Action with ProCare Therapy.

Purpose:
To ratify the Addendum to the Contract with ProCare Therapy for a registered nurse in the amount of \$24,000.00.

Background:
The original contract was approved by all parties on 12/15/22 for the period of 12/15/22 - 6/1/23. This Addendum is to add nursing services for hearing and vision screening.

File Attachments
[ProCare Therapy Addendum.pdf](#) (29 KB)

Motion & Voting
The recommendation is that the Board of Education approves the Addendum to the Contract with ProCare Therapy.
Motion by Phuong Nguyen, second by Katherine Jones.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Diego Torres, Carina V Plancarte

REPORT: Warrant Report for March 2023

Type Action
Recommended The recommendation is that the Board of Education approve the Warrant Report as presented.
Action

Purpose:
The purpose of this item is to present warrants, for the total amount of \$2,890,722.75, made from District funds for March 2023.

Background:
The warrant registers represent a complete listing of all payments made from District funds for a month. Because Newark Unified School District is a fiscally dependent District, each warrant must pass through two separate audits; first by the District's Fiscal Services department, and second by the County Office of Education. No warrant can be paid until such time as it is examined and approved by the County Office of Education.

File Attachments
[Warrant Report March 2023.pdf](#) (417 KB)

Motion & Voting
The recommendation is that the Board of Education approve the Warrant Report as presented.
Motion by Phuong Nguyen, second by Katherine Jones.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Diego Torres, Carina V Plancarte

REPORT: Donations Report

Type Action
Fiscal Impact Yes
Budgeted Yes
Budget Source General Fund (Fund 010) Donations
Recommended The recommendation is that the Board of Education accept the Donations Report as
Action presented.

Purpose:
The purpose is to acknowledge receipt of donations to the District.

Background:
Throughout the year community members, groups, parents and other individuals make monetary and in-kind (supplies and equipment) donations to NUSD. The exact nature of the source of the donation is submitted to the Business Office on a standard form. It is critical that any restrictions on the funding be indicated and the budget developed based on the donor restrictions. If there is no indication of the school or use of the funding, any proceeds or cash donations received are placed in the NUSD local revenue in the unrestricted general fund. It is recommended that the donations be processed through the Business Office and ultimately approved by the Board so that the funding can be publicly acknowledged and budgeted properly according to donor restrictions. There is acknowledged and budgeted properly according to donor restrictions. There is acknowledgement at the public Board meeting and a letter of thanks is sent to the donor by the Business Office for NUSD.

File Attachments
[Donations Summary Report 4-20-2023.pdf](#) (30 KB)

Motion & Voting
The recommendation is that the Board of Education accept the Donations Report as presented.
Motion by Phuong Nguyen, second by Katherine Jones.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Diego Torres, Carina V Plancarte

MINUTES: Minutes of the March 2, 2023 Regular Meeting of the Board of Education

Type Action, Minutes
Recommended The recommendation is that the Board of Education approve the minutes of the March 2, 2023
Action Regular Meeting of the Board of Education.
Minutes View Minutes for Mar 2, 2023 - Regular Meeting of the Board of Education

Purpose:
for the board to review and approve minutes of the March 2, 2023, Regular Meeting of the Board of Education.

Background:
The attached minutes are reflective of the March 2, 2023, Regular Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel [HERE](#).

Motion & Voting
The recommendation is that the Board of Education approve the minutes of the March 2, 2023 Regular Meeting of the Board of Education.
Motion by Phuong Nguyen, second by Katherine Jones.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Diego Torres, Carina V Plancarte

MINUTES: Minutes of the March 6, 2023 Special Meeting of the Board of Education

Type Action, Minutes
Recommended The recommendation is that the Board of Education approve the minutes of the March 6, 2023
Action Special Meeting of the Board of Education.
Minutes View Minutes for Mar 6, 2023 - Special Meeting of the Board of Education

Purpose:
For the board to review and approve minutes of the March 6, 2023, Special Meeting of the Board of Education.

Background:
The attached minutes are reflective of the March 6, 2023, Special Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel [HERE](#).

Motion & Voting
The recommendation is that the Board of Education approve the minutes of the March 6, 2023 Special Meeting of the Board of Education.
Motion by Phuong Nguyen, second by Katherine Jones.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Diego Torres, Carina V Plancarte

MINUTES: Minutes of the March 16, 2023 Regular Meeting of the Board of Education

Type Action, Minutes
Recommended The recommendation is that the Board of Education approve the minutes of the March 16,
Action 2023 Regular Meeting of the Board of Education.
Minutes View Minutes for Mar 16, 2023 - Regular Meeting of the Board of Education

Purpose:
for the board to review and approve minutes of the March 16, 2023, Regular Meeting of the Board of Education.

Background:
The attached minutes are reflective of the March 16, 2023, Regular Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel [HERE](#).

Motion & Voting
The recommendation is that the Board of Education approve the minutes of the March 16, 2023 Regular Meeting of the Board of Education.
Motion by Phuong Nguyen, second by Katherine Jones.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Diego Torres, Carina V Plancarte

MINUTES: Minutes of the April 3, 2023 Special Meeting of the Board of Education

Type Action, Minutes
Recommended The recommendation is that the Board of Education approve the minutes of the April 3, 2023
Action Special Meeting of the Board of Education.
Minutes View Minutes for Apr 3, 2023 - Special Meeting of the Board of Education

Purpose:
for the board to review and approve minutes of the April 3, 2023, Special Meeting of the Board of Education.

Background:

The attached minutes are reflective of the April 3, 2023, Special Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel HERE.

Motion & Voting

The recommendation is that the Board of Education approve the minutes of the April 3, 2023 Special Meeting of the Board of Education.

Motion by Phuong Nguyen, second by Katherine Jones.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Diego Torres, Carina V Plancarte

MINUTES: Minutes of the April 5, 2023 Special Meeting of the Board of Education

Type Action, Minutes

Recommended The recommendation is that the Board of Education approve the minutes of the April 5, 2023

Action Special Meeting of the Board of Education.

Minutes View Minutes for Apr 5, 2023 - Special Meeting of the Board of Education

Purpose:

for the board to review and approve minutes of the April 5, 2023, Special Meeting of the Board of Education.

Background:

The attached minutes are reflective of the April 5, 2023, Special Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel HERE.

Motion & Voting

The recommendation is that the Board of Education approve the minutes of the April 5, 2023 Special Meeting of the Board of Education.

Motion by Phuong Nguyen, second by Katherine Jones.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Diego Torres, Carina V Plancarte

15 STUDENT EXPULSION

Student Expulsion (Ed Code. 48918) Case# e2223-03

Type Action

Recommended The recommendation is that the Board of Education approve the stipulation agreement

Action regarding the expulsion case number e2223-03.

Purpose:

For the Board to take action on expulsion case e2223-03.

Background:

A Stipulation Expulsion Agreement meeting was held on April 12, 2023. A Stipulation Expulsion Meeting was conducted in accordance with Board Policy and Administrative Regulation 5144.1 and, if applicable, 5144.2 for students with disabilities. The administration asks for approval of this agreement for Case# e2223-03. (Ed Code. 48918).

Motion & Voting

The recommendation is that the Board of Education approve the stipulation agreement regarding the expulsion case number e2223-03.

Motion by Phuong Nguyen, second by Aiden Hill.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Carina V Plancarte

Abstain: Diego Torres

16 BOARD OF EDUCATION: COMMITTEE REPORTS, ANNOUNCEMENTS, REQUESTS, DEBRIEF

Board of Education Committee Reports, Announcements, Requests, Debrief and Discussion

AND DISCUSSION

Type Action, Discussion, Information

Purpose:

COMMITTEE REPORTS: The Trustees will provide an update, if available, on the committees of which they are members.

ANNOUNCEMENTS: The Trustees may acknowledge or recognize specific programs, activities, or personnel at this time.

REQUESTS: This is an opportunity for the Board of Education to suggest items for placement on future agendas and to review Board requests.

Approval from the majority of the Board will be required for direction to be provided to the Superintendent.

DEBRIEF AND DISCUSSION: The Trustees may debrief and discuss items.

Background:

Each year the Board of Education members liaise with schools and committees in order to build relationships, hear from staff, students, and

families, and act as a conduit for information to and from the schools.

Board Committees 2022-23

Board Adopted on 12/15/2022

	Representative	Alternate
Mission Valley Regional Occupational Center/Program (ROC/P)	1. Nancy Thomas	1.

Executive Board

Regional Policy Board of Special Education Local Plan Area (SELPA)	1. Katherine Jones	1. Phuong Nguyen
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Newark Teacher Induction Advisory Council (Formally EBIC)	1. Aiden Hill	1. Phuong Nguyen
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Audit Committee	1. Aiden Hill	2. Katherine Jones	1. Phuong Nguyen
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Bond/Parcel Tax Committee	1. Phuong Nguyen	2. Katherine Jones	1. Aiden Hill
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City of Newark NUSD Liaison Committee	2. Nancy Thomas	1. Katherine Jones
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The following derives directly from the Board approved "Governance Team Handbook"

Authority is Collective, Not Individual:

The only authority to direct action rests with the Board as a whole when seated at a regular or special board meeting. Outside of this meeting, there is no authority.

A majority Board vote provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction.

Bringing New Ideas Forward

The Board will be open to having "brainstorming" discussions, or study sessions, around any idea that a Trustee may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Trustee, at their initiative or at the request of a constituent, which was previously discussed during a board meeting.

Trustees will first notify the Board President and Superintendent of their interest in bringing forward a new idea at a board meeting.

When initially agendized, the preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.

Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea. The Superintendent will decide on the delegation of assignments to District staff.

The new idea may be agendized for discussion only. The Board majority will decide if the new idea should be further developed and studied by staff. The Board majority will decide if staff time should be invested in the "fleshing out" of new ideas.

Individual Trustees, in the course of interactions with constituents, will be careful not to make or imply the commitment of the full Board to explore or proceed with implementing new ideas.

17 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

Superintendent's Concluding Comments, Updates, and Future Agenda Items

AGENDA REQUESTS

Type	Information
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Purpose:

This is an opportunity for the Interim Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

18 ADJOURNMENT

PLACEHOLDER - Extend Meeting

Type	Action
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Recommended	The recommendation is that the Board of Education extends the meeting to ____ P.M.
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Action

Purpose:

This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

Adjournment

Type	Action
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Recommended	The recommendation is that the Board of Education adjourns this meeting.
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Action

Purpose:

No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time.

This action will conclude the meeting.

Motion & Voting

The recommendation is that the Board of Education adjourns to closed session.

Motion by Phuong Nguyen, second by Carina V Plancarte.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Diego Torres, Carina V Plancarte

1 CALL TO ORDER

Meeting Practices and Information

Type Procedural

In-person Meeting Information:

NUSD has opened its boardroom for in-person meetings and will follow the State's and Alameda County's safety guidelines for public gatherings. Please refrain from attending in-person meetings if you have any of the following symptoms:

- Loss of taste/smell
- Difficulty breathing
- Vomiting
- Diarrhea
- Fever
- Cough
- Headache
- Sore Throat
- Runny Nose

For additional COVID-19 information please go to <https://www.newarkunified.org/covid-19> or <https://www.acoe.org/guidance>

Observe The Board Of Education Meeting:

Members of the public 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.

Public Comment:

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLI COMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLI COMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

Roll Call

Type Procedural

Trustees:

Trustees:

- President Nancy Thomas
- Vice President/Clerk Aiden Hill
- Member Phuong Nguyen
- Member Katherine Jones
- Member Vacant

Student Board Member:

- Member Diego Torres

Public Comment on Closed Session Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and tries to make it convenient for members of the community to express their views to the Board.

If a constituent wishes to address the Board on any agenda item:

In-Person Comment: please submit a completed speaker card to the Board's Executive Assistant before the start of the meeting, or prior to the calling of the section for public comment.

Audio-Only Virtual Comment: please fill out a virtual speaker card via email at PUBLI COMMENT@newarkunified.org by 1:00 PM the day of the meeting. Please label your email as " AUDIO-ONLY PUBLIC COMMENT" and include your name as it will appear on Zoom, your phone number, email address, and the agenda item number related to your comment.

Please see detailed instructions for public comment on the link: <http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

Recess to Closed Session

Type Procedural

Purpose:

The Board will recess to Closed Session, and reconvene to Open Session on or about 7:00 p.m.

2 CLOSED SESSION

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a): Employee Organizations - NTA and CSEA

Type Action, Information, Procedural

Purpose:

Information may be provided by the agency negotiator, Executive Director of Human Resources. Assistance from the legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided. The employee organizations include NTA & CSEA.

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a)): Employee Group - NEWMA, Unrepresented Supervisors, and Contracted Management

Type Action, Discussion, Procedural

Purpose:

Information may be provided by the agency negotiator, the Executive Director of Human Resources, and the Superintendent. Assistance from legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided. The employee organizations include NEWMA, Unrepresented Supervisors, and Contracted Management

CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION Significant exposure to litigation pursuant to Gov. Code, 54956.9, subd. (d)[(2) or (3)]

Type Action, Discussion, Procedural

Purpose:

Information may be provided regarding significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: One Case (Keenan Claim Number 619871)

3 REPORT OF CLOSED SESSION ACTIONS

Report of Closed Session Actions

Type Action, Procedural

Purpose:

If available, a report of the closed session will be provided by the Board President.

4 RECONVENE TO OPEN SESSION

Pledge of Allegiance

Type Procedural

Purpose:

The Governance Team will recite the Pledge of Allegiance

5 APPROVAL OF AGENDA

Approval of the Agenda

Type Action

Recommended The recommendation is that the Board of Education approve the agenda for this meeting.
Action

Purpose:

Members of the Governance Team may request that the agenda be amended or approved as presented.

Motion & Voting

The recommendation is that the Board of Education approve the agenda for this meeting: moving item 14.3 to New Business.

Motion by Katherine Jones, second by Aiden Hill.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Diego Torres

6 STUDENT REPORT

Student Reports from Newark Junior High School, Alternative Education, and Newark Memorial High School

Type Information

Purpose:

At regular Board of Education meetings, a spokesperson of each secondary school may make a brief presentation. Discussion items may include updates, celebrations, and upcoming events.

- 1. Newark Junior High School

- 2. Alternative Education
- 3. Newark Memorial High School

7 RECOGNITIONS AND CELEBRATIONS

School Spotlight: Lincoln

Type Information

Purpose:
The School Spotlight gives the Board of Education and the public an opportunity to hear the highlights, achievements, and initiatives at each school from the principals.

Background:
The presentation and information will be provided by the Lincoln Elementary Principal, Lizaday Rancap-Perez.

8 EMPLOYEE ORGANIZATIONS

Employee Organizations

Type Information

Purpose:
At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Background:
Discussion items are limited to updates, celebrations, and upcoming events.

1. NTA
2. CSEA
3. NEWMA

9 PUBLIC COMMENT

Public Comment on Non-Agenda Items

Type Procedural

Purpose:
The Board of Education encourages the community's participation in its deliberations and tries to make it convenient for members of the community to express their views to the Board.

If a constituent wishes to address the Board on any agenda item:

In-Person Comment: please submit a completed speaker card to the Board's Executive Assistant before the start of the meeting, or prior to the calling of the section for public comment.

Audio-Only Virtual Comment: please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org by 1:00 PM the day of the meeting. Please label your email as "AUDIO-ONLY PUBLIC COMMENT" and include your name as it will appear on Zoom, your phone number, email address, and the agenda item number related to your comment.

Please see detailed instructions for public comment on the link: <http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

Public Comment on Agenda Items

Type Procedural

Purpose:
The Board of Education encourages the community's participation in its deliberations and tries to make it convenient for members of the community to express their views to the Board.

If a constituent wishes to address the Board on any agenda item:

In-Person Comment: please submit a completed speaker card to the Board's Executive Assistant before the start of the meeting, or prior to the calling of the section for public comment.

Audio-Only Virtual Comment: please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org by 1:00 PM the day of the meeting. Please label your email as "AUDIO-ONLY PUBLIC COMMENT" and include your name as it will appear on Zoom, your phone number, email address, and the agenda item number related to your comment.

Please see detailed instructions for public comment on the link: <http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

10 SUPERINTENDENT REPORT

Superintendent Report

Type Information

Purpose:

The interim superintendent will provide the Board of Education with district information, updates, news, or anything in the jurisdiction of the board or the superintendent.

Background:

The presentation and information will be provided by the Interim Superintendent

11 STAFF REPORT

A-G Completion Improvement Grant Update

Type Information

Purpose:

To provide the Board of Trustees and the public with an update on NUSD's A-G Completion Improvement Grant.

Background:

California AB-167 states the AG Completion Improvement Grant Program is to "provide additional supports to local educational agencies to help increase the number of California high school pupils, particularly unduplicated pupils, who graduate high school meeting the AG subject matter requirements for admission to the University of California and the California State University."

On March 3, 2022, Assistant Superintendent, Nicole Pierce-Davis, and Director of Special Projects, Abbey Kerins, presented A-G Completion Improvement Grant Plan before the Board of Trustees, which was approved on the March 17, 2022 board meeting. This plan included funds to hire a Coordinator of Equity and Access to support district initiatives towards increasing A-G completion district-wide.

Assistant Superintendent, Nicole Pierce-Davis and Coordinator of Equity and Access, Heather Decker will present the updates on the A-G Completion Improvement Grant Program for NUSD.

File Attachments

[Staff Report_ NUSD A-G Completion Improvement Grant Updates Presentation.pdf](#) (1,931 KB)

Differentiated Assistance (2023)

Type Information

Purpose:

To provide the Board of Trustees with an update on the district's eligibility regarding Differentiated Assistance (DA).

Background:

The overarching goal of Differentiated Assistance is to help LEAs and their schools meet the needs of each student they serve, with a focus on building local capacity to sustain improvement and to effectively address disparities in opportunities and outcomes. Given challenges experienced during the pandemic, almost all Alameda County districts qualify this year, which highlights the need for targeted and intentional district intervention. As articulated in California Education Code 52095.5(b), DA works to build the capacity of LEAs in the following areas:

1. Support the continuous improvement of student performance in each of the eight state priority areas described in Education Code 52060(d) and 52066(d).
2. Address the gaps in achievement between student groups identified in Education Code 52052.
3. Improve outreach and collaboration with stakeholders to ensure that goals, actions, and services described in school district and county office of education Local Control and Accountability Plans (LCAPs) reflect the needs of students and the community, especially for historically underrepresented or low-achieving groups.

File Attachments

[Staff Report_ Differentiated Assistance 040623.pdf](#) (1,337 KB)

12 OLD BUSINESS

Set Regular Meeting Dates for 2023-24

Type Action

Recommended The recommendation is that the Board of Education approve the dates of the regular meetings
Action for the 2023-24 school year.

Purpose:

The Board shall approve the dates of the regular board meetings for the 2023-24 school year.

Background:

Per the request of the Board, the meeting schedule is being changed from the first and third Thursday of the month, to the first and third Tuesday of the month.

RECOMMENDED BOARD OF EDUCATION MEETING DATES for the School Year 2023-24

- August 1
- August 15
- September 5
- September 19
- October 3
- October 17
- November 7
- No Meeting November 21 (Thanksgiving Break)

December 5
December 19
No Meeting January 2, 2024 (Winter Break)
January 23 (moved to 4th Tuesday because of Winter Break)
February 6
February 20
March 5
March 19
No Meeting April 2 (Spring Break)
April 16
May 7
May 21
June 4
June 18

Motion & Voting

The recommendation is that the Board of Education approve the dates of the regular meetings for the 2023-24 school year.

Motion by Katherine Jones, second by Aiden Hill.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Diego Torres

RESOLUTION 2020.21-025 (Delegate Authority to Procure Necessary Materials, Equipment and Services to Provide Distance and/or In-Person Learning for Staff, Teachers, and Students to Mitigate the Effects of Covid-19)

Type	Action
Fiscal Impact	Yes
Budgeted	Yes
Recommended	The recommendation is that the Board of Education terminate Resolution 2020.21-025
Action	(Resolution of the Board of Education of the Newark Unified School District to Delegate Authority to Procure Necessary Materials, Equipment and Services to Provide Distance and/or In-Person Learning for Staff, Teachers, and Students to Mitigate the Effects of Covid-19) effective April 6, 2023.

Purpose:

To terminate Resolution 2020.21.0 to Delegate Authority to Procure Necessary Materials, Equipment and Services to Provide Distance and/or In-Person Learning for Staff, Teachers, and Students to Mitigate the Effects of Covid-19.

Background:

On April 1, 2021, the Newark Unified School District Board approved Resolution 2020.21-025 delegating authority to the Superintendent or designee to procure necessary materials, equipment, and services that are needed to provide distance and/or in-person learning to mitigate the effects of Covid-19. Language in the resolution states "the Superintendent/Designee shall make periodic reports to the Board of Education and the public regarding implementation of this resolution and the costs associated therewith"; requiring the update provided here.

On June 16, 2022 Amended Resolution 2020.21-025 was approved. The amendment extends it to on or around June 30, 2023 and states that updates will be presented at the first Board meeting of each month.

Effective February 28, 2023, Governor Gavin Newsome issued a Proclamation terminating the State of Emergency dated March 4, 2020 for COVID-19. Therefore, Resolution 2020.21.025 is no longer in effect.

File Attachments

[COVID-SOE-Termination-Proclamation-2.28.23.pdf](#) (618 KB)

[Amended Resolution 2020.21-025 Emergency Resolution Re COVID-19_orig 4-1-2021_rev 6-16-21_rev 6-16-22.pdf](#) (291 KB)

Motion & Voting

The recommendation is that the Board of Education terminate Resolution 2020.21-025 (Resolution of the Board of Education of the Newark Unified School District to Delegate Authority to Procure Necessary Materials, Equipment and Services to Provide Distance and/or In-Person Learning for Staff, Teachers, and Students to Mitigate the Effects of Covid-19) effective April 6, 2023.

Motion by Nancy Thomas, second by Aiden Hill.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Diego Torres

13 NEW BUSINESS

REPORT: 2021-22 Audit Report - Measure G Bond

Type	Action
Recommended	The recommendation is that the Board of Education accept the Measure G Financial and
Action	Performance Audit Report for the year ended June 30, 2022.

Purpose:

The purpose of this item is for the Board to receive information and accept the Measure G Financial and Performance Audit Report for the fiscal year ended June 30, 2022.

Background:

On March 28, 2023, the Citizen's Bond Oversight Committee reviewed and accepted the Measure G Financial and Performance Audit Report

for the fiscal year ended June 30, 2022.

In accordance with generally accepted auditing standards and Government Auditing Standards, the independent auditing firm of Christy White, Inc. has completed their Financial and Performance Audit Report of the Proposition 39 (Measure G) Bonds of the Newark Unified School District for the fiscal year ended June 30, 2022. There were no findings in the audit report.

[File Attachments](#)

[Measure G Bond Audit Report for Year Ended June 30, 2022_FINAL.pdf](#) (236 KB)

[Motion & Voting](#)

The recommendation is that the Board of Education accept the Measure G Financial and Performance Audit Report for the year ended June 30, 2022.

Motion by Phuong Nguyen, second by Aiden Hill.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Diego Torres

[Revised Audit Committee Charter](#)

[Type](#) Action

Recommended The recommendation is that the Board of Education approve the revised Audit Committee Charter as presented.

[Purpose:](#)

For the Board to approve the revised Audit Committee Charter as presented.

[Background:](#)

On March 7, 2023 and March 22, 2023 the Audit Committee reviewed and made revisions to the Audit Committee Charter. On March 22, 2023 the committee agreed upon the final draft to be presented to the Board for approval.

[File Attachments](#)

[Existing Audit Committee Charter_September 2022.pdf](#) (193 KB)

[Recommended_Audit Committee_Charter-Matrix_Final Draft-032723.pdf](#) (88 KB)

[Motion & Voting](#)

The recommendation is that the Board of Education approve the revised Audit Committee Charter with the revision on page 3 that the number be in front.

Motion by Katherine Jones, second by Diego Torres.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Diego Torres

[Resolution No. 2022.23.27 Child Abuse Prevention Month](#)

[Type](#) Action

Absolute Date Apr 06, 2023

Recommended The recommendation is that the Board of Education adopts Resolution No. 2022.23.27

Action recognizing April as Child Abuse Prevention Month.

[Purpose:](#)

The purpose is for the Board of Education to review and adopt Resolution No 2022.23.27 Child Abuse Prevention Month.

[Background:](#)

A presidential proclamation in 1983 declared April as Child Abuse Prevention Month. Since then, April has been a time to acknowledge the importance of families and communities working together to prevent child abuse. We are joining forces with other districts and cities to promote the well-being of all children by participating in the National Child Abuse Prevention Month in April 2023.

[File Attachments](#)

[Resolution No. 2022.23.27 Child Abuse Prevention.pdf](#) (13 KB)

[Motion & Voting](#)

The recommendation is that the Board of Education adopts Resolution No. 2022.23.27 recognizing April as Child Abuse Prevention Month.

Motion by Phuong Nguyen, second by Katherine Jones.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Diego Torres

[Board Governance Workshop and Surplus Property Study Session](#)

[Type](#) Discussion

[Purpose:](#)

Staff seeks Board guidance regarding its interest in and timing for a governance workshop as well as a study session on surplus property.

[Background:](#)

Governance Workshop

Typically, school boards hold governance workshops or retreats early in the calendar year, as there may be a new board president and occasionally new board

and norms, communication protocols, and potentially long-term strategic thinking. Given that two new members joined the Board in December 2022 and this week the Board expects to appoint another new member, the NUSD school board is overdue for a governance retreat. Additionally, it's my understanding that the Board has shared an interest in Brown Act training. Staff would like to confirm whether the Board is interested in a governance workshop, and if so, when that should take place.

There are tradeoffs to timing the workshop before June 30 (with the interim superintendent) vs. after June 30 (with the new permanent superintendent). The advantage to starting this spring is that it will address the interest in Brown Act training, help the Board's functioning in the short term, and accelerate the Board working as a cohesive governance team. The disadvantage is that the new superintendent likely would not participate, undermining the utility of discussing strategy or coordination protocols with the superintendent and senior staff. To counteract that, the Board could spend less time on coordination with the superintendent and/or include additional senior staff to serve as institutional memory across the superintendent transition.

Surplus Property Study Session
 On June 16, 2022, as part of a regularly scheduled meeting, the Board held a study session on the topic of surplus property. The Board received the attached presentation from an attorney specializing in this area from the law firm DWK. At the time, the Board authorized staff to generate a request for proposals (RFP) to identify a qualified consultant to advise the Board on its options and potentially to make recommendations to the Board regarding District property. In February 2023, staff posted an RFP, and a consultant was recently identified through that process. Because so much time has passed, we now have three new members

14 CONSENT AGENDA: PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type	Action
Recommended	It is recommended that the Board of Education approve, under one consented vote, the
Action	agenda items under Consent-Personnel, except for agenda items:

Purpose:
 This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:
 Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Personnel Report

Type	Action
Absolute Date	Apr 06, 2023
Recommended	The recommendation is that the Board of Education ratify the personnel report as presented.
Action	

Purpose:
 The purpose is for the Board of Education to ratify the Personnel Report as presented.

Background:
 All personnel activities including new hires, changes in status, resignation, leaves, and retirements are routinely submitted to the Board for ratification.

File Attachments
[HR PAL 04-06-2023.pdf](#) (357 KB)

Motion & Voting
 The recommendation is that the Board of Education ratify the personnel report as presented.
 Motion by Phuong Nguyen, second by Aiden Hill.
 Final Resolution: Motion Carries
 Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones
 Not Present at Vote: Diego Torres

Declaration of Need for Fully Qualified Educators

Type	Action
Absolute Date	Apr 06, 2023
Recommended	The recommendation is that the Board of Education approve the Declaration of Need for Fully
Action	Qualified Educators as presented.

Purpose:
 The California Commission on Teacher Credentialing requires that each school district file a Declaration of Need for Fully Qualified Educators for the pending academic year.

Background:
 The declaration specifies the number of teachers the school district anticipates hiring in designated subjects and at designated levels on

emergency permits and the number of interns the school district anticipates hiring. The declaration is valid for one academic year and is a prerequisite to the issuance of any emergency permits to the school district from the Commission on Teacher Credentialing. The declaration may be amended throughout the academic year as needed.

File Attachments

- cl500 Declaration of Need.pdf (570 KB)
- cl505a Annual Statement of Need.pdf (289 KB)

Motion & Voting

The recommendation is that the Board of Education approve the Declaration of Need for Fully Qualified Educators as presented.

Motion by Phuong Nguyen, second by Katherine Jones.
 Final Resolution: Motion Carries
 Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones
 Not Present at Vote: Diego Torres

15 CONSENT AGENDA: NON-PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type	Action
Recommended	It is recommended that the Board of Education approve, under one consented vote, the
Action	agenda items under Consent Non-Personnel, except for agenda items:

Purpose:
 This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:
 Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Motion & Voting

It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent Non-Personnel, except for agenda items: 15.3.

Motion by Phuong Nguyen, second by Katherine Jones.
 Final Resolution: Motion Carries
 Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Diego Torres

FIELD TRIP: Non-Curricular, Overnight, One-Way Distance Over 100 Miles Field Trip: Newark Memorial HS to Anaheim, CA

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$77.95
Budgeted	Yes
Budget Source	Students in Attendance, Ed Services and PTSA.
Recommended	The recommendation is that the Board of Education approve the NMHS Class of 2023 students
Action	to travel to Anaheim, CA for Grad Nite.

Purpose:
 The NMHS Principal and Class of 2023 request permission to take students on a non-curricular, overnight trip to Anaheim, CA for the annual Grad Nite event. Grad Nite is for the Class of 2023 to experience a lifetime memory with their classmates. Students will travel by chartered bus set up by MOT and travel with the required amount of chaperones needed for this trip.

School: Newark Memorial
 Date: May 21-22, 2023
 Location: Anaheim, CA

Requirements met:
 Grade K-3, one adult for every 5-8 students; Grades 4-12, one adult for every 10 students; Board Policy requires at least two adults on every trip regardless of the number of students (BP 6153 and AR 6153).
 Overnight trip supervision must be gender appropriate.
 No student will be denied due to a lack of funds.

Background:

According to Board Policy 6153, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. Newark Memorial High School Principal and staff request permission to take Class of 2023 seniors on a non-curricular trip that will include transportation by chartered bus to Anaheim, CA.

Motion & Voting

The recommendation is that the Board of Education approve the NMHS Class of 2023 students to travel to Anaheim, CA for Grad Nite.

Motion by Phuong Nguyen, second by Katherine Jones.

REPORT: Williams Uniform Complaint Quarterly Report January 1, 2023 - March 31, 2023

Type Action
Absolute Date Apr 06, 2023
Recommended The recommendation is that the Board of Education approves the Williams Uniform Complaint
Action Quarterly Report for the period of January 1, 2023 - March 31, 2023.

Purpose:

The purpose is for the Board of Education to receive and approve the Williams Uniform Complaint Quarterly Report for the period of January 1, 2023 - March 31, 2023.

Background:

Education Code 35186 requires that the Superintendent of a school district report summarized data on the nature and resolution of all complaints filed under the Williams Uniform Complaint Procedures to the local Board of Education and the County Superintendent of Schools on a quarterly basis. The report must include the number of complaints by general area, the number of resolved and unresolved complaints, and be publicly presented at a regularly scheduled Board meeting. The attached report is presented to the Board for the period of January 1, 2023 - March 31, 2023.

File Attachments

Q423 UCP Report 04.06.2023.pdf (197 KB)

Motion & Voting

The recommendation is that the Board of Education approves the Williams Uniform Complaint Quarterly Report for the period of January 1, 2023 - March 31, 2023.

Motion by Aiden Hill, second by Nancy Thomas.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Diego Torres

REPORT: Quarterly Report on Contracts - FY 2022-23

Type Action
Fiscal Impact Yes
Budgeted Yes
Budget Source General Fund
Recommended The recommendation is that the Board of Education ratify the contracts presented for the
Action Quarterly Report on Contracts - FY 2022-23.

Purpose:

For the Board to ratify the contracts presented on the quarterly report.

Background:

The Board has requested a report of all contracts for services over \$10,000 be reviewed by the Board on a quarterly basis. This report only includes contracts that have not been previously approved by the Board. Contracts are on file in the Business Office.

File Attachments

Quarterly Contract Report Q3 22-23_4-6-2023.pdf (47 KB)

Wellness Together_2022-2023_Bridgepoint_fully executed.pdf (567 KB)

Motion & Voting

The recommendation is that the Board of Education ratify the contracts presented for the Quarterly Report on Contracts - FY 2022-23.

Motion by Phuong Nguyen, second by Katherine Jones.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Diego Torres

REPORT: Monthly Purchase Order Report

Type Action
Recommended The recommendation is that the Board of Education receive the Monthly Purchase Order
Action Report as presented.

Purpose:

The purpose of this item is to present a monthly report on Purchase Order transactions per Board Policy 3300, Expenditures and Purchases.

Background:

Based on the discussion at the Board's Study Session on January 6, 2022, staff is providing a monthly report on Purchase Order transactions per Board Policy 3300, Expenditures and Purchases. The policy states that "The Board shall review all transactions entered into by the Superintendent or designee on behalf of the Board every 60 days."

File Attachments

Monthly Purchase Order Report 04-06-2023.pdf (117 KB)

Motion & Voting

The recommendation is that the Board of Education receive the Monthly Purchase Order Report as presented.

Motion by Phuong Nguyen, second by Katherine Jones.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Diego Torres

PURCHASE: AMS.net for the Wifi Improvement Project

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$475,883.84
Budgeted	Yes
Budget Source	E-rate, General Fund, Learning Recovery Emergency Block Grant, and Arts, Music and Instructional Materials Grant
Recommended Action	The recommendation is that the Board of Education approve the purchase of wireless access points from AMS.net as presented.

Purpose:

To approve the purchase of wireless access points for the second phase of the wifi project from AMS.net.

Background:

At the November 17, 2022 Board meeting, staff presented information about technology connectivity and wifi issues.

The district's wireless system, access points and controllers are outdated and need to be upgraded to improve and resolve connectivity and wifi issues. This includes new controllers and access points.

On February 2, 2023 the Board approved an agreement with Colligo Systems LLC to provide new access points at Newark Memorial High School and new controllers for the district.

This agenda item is the second part of the wifi project that will replace the existing wireless access points at Newark Jr High School, elementary sites and the district office. The access points will be purchased through the E-rate program which requires that the purchase be made through an approved vendor using a "SPURR" contract. There are only two (2) vendors in California that are SPURR authorized (CDWG and AMS.net). The District reached out to both vendors; one responded with the quote attached, the other declined to participate. The E-rate program will be able to provide funding for approximately 55-60% of the total cost.

The total purchase, including installation, is \$475,883.84. Of this amount, E-rate will cover \$285,530.30 and \$190,353.54 will be covered by the District.

File Attachments

[Solution Proposal - E-Rate 26 SPURR - Wireless Upgrade - 99133 - Newark USD \(1\).pdf](#) (2,122 KB)

[SPURR E-Rate Authorization for AMS.NET.PDF](#) (1,443 KB)

Motion & Voting

The recommendation is that the Board of Education approve the purchase of wireless access points from AMS.net as presented.

Motion by Phuong Nguyen, second by Katherine Jones.

CONTRACT AMENDMENT: Pappas Energy

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$1,856.29
Budget Source	Bay Area Air Quality Management District Grant and Fund 40 Special Reserve for Capital Outlay
Recommended Action	The recommendation is that the Board of Education approve the amendment for the Pappas Energy contract for the Electric Vehicle Charging Station project.

Purpose:

To approve an amendment to an agreement with Pappas Energy to provide, as required by PG&E, trench and conduit for PG&E under metered panel pad.

Background:

On December 15, 2022, the Board of Trustees approved a contract with Pappas Energy to install of five (5) electric vehicle charging stations at the district M OT

yard, which includes the concrete pad, and wiring from the electrical panel to the EV chargers. PG&E has added new requirements to owner's responsibilities to

include trench and conduit for the PG&E under metered panel pad.

Date	Activity	Amount
12/15/2022	Pappas Energy Contract	\$52,500.00
4/6/2023	PG&E New Requirement Change Order 1	\$ 1,856.29
	New Contract Amount	\$54,356.29

File Attachments

[Pappas Energy_Change Order 1.pdf](#) (184 KB)

[Pappas Energy_Change Order 1_Scope of Work.pdf](#) (893 KB)

Motion & Voting

The recommendation is that the Board of Education approve the amendment for the Pappas Energy contract for the Electric Vehicle Charging Station project.

Motion by Phuong Nguyen, second by Katherine Jones.

RESOLUTION 2022.23.28 Declaring Surplus Equipment

Type Action
Recommended Action The recommendation is that the Board of Education approve Resolution 2022.23.28 - Declaring Surplus Equipment.

Purpose: The purpose of this item is to obtain Board approval of Resolution 2022.23.28- Declaring Surplus Equipment, which lists items to be declared as surplus equipment as recommended.

Background: Surplus materials will be disposed of per Board Policy and Administrative Regulation 3270 Sale And Disposal Of Books, Equipment And Supplies. Education Code, Section 17546 states that if the Governing Board, by a unanimous vote of those members present, finds that the property, whether one or more items, does not exceed the value of \$2,500, it may be sold at private sale without advertising, by a District employee empowered for that purpose by the Board; the property may be donated to a charitable organization, or it may be disposed of in a public disposal facility. The property as described in Resolution 2022.23.28 includes equipment used at the Instructional Material Center. Staff determined that items are obsolete and/or beyond economical repair.

File Attachments
Resolution 2022.23.28 Declaring Surplus Equipment.pdf (55 KB)

Motion & Voting
The recommendation is that the Board of Education approve Resolution 2022.23.28 - Declaring Surplus Equipment.
Motion by Phuong Nguyen, second by Katherine Jones.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Diego Torres

MINUTES: Minutes of the January 19, 2023 Regular Meeting of the Board of Education

Type Action, Minutes
Recommended Action Minutes The recommendation is that the Board of Education approve the minutes of the January 19, 2023 Regular Meeting of the Board of Education.
View Minutes for Jan 19, 2023 - Regular Meeting of the Board of Education

Purpose: For the board to review and approve minutes of the January 19, 2023 Regular Meeting of the Board of Education.

Background: The attached minutes are reflective of the January 19, 2023 Regular Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel HERE.

Motion & Voting
The recommendation is that the Board of Education approve the minutes of the January 19, 2023 Regular Meeting of the Board of Education.
Motion by Phuong Nguyen, second by Katherine Jones.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Diego Torres

MINUTES: Minutes of the January 31, 2023, Speical Meeting of the Board of Education

Type Action, Minutes
Recommended Action Minutes The recommendation is that the Board of Education approve the minutes of the January 31, 2023, Special Meeting of the Board of Education.
View Minutes for Jan 31, 2023 - Special Meeting of the Board of Education

Purpose: For the board to review and approve minutes of the January 31, 2023, Special Meeting of the Board of Education.

Background: The attached minutes are reflective of the January 31, 2023, Special Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel HERE.

Motion & Voting
The recommendation is that the Board of Education approve the minutes of the January 31, 2023, Special Meeting of the Board of Education.
Motion by Phuong Nguyen, second by Katherine Jones.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Diego Torres

MINUTES: Minutes of the February 2, 2023 Regular Meeting of the Board of Education

Type Action, Minutes

Recommended Action Minutes The recommendation is that the Board of Education approve the minutes of the February 2, 2023 Regular Meeting of the Board of Education.
View Minutes for Feb 2, 2023 - Regular Meeting of the Board of Education

Purpose:
for the board to review and approve minutes of the February 2, 2023, Regular Meeting of the Board of Education.

Background:
The attached minutes are reflective of the February 2, 2023, Regular Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel [HERE](#).

Motion & Voting
The recommendation is that the Board of Education approve the minutes of the February 2, 2023 Regular Meeting of the Board of Education.
Motion by Phuong Nguyen, second by Katherine Jones.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Diego Torres

MINUTES: Minutes of the February 2, 2023 Special Meeting of the Board of Education

Type Action, Minutes
Recommended Action Minutes The recommendation is that the Board of Education approve the minutes of the February 2, 2023 Special Meeting of the Board of Education.
View Minutes for Feb 2, 2023 - Special Meeting of the Board of Education

Purpose:
for the board to review and approve minutes of the February 2, 2023, Special Meeting of the Board of Education.

Background:
The attached minutes are reflective of the February 2, 2023, Special Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel [HERE](#).

Motion & Voting
The recommendation is that the Board of Education approve the minutes of the February 2, 2023 Special Meeting of the Board of Education.
Motion by Phuong Nguyen, second by Katherine Jones.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Diego Torres

MINUTES: Minutes of the February 6, 2023 Special Meeting of the Board of Education

Type Action, Minutes
Recommended Action Minutes The recommendation is that the Board of Education approve the minutes of the February 6, 2023, Special Meeting of the Board of Education.
View Minutes for Feb 6, 2023 - Special Meeting of the Board of Education

Purpose:
For the board to review and approve minutes of the February 6, 2023, Special Meeting of the Board of Education.

Background:
The attached minutes are reflective of the February 6, 2023, Special Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel [HERE](#).

Motion & Voting
The recommendation is that the Board of Education approve the minutes of the February 6, 2023, Special Meeting of the Board of Education.
Motion by Phuong Nguyen, second by Katherine Jones.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Diego Torres

MINUTES: Minutes of the February 16, 2023 Regular Meeting of the Board of Education

Type Action, Minutes
Recommended Action Minutes The recommendation is that the Board of Education approve the minutes of the February 16, 2023, Regular Meeting of the Board of Education.
View Minutes for Feb 16, 2023 - Regular Meeting of the Board of Education

Purpose:
For the board to review and approve minutes of the February 16, 2023, Regular Meeting of the Board of Education.

Background:
The attached minutes are reflective of the February 16, 2023, Regular Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel [HERE](#).

Motion & Voting

The recommendation is that the Board of Education approve the minutes of the February 16, 2023, Regular Meeting of the Board of Education.

Motion by Phuong Nguyen, second by Katherine Jones.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Diego Torres

MINUTES: Minutes of the February 22, 2023, Special Meeting of the Board of Education

Type Action, Minutes
Preferred Date Apr 06, 2023
Recommended For the board to review and approve minutes of the February 22, 2023, Special Meeting of the Board of Education.
Action Board of Education.
Minutes View Minutes for Feb 22, 2023 - Special Meeting of the Board of Education

Purpose:
For the board to review and approve minutes of the February 22, 2023, Special Meeting of the Board of Education.

Background:
The attached minutes are reflective of the February 22, 2023, Special Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel HERE.

Motion & Voting
For the board to review and approve minutes of the February 22, 2023, Special Meeting of the Board of Education.
Motion by Phuong Nguyen, second by Katherine Jones.
Final Resolution: Motion Carries
Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Diego Torres

16 BOARD OF EDUCATION: COMMITTEE REPORTS, ANNOUNCEMENTS, REQUESTS, DEBRIEF

Board of Education Committee Reports, Announcements, Requests, Debrief and Discussion

AND DISCUSSION

Type Action, Discussion, Information

Purpose:
COMMITTEE REPORTS: The Trustees will provide an update, if available, on the committees of which they are members.
ANNOUNCEMENTS: The Trustees may acknowledge or recognize specific programs, activities, or personnel at this time.
REQUESTS: This is an opportunity for the Board of Education to suggest items for placement on future agendas and to review Board requests.
Approval from the majority of the Board will be required for direction to be provided to the Superintendent.
DEBRIEF AND DISCUSSION: The Trustees may debrief and discuss items.

Background:
Each year the Board of Education members liaise with schools and committees in order to build relationships, hear from staff, students, and families, and act as a conduit for information to and from the schools.

Board Committees 2022-23
Board Adopted on 12/15/2022

	Representative	Alternate
Mission Valley Regional Occupational Center/Program (ROC/P)	1. Nancy Thomas	1.
Executive Board		
Regional Policy Board of Special Education Local Plan Area (SELPA)	1. Katherine Jones	1. Phuong Nguyen
Newark Teacher Induction Advisory Council (Formally EBIC)	1. Aiden Hill	1. Phuong Nguyen
Audit Committee	1. Aiden Hill	2. Katherine Jones
Bond/Parcel Tax Committee	1. Phuong Nguyen	2. Katherine Jones
City of Newark NUSD Liaison Committee	2. Nancy Thomas	1. Katherine Jones

The following derives directly from the Board approved "Governance Team Handbook"
Authority is Collective, Not Individual:
The only authority to direct action rests with the Board as a whole when seated at a regular or special board meeting. Outside of this meeting, there is no authority.
A majority Board vote provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction.

Bringing New Ideas Forward
The Board will be open to having "brainstorming" discussions, or study sessions, around any idea that a Trustee may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Trustee, at their initiative or at the request of a constituent, which was previously discussed during a board meeting.
Trustees will first notify the Board President and Superintendent of their interest in bringing forward a new idea at a board meeting. When initially agendized, the preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.
Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea. The Superintendent will decide on the delegation of assignments to District staff.
The new idea may be agendized for discussion only. The Board majority will decide if the new idea should be further developed and studied by staff. The Board majority will decide if staff time should be invested in the "fleshing out" of new ideas.
Individual Trustees, in the course of interactions with constituents, will be careful not to make or imply the commitment of the full Board to explore or proceed with implementing new ideas.

17 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

Superintendent's Concluding Comments, Updates, and Future Agenda Items

AGENDA REQUESTS

Type Information

Purpose:

This is an opportunity for the Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

18 ADJOURNMENT

PLACEHOLDER - Extend Meeting

Type Action

Recommended The recommendation is that the Board of Education extends the meeting to ____ P.M.
Action

Purpose:

This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

Adjournment

Type Action

Recommended The recommendation is that the Board of Education adjourns this meeting.
Action

Purpose:

No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time. This action will conclude the meeting.

Motion & Voting

The recommendation is that the Board of Education adjourns this meeting.

Motion by Diego Torres, second by Katherine Jones.

Final Resolution: Motion Carries

Yea: Nancy Thomas, Aiden Hill, Phuong Nguyen, Katherine Jones, Diego Torres

1 CALL TO ORDER

Meeting Practices and Information

Type Procedural

In-person Meeting Information:

NUSD has opened its boardroom for in-person meetings and will follow the State's and Alameda County's safety guidelines for public gatherings. Please refrain from attending in-person meetings if you have any of the following symptoms:

- Loss of taste/smell
- Difficulty breathing
- Vomiting
- Diarrhea
- Fever
- Cough
- Headache
- Sore Throat
- Runny Nose

For additional COVID-19 information please go to <https://www.newarkunified.org/covid-19> or <https://www.acoe.org/guidance>

Observe The Board Of Education Meeting:

Members of the public 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.

Public Comment:

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

Pledge of Allegiance

Type Procedural

Purpose:

The Governance Team will recite the Pledge of Allegiance.

Roll Call

Type Procedural

Trustees:

- President Nancy Thomas
- Vice President/Clerk Aiden Hill
- Member Phuong Nguyen
- Member Bowen Zhang
- Member Katherine Jones

Student Board Member:

Diego Torres

2 APPROVAL OF AGENDA

Approval of the Agenda

Type Action

Recommended The recommendation is that the Board of Education approve the agenda for this meeting.
Action

Purpose:

Members of the Governance Team may request that the agenda be amended or approved as presented.

3 OPEN SESSION

Public Comment on Closed Session Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and tries to make it convenient for members of the community to express their views to the Board.

If a constituent wishes to address the Board on any agenda item:

In-Person Comment: please submit a completed speaker card to the Board's Executive Assistant before the start of the meeting, or prior to the calling of the section for public comment.

Audio-Only Virtual Comment: please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org by 1:00 PM the day of the meeting. Please label your email as " AUDIO-ONLY PUBLIC COMMENT" and include your name as it will appear on Zoom, your phone number, email address, and the agenda item number related to your comment.

Please see detailed instructions for public comment on the link: <http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

4 CLOSED SESSION

PUBLIC EMPLOYEE APPOINTMENT/DISCUSSION (Gov. Code, 54957, subd. (b) (1) Title: Superintendent

Type Discussion

5 ADJOURNMENT

PLACEHOLDER - Extend Meeting

Type Action

Recommended The recommendation is that the Board of Education extends the meeting to ____ P.M.
Action

Purpose:

This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

Adjournment

Type Action, Procedural

Recommended The recommendation is that the Board of Education adjourns this meeting.
Action

Purpose:

No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time. This action will conclude the meeting.

1 CALL TO ORDER

Meeting Introduction

Type Information, Procedural
IN-PERSON MEETING INFORMATION

NUSD has opened its boardroom for in-person meetings and will follow the State's and Alameda County's safety guidelines for public gatherings. Please refrain from attending in-person meetings if you have any of the following symptoms:

- Loss of taste/smell
- Difficulty breathing
- Vomiting
- Diarrhea
- Fever
- Cough
- Headache
- Sore Throat
- Runny Nose

For additional COVID-19 information please go to <https://www.newarkunified.org/covid-19> or <https://www.acoe.org/guidance>

OBSERVE THE BOARD OF EDUCATION MEETING

Members of the public 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.

PUBLIC COMMENT

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

Roll Call

Type Procedural
TRUSTEES
President Nancy Thomas
Vice President/Clerk Aiden Hill
Member Phuong Nguyen
Member Katherine Jones
Member VACANT
STUDENT BOARD MEMBER
Member Diego Torres

2 APPROVAL OF AGENDA

Approval of the Agenda

Type Action, Discussion
Recommended It is recommended that the Board of Education approve the agenda for this meeting.
Action

Purpose:
Members of the Governance Team may request that the agenda be amended or approved as presented.

Motion & Voting
It is recommended that the Board of Education approve the agenda for this meeting.
Motion by Aiden Hill, second by Katherine Jones.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Aiden Hill, Diego Torres, Katherine Jones, Nancy Thomas

Public Comment on Agenda Items

Type Procedural

Purpose:
The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:
Please see the instructions on the link below for public comment information on agenda items.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

3 CONSENT AGENDA: NON-PERSONNEL ITEMS

FIELD TRIP: Curricular, Overnight Trip for Newark Memorial MCA Seniors to travel to Los Angeles.

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$19,932.00
Budgeted	Yes
Budget Source	MCA CPA Grant funds
Recommended	The recommendation is that the Board of Education approve the field trip for Newark
Action	Memorial MCA Seniors to travel to Los Angeles.

Purpose:

The Newark Memorial community requests permission to take MCA Seniors on a curricular, overnight field trip. Students will travel to Los Angeles. Student will be exposed to post-secondary opportunities in the greater Los Angeles region in the fields of Arts, Media, and Entertainment.

School: Newark Memorial High School

Dates: April 4 - April 7, 2023

Location: Los Angeles, CA

Chaperones:

The ratio of adults to students on school-sponsored trips shall be based on the following formula:

K-3 1 adult for every 5-8 students

4-9 1 adult for every 10 students

10-12 1 adult for every 10 students where strict supervision is required (tours, theaters, etc.)

Overnight trip supervision must be gender appropriate. However, in the event that the supervisors, who stay overnight in proximity to students, are of a gender other than that group of campers, adequate planning, and preparation of campers and the physical arrangements of the camp shall be made to ensure optimal safety and privacy of students (AR 6153).

No student will be denied due to a lack of funds.

Background:

According to Board Policy, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. The site principal and Media Arts teacher request permission to take Newark Memorial MCA Seniors on an overnight curricular trip to Los Angeles.

Motion & Voting

The recommendation is that the Board of Education approve the field trip for Newark Memorial MCA Seniors to travel to Los Angeles.

Motion by Phuong Nguyen, second by Aiden Hill.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Aiden Hill, Diego Torres, Katherine Jones, Nancy Thomas

4 INTERVIEW AND APPOINTMENT

Board Member Appointment Candidate Interviews

Type	Discussion, Information
------	-------------------------

Purpose:

The Board of Education has received four applications to join the school board. The Board will interview the four candidates.

Background:

On February 17, 2023, Board Member Bowen Zhang resigned from the NUSD Board (effective February 28) via email to the County Superintendent. Based upon board policy, state education code, discussion at the Special Meeting on February 22, 2023, and formal action at the March 2, 2023 Regular Meeting, the Board is proceeding with an appointment process to fill the vacancy created by Member Zhang. The Board has 60 days to do this from the date on which Member Zhang filed his resignation to the County Superintendent on February 17, 2023. That deadline for an appointment is April 18, 2023.

On March 3, 2023, applications were made available to the public, with a closing date of March 22, 2023. Four applications were submitted, and four candidates confirmed their attendance for this Special Meeting on April 3, 2023.

Immediately before this evening's meeting, the candidates will randomly draw their order for interviewing. The Board will interview the candidates one by one, asking each candidate the same questions. To keep the process fair, the candidates will be asked to wait in a separate room before they are interviewed. In other words, the candidates will not be able to hear the interview questions and answers of the candidates before them.

The applications of the candidates for board member appointment are attached.

Candidates to be interviewed:

Julie Del Catancio

Peter Natale

Carina Valencia Plancarte

Delcina Wadia

File Attachments

[2023-0403 - Board Vacancy Application - Julie Del Catancio.pdf](#) (1,091 KB)

[2023-0403 - Board Vacancy Application - Peter Natale.pdf](#) (213 KB)

[2023-0403 - Board Vacancy Application - Carina Valencia Plancarte.pdf](#) (433 KB)

[2023-0403 - Board Vacancy Application - Delcina Wadia.pdf](#) (255 KB)

Public Comment on the Board Vacancy

Type Discussion, Information

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board. Given the nature of this evening's agenda, we encourage public comment to be positive and to avoid critical comments of individual candidates.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items. http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40

Candidate Selection and Appointment

Type Action, Discussion

Recommended The recommendation is that the Board of Education appoint a candidate to the open position
Action on the NUSD Board of Education.

Purpose:

To select and appoint a candidate to fill the open position on the NUSD Board of Education. First, the Board will have the opportunity to discuss the qualities, experience, and/or perspective that they believe are important in a Board Member. Second, the Board will rank the candidates by preference (4 points = first choice, 3 points = second choice, 2 points = third choice, and 1 point = fourth choice). Third, the Board will take action to appoint a candidate to the NUSD Board of Trustees.

Background:

Consistent with the Brown Act, the Board may not conduct secret ballots as a part of this process. Therefore, the rankings of the candidates by each of the individual Board Members will be displayed and tallied in public. At times in the past, the Board has used two rounds of voting to narrow the field of candidates. However, given that there are only four candidates, the Board will be using a single round of voting at this meeting, unless there is a tie for first place. In that case, there will be a second round of voting focusing only on those candidates that tie for first place.

File Attachments

April 3, 2022 - Vacancy Appointment Selection.pdf (100 KB)

Motion & Voting

The recommendation is that the Board of Education appoint a candidate to the open position on the NUSD Board of Education Carnia Valencia Plancarte.

Motion by Katherine Jones, second by Aiden Hill.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Aiden Hill, Katherine Jones, Nancy Thomas
Not Present at Vote: Diego Torres

Oath of Office

Type Procedural

Purpose:

The newly appointed NUSD Board Member will recite the oath of office required of all public officials in California. They will be a Board Member, fully participating in all board meetings, communications, and activities, effective immediately.

Background:

The superintendent will administer the following Oath of Office to the appointee, phrase by phrase: "I, _____, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter."

5 ADJOURNMENT

PLACEHOLDER - Extend Meeting

Type Action

Recommended The recommendation is that the Board of Education extends the meeting to ____ P.M.
Action

Purpose:

This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

Adjournment

Type Action, Procedural
Recommended The recommendation is that the Board of Education adjourns this meeting.
Action

Purpose:
No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time.
This action will conclude the meeting.

Motion & Voting

1 CALL TO ORDER

Meeting Practices and Information

Type Information, Procedural
IN-PERSON MEETING INFORMATION
NUSD has opened its boardroom for in-person meetings and will follow the State's and Alameda County's safety guidelines for public gatherings. Please refrain from attending in-person meetings if you have any of the following symptoms:

- Loss of taste/smell
Difficulty breathing
Vomiting
Diarrhea
Fever
Cough
Headache
Sore Throat
Runny Nose

For additional COVID-19 information please go to https://www.newarkunified.org/covid-19 or https://www.acoe.org/guidance
OBSERVE THE BOARD OF EDUCATION MEETING
Members of the public 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.

PUBLIC COMMENT
The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

Pledge of Allegiance

Type Procedural

Purpose:
The Governance Team will recite the Pledge of Allegiance

Roll Call

Type Procedural

- Trustees:
President Phuong Nguyen
Vice President/Clerk Terrence Grindall
Member Aiden Hill
Member Alicia Marquez
Member Bowen Zhang

Student Board Member:
Member Estaina Resendiz Ortiz

2 APPROVAL OF AGENDA

Approval of the Agenda

Type Action
Recommended It is recommended that the Board of Education approve the agenda for this meeting.
Action

Purpose:
Members of the Governance Team may request that the agenda be amended or approved as presented.

Motion & Voting

It is recommended that the Board of Education approve the agenda for this meeting.
Motion by Bowen Zhang, second by Terrence Grindall.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang

3 CLOSED SESSION

PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Gov. Code, 54957, subd. (b) (1)) Title: Superintendent

Type Action, Discussion, Information

Recess to Closed Session

Type Procedural

Purpose:
The Board will recess to Closed Session.

4 ADJOURNMENT

PLACEHOLDER - Extend Meeting

Type Action
Recommended The recommendation is that the Board of Education extends the meeting to ____P.M.
Action

Purpose:
This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

Adjournment

Type Action, Procedural
Recommended The recommendation is that the Board of Education adjourns this meeting.
Action

Purpose:
No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time.
This action will conclude the meeting.

1 CALL TO ORDER

Meeting Practices and Information

Type Procedural

In-person Meeting Information:

NUSD has opened its boardroom for in-person meetings and will follow the State's and Alameda County's safety guidelines for public gatherings. Please refrain from attending in-person meetings if you have any of the following symptoms:

- Loss of taste/smell
- Difficulty breathing
- Vomiting
- Diarrhea
- Fever
- Cough
- Headache
- Sore Throat
- Runny Nose

For additional COVID-19 information please go to <https://www.newarkunified.org/covid-19> or <https://www.acoe.org/guidance>

Observe The Board Of Education Meeting:

Members of the public 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.

Public Comment:

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

Roll Call

Type Procedural

Trustees:

President Nancy Thomas
Vice President/Clerk Aiden Hill
Member Phuong Nguyen
Member Katherine Jones
Member Vacant

Student Board Member:

Member Diego Torres

Public Comment on Closed Session Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board. If a constituent wishes to address the Board on any agenda item, please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org.

2 CLOSED SESSION

Recess to Closed Session

Type Procedural

Purpose:

The Board will recess to Closed Session, and reconvene to Open Session on or about 7:00 p.m.

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE (Gov. Code, 54957, subd. (b)(1))

Type Action, Information, Procedural

Purpose:

Information will be provided by the Superintendent and Executive Director of Human Resources.

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a): Employee Organizations - NTA and CSEA

Type Action, Information, Procedural

Purpose:

Information may be provided by the agency negotiator, Executive Director of Human Resources. Assistance from the legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided. The employee organizations include NTA & CSEA.

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a)): Employee Group - NEWMA, Unrepresented Supervisors, and Contracted Management

Type Action, Discussion, Procedural

Purpose:

Information may be provided by the agency negotiator, the Executive Director of Human Resources, and the Superintendent. Assistance from legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided. The employee organizations include NEWMA, Unrepresented Supervisors, and Contracted Management

CONFERENCE WITH LEGAL COUNSEL EXISTING LITIGATION (Gov. Code, 54956.9, subd. (d)(1))

Type Action, Information, Procedural

Purpose:

To discuss the following case(s): Bretz vs Newark Unified School District Keenan Claim #569505.

3 REPORT OF CLOSED SESSION ACTIONS

Report of Closed Session Actions

Type Action, Procedural

Purpose:

If available, a report of the closed session will be provided by the Board President.

4 RECONVENE TO OPEN SESSION

Pledge of Allegiance

Type Procedural

Purpose:

The Governance Team will recite the Pledge of Allegiance

5 APPROVAL OF AGENDA

Approval of the Agenda

Type Action

Recommended Action The recommendation is that the Board of Education approve the agenda for this meeting.

Purpose:

Members of the Governance Team may request that the agenda be amended or approved as presented.

Motion & Voting

The recommendation is that the Board of Education approve the agenda for this meeting.

Motion by Aiden Hill, second by Katherine Jones.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Aiden Hill, Diego Torres, Katherine Jones, Nancy Thomas

Not Present at Vote: Bowen Zhang

6 EMPLOYEE ORGANIZATIONS

Employee Organizations

Type Information

Purpose:

At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Background:

Discussion items are limited to updates, celebrations, and upcoming events.

1. NTA
2. CSEA
3. NEWMA

7 PUBLIC COMMENT

Public Comment on Non-Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.

<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

Public Comment on Agenda Items

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.

<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

8 SUPERINTENDENT REPORT

Acting Superintendent Report

Type Information

Purpose:

The acting superintendent will provide the Board of Education with district information, updates, news, or anything in the jurisdiction of the board or the superintendent.

Background:

The presentation and information will be provided by the Acting Superintendent

9 STAFF REPORT

Curriculum and Assessment Update

Type Discussion, Information

Purpose:

To provide a staff report to the NUSD Board of Education related to two curriculum and assessment items: 1) i-Ready mid-year growth data which includes a comparison between fall and winter reports and respective academic progress and 2) To share an update with the NUSD Board of Education and community about staff results from a district-wide survey regarding the district's ELA K-8 curriculum and subsequent next steps.

Background:

One of NUSD's three professional development priorities for the 2022-23 school year includes "assessment for learning." Elementary schools use i-Ready assessments as a progress monitoring tool in both ELA and Mathematics. Staff engaged in a recent professional development with principals and site Instructional Learning Teams on March 3rd which focused site teams on the analysis of data from February mid-year assessments in order to inform an instructional plan for trimester III. The first part of the presentation serves as a summary of this work. The second part of the presentation will provide an update to the Board of Education with respect to district-wide staff results from a survey with respect to the efficacy of the current English Language Arts Curriculum, K-8, and detail next steps.

File Attachments

[Staff Report Curriculum & Assessment Update 3.16.23.pdf](#) (2,604 KB)

2023 Summer School Overview

Type Discussion, Information

Purpose:

To provide information to the Board of Trustees about the 2023 summer school program offerings.

Background:

This presentation is intended to provide information regarding summer school enrichment and credit recovery offerings that are possible in part due to the Expanded Learning Opportunity grant.

File Attachments

[2023 Summer Programs - Board Presentation.pdf](#) (1,484 KB)

10 OLD BUSINESS

POLICY UPDATE: Board Bylaw 9300.11 Methods of Operation

Type Action

Recommended Action The recommendation is that the Board of Education approve the updated Board Bylaw 9300.11 Methods of Operation.

Purpose:

This is the SECOND reading of the attached bylaw. At the March 3, 2023 Board meeting, the Board members reviewed and recommended revisions to reflect district practice.

Background:

The NUSD board bylaw has not been revised since 2017. The language has been replaced to match the Board's revisions to the order of business at each regular meeting.

File Attachments

[Existing NUSD Bylaw 9300.11_ ^Methods Of Operation 03-16-2023.pdf](#) (91 KB)

[Recommended Bylaw 9300.11_ Methods Of Operation 03-16-2023.pdf](#) (89 KB)

Motion & Voting

The recommendation is that the Board of Education approve the updated Board Bylaw 9300.11 Methods of Operation with the change to swap 9 and 10.

Motion by Phuong Nguyen, second by Katherine Jones.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Aiden Hill, Diego Torres, Katherine Jones, Nancy Thomas

Not Present at Vote: Bowen Zhang

11 NEW BUSINESS

REPORT: 2022-2023 Second Interim Budget Report

Type Action
Recommended Action The recommendation is that the Board of Education certify the 2022-2023 Second Interim Budget Report with a Positive certification.

Purpose: The purpose of the Interim Report is to advise administrators, the Board of Trustees, the public, and other interested agencies of the District's current financial condition at periodic intervals during the fiscal year.

Background: The Second Interim Budget Report compares the General Fund and other funds' anticipated revenues and expenditures with the current operating budget for the 2022-23 fiscal year, along with actual receipts and expenditures as of January 31, 2023. At each interim reporting period, the District must certify whether the District will be able to meet its financial obligations for the current and subsequent two years. The current year budget is used as the base year and multi-year projections are made based on a number of factors and assumptions for the coming two years. The primary drivers of the budget are the State's fiscal health and District student enrollment and attendance. The multi-year projection indicates the District can issue a POSITIVE certification as the District will be able to meet its obligations for the current fiscal year and two subsequent fiscal years.

File Attachments
2022-23 2nd Interim Full Report_rev.pdf (3,266 KB)

Motion & Voting
The recommendation is that the Board of Education certify the 2022-2023 Second Interim Budget Report with a Positive certification.

Motion by Diego Torres, second by Katherine Jones.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Aiden Hill, Diego Torres, Katherine Jones, Nancy Thomas

Not Present at Vote: Bowen Zhang

Home-To-School Transportation Plan

Type Action
Preferred Date Absolute Date Fiscal Impact Dollar Amount Recommended Action
Mar 16, 2023 Mar 16, 2023 Yes \$73,445.00
The recommendation is that the Board of Education approve the Transportation Plan as presented.

Purpose: To approve the Home-to-School Transportation Plan by April 1, 2023 as required by Ed Code 39800.1 and AB 181.

Background: The 2022-23 State Budget included funds that school districts can receive to offset costs associated with providing student home-to-school transportation services (reference Ed Code 41850.1). This funding is not for additional transportation services but rather a reimbursement for costs already incurred. In order to receive the funds, the District is required to approve a Transportation Plan by April 1, 2023. If the district does not approve a Transportation Plan, it will result in an audit finding and funds will have to be returned to the State. The district has an opportunity to be reimbursed for \$73,445 in transportation costs through this funding source. The fiscal impact for this item may result in a decrease to the Special Education contribution from General Fund.

File Attachments
NUSD Transportation Plan 2022-23FY.pdf (301 KB)
Transportation Plan Presentation for Board 3_16_23.pdf (833 KB)

Motion & Voting
The recommendation is that the Board of Education approve the Transportation Plan as presented.

Motion by Phuong Nguyen, second by Katherine Jones.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Aiden Hill, Diego Torres, Katherine Jones, Nancy Thomas

Not Present at Vote: Bowen Zhang

Universal Communication Platform

Type	Action, Discussion
Preferred Date	Mar 16, 2023
Fiscal Impact	Yes
Dollar Amount	\$32,500.00
Budgeted	Yes
Budget Source	LCAP
Recommended Action	The recommendation is that the Board of Education approve Parent Square as a universal communications platform for the District.

Purpose:
To approve the selection of Parent Square as a universal communications platform across all school sites in Newark Unified School District; this includes district office communications.

Background:
During the 2022-2023 LCAP engagement process conducted in spring of 2022, a significant number of Newark families indicated that they wanted a universal communications platform for district and site-based communication. As a result of this trend, LCAP funds were allocated to choose a universal communications platform during the 2022-2023 academic year. These funds were approved with the LCAP in June of 2022.
Currently, sites use a variety of communication platforms to achieve school-centered and district-centered communication, including but not limited to the following: School Messenger, Class Dojo, Peachjar, and Bloomz. When considering which communication platform to use, two elementary sites, Birch Grove Intermediate and Coyote Hills Elementary, requested the opportunity to pilot Parent Square as an additional option. After a two month pilot period, principals came together to weigh the benefits and drawbacks of each currently utilized program. Considerations included translation functions, teacher and principal uses, data support, and more. Unanimously, NUSD principals requested a transition to Parent Square for the 2023-2024 academic school year. In order to be ready for this transition, staff request an early purchase of parent square for expanded piloting, training, and logistical purposes. There are two quotes attached. The first quote includes the cost of the premium license for \$33,500, which includes the ability to send and receive secure documents and to create community groups. The second quote shows the cost of the regular license at a cost of \$25,000.

- File Attachments**
[NUSD Premium Parent Square.pdf](#) (160 KB)
[Comparison_PS \(1\).pdf](#) (465 KB)
[NUSD Parent Square \(regular\).pdf](#) (310 KB)
[Staff Report_ Universal Communication Platform.pdf](#) (3,520 KB)

Motion & Voting
 The recommendation is that the Board of Education approve the premium Parent Square as a universal communications platform for the District.
 Motion by Phuong Nguyen, second by Katherine Jones.
 Final Resolution: Motion Carries
 Yea: Phuong Nguyen, Aiden Hill, Diego Torres, Katherine Jones, Nancy Thomas
 Not Present at Vote: Bowen Zhang

Newark Management Association (NEWMA) MOU Advanced Degree Stipends

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$4,800.00
Recommended Action	The recommendation is that the Board of Education approve the MOU between Newark Unified School District and Newark Management Association (NEWMA) for Advanced Degrees.

Purpose:
To approve the MOU between Newark Unified School District and Newark Management Association (NEWMA) for Advanced Degrees.

Background:
The advanced degree stipends for NEWMA are currently \$1,000 for a Masters degree and \$1,200 for a Doctorate degree. The Doctorate stipend is lower by \$800 compared to NTA's stipend of \$2,000. The MOU being presented between NEWMA and NUSD updates the stipend amounts to align with NTA.
On June 19, 2018, the Board ratified the Tentative Agreement with NTA which included the following:
13.4.1 Effective July 1, 2018, unit members may receive stipends for up to two Master's degrees, one Doctorate degree, and one National Board Certification. The amounts of the stipends effective July 1, 2018 are as follows:
M.A., M.S., M.Ed, M.B.A.- \$1,000 (limit 2)
Ph.D., Ed.D., PsyD., D.B.A. - \$2,000 (limit 1)
NBCT- \$1,000 (limit 1)

- File Attachments**
[MOU with NEWMA_Degree Stipends.pdf](#) (59 KB)

Motion & Voting
 The recommendation is that the Board of Education approve the MOU between Newark Unified School District and Newark Management Association (NEWMA) for Advanced Degrees.
 Motion by Phuong Nguyen, second by Diego Torres.

Final Resolution: Motion Carries
 Yea: Phuong Nguyen, Aiden Hill, Katherine Jones, Nancy Thomas
 Not Present at Vote: Bowen Zhang, Diego Torres

CONTRACT: Architect Services for Kennedy Fence Project

Type Action
Fiscal Impact Yes
Dollar Amount \$57,000.00
Budget Source Fund 25 Capital Facilities Fund
Recommended Action The recommendation is that the Board of Education approve the contract with LCA Architects for the Kennedy Fence Project and the preliminary cost estimate as presented.

Purpose:
 To approve the contract with LCA Architects and the preliminary project cost estimate for the Kennedy Fence Project.

Background:
 Kennedy Elementary School is the only elementary school in the District which does not have fencing to enclose the campus for safety and security. Parents and staff have voiced their concerns and are requesting fencing to keep students and staff safe. The District has begun community engagement meetings with stakeholders including a Staff Meeting on January 17, Coffee with the Principal on January 27 and PTA on January 31, 2023. The architect will take this feedback and come up with design options which will be presented to the stakeholder groups and be brought back to the Board of Trustees for their review. An architect is required for the project as plans and specifications are required to be reviewed by the Division of the State Architect (DSA). A Request for Proposal was issued for architectural services for the project. We received two (2) proposals. LCA Architects provided a complete proposal and staff requests approval of their contract in the amount of \$57,000 which is within the project budget. The preliminary total estimated cost for the project, which includes architect fees, DSA fees, construction cost, bidding cost, inspection fees, and contingencies, is \$453,375. The project will be funded by the Capital Facilities Fund (Fund 25, also known as Developer Fees) which currently has an ending fund balance of \$8,086,963. The average annual income from developer fees for the last 5 years is \$3,000,000.

Description	Amount
Fund 25 Beginning Fund Balance	16,412,830
Plus: Revenues	3,000,000
Less: Expenditures	11,325,867
Fund 25 Ending Fund Balance	8,086,963

File Attachments
[LCA Architects Proposal_Kennedy Fence.pdf](#) (252 KB)
[Preliminary Budget - Kennedy Fence Project 2023 03 16.pdf](#) (57 KB)

Motion & Voting
 The recommendation is that the Board of Education approve the contract with LCA Architects for the Kennedy Fence Project and the preliminary cost estimate with additional fees of \$5000.
 Motion by Phuong Nguyen, second by Katherine Jones.
 Final Resolution: Motion Carries
 Yea: Phuong Nguyen, Aiden Hill, Diego Torres, Katherine Jones, Nancy Thomas
 Not Present at Vote: Bowen Zhang

POLICY UPDATE: Administrative Regulation 1312.1 - Complaints Concerning District Employees

Type Action, Procedural
Preferred Date Mar 16, 2023
Recommended Action The recommendation is that the Board approve the updated Administrative Regulation 1312.1 - Complaints Concerning District Employees.

Purpose:
 The purpose is for the Board of Education to review the recommended changes and approve the updated administrative regulation.

Background:
 This is the FIRST reading of the attached regulation. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the regulation will be brought back to the Board of Education for a second reading. CSBA recommended changes to the Policy and Administrative Regulation in May of 2019. The recommended changes to the Policy were approved by the Board of Education on October 17, 2019. The Administrative Regulation was not taken to the Board of Education at the same time, therefore, the Administrative Regulation has not been updated since the adoption in 1995. The Administrative Regulation has been reorganized and updated per CSBA recommendations to require that complaints be made in writing and to add steps regarding the investigation of the complaint and the notification of the complainant and employee regarding the final decision. Per CSBA recommendation, material was removed from the existing NUSD Administrative Regulation regarding reports against employees for child abuse or neglect, as well as material regarding appeals to the board, because it is in the Board Policy.

File Attachments

[Existing NUSD AR 1312.1 Complaints Concerning District Employees 03.16.2023.pdf](#) (102 KB)
[Recommended CSBA AR 1312.1 Complaints Concerning District Employees 03.16.2023.pdf](#) (267 KB)

Motion & Voting

The recommendation is that the Board approve the updated Administrative Regulation 1312.1 - Complaints Concerning District Employees.

Motion by Phuong Nguyen, second by Katherine Jones.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Aiden Hill, Diego Torres, Katherine Jones, Nancy Thomas
Not Present at Vote: Bowen Zhang

12 CONSENT AGENDA: PERSONNEL ITEMS

Personnel Report

Type	Action
Absolute Date	Mar 16, 2023
Recommended	The recommendation is that the Board of Education ratify the personnel report as presented.
Action	

Purpose:
The purpose is for the Board of Education to ratify the Personnel Report as presented.

Background:
All personnel activities including new hires, changes in status, resignation, leaves, and retirements are routinely submitted to the Board for ratification.

File Attachments
[HR PAL 03-16-2023.pdf](#) (157 KB)

Motion & Voting

The recommendation is that the Board of Education ratify the personnel report as presented.

Motion by Phuong Nguyen, second by Katherine Jones.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Aiden Hill, Katherine Jones, Nancy Thomas
Not Present at Vote: Bowen Zhang, Diego Torres

13 CONSENT AGENDA: NON-PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type	Action
Recommended	It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent Non-Personnel, except for agenda items:
Action	

Purpose:
This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:
Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Motion & Voting

It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent Non-Personnel, except for agenda items: 13.2.

Motion by Nancy Thomas, second by Phuong Nguyen.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Aiden Hill, Diego Torres, Katherine Jones, Nancy Thomas
Not Present at Vote: Bowen Zhang

REPORT: Warrant Report for February 2023

Type	Action
Fiscal Impact	No
Recommended	The recommendation is that the Board of Education ratify the Warrant Report as presented.
Action	

Purpose:
The purpose of this item is to present warrants, for the total amount of \$2,701,463.06, made from District funds for February 2023.

Background:

The warrant registers represent a complete listing of all payments made from District funds for a month. Because Newark Unified School District is a fiscally dependent District, each warrant must pass through two separate audits; first by the District's Fiscal Services department, and second by the County Office of Education. No warrant can be paid until such time as it is examined and approved by the County Office of Education.

[File Attachments](#)

[Warrant Report February 2023.pdf](#) (365 KB)

[Motion & Voting](#)

The recommendation is that the Board of Education ratify the Warrant Report as presented.

Motion by Phuong Nguyen, second by Katherine Jones.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Diego Torres, Katherine Jones, Nancy Thomas

Abstain: Aiden Hill

Not Present at Vote: Bowen Zhang

[RESOLUTION 2022.23.26 NUSD Board Member Vacancy](#)

Type Action, Discussion, Information

Recommended The recommendation is that the Board of Education adopt Resolution 2022.23.26 NUSD Board

Action Member Vacancy.

[Purpose:](#)

The purpose is for the Board to review and adopt Resolution 2022.23.26 - NUSD Board Member Vacancy

[Background:](#)

Member Bowen Zhang submitted his resignation to ACOE, effective March 1, 2023. The Education Code provides that the Board can decide whether the vacancy is filled by a special election or through an appointment made by the Board. On March 2, 2023, the Board decided to proceed with the appointment process. As requested, this resolution is being brought forward regarding the Board decision to proceed with the appointment process.

[File Attachments](#)

[Resolution 2022.23.26 NUSD Board Member Vacancy.pdf](#) (116 KB)

[Motion & Voting](#)

The recommendation is that the Board of Education adopt Resolution 2022.23.26 NUSD Board Member Vacancy.

Motion by Nancy Thomas, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Aiden Hill, Diego Torres, Katherine Jones, Nancy Thomas

[MINUTES: Minutes of the December 15, 2022, Regular Meeting of the Board of Education](#)

Type Action, Minutes

Recommended The recommendation is that the Board of Education approves the minutes of the December

Action 15, 2022, Regular Meeting of the Board of Education.

Minutes View Minutes for Dec 15, 2022 - Regular Meeting of the Board of Education

[Purpose:](#)

For the board to review and approve the minutes of the December 15, 2022, Regular Meeting of the Board of Education.

[Background:](#)

The attached minutes are reflective of the December 15, 2022, Regular Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel [HERE](#).

[Motion & Voting](#)

The recommendation is that the Board of Education approves the minutes of the December 15, 2022, Regular Meeting of the Board of Education.

Motion by Nancy Thomas, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Aiden Hill, Diego Torres, Katherine Jones, Nancy Thomas

[MINUTES: Minutes of the December 21, 2022 Special Meeting of the Board of Education](#)

Type Action, Minutes

Preferred Date Mar 16, 2023

Recommended The recommendation is that the Board of Education approve the minutes of the December 21,

Action 2022, Special Meeting of the Board of Education.

Minutes View Minutes for Dec 21, 2022 - Special Meeting of the Board of Education

[Purpose:](#)

For the board to review and approve minutes of the December 21, 2022, Special Meeting of the Board of Education.

[Background:](#)

The attached minutes are reflective of the December 21, 2022, Special Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel [HERE](#).

Motion & Voting

The recommendation is that the Board of Education approve the minutes of the December 21, 2022, Special Meeting of the Board of Education.

Motion by Nancy Thomas, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Aiden Hill, Diego Torres, Katherine Jones, Nancy Thomas

14 BOARD OF EDUCATION: COMMITTEE REPORTS, ANNOUNCEMENTS, REQUESTS, DEBRIEF

Board of Education Committee Reports, Announcements, Requests, Debrief and Discussion

AND DISCUSSION

Type Action, Discussion, Information

Purpose:

COMMITTEE REPORTS: The Trustees will provide an update, if available, on the committees of which they are members.

ANNOUNCEMENTS: The Trustees may acknowledge or recognize specific programs, activities, or personnel at this time.

REQUESTS: This is an opportunity for the Board of Education to suggest items for placement on future agendas and to review Board requests.

Approval from the majority of the Board will be required for direction to be provided to the Superintendent.

DEBRIEF AND DISCUSSION: The Trustees may debrief and discuss items.

Background:

Each year the Board of Education members liaise with schools and committees in order to build relationships, hear from staff, students, and families, and act as a conduit for information to and from the schools.

Board Committees 2022-23

Board Adopted on 12/15/2022	Representative	Alternate
Mission Valley Regional Occupational Center/Program (ROC/P) Executive Board	1. Nancy Thomas	1.
Regional Policy Board of Special Education Local Plan Area (SELPA)	1. Katherine Jones	1. Phuong Nguyen
Newark Teacher Induction Advisory Council (Formally EBIC) dbook"	1. Aiden Hill	1. Phuong Nguyen
Audit Committee	1. Aiden Hill	2. Katherine Jones
Bond/Parcel Tax Committee at regular or special board	1. Phuong Nguyen	2. Katherine Jones
City of Newark NUSD Liaison Committee	1. Phuong Nguyen	2. Nancy Thomas

members will not undermine the ability of staff to carry out Board direction.

Bringing New Ideas Forward

The Board will be open to having "brainstorming" discussions, or study sessions, around any idea that a Trustee may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Trustee, at their initiative or at the request of a constituent, which was previously discussed during a board meeting.

Trustees will first notify the Board President and Superintendent of their interest in bringing forward a new idea at a board meeting.

When initially agendized, the preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.

Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea. The Superintendent will decide on the delegation of assignments to District staff.

The new idea may be agendized for discussion only. The Board majority will decide if the new idea should be further developed and studied by staff. The Board majority will decide if staff time should be invested in the "fleshing out" of new ideas.

Individual Trustees, in the course of interactions with constituents, will be careful not to make or imply the commitment of the full

15 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

Acting Superintendent's Concluding Comments, Updates, and Future Agenda Items

AGENDA REQUESTS

Type Information

Purpose:

This is an opportunity for the Acting Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

16 ADJOURNMENT

PLACEHOLDER - Extend Meeting

Type Action
Recommended Action The recommendation is that the Board of Education extends the meeting to ____ P.M.

Purpose: This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

Adjournment

Type Action
Recommended Action The recommendation is that the Board of Education adjourns this meeting.

Purpose: No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time. This action will conclude the meeting.

Motion & Voting

The recommendation is that the Board of Education adjourns this meeting.
Motion by Diego Torres, second by Katherine Jones.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Aiden Hill, Diego Torres, Katherine Jones, Nancy Thomas
Not Present at Vote: Bowen Zhang

1 CALL TO ORDER

Meeting Practices and Information

Type Procedural

In-person Meeting Information:

NUSD has opened its boardroom for in-person meetings and will follow the State's and Alameda County's safety guidelines for public gatherings. Please refrain from attending in-person meetings if you have any of the following symptoms:

- Loss of taste/smell
Difficulty breathing
Vomiting
Diarrhea
Fever
Cough
Headache
Sore Throat
Runny Nose

For additional COVID-19 information please go to https://www.newarkunified.org/covid-19 or https://www.acoe.org/guidance

Observe The Board Of Education Meeting:

Members of the public 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.

Public Comment:

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

Pledge of Allegiance

Type Procedural

Purpose: The Governance Team will recite the Pledge of Allegiance.

Roll Call

Type Procedural

Trustees:
President Nancy Thomas
Vice President/Clerk Aiden Hill
Member Phuong Nguyen
Member Katherine Jones

Member Vacant

Student Board Member:
Diego Torres

2 APPROVAL OF AGENDA

Approval of the Agenda

Type Action
Recommended The recommendation is that the Board of Education approve the agenda for this meeting.
Action

Purpose:
Members of the Governance Team may request that the agenda be amended or approved as presented.

Motion & Voting
The recommendation is that the Board of Education approve the agenda for this meeting.
Motion by Phuong Nguyen, second by Aiden Hill.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Aiden Hill, Diego Torres, Katherine Jones, Nancy Thomas

3 OPEN SESSION

Public Comment on Agenda Items

Type Procedural

Purpose:
The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board. If a constituent wishes to address the Board on any agenda item, please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org.

4 OLD BUSINESS

Superintendent Search Process

Type Discussion

Purpose:
Meet with Leadership Associates search firm advisors to discuss the following:
1. Overview of search process
2. Board/search firm protocols during the search
3. Timeline for the search
4. Community and staff input sessions and online survey
6. Board input regarding desired qualities and characteristics of new superintendent

Background:
On February 16, 2023 the Board reviewed proposals from three firms to assist in the selection of a Superintendent and selected Leadership Associates. The Board approved the contract with Leadership Associates on March 2, 2023.

File Attachments
[Newark - Board Initial Meeting Discussion Outline.pdf](#) (119 KB)
[Newark - Proposed Timeline 02-27-23.pdf](#) (228 KB)
[Input Sessions, Examples of Groups to Invite \(plp\).pdf](#) (120 KB)
[Newark - Online Survey .pdf](#) (119 KB)

5 CLOSED SESSION

Public Comment on Closed Session Items

Type Procedural

Purpose:
The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board. If a constituent wishes to address the Board on any agenda item, please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org.

Recess to Closed Session

PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT (Gov. Code, 54957, subd. (b) (1) Title: Superintendent

Type Discussion
This is a discussion item only, and there will be no report of closed session actions.

6 ADJOURNMENT

PLACEHOLDER - Extend Meeting

Type Action
Recommended Action The recommendation is that the Board of Education extends the meeting to ____ P.M.

Purpose:
This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

Adjournment

Type Action, Procedural
Recommended Action The recommendation is that the Board of Education adjourns this meeting.

Purpose:
No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time.
This action will conclude the meeting.

Motion & Voting
The recommendation is that the Board of Education adjourns this meeting.
Motion by Phuong Nguyen, second by Katherine Jones.
Yea: Phuong Nguyen, Aiden Hill, Katherine Jones, Nancy Thomas
Not Present at Vote: Diego Torres

1 CALL TO ORDER

Meeting Practices and Information

Type Procedural

In-person Meeting Information:
NUSD has opened its boardroom for in-person meetings and will follow the State's and Alameda County's safety guidelines for public gatherings. Please refrain from attending in-person meetings if you have any of the following symptoms:

- Loss of taste/smell
Difficulty breathing
Vomiting
Diarrhea
Fever
Cough
Headache
Sore Throat
Runny Nose

For additional COVID-19 information please go to https://www.newarkunified.org/covid-19 or https://www.acoe.org/guidance

Observe The Board Of Education Meeting:
Members of the public 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.

Public Comment:
The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

Roll Call

Type Procedural

Trustees:
President Nancy Thomas
Vice President/Clerk Aiden Hill
Member Bowen Zhang
Member Katherine Jones
Member Vacancy

Student Board Member:
Member Diego Torres (Remote)

Public Comment on Closed Session Items

Type Procedural

Purpose:
The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board. If a constituent wishes to address the Board on any agenda item, please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org.

Recess to Closed Session

2 CLOSED SESSION

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE (Gov. Code, 54957, subd. (b)(1))

Type Action, Information, Procedural

Purpose:
Information will be provided by the Superintendent and Executive Director of Human Resources.

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a): Employee Organizations - NTA and CSEA

Type Action, Information, Procedural

Purpose:
Information may be provided by the agency negotiator, Executive Director of Human Resources. Assistance from the legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided. The employee organizations include NTA & CSEA.

3 RECONVENE TO OPEN SESSION

Pledge of Allegiance

Type Procedural

Purpose:
The Governance Team will recite the Pledge of Allegiance

4 REPORT OF CLOSED SESSION ACTIONS

Report of Closed Session Actions

Type Action, Procedural

Purpose:
If available, a report of the closed session will be provided by the Board President.

5 APPROVAL OF AGENDA

Approval of the Agenda

Type Action
Recommended The recommendation is that the Board of Education approve the agenda for this meeting.
Action

Purpose:
Members of the Governance Team may request that the agenda be amended or approved as presented.

Motion & Voting
The recommendation is that the Board of Education approve the agenda for this meeting: move item 13 to after item 7; correct item 12.4 to read 2023-2024 school; move item 12.5 to after item 10.
Motion by Aiden Hill, second by Katherine Jones.
Final Resolution: Motion Carries

Yea: Phuong Nguyen, Aiden Hill, Katherine Jones, Nancy Thomas
Not Present at Vote: Diego Torres

6 STUDENT REPORT

Student Reports from Newark Junior High School, Alternative Education, and Newark Memorial High School

Type Information

Purpose:

At regular Board of Education meetings, a spokesperson of each secondary school may make a brief presentation. Discussion items may include updates, celebrations, and upcoming events.

1. Newark Junior High School
2. Alternative Education
3. Newark Memorial High School

7 RECOGNITIONS AND CELEBRATIONS

Staff Spotlight

Type Information

Purpose:

To recognize the wonderful accomplishments of our NUSD Team.

Background:

The presentation will be provided by the Interim Superintendent.

8 SUPERINTENDENT REPORT

Interim Superintendent Report

Type Information

Purpose:

The Interim Superintendent and staff will provide the Board of Education with district information, updates, news, or anything in the jurisdiction of the board or the superintendent.

Background:

The presentation and information will be provided by the Interim Superintendent and Assistant Superintendent, Nicole Pierce-Davis.

9 STAFF REPORT

Facilities Projects Update

Type Discussion, Information

Purpose:

RGM Kramer, the district's Facilities Program Manager, and the Chief Business Official will provide an update on the facilities projects taking place across the district.

Background:

RGM Kramer will present an update on current facilities projects in planning and construction.

File Attachments

[NUSD Facilities Update 03 02 2023 Revision 2.pdf](#) (1,754 KB)

Letter from the Alameda County Office of Education Regarding the 2022-23 First Interim Budget Report

Type Information

Purpose:

The Chief Business Official will review the letter from the Alameda County Office of Education (ACOE) regarding the Newark Unified School District (NUSD) 2022-23 First Interim Budget Report.

Background:

The Governing Board approved a POSITIVE Certification of NUSD's First Interim Budget Report on December 15, 2022. The district subsequently submitted the report to ACOE, as required, for their review and analysis.

In accordance with Education Code (EC) Section 42131, ACOE reviewed the First Interim Budget Report based on standards and criteria for fiscal stability adopted by the State Board of Education pursuant to EC Section 33127.

Based on ACOE's review and analysis, the 2022-23 First Interim Budget Report approved by NUSD's Board of Education on

December 15, 2022, accurately reflects the financial status of the District. ACOE, therefore, concurs with NUSD's POSITIVE certification with comments.

[File Attachments](#)

[Newark 2022-23 First Interim Board Letter_final_.pdf](#) (317 KB)

10 PUBLIC COMMENT

Public Comment on Non-Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.

<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

Public Comment on Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.

<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

11 OLD BUSINESS

PURCHASE: Chromebook Purchase- Trafera

Type Action

Preferred Date Mar 02, 2023

Fiscal Impact Yes

Budgeted Yes

Budget Source Learning Recovery Emergency Block Grant, LCAP and Title I

Recommended The recommendation is that the Board of Education approve the purchase of 1,845

Action Chromebooks and 17 carts through Trafera as presented.

Purpose:

To obtain Board approval for the purchase of Chromebooks and Chromebook carts to support student computing technology.

Background:

This item was brought before the board on February 6, 2023. Staff is following up on the request for more information regarding this purchase. The new Chromebooks will replace old Chromebooks that have reached their end of expected life period and increase quantities to provide more Chromebooks for students.

The Chromebooks on the attached quote include 1,845 Chromebooks, 17 Chromebook carts, a four-year limited warranty, and Google Chrome Perpetual EDU License. However, the Board may also choose to approve the quote for 1,114 Chromebooks, which will achieve 1:1 student to Chromebook ratios across our district or approve the quote for 2,579 Chromebooks, which will support the district in nearing classroom sets of Chromebooks at the secondary level. The presentation will provide additional information about each of these options.

School boards have the authority to "piggyback" on another public agency's bid, per Public Contract Code 20118, when it is in the best interest of a district. It is often advantageous to utilize piggyback bids when contract items are identical to the district's specifications. Using piggyback contracts saves time and often provides lower prices than a single jurisdiction would be able to obtain. Per Board Policy 3311, the District may piggyback onto the contract of another public agency or corporation to lease or purchase equipment or supplies to the extent authorized by law. The piggyback contracts utilized for this purchase are attached. Please note Trinity 3 Technology and FireFly Computers merged, launching a new identity as Trafera. The NCPA agreement with FireFly is now available to Trafera.

File Attachments

[NCPA Technology Solutions Contract #01-43.pdf](#) (5,594 KB)

[NCPA Technology Solutions Contract #01-43_Renewal.pdf](#) (823 KB)

[Trafera 1144 Quote.pdf](#) (92 KB)

[Trafera 2579 Quote.pdf](#) (107 KB)

[Trafera 1845 Quote.pdf](#) (109 KB)

[Chromebook Purchase BOE 03.2.23 \(1\).pdf](#) (1,495 KB)

Motion & Voting

The recommendation is that the Board of Education approve the purchase of 1,845 Chromebooks and 17 carts through Trafera as presented.

Motion by Aiden Hill, second by Katherine Jones.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Aiden Hill, Diego Torres, Katherine Jones, Nancy Thomas

Appointment Process and Timeline for Filling Board Vacancy

Type	Action, Discussion
Absolute Date	Mar 02, 2023
Recommended	The recommendation is for the Board of Education to provide guidance on the draft application, procedure, subcommittee membership, and timeline for the NUSD Board Appointment.
Action	

Purpose:
The purpose is begin the board vacancy appointment process.

Background:
On February 17, 2023, Board Member Bowen Zhang resigned from the NUSD Board (effective February 28) via email to the County Superintendent. Based upon board policy, state education code, and the Board's discussion at last week's special meeting, we are planning to move forward with an appointment to fill the vacancy created by Trustee Zhang. The Board has 60 days to do this from the date on which he sent his resignation to the County Superintendent, February 17, 2023. That deadline for an appointment is April 18. Staff requests Board guidance on the proposed timeline, procedural question, and subcommittee membership outlined below. Additionally, staff requests Board feedback on the Draft application attached for Board Appointment Candidates. Staff will return to the Board on March 16 with a proposed format and procedure for the special board meeting (proposed for April 3 or 4) at which the Board interviews candidates and selects an appointee.

- Proposed Timeline**
- March 3 (Fri): Announce vacancy to the community (email blast plus outreach to community organizations and partners), publicly share application and FAQs. Application window would be open for 19 days.
 - March 22 (Wed): Applications due.
 - March 23 (Thurs): Board subcommittee approves candidates as eligible per information given.
 - March 24 (Fri): Applicant names and their answers to application questions published on NUSD website for 10 days.
 - April 3 or 4 (Mon or Tues): Public comment and candidate interviews via special board meeting
 - April 6 (Thurs): New board member begins service, is sworn in, and participates in first board meeting.

Procedural Question
If there are more than a certain number of applicants, for example more than 5 applicants, would the Board want a committee to narrow the field to 5 candidates for the Board to then interview?
Committee could include the following people, or their designee:

- PTA president
- DELAC lead parent
- CSEA president
- NTA president
- NEWMA president

Subcommittee Membership
NUSD Bylaw states, "A committee consisting of less than a quorum of the Board shall ensure that applicants are eligible for Board membership and announce the names of the eligible candidates." This should be a straightforward process requiring no evaluation of candidates' applications beyond the question of eligibility. We would expect to conduct a short zoom meeting with two board members on March 23, 2023, to perform this function. Staff needs to know which two board members are available for this subcommittee.

- File Attachments**
- [2022 Filling a Board Vacancy.pdf](#) (498 KB)
 - [Bylaw 9223 Filling Vacancies.pdf](#) (135 KB)
 - [Draft Application for Board Appointment.pdf](#) (12 KB)

Motion & Voting

CONTRACT: Leadership Associates Contract Superintendent Search

Type	Action, Discussion
Fiscal Impact	Yes
Dollar Amount	\$25,000.00
Budget Source	General Fund
Recommended	The recommendation is that the Board of Education approve the contract with Leadership Associates for the Superintendent Search.
Action	

Purpose:
To award the contract to Leadership Associates for the Superintendent Search.

Background:
On February 22, 2023, at the Special Meeting of the Board of Education, three proposals were provided for consideration. Two firms gave presentations. The Board selected Leadership Associates to assist in the selection of a Superintendent. We plan to begin our work with Leadership Associates at a Special Board meeting on Monday, March 6, 2023, beginning at 6:30 p.m.

File Attachments

Leadership Associates Contract - Newark USD.pdf (256 KB)

Motion & Voting

The recommendation is that the Board of Education approve the contract with Leadership Associates for the Superintendent Search.

Motion by Phuong Nguyen, second by Katherine Jones.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Aiden Hill, Diego Torres, Katherine Jones, Nancy Thomas

12 NEW BUSINESS

BOARD BYLAW 9300.11: Methods of Operation

Type Action, Discussion

Recommended The recommendation is that the Board take action to update this bylaw to reflect the interest

Action of the Board.

Purpose:

The purpose is to ensure that the Board President is conducting board meetings consistent with the interests of the entire Board of Education and Board Bylaw 9300.11.

Background:

There has been discussion about modifying procedures for 1) public comment on agenda items, 2) board reports, and 3) consent items. We are bringing this bylaw to the Board's attention for possible modification.

1. Public Comment

In past NUSD board meetings, public comment on non-agenda items takes place before the Board takes up new or old business for action. However, in previous years, public comment on agenda items has been expected to take place immediately before the Board's discussion of or action on an item. In more recent history, the Board has allowed public comment on agenda items to take place earlier in the meeting, adjacent to the public comment on non-agenda items. This practice is considered to be more accessible for community members, allowing them to share their thoughts without having to stay later into the board meeting, waiting an indefinite amount of time until the item of interest is addressed by the Board.

Recommendation: That the Board explicitly allow for public comment for agenda items both earlier in the meeting adjacent to public comment on non-agenda items and before individual agenda items.

Specifically: Change Item 11 from "Public Comment on Non-Agenda Items" to:

11. Public Comment

11.1 Public Comment on Non-Agenda Items

11.2 Public Comment on Agenda Items (allowed here or when the item is taken up by the Board)

Additionally, the Board may wish to let the public know that individual board members may have an easier time remembering and considering public comment on agenda items when those comments are made at the time that the items is taken up by the Board. However, public comment on agenda items is much better at the beginning of the meeting than not at all. This could be addressed with a short preface by the Board President ahead of item 11.2, Public Comment on Agenda Items.

2. Board Reports

Per Bylaw 9300.11, Board Reports are listed as a single item: Board of Education - Committee Reports, Announcements, Requests, Debrief and Discussion. At present, we have this item broken out into three (3) sections: (1) Board Recognitions and Announcements; (2) Board Reports; and (3) Board Requests. It may not always make sense to separate these out to three distinct agenda items.

Recommendation: Given that this item is listed as a single item in Bylaw 9300.11, no change is needed or recommended. However, staff recommends that board members discuss this item and acknowledge that the Board President may organize these reports, recognitions, and requests as it makes sense to him or her.

3. Consent Items that are pulled from consent.

Similar to Board Reports, Bylaw 9300.11 does not address the Board's practice of when and how to take up items that are pulled from the Consent Agendas.

Recommendation

No change is needed or recommended. Staff recommends that items pulled from section 15, Consent Agenda - Personnel Items, and section 16, Consent Agenda - Non-Personnel Items, be addressed immediately after the respective consent action unless the Board chooses to move it to another place in the agenda by majority vote. This could take place either when sections 15 and 16 are taken up by the Board, or this could take place in section 5, Approval of the Agenda. When the Board takes action to approve the agenda in section 5, it also has the opportunity to make adjustments to the agenda, including pulling items from consent. Of course, any changes or adjustments to the agenda made by the Board must be in compliance with the Brown Act (for example, not adding any new items that have not been appropriately posted or noticed).

File Attachments

Bylaw 9300.11 Methods Of Operation.pdf (49 KB)

POSITION/JOB DESCRIPTION: Director of Operations, Human Resources

Type Action, Discussion

Absolute Date Mar 02, 2023

Fiscal Impact Yes

Dollar Amount \$196,000.00

Budgeted Yes

Budget Source General Fund

Recommended Action The recommendation is that the Board approve the position and job description for Director of Operations, Human Resources.

Purpose: The purpose is for the Board of Education to approve the position and job description for Director of Operations, Human Resources.

Background: In July 2022, School Services of California completed, and the Board accepted, an Organizational Review of the Business Services and Human Resources Departments. The major recommendation in the report was to consider restructuring the positions within the Human Resources Department in order to improve the overall efficiencies within the department. The District is taking a multi-phased approach to this recommendation and the subsequent restructure of the positions. This first phase includes changes in the classified management positions; that is, a resolution to eliminate the positions of Manager of Classified, HR and Manager of Certificated, HR. Subsequently, this agenda item is to recommend a new position and job description for a new classified management position that would oversee operations for both classified and certificated needs. If approved, the position of Director of Operations, Human Resources, would begin on July 1, 2023. The District has met/conferred with NEWMA regarding this position and job description. The complete Organizational Review of the Business Services and Human Resources is attached for reference.

File Attachments
Director of Operations, HR Job Description.pdf (387 KB)
Newark USD - Organizational Review (Business and HR) 10-4-22 (4).pdf (2,219 KB)

Motion & Voting
The recommendation is that the Board approve the position and job description for Director of Operations, Human Resources.
Motion by Phuong Nguyen, second by Katherine Jones.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Aiden Hill, Katherine Jones, Nancy Thomas
Not Present at Vote: Diego Torres

RESOLUTION NO. 2022.23.22 and NO. 2022.23.23: Classified Layoffs

Type Action
Absolute Date Mar 02, 2023
Recommended Action The recommendation is that the Board approve Resolution No. 2022.23.22 and Resolution No. 2022.23.23 to lay off or reduce hours of certain classified positions due to the expiration of a specially funded program or due to lack of funds/lack of work.

Purpose: Resolution Nos. 2022.23.22 and 2022.23.23 will be presented to the Board of Education for approval to lay off certain classified positions due to the expiration of a specially funded program or due to lack of funds/lack of work. These resolutions give authorization for the District to formally notify certain classified employees that their positions are being reduced or eliminated. This process is required under California Education Code 45117, which requires permanent employees to be notified by March 15, 2023.

Background: Per Assembly Bill 438, the timeline to notice classified staff is March 15. The positions included are either being eliminated due to the expiration of a specially funded program or due to lack of funds/lack of work. The District has reviewed this list of positions with CSEA and NEWMA. Resolution 2022.23.22 reduces or eliminates positions that are specially funded, including those positions designated by School Site Councils/SPSAs, Childcare, donation funds, etc. Resolution 2022.23.23 eliminates positions due to lack of work. The elimination of the two classified management positions on the resolution is a direct recommendation of the July 2022 Human Resources Organizational Study that was completed by School Services of California. The Department's plan to restructure includes a new position and job description that will oversee both classified and certificated operational oversight for Human Resources. Permanent employees laid off for lack of work or lack of funds are eligible for reemployment for a period of 39 months and shall be reemployed in preference to new applicants. Such persons have the right to participate in promotional examinations during the 39-month period. In addition, such persons will have preferential hiring rights over new applicants to a new or different classified position, if the person on the rehire list is qualified for the position, even if they have never served in that class or classification. Permanent CSEA employees affected by layoff may have displacement rights to other lower classifications in which the laid-off employee has previously served. Permanent employees who accept voluntary demotions or voluntary reductions in assigned time in lieu of layoff shall be granted the same rights as persons laid off and shall retain eligibility to be considered for employment for an additional period up to 24 months.

File Attachments
California Education Code 45117.pdf (277 KB)
Classified Layoff Resolution- Specially Funded 03.02.2023.docx.pdf (105 KB)
Classified Layoff Resolution-Lack of Work 03.02.2023.docx.pdf (104 KB)

Motion & Voting
The recommendation is that the Board approve Resolution No. 2022.23.22 and Resolution No. 2022.23.23 to lay off or reduce hours of certain classified positions due to the expiration of a specially funded program or due to lack of funds/lack of work.
Motion by Phuong Nguyen, second by Nancy Thomas.
Final Resolution: Motion Carries

Yea: Phuong Nguyen, Aiden Hill, Katherine Jones, Nancy Thomas
Not Present at Vote: Diego Torres

RESOLUTION NO. 2022.23.24: Reduce the Number of Certificated Employees Due to a Reduction of Particular Kinds of Services for the 2022-2023 School Year

Type Action
Absolute Date Mar 02, 2023
Recommended The recommendation is that the Board of Education approve Resolution No. 2022.23.24 to
Action reduce the number of certificated employees due to a reduction in particular kinds of services for the 2023-2024 school year.

Purpose:
The purpose is for the Board of Education to approve Resolution No. 2022.23.24 to reduce the number of certificated employees due to a reduction in particular kinds of services for the 2023-2024 school year.

Background:
District administration has reviewed staffing and projected enrollment for the next school year and it has been determined that these positions will be eliminated for the 2023-2024 school year. This has been reviewed with the Newark Teachers Association. Resolution 2022.23.24 includes specially funded positions, including those positions designated by School Site Councils/SPSAs and positions being eliminated due to declining enrollment. Education Code section 44955 permits the Board of Education to reduce or discontinue particular kinds of services.

File Attachments
[Ed Code 44955.pdf](#) (212 KB)
[Reduce Certificated Positions 03.02.2023.docx.pdf](#) (127 KB)

Motion & Voting
The recommendation is that the Board of Education approve Resolution No. 2022.23.24 to reduce the number of certificated employees due to a reduction in particular kinds of services for the 2023-2024 school year.
Motion by Phuong Nguyen, second by Aiden Hill.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Aiden Hill, Katherine Jones, Nancy Thomas
Not Present at Vote: Diego Torres

CAPITAL IMPROVEMENT PROJECTS: Contract Award for Architectural Services for the Newark Memorial High School Track & Field Project

Type Action
Fiscal Impact Yes
Dollar Amount \$334,950.00
Budgeted Yes
Budget Source Fund 25
Recommended The recommendation is that the Board of Education approve the contract with Verde Design
Action for Architectural Services for the Newark Memorial High School Track and Field Project.

Purpose:
To approve an agreement with Verde Design to provide architectural services for the Newark Memorial High School Track and Field Project.

Background:
On December 5, 2022, the Board of Trustees approved the Newark Memorial High School Track and Field Project. The District issued a Request for Qualifications & Proposal on January 23, 2023 for design services to five (5) firms with this type of experience. A pre-proposal jobsite walk took place on January 27, 2023. On February 9, 2023, four (4) proposals were received. Three of the most qualified firms were selected to interview on February 17, 2023. The interview panel unanimously agreed that Verde Design was the most qualified team because the firm specializes in athletic fields throughout Northern California. The Verde Design team was the only firm that has won awards for their field designs. They have a proactive and practical approach to issues, have designed other fields in the local area and have a passion and expertise exceeding all the firms that were interviewed. The proposed cost from Verde Design is \$334,950. This cost is within the estimated budget in Soft Costs presented to the Board on December 5, 2022. The services that will be provided include community engagement, design, engineering, Division of the State Architect approval and permitting, bidding, construction administration and closeout.

File Attachments
[Verde Full service agreement NUSD.pdf](#) (814 KB)
[Cost Estimate- NMHS Track and Field 12-5-22.pdf](#) (121 KB)
[Newark Memorial High School_Field View.pdf](#) (12,256 KB)

Motion & Voting
The recommendation is that the Board of Education approve the contract with Verde Design for Architectural Services for the Newark Memorial High School Track and Field Project.
Motion by Phuong Nguyen, second by Katherine Jones.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Aiden Hill, Diego Torres, Katherine Jones, Nancy Thomas

CONTRACT: Sylvan Learning Center

Type	Action
Preferred Date	Mar 02, 2023
Fiscal Impact	Yes
Dollar Amount	\$230,000.00
Budgeted	Yes
Budget Source	LCAP funding, Action 1.19
Recommended Action	The recommendation is that the Board of Education approve the contract with Sylvan Learning for the 2022-2023 school year.

Purpose:
 We are seeking the approval of a contract with Sylvan Learning Center in Fremont in order to provide academic tutoring for all students that are low-income, foster youth, and/or English Learners. The District is dedicated to carrying out the Board approved LCAP for 22-23 to address the needs of our unduplicated students to meet and exceed our 3-year metrics for achievement. These funds and this contract will help us fulfill intention of our LCAP Strategy 1.19.

Background:
 As a result of community engagement, data review, and analysis, the LCAP PAC identified Academic Tutoring as an important strategy to help address student learning losses that persist, especially among our low-income, foster, and English Learner student body. The goal of this action item was to hire highly skilled and specialized intervention teachers to serve schools with a high concentration of these student populations in order to accelerate their acquisition of essential skills, content, and knowledge. Unfortunately, we did not receive applicants for the position that met the criteria needed to be effective in this important and specialized position. In early November, the District collaborated with NTA to design an opportunity for NUSD teachers to provide after-school tutoring in small groups for a duration of 6-8 weeks for a pay of \$55 per hour (including 2 hours pf paid planning time). This opportunity was shared with all TK-5 teachers on November 10th, which resulted in 4 teachers implementing intervention groups by early December. This opportunity was then expanded to include all TK-12 teachers on January 24th and 2 more teachers joined, for a total of 6 teachers. During the LCAP PAC Meetings wherein we reviewed progress on actions and spending for each strategy, the LCAP PAC Members urged the District consider a third option by seeking a partnership with an external vendor. The group felt strongly that there is significant need and that we need to consider other options in order to spend the funds and deliver these important services. In response, the District researched best practices in nearby districts, reached out to local vendors, and reviewed the contracts and policies of districts that had adopted partnerships with external vendors for tutoring services. We determined that Sylvan Learning has successfully delivered similar contracts in Alameda County, and we found that they were the only local agency that had the capacity to support students at the scale we need. Finally, we consulted with NTA prior to presenting this contract to the Board. We both agreed that our preference is to have been able to carry out or initial plan, to hire highly qualified Intervention Teachers to work at our schools with high concentrations of unduplicated students. We informed union leadership of our plans, and we committed to keeping the open the opportunity for any TK-12 teacher to sign up for after-school small group tutoring for the duration of 22-23.

- File Attachments**
[Sylvan Learning and Newark Unified Contract_UPDATED.pdf](#) (79 KB)
[22-23 Sylvan Learning Schedule 1,2,3_UPDATED.pdf](#) (52 KB)
[BOE Presentation_ Sylvan Learning Contract 22-23.pdf](#) (1,019 KB)

Motion & Voting
 The recommendation is that the Board of Education approve the contract with Sylvan Learning for the 2022-2023 school year.
 Motion by Phuong Nguyen, second by Katherine Jones.
 Final Resolution: Motion Carries
 Yea: Phuong Nguyen, Aiden Hill, Katherine Jones, Nancy Thomas
 Not Present at Vote: Diego Torres

13 EMPLOYEE ORGANIZATIONS

Employee Organizations

Type	Information
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Purpose:
 At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Background:
 Discussion items are limited to updates, celebrations, and upcoming events.
 1. NTA: Sean Abruzzi
 2. CSEA: Maria Huffer
 3. NEWMA: Olivia Rangel

14 CONSENT AGENDA: PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type Action
Recommended Action It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent-Personnel, except for agenda items:

Purpose: This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background: Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

PERSONNEL REPORT

Type Action
Absolute Date Mar 02, 2023
Recommended Action The recommendation is that the Board of Education ratify the personnel report as presented.

Purpose: The purpose is for the Board of Education to ratify the Personnel Report as presented.

Background: All personnel activities including new hires, changes in status, resignation, leaves, and retirements are routinely submitted to the Board for ratification.

File Attachments
HR PAL 03-02-2023.pdf (209 KB)

Motion & Voting
The recommendation is that the Board of Education ratify the personnel report as presented.
Motion by Phuong Nguyen, second by Nancy Thomas.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Aiden Hill, Katherine Jones, Nancy Thomas
Not Present at Vote: Diego Torres

15 CONSENT AGENDA: NON-PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type Action
Recommended Action It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent Non-Personnel, except for agenda items:

Purpose: This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background: Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Motion & Voting
It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent Non-Personnel.
Motion by Phuong Nguyen, second by Katherine Jones.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Aiden Hill, Katherine Jones, Nancy Thomas
Not Present at Vote: Diego Torres

FIELD TRIP: Curricular, Overnight Trip for Kennedy Elementary fifth grade class to travel to Alliance Redwoods

Type Action
Absolute Date Mar 16, 2023
Fiscal Impact Yes
Dollar Amount \$36,520.00
Budgeted Yes
Budget Source Family Donations
Recommended Action The recommendation is that the Board of Education approves the overnight trip for the Kennedy Elementary fifth grade class to travel to Alliance Redwoods.

Purpose:

The Kennedy Elementary community requests permission to take fifth grade students on a curricular, overnight field trip. Students will travel to Alliance Redwoods, Occidental, CA for an outdoor science education camp. Students will spend time outdoors and indoors, learning about the environment and conservation. They will study animals, the land, and other topics over the week through hikes, class lessons, and discussions.

School: Kennedy Elementary
Dates: April 3 - April 6, 2023
Location: Alliance Redwoods, Occidental, CA

Chaperones for Science Camp:

The ratio of adults to students on school-sponsored trips shall be based on the following formula:
K-3 1 adult for every 5-8 students
4-9 1 adult for every 10 students
10-12 1 adult for every 10 students where strict supervision is required (tours, theaters, etc.)

Overnight trip supervision must be gender appropriate. However, in the event that the supervisors, who stay overnight in proximity to students, are of a gender other than that group of campers, adequate planning, and preparation of campers and the physical arrangements of the camp shall be made to ensure optimal safety and privacy of students (AR 6153).

No student will be denied due to a lack of funds.

Background:

According to Board Policy, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. The site principal and fifth grade teachers request permission to take students on an overnight curricular trip to attend an outdoor education/science camp program that is articulated with grade level curriculum. The programs are taught by credentialed staff members and camp staff and are viewed by the sites as a valuable part of the students' educational experience.

Motion & Voting

The recommendation is that the Board of Education approves the overnight trip for the Kennedy Elementary fifth grade class to travel to Alliance Redwoods.

Motion by Phuong Nguyen, second by Katherine Jones.
Yea: Phuong Nguyen, Aiden Hill, Katherine Jones, Nancy Thomas
Not Present at Vote: Diego Torres

FIELD TRIP: Non-Curricular Field Trip

Table with 2 columns: Type, Action (Consent). Rows include Absolute Date (Mar 02, 2023), Fiscal Impact (No), Recommended Action (The recommendation is that the Board of Education approves the trip to Princess Project Silicon Valley for Newark Memorial High School's eleventh and twelfth grade students).

Purpose:

Newark Memorial High School requests permission to take eleventh and twelfth grade students on a non-curricular, field trip. Students in need will shop for a free Prom Dress.

School: Newark Memorial High School
Dates: March 8, 2023, 2:15 pm to 6:45 pm
Location: 950 Monroe St, Santa Clara, CA 95050

Chaperones for Field Trip:

The ratio of adults to students on school-sponsored trips shall be based on the following formula:
K-3 1 adult for every 5-8 students
4-9 1 adult for every 10 students
10-12 1 adult for every 10 students where strict supervision is required (tours, theaters, etc.)

No student will be denied due to a lack of funds.

Background:

According to Board Policy 6153.2, all trips that are non-curricular require Board approval. The site principal and Newark Memorial High School Director of Student Activities request permission for 11th and 12th grade students to attend a 4.5 hour free prom dress shopping event.

Motion & Voting

The recommendation is that the Board of Education approves the trip to Princess Project Silicon Valley for Newark Memorial High School's eleventh and twelfth grade students.

Motion by Phuong Nguyen, second by Katherine Jones.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Aiden Hill, Katherine Jones, Nancy Thomas
Not Present at Vote: Diego Torres

REPORT: Contracts and Purchase Orders Authorized under Resolution 2020.21- 025 (Delegate Authority to Procure Necessary Materials, Equipment and Services to Provide Distance and/or In-Person Learning for Staff, Teachers, and Students to Mitigate the Effects of Covid-19)

Table with 2 columns: Type, Action. Rows include Fiscal Impact (Yes), Budgeted (Yes), Recommended Action (The recommendation is that the Board of Education accept the update on costs associated with the implementation of Resolution 2020.21-025 (Resolution of the Board of Education of the Newark Unified School District to Delegate Authority to Procure Necessary Materials,

Equipment and Services to Provide Distance and/or In-Person Learning for Staff, Teachers, and Students to Mitigate the Effects of Covid-19)

Purpose:

To update the Board on costs associated with the implementation of Resolution 2020.21-025 (Resolution of the Board of Education of the Newark Unified School District to Delegate Authority to Procure Necessary Materials, Equipment and Services to Provide Distance and/or In-Person Learning for Staff, Teachers, and Students to Mitigate the Effects of Covid-19) from February 1, 2023 through February 28, 2023.

Background:

On April 1, 2021, the Newark Unified School District Board approved Resolution 2020.21-025 delegating authority to the Superintendent or designee to procure necessary materials, equipment, and services that are needed to provide distance and/or in-person learning to mitigate the effects of Covid-19. Language in the resolution states "the Superintendent/Designee shall make periodic reports to the Board of Education and the public regarding implementation of this resolution and the costs associated therewith"; requiring the update provided here.

On June 16, 2022 Amended Resolution 2020.21-025 was approved. The amendment extends it to on or around June 30, 2023 and states that updates will be presented at the first Board meeting of each month.

VENDOR	DATE	PO NUMBER	DESCRIPTION	AMOUNT
N/A *				

*There are no contracts or purchase orders to report for the period of February 1, 2023 through February 28, 2023.

Motion & Voting

The recommendation is that the Board of Education accept the update on costs associated with the implementation of Resolution 2020.21-025 (Resolution of the Board of Education of the Newark Unified School District to Delegate Authority to Procure Necessary Materials, Equipment and Services to Provide Distance and/or In-Person Learning for Staff, Teachers, and Students to Mitigate the Effects of Covid-19)

- Motion by Phuong Nguyen, second by Katherine Jones.
- Final Resolution: Motion Carries
- Yea: Phuong Nguyen, Aiden Hill, Katherine Jones, Nancy Thomas
- Not Present at Vote: Diego Torres

REPORT: Monthly Purchase Order Report

Type	Action
Recommended	The recommendation is that the Board of Education receive the Monthly Purchase Order
Action	Report as presented.

Purpose:

The purpose of this item is to present a monthly report on Purchase Order transactions per Board Policy 3300, Expenditures and Purchases.

Background:

Based on the discussion at the Board's Study Session on January 6, 2022, staff is providing a monthly report on Purchase Order transactions per Board Policy 3300, Expenditures and Purchases. The policy states that "The Board shall review all transactions entered into by the Superintendent or designee on behalf of the Board every 60 days."

File Attachments

Monthly Purchase Order Report 03-02-2023.pdf (102 KB)

Motion & Voting

The recommendation is that the Board of Education receive the Monthly Purchase Order Report as presented.

- Motion by Phuong Nguyen, second by Katherine Jones.
- Final Resolution: Motion Carries
- Yea: Phuong Nguyen, Aiden Hill, Katherine Jones, Nancy Thomas
- Not Present at Vote: Diego Torres

CBOC Member Resignation (Mr. Richard Watters)

Type	Action
Recommended	The recommendation is that the Board of Education accept the resignation of Richard Watters
Action	from the Citizens' Bond Oversight Committee (CBOC), effective immediately.

Purpose:

By taking this action, the Board will accept the early resignation request from one member, Richard Watters, effective immediately.

Background:

Mr. Watters is the current Chair of the CBOC. He was approved to a third term beginning July 1, 2022 and expiring June 30, 2024. On February 7, 2023, Mr. Watters submitted his resignation from the CBOC to the Board of Education.

Motion & Voting

The recommendation is that the Board of Education accept the resignation of Richard Watters from the Citizens' Bond Oversight Committee (CBOC), effective immediately.

- Motion by Phuong Nguyen, second by Katherine Jones.
- Final Resolution: Motion Carries
- Yea: Phuong Nguyen, Aiden Hill, Katherine Jones, Nancy Thomas

Not Present at Vote: Diego Torres

CBOC Member Reappointment (Mr. Cary Knoop)

Type Action
Recommended Action The recommendation is that the Board of Education reappoint Cary Knoop to the Citizens' Bond Oversight Committee (CBOC), effective immediately.

Purpose:
By taking this action, the Board will reappoint one member, Cary Knoop, to the Citizens' Bond Oversight Committee (CBOC) for an additional 2-year term effective immediately and expiring June 30, 2025.

Background:
NUSD Board Administrative Regulation 7214 (for General Obligation Bonds) permits members of the CBOC to serve a maximum of three 2-year terms. General Obligations Bonds Exhibit 7214 Citizens' Bond Oversight Committee Bylaws Term of Service states: Committee members serve without compensation for a term of two (2) years, and for no more than Three (3) consecutive terms. In the event a member completes three (3) consecutive terms, they are eligible to serve again after a one (1) year hiatus from the Committee.
Mr. Knoop has served on the CBOC for three 2-year terms and has expressed an interest in returning for another term. He is eligible to serve again as he has not served for over one year. His community representation is as an At-Large Community Member.
Mr. Knoop is the only applicant for this position.

Motion & Voting
The recommendation is that the Board of Education reappoint Cary Knoop to the Citizens' Bond Oversight Committee (CBOC), effective immediately.
Motion by Phuong Nguyen, second by Katherine Jones.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Aiden Hill, Katherine Jones, Nancy Thomas
Not Present at Vote: Diego Torres

16 BOARD OF EDUCATION: COMMITTEE REPORTS, REQUESTS, AND ANNOUNCEMENTS

Board of Education Recognitions and Announcements

Type Information

Purpose:
The Trustees may recognize specific students, staff, and/or programs; outline recent activities; or make comments relative to the District.

Board of Education Committee Reports

Type Information

Purpose:
The Trustees may provide updates, if available, on the committees of which they are members.

Background:
Each year the Board of Education members liaise with schools and committees in order to build relationships, hear from staff, students, and families, and act as a conduit for information to and from the schools.

Board Committees 2022-23	Representative	Alternate
Board Adopted on 12/15/2022		
Mission Valley Regional Occupational Center/Program (ROC/P)	1. Nancy Thomas	1. Bowen Zhang
Executive Board		
Regional Policy Board of Special Education Local Plan Area (SELPA)	1. Katherine Jones	1. Phuong Nguyen
Newark Teacher Induction Advisory Council (Formally EBIC)	1. Aiden Hill	1. Phuong Nguyen
Audit Committee	1. Aiden Hill	2. Katherine Jones
Bond/Parcel Tax Committee	1. Phuong Nguyen	2. Katherine Jones
City of Newark NUSD Liaison Committee	1. Phuong Nguyen	1. Aiden Hill
	2. Nancy Thomas	1. Katherine Jones

Board of Education Requests

Type Action, Discussion, Information

Purpose:
This is an opportunity for the Board of Education to suggest items for placement on future agendas and to review Board requests.

Background:
Any individual Board member may request an item for a future agenda. However, if the request is for a specific staff action, the majority of the Board may be requested.
The following derives directly from the Board approved "Governance Team Handbook"
Authority is Collective, Not Individual:

The only authority to direct action rests with the Board as a whole when seated at a regular or special board meeting. Outside of this meeting, there is no authority.

A majority Board vote provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction.

Bringing New Ideas Forward

The Board will be open to having "brainstorming" discussions, or study sessions, around any idea that a Trustee may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Trustee, at their initiative or at the request of a constituent, which was previously discussed during a board meeting.

Trustees will first notify the Board President and Superintendent of their interest in bringing forward a new idea at a board meeting. When initially agendized, the preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.

Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea. The Superintendent will decide on the delegation of assignments to District staff.

The new idea may be agendized for discussion only. The Board majority will decide if the new idea should be further developed and studied by staff. The Board majority will decide if staff time should be invested in the "fleshing out" of new ideas.

Individual Trustees, in the course of interactions with constituents, will be careful not to make or imply the commitment of the full Board to explore or proceed with implementing new ideas.

17 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

Interim Superintendent's Concluding Comments, Updates, and Future Agenda Items

AGENDA REQUESTS

Type Information

Purpose:

This is an opportunity for the Interim Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

Notably, we expect to have a Special Board meeting on March 6 at 6:30 p.m. to formally begin the superintendent search process with Leadership Associates.

18 ADJOURNMENT

PLACEHOLDER - Extend Meeting

Type Action

Recommended The recommendation is that the Board of Education extends the meeting to ____ P.M.

Action

Purpose:

This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

Motion & Voting

The recommendation is that the Board of Education extends the meeting to 12:00 AM.

Motion by Aiden Hill, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Aiden Hill, Diego Torres, Katherine Jones, Nancy Thomas

Adjournment

Type Action

Recommended The recommendation is that the Board of Education adjourns this meeting.

Action

Purpose:

No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time.

This action will conclude the meeting.

Motion & Voting

The recommendation is that the Board of Education adjourns this meeting.

Motion by Aiden Hill, second by Katherine Jones.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Aiden Hill, Katherine Jones, Nancy Thomas

Not Present at Vote: Diego Torres

1 CALL TO ORDER

Meeting Practices and Information

Type Procedural

In-person Meeting Information:

NUSD has opened its boardroom for in-person meetings and will follow the State's and Alameda County's safety guidelines for public gatherings. Please refrain from attending in-person meetings if you have any of the following symptoms:

- Loss of taste/smell
- Difficulty breathing
- Vomiting
- Diarrhea
- Fever
- Cough
- Headache
- Sore Throat
- Runny Nose

For additional COVID-19 information please go to <https://www.newarkunified.org/covid-19> or <https://www.acoe.org/guidance>

Observe The Board Of Education Meeting:

Members of the public 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.

Public Comment:

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

Pledge of Allegiance

Type Procedural

Purpose: The Governance Team will recite the Pledge of Allegiance.

Roll Call

Type Procedural

- Trustees:
- President Nancy Thomas
 - Vice President/Clerk Aiden Hill
 - Member Phuong Nguyen
 - Member Bowen Zhang
 - Member Katherine Jones

Student Board Member: Diego Torres

2 APPROVAL OF AGENDA

Approval of the Agenda

Type Action
Recommended Action The recommendation is that the Board of Education approve the agenda for this meeting.

Purpose: Members of the Governance Team may request that the agenda be amended or approved as presented.

Motion & Voting
The recommendation is that the Board of Education approve the agenda for this meeting.
Motion by Aiden Hill, second by Katherine Jones.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Aiden Hill, Diego Torres, Katherine Jones, Nancy Thomas

3 OPEN SESSION

Public Comment on Agenda Items

Type Procedural

Purpose: The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board. If a constituent wishes to address the Board on any agenda item, please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org.

4 OLD BUSINESS

Public Employment (Gov. Code, 54957, subd. (b)(1)) Title: Superintendent Search

Type	Action
Fiscal Impact	No
Recommended Action	The recommendation is that the Board of Education choose a search firm to assist in the selection of a Superintendent.

Purpose:
The purpose of this item is for the Board to review proposals, discuss them, and choose a search firm to assist in the selection of a Superintendent.

Background:
On February 16, 2023 the Board of Education received proposals from three search firms to assist in the selection of a Superintendent. The Board requested a Special Meeting to fully consider the firms' proposals and hear their presentations. Leadership Associates expects to present in person, and McPherson and Jacobson expects to present remotely. Unfortunately, both representatives from HYA have conflicts that cannot be avoided.

File Attachments
[Leadership Associates Proposal for Newark USD - 2-16-23.pdf](#) (2,035 KB)
[Hazard Young Attea Associates Proposal for Newark USD - 2-16-23.pdf](#) (1,409 KB)
[CSBA-McPherson & Jacobson Proposal for Newark USD 2-16-23.pdf](#) (1,781 KB)

Motion & Voting
 The recommendation is that the Board of Education choose a search firm to assist in the selection of a Superintendent. Motion to select Leadership Associates.
 Motion by Phuong Nguyen, second by Aiden Hill.
 Final Resolution: Motion Carries
 Yea: Phuong Nguyen, Aiden Hill, Diego Torres, Katherine Jones, Nancy Thomas

5 NEW BUSINESS

Filling the Expected Board Vacancy

Type	Discussion
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Purpose:
The purpose is to review the attached California School Boards Association (CSBA) document on filling Board vacancies and discuss next steps.

Background:
At the February 16, 2023 meeting, Board Member Bowen Zhang resigned effective February 28, 2023. The Board will discuss how to fill the expected vacancy.

File Attachments
[2012_05_Filling_a_BoardVacancy.pdf](#) (524 KB)

6 ADJOURNMENT

PLACEHOLDER - Extend Meeting

Type	Action
Recommended Action	The recommendation is that the Board of Education extends the meeting to ____ P.M.

Purpose:
This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

Motion & Voting

Adjournment

Type	Action, Procedural
Recommended Action	The recommendation is that the Board of Education adjourns this meeting.

Purpose:
No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time. This action will conclude the meeting.

Motion & Voting

The recommendation is that the Board of Education adjourns this meeting.

Motion by Diego Torres, second by Aiden Hill.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Aiden Hill, Diego Torres, Katherine Jones, Nancy Thomas

1 CALL TO ORDER

Meeting Practices and Information

Type Procedural

In-person Meeting Information:

NUSD has opened its boardroom for in-person meetings and will follow the State's and Alameda County's safety guidelines for public gatherings. Please refrain from attending in-person meetings if you have any of the following symptoms:

- Loss of taste/smell
- Difficulty breathing
- Vomiting
- Diarrhea
- Fever
- Cough
- Headache
- Sore Throat
- Runny Nose

For additional COVID-19 information please go to <https://www.newarkunified.org/covid-19> or <https://www.acoe.org/guidance>

Observe The Board Of Education Meeting:

Members of the public 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.

Public Comment:

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLI COMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLI COMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

Roll Call

Type Procedural

Trustees:

- President Nancy Thomas
- Vice President/Clerk Aiden Hill
- Member Phuong Nguyen
- Member Bowen Zhang
- Member Katherine Jones

Student Board Member:

- Member Diego Torres

2 APPROVAL OF AGENDA

Approval of the Agenda

Type Action

Recommended The recommendation is that the Board of Education approve the agenda for this meeting.
Action

Purpose:

Members of the Governance Team may request that the agenda be amended or approved as presented.

Motion & Voting

The recommendation is that the Board of Education approve the agenda for this meeting, except items 10.9-10.15 and 10.2.

Motion by Phuong Nguyen, second by Katherine Jones.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Aiden Hill, Bowen Zhang, Katherine Jones, Nancy Thomas

Public Comment on Closed Session Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their

views to the Board. If a constituent wishes to address the Board on any agenda item, please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

Recess to Closed Session

Type Procedural

Purpose:

The Board will recess to Closed Session, and reconvene to Open Session on or about 7:00 p.m.

3 CLOSED SESSION

PUBLIC EMPLOYEE DISCIPLINE/DISSMISSAL/RELEASE (Gov. Code, 54957, subd. (b)(1))

Type Action, Information, Procedural

Purpose:

Information will be provided by the Superintendent and Executive Director of Human Resources.

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a): Employee Organizations - NTA and CSEA

Type Action, Information, Procedural

Purpose:

Information may be provided by the agency negotiator, Executive Director of Human Resources. Assistance from the legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided. The employee organizations include NTA & CSEA.

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a)): Employee Group - NEWMA, Unrepresented Supervisors, and Contracted Management

Type Action, Discussion, Procedural

Purpose:

Information may be provided by the agency negotiator, the Executive Director of Human Resources, and the Superintendent. Assistance from legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided. The employee organizations include NEWMA, Unrepresented Supervisors, and Contracted Management

CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION Significant exposure to litigation pursuant to Gov. Code, 54956.9, subd. (d)[(2) or (3)]: One case

Type Action, Discussion, Procedural

Purpose:

Information may be provided regarding significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: One case

PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT (Gov. Code, 54957, subd. (b) (1) Title: Interim Superintendent

Purpose:

Information may be provided by the agency negotiator, the Board of Education with assistance from legal firm Lozano Smith.

4 REPORT OF CLOSED SESSION ACTIONS

Report of Closed Session Actions

Type Action, Procedural

Purpose:

If available, a report of the closed session will be provided by the Board President.

5 RECONVENE TO OPEN SESSION

Pledge of Allegiance

Type Procedural

Purpose:

The Governance Team will recite the Pledge of Allegiance

6 RECOGNITIONS AND CELEBRATIONS

Recognition of the Outgoing Board Member

Type Information

Purpose:

The Board will recognize the outgoing Board Member, Bowen Zhang.

Background:

We congratulate, commend, and express our deep gratitude and appreciation to Bowen Zhang for his service to the school district and community and the Board of Education extends its sincere appreciation and best wishes for future endeavors.

7 EMPLOYEE ORGANIZATIONS

Employee Organizations

Type Information

Purpose:

At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Background:

Discussion items are limited to updates, celebrations, and upcoming events.

1. NTA: Sean Abruzzi
2. CSEA: Maria Huffer
3. NEWMA: Vicenta Ditto

8 PUBLIC COMMENT

Public Comment on Non-Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

Public Comment on Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

9 CONSENT AGENDA: PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type Action

Recommended It is recommended that the Board of Education approve, under one consented vote, the
Action agenda items under Consent-Personnel, except for agenda items:

Purpose:

This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:

Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Motion & Voting

It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent-Personnel.

Motion by Phuong Nguyen, second by Bowen Zhang.
Yea: Phuong Nguyen, Aiden Hill, Bowen Zhang, Katherine Jones, Nancy Thomas
Not Present at Vote: Diego Torres

Personnel Report

Type Action
Absolute Date Feb 16, 2023
Recommended The recommendation is that the Board of Education ratify the personnel report as presented.
Action

Purpose:
The purpose is for the Board of Education to ratify the Personnel Report as presented.

Background:
All personnel activities including new hires, changes in status, resignation, leaves, and retirements are routinely submitted to the Board for ratification.

File Attachments
HR PAL 02-16-2023.pdf (165 KB)

Motion & Voting
The recommendation is that the Board of Education ratify the personnel report as presented.
Motion by Phuong Nguyen, second by Bowen Zhang.
Yea: Phuong Nguyen, Aiden Hill, Bowen Zhang, Katherine Jones, Nancy Thomas
Not Present at Vote: Diego Torres

Release of Temporary Certificated Employees

Type Action
Absolute Date Feb 16, 2023
Recommended The recommendation is that the Board of Education approve the release of Temporary
Action Certificated Employees.

Purpose:
The purpose is for the Board of Education to consider approval of the release of Temporary Certificated Employees.

Background:
Each year temporary teachers are hired to fill positions for permanent staff that may be on a leave of absence, in a job share, or in a special assignment. Permanent teachers have the right to return the following year to an assignment for which they are credentialed. Temporary employees do not have automatic rehire rights and may be released by the district at the conclusion of their temporary contract.

File Attachments
California Education Code.pdf (110 KB)
2022-2023 Temp Release List.pdf (145 KB)

Motion & Voting
The recommendation is that the Board of Education approve the release of Temporary Certificated Employees.
Motion by Phuong Nguyen, second by Bowen Zhang.
Yea: Phuong Nguyen, Aiden Hill, Bowen Zhang, Katherine Jones, Nancy Thomas
Not Present at Vote: Diego Torres

10 CONSENT AGENDA: NON-PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type Action
Recommended It is recommended that the Board of Education approve, under one consented vote, the
Action agenda items under Consent Non-Personnel, except for agenda items:

Purpose:
This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:
Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Motion & Voting

It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent Non-Personnel, except for agenda items: except item 10.7.

Motion by Phuong Nguyen, second by Bowen Zhang.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Aiden Hill, Bowen Zhang, Diego Torres, Katherine Jones, Nancy Thomas

FIELD TRIP: Curricular, Overnight Trip for Birch Grove Intermediate Elementary fifth grade class to travel to Alliance

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$36,497.18
Budgeted	Yes
Budget Source	Family Donations
Recommended	The recommendation is that the Board of Education approves the overnight trip for the Birch
Action	Grove Intermediate fifth grade class to travel to Alliance Redwoods.

Purpose:

The Birch Grove Intermediate community requests permission to take fifth grade students on a curricular, overnight field trip. Students will travel to Alliance Redwoods, Occidental, CA for an outdoor science education camp. Students will spend time outdoors and indoors, learning about the environment and conservation. They will study animals, the land, and other topics over the week through hikes, class lessons, and discussions.

School: Birch Grove Intermediate

Dates: April 3 - April 6, 2023

Location: Alliance Redwoods, Occidental, CA

Chaperones for Science Camp:

The ratio of adults to students on school-sponsored trips shall be based on the following formula:

K-3 1 adult for every 5-8 students

4-9 1 adult for every 10 students

10-12 1 adult for every 10 students where strict supervision is required (tours, theaters, etc.)

Overnight trip supervision must be gender appropriate. However, in the event that the supervisors, who stay overnight in proximity to students, are of a gender other than that group of campers, adequate planning, and preparation of campers and the physical arrangements of the camp shall be made to ensure optimal safety and privacy of students (AR 6153).

No student will be denied due to a lack of funds.

Background:

According to Board Policy, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. The site principal and fifth grade teachers request permission to take students on an overnight curricular trip to attend an outdoor education/science camp program that is articulated with grade level curriculum. The programs are taught by credentialed staff members and camp staff and are viewed by the sites as a valuable part of the students' educational experience.

File Attachments

[Kennedy Elementary Science Camp.pdf](#) (1,298 KB)

FIELD TRIP: Non-Curricular Trip for Newark Memorial High School students to travel San Francisco to celebrate Prom.

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$60,000.00
Budgeted	Yes
Budget Source	Student ASB
Recommended	The recommendation is that the Board of Education approve the Newark Memorial High
Action	School students to travel San Francisco to celebrate Prom.

Purpose:

The NMHS Principal and Classes of 2023 and 2024 request permission to take students on a non-curricular trip to travel San Francisco to celebrate Prom.

Prom is for the Class of 2023 and 2024 will celebrate their Prom.

School: Newark Memorial

Date: April 1, 2023

Location: San Francisco, CA

Background:

According to Board Policy, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. The site principal and sixth-grade teachers request permission to take students on an overnight curricular trip to attend an outdoor education/science camp program that is articulated with grade level curriculum. The programs are taught by credentialed staff members and camp staff and are viewed by the sites as a valuable part of the students' educational experience.

File Attachments

[NMHS Prom.pdf](#) (863 KB)

Motion & Voting

The recommendation is that the Board of Education approve the Newark Memorial High School students to travel San Francisco to celebrate Prom.

Motion by Phuong Nguyen, second by Bowen Zhang.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Aiden Hill, Bowen Zhang, Diego Torres, Katherine Jones, Nancy Thomas

School Accountability Report Card (SARCs)

Type	Action
Preferred Date	Feb 16, 2023
Fiscal Impact	No
Recommended Action	The recommendation is that the Board of Education approve the 2021-2022 School Accountability Report Cards.

Purpose:

All public schools are required to prepare and distribute a Student Accountability Report Card (SARC) for the primary purpose of providing parents with data and information to make meaningful comparisons between schools. Specific items are required to be reported in the following categories: demographic information, school safety and climate for learning, academic data, school completion, class size, teacher and staff information, curriculum and instruction, and postsecondary preparation.

Background:

SARCs are intended to provide the public with important information about each public school and to communicate a school's progress in achieving its goals.

File Attachments

- [2022_School_Accountability_Report_Card_Newark_Memorial_High_School_20230120.pdf](#) (760 KB)
- [2022_School_Accountability_Report_Card_Newark_Junior_High_School_20230120.pdf](#) (742 KB)
- [2022_School_Accountability_Report_Card_Lincoln_Elementary_School_20230120.pdf](#) (734 KB)
- [2022_School_Accountability_Report_Card_John_F._Kennedy_Elementary_School_20230120.pdf](#) (740 KB)
- [2022_School_Accountability_Report_Card_Crossroads_High_School_20230120.pdf](#) (805 KB)
- [2022_School_Accountability_Report_Card_Coyote_Hills_Elementary_School_20230120.pdf](#) (725 KB)
- [2022_School_Accountability_Report_Card_Bridgepoint_20230120.pdf](#) (741 KB)
- [2022_School_Accountability_Report_Card_Birch_Grove_Primary_School_20230120.pdf](#) (709 KB)
- [2022_School_Accountability_Report_Card_Birch_Grove_Intermediate_School_20230120.pdf](#) (700 KB)
- [2022_School_Accountability_Report_Card_August_Schilling_Elementary_School_20230120.pdf](#) (721 KB)
- [2022_School_Accountability_Report_Card_-_Spanish_Newark_Memorial_High_School_20230128.pdf](#) (852 KB)
- [2022_School_Accountability_Report_Card_-_Spanish_August_Schilling_Elementary_School_20230128.pdf](#) (816 KB)
- [2022_School_Accountability_Report_Card_-_Spanish_Birch_Grove_Intermediate_School_20230128.pdf](#) (774 KB)
- [2022_School_Accountability_Report_Card_-_Spanish_Birch_Grove_Primary_School_20230128.pdf](#) (783 KB)
- [2022_School_Accountability_Report_Card_-_Spanish_Bridgepoint_20230128.pdf](#) (833 KB)
- [2022_School_Accountability_Report_Card_-_Spanish_Coyote_Hills_Elementary_School_20230128.pdf](#) (814 KB)
- [2022_School_Accountability_Report_Card_-_Spanish_Crossroads_High_School_20230128.pdf](#) (865 KB)
- [2022_School_Accountability_Report_Card_-_Spanish_John_F._Kennedy_Elementary_School_20230128.pdf](#) (842 KB)
- [2022_School_Accountability_Report_Card_-_Spanish_Lincoln_Elementary_School_20230128.pdf](#) (840 KB)
- [2022_School_Accountability_Report_Card_-_Spanish_Newark_Junior_High_School_20230128.pdf](#) (831 KB)

Motion & Voting

The recommendation is that the Board of Education approve the 2021-2022 School Accountability Report Cards.

Motion by Phuong Nguyen, second by Bowen Zhang.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Aiden Hill, Bowen Zhang, Diego Torres, Katherine Jones, Nancy Thomas

Comprehensive School Safety Plans (CSSP)

Type	Action, Information
Absolute Date	Feb 16, 2023
Fiscal Impact	No
Recommended Action	The recommendation is that the Board of Education approve 2023-2024 Comprehensive School Safety Plans (CSSP) as presented.

Purpose:

To approve the Comprehensive School Safety Plan (CSSP) for each Newark Unified School District school site; all plans are attached.

Background:

A Comprehensive School Safety Plan (CSSP) is an annually-revised plan to develop strategies aimed at the prevention of, and education about, potential incidents involving crime and violence on the school campus. All California K-12 public schools must develop a CSSP that addresses the safety concerns identified through a systematic planning process in cooperation with local law enforcement agencies, community leaders, parents, pupils, teachers, administrators, and other persons who may be interested in the prevention of campus crime and violence.

Per Education Code Section 32281, the School Site Council (SSC) develops and approves a comprehensive school safety plan relevant to the needs and resources of that particular school, or may delegate this responsibility to a school safety planning committee. Each school must review and update its plan by March 1 every year for submission to the California Department of Education (CDE).

The requirements and mandate for CSSPs are outlined in Education Code Sections 32280 - 32289 School Safety Plans.

File Attachments

- [23-24 NMHS Comprehensive School Safety Plan.pdf](#) (2,666 KB)

- [23-24 BGP Comprehensive Site Safety Plan.pdf \(1,782 KB\)](#)
- [23-24 BGI Comprehensive School Safety Plan.pdf \(2,409 KB\)](#)
- [23-24 CHE Comprehensive School Safety Plan.pdf \(2,196 KB\)](#)
- [23-24 Kennedy Comprehensive School Safety Plan.pdf \(8,413 KB\)](#)
- [23-24 Lincoln Comprehensive School Safety Plan.pdf \(3,710 KB\)](#)
- [23-24 Schilling Comprehensive School Safety Plan.pdf \(1,816 KB\)](#)
- [23-24 MacGregor Comprehensive School Safety Plan.pdf \(2,194 KB\)](#)
- [22-23 NJHS Comprehensive School Safety Plan.pdf \(3,582 KB\)](#)

Motion & Voting

RESOLUTION 2022.23.21 Declaring Surplus Equipment

Type	Action
Recommended	The recommendation is that the Board of Education approves Resolution 2022.23.21
Action	Declaring Surplus Equipment.

Purpose:

The purpose of this item is to obtain Board approval of Resolution 2022.23.21 Declaring Surplus Equipment, which lists items to be declared as surplus equipment as recommended.

Background:

Surplus materials will be disposed of per Board Policy and Administrative Regulation 3270 Sale And Disposal Of Books, Equipment And Supplies. Education Code, Section 17546 states that if the Governing Board, by a unanimous vote of those members present, finds that the property, whether one or more items, does not exceed the value of \$2,500, it may be sold at private sale without advertising, by a District employee empowered for that purpose by the Board; the property may be donated to a charitable organization, or it may be disposed of in a public disposal facility.

The property as described in Resolution 2022.23.21 includes equipment used at Child Nutrition Services. Staff determined that items are beyond economical repair.

File Attachments

- [Resolution 2022.23.21 Declaring Surplus Equipment.pdf \(12 KB\)](#)

Motion & Voting

The recommendation is that the Board of Education approves Resolution 2022.23.21 Declaring Surplus Equipment.

Motion by Phuong Nguyen, second by Bowen Zhang.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Aiden Hill, Bowen Zhang, Diego Torres, Katherine Jones, Nancy Thomas

REPORT: Warrant Report for January 2023

Type	Action
Fiscal Impact	No
Recommended	The recommendation is that the Board of Education approve the Warrant Report as presented.
Action	

Purpose:

The purpose of this item is to present warrants, for the total amount of \$2,239,605.16, made from District funds for January 2023.

Background:

The warrant registers represent a complete listing of all payments made from District funds for a month. Because Newark Unified School District is a fiscally dependent District, each warrant must pass through two separate audits; first by the District's Fiscal Services department, and second by the County Office of Education. No warrant can be paid until such time as it is examined and approved by the County Office of Education.

File Attachments

- [Warrant Report January 2023.pdf \(391 KB\)](#)

Motion & Voting

The recommendation is that the Board of Education approve the Warrant Report as presented.

Motion by Phuong Nguyen, second by Bowen Zhang.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Bowen Zhang, Diego Torres, Nancy Thomas

Nay: Aiden Hill, Katherine Jones

REPORT: Donations Report

Type	Action
Fiscal Impact	Yes
Budgeted	Yes
Budget Source	General Fund (Fund 010) Donations
Recommended	The recommendation is that the Board of Education accept the Donations Report as
Action	presented.

Purpose:

The purpose is to acknowledge receipt of donations to the District.

Background:

Throughout the year community members, groups, parents and other individuals make monetary and in-kind (supplies and equipment) donations to NUSD. The exact nature of the source of the donation is submitted to the Business Office on a standard form. It is critical that any restrictions on the funding be indicated and the budget developed based on the donor restrictions. If there is no indication of the school or use of the funding, any proceeds or cash donations received are placed in the NUSD local revenue in the unrestricted general fund. It is recommended that the donations be processed through the Business Office and ultimately approved by the Board so that the funding can be publicly acknowledged and budgeted properly according to donor restrictions. There is acknowledged and budgeted properly according to donor restrictions. There is acknowledgement at the public Board meeting and a letter of thanks is sent of the donor by the Business Office for NUSD.

File Attachments

[Summary of Donations_02-16-2023.pdf](#) (20 KB)

Motion & Voting

The recommendation is that the Board of Education accept the Donations Report as presented.

Motion by Phuong Nguyen, second by Bowen Zhang.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Aiden Hill, Bowen Zhang, Diego Torres, Katherine Jones, Nancy Thomas

MINUTES: Minutes of the December 15, 2022, Regular Meeting of the Board of Education

Type Action, Minutes

Recommended The recommendation is that the Board of Education approve the minutes of the December 15, 2022, Regular Meeting of the Board of Education.

Purpose:

For the board to review and approve the minutes of the December 15, 2022, Regular Meeting of the Board of Education

Background:

The attached minutes are reflective of the December 15, 2022, Regular Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel [HERE](#)

MINUTES: Minutes of the December 21, 2022, Special Meeting of the Board of Education

Type Action, Minutes

Recommended The recommendation is that the Board of Education approve the minutes of the December 21, 2022, Special Meeting of the Board of Education.

Purpose:

For the board to review and approve the minutes of the December 21, 2022, Special Meeting of the Board of Education

Background:

The attached minutes are reflective of the December 21, 2022, Special Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel [HERE](#)

Minutes of the January 19, 2023, Regular Meeting of the Board of Education

Type Action, Minutes

Recommended The recommendation is that the Board of Education approve the minutes of the January 19, 2023, Regular Meeting of the Board of Education.

Purpose:

For the board to review and approve the minutes of the January 19, 2023, Regular Meeting of the Board of Education

Background:

The attached minutes are reflective of the January 19, 2023, Regular Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel [HERE](#)

Minutes of the January 31, 2023, Special Meeting of the Board of Education

Type Action, Minutes

Recommended The recommendation is that the Board of Education approve the minutes of the January 31, 2023, Special Meeting of the Board of Education.

Purpose:

For the board to review and approve the minutes of the January 31, 2023, Special Meeting of the Board of Education

Background:

The attached minutes are reflective of the January 31, 2023, Special Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel [HERE](#)

MINUTES: Minutes of the February 2, 2023, Regular Meeting of the Board of Education

Type Action, Minutes

Recommended The recommendation is that the Board of Education approve the minutes of the February 2, 2023, Regular Meeting of the Board of Education.
Action

Purpose:
For the board to review and approve the minutes of the February 2, 2023, Regular Meeting of the Board of Education

Background:
The attached minutes are reflective of the February 2, 2023, Regular Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel [HERE](#)

Minutes of the February 2, 2023, Special Meeting of the Board of Education

Type Action, Minutes

Recommended The recommendation is that the Board of Education approve the minutes of the February 2, 2023, Special Meeting of the Board of Education.
Action

Purpose:
For the board to review and approve the minutes of the February 2, 2023, Special Meeting of the Board of Education

Background:
The attached minutes are reflective of the February 2, 2023, Special Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel [HERE](#)

MINUTES: Minutes of the February 6, 2023, Special Meeting of the Board of Education

Type Action, Minutes

Recommended The recommendation is that the Board of Education approve the minutes of the February 6, 2023, Special Meeting of the Board of Education.
Action

Purpose:
For the board to review and approve the minutes of the February 6, 2023, Special Meeting of the Board of Education

Background:
The attached minutes are reflective of the February 6, 2023, Special Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel [HERE](#)

11 SUPERINTENDENT REPORT

Acting Superintendent Report

Type Information

Purpose:
The acting superintendent will provide the Board of Education with district information, updates, news, or anything in the jurisdiction of the board or the superintendent.

Background:
The presentation and information will be provided by the Acting Superintendent.

12 STAFF REPORT

STAFF REPORT: ELA K-8 Curriculum

Type Information

Purpose:
To share an update with the NUSD Board of Education and community about the inquiry process underway regarding the district's ELA K-8 curriculum and next steps.

Background:
Newark Unified School District adopted Lucy Calkins English Language Arts curriculum in the 2015-16 and 2016-17 academic school years (Writing and Reading Units of Study, respectively). Concerns have been raised from community members and staff with respect to the efficacy of this curriculum. As a result, Ed Services has engaged with Curriculum and Assessment Council and K-8 staff in order to gather input and determine next steps.

File Attachments
[Staff Report_ ELA K-8 Curriculum.pdf](#) (470 KB)

13 NEW BUSINESS

POLICY UPDATE: Board Policy 5131.62 and Administrative Regulation 5131.62 - Tobacco

Type	Action, Procedural
Fiscal Impact	No
Budgeted	No
Recommended Action	The recommendation is that the Board of Education approve the updated Board Policy 5131.62 and Administrative Regulation 5131.62 - Tobacco

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation.

Background:
This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a second reading.

Board Policy 5131.62 - Tobacco
The NUSD board policy has not been revised since 2014. The language has been replaced to match the sample board policy provided by the California School Board Association.

Administrative Regulation 5131.62 - Tobacco
The NUSD administrative regulation has not been revised since 2014. The language has been replaced to match the sample board policy provided by the California School Board Association.

- File Attachments**
- Existing NUSD BP 5131.62 Tobacco.pdf (101 KB)
 - Recommended CSBA BP 5131.62 Tobacco.pdf (316 KB)
 - Existing NUSD AR 5131.62 Tobacco.pdf (66 KB)
 - Recommended CSBA AR 5131.62 Tobacco.pdf (187 KB)

Motion & Voting
The recommendation is that the Board of Education approve the updated Board Policy 5131.62 and Administrative Regulation 5131.62 - Tobacco
Motion by Phuong Nguyen, second by Katherine Jones.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Aiden Hill, Bowen Zhang, Diego Torres, Katherine Jones, Nancy Thomas

EMPLOYMENT AGREEMENT: Verbal Summary of the Financial Terms of the Interim Superintendent's Employment

Type	Information
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Purpose:
For the Board to provide a verbal summary of the financial terms of the Interim Superintendent's employment agreement.

Background:
The Board will consider approving an Employment Agreement for Dr. Michael Milliken to serve as the Interim Superintendent of the Newark Unified School District for the remainder of the 2022-2023 school year. The Agreement for the Interim Superintendent will commence on February 13, 2023, and terminate on June 30, 2023, or upon the employment of a permanent superintendent, whichever occurs first. A summary of the financial terms are as follows:

1. The base salary of the Interim Superintendent will be \$1095 per day not to exceed \$87,000.
2. The Interim Superintendent is entitled to the same health insurance coverage that the district provides to other certificated administrative employees in the district.
3. The Superintendent shall be reimbursed for the use of his personal vehicle for district business at the IRS rate.

EMPLOYMENT AGREEMENT: Review, Discussion and Approval of the Interim Superintendent's Employment Agreement

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$87,600.00
Budget Source	General Fund
Recommended Action	The recommendation is that the Board of Education approve the Interim Superintendent's Employment Agreement.

Purpose:
The purpose of this item is for the Board to review, discuss, and approve the Interim Superintendent's Employment Agreement.

Background:
At a special meeting of the board held on February 6, 2023 NUSD Board of Trustees interviewed and selected an Interim Superintendent. Attached you will find the employment agreement.

File Attachments

Interim Superintendent Employment Agreement.pdf (96 KB)

Motion & Voting

Public Employment (Gov. Code, 54957, subd. (b)(1) Title: Superintendent Search

Type Action

Fiscal Impact No
Recommended The recommendation is that the Board of Education choose a search firm to assist in the
Action selection of a Superintendent.

Purpose:

The purpose of this item is for the Board to review, discuss, and choose from a selection of proposals, a search firm to assist in the selection of a Superintendent.

File Attachments

Leadership Associates Proposal for Newark USD - 2-16-23.pdf (2,035 KB)
Hazard Young Attea Associates Proposal for Newark USD - 2-16-23.pdf (1,409 KB)
CSBA-McPherson & Jacobson Proposal for Newark USD 2-16-23.pdf (1,781 KB)

Consideration of Guiding Principles

Type Discussion

Purpose:

For the Board of Education to discuss guiding principles that can be referenced as a framework to build the best district possible.

Background:

Member Hill requests that the Board of Education consider the idea of embracing guiding principles that we can reference as we all work to build the best district possible. In his former life as a business consultant, he found a framework that many companies have used for this purpose from the work of Jim Collins, Stanford University, and is embodied in the book Good to Great. He would like to introduce this framework to the board and public, and potentially get approval to hold a future "guiding principles" study session to discuss NUSD's "North Star."

Member Hill has provided the following links for the board and public to delve more deeply into this content:

https://www.jimcollins.com/article_topics/articles/good-to-great.html
https://www.amazon.com/Good-Great-Some-Companies-Others-ebook/dp/B0058DRUV6/ref=sr_1_1?
crd=243DGBX3XZZYT&keywords=good+to+great+by+jim+collins&qid=1675984029&srefix=good+to+great%2Caps%2C153&sr=8-1
https://www.amazon.com/Good-Great-Spanish-Jim-Collins/dp/8417963170/ref=sr_1_3?crd=243DGBX3XZZYT&keywords=good+
to+great+by+jim+collins&qid=1675984029&srefix=good+to+great%2Caps%2C153&sr=8-3

14 BOARD OF EDUCATION: COMMITTEE REPORTS, REQUESTS, AND ANNOUNCEMENTS

Board of Education Recognitions and Announcements

Type Information

Purpose:

The Trustees may acknowledge or recognize specific programs, activities, or personnel at this time.

Board of Education Committee Reports

Type Information

Purpose:

The Trustees will provide an update, if available, on the committees of which they are members.

Background:

Each year the Board of Education members liaise with schools and committees in order to build relationships, hear from staff, students, and families, and act as a conduit for information to and from the schools.

Board Committees 2022-23

Board Adopted on 12/15/2022

Mission Valley Regional Occupational Center/Program (ROC/P) 1. Nancy Thomas 1. Bowen Zhang

Executive Board

Regional Policy Board of Special Education Local Plan Area (SELPA) 1. Katherine Jones 1. Phuong Nguyen

Newark Teacher Induction Advisory Council (Formally EBIC) 1. Aiden Hill 1. Phuong Nguyen

Audit Committee 1. Aiden Hill 2. Katherine Jones 1. Phuong Nguyen

Bond/Parcel Tax Committee 1. Phuong Nguyen 2. Katherine Jones 1. Aiden Hill

City of Newark NUSD Liaison Committee 1. Phuong Nguyen

2. Nancy Thomas 1. Katherine Jones

Board of Education Requests

Type Action, Discussion, Information

Purpose:

This is an opportunity for the Board of Education to suggest items for placement on future agendas and to review Board requests. Approval from the majority of the Board will be required for direction to be provided to the Superintendent.

Background:

The following derives directly from the Board approved "Governance Team Handbook"

Authority is Collective, Not Individual:

The only authority to direct action rests with the Board as a whole when seated at a regular or special board meeting. Outside of this meeting, there is no authority.

A majority Board vote provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction.

Bringing New Ideas Forward

The Board will be open to having "brainstorming" discussions, or study sessions, around any idea that a Trustee may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Trustee, at their initiative or at the request of a constituent, which was previously discussed during a board meeting.

Trustees will first notify the Board President and Superintendent of their interest in bringing forward a new idea at a board meeting.

When initially agendized, the preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.

Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea. The Superintendent will decide on the delegation of assignments to District staff.

The new idea may be agendized for discussion only. The Board majority will decide if the new idea should be further developed and studied by staff. The Board majority will decide if staff time should be invested in the "fleshing out" of new ideas.

Individual Trustees, in the course of interactions with constituents, will be careful not to make or imply the commitment of the full Board to explore or proceed with implementing new ideas.

15 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

Acting Superintendent's Concluding Comments, Updates, and Future Agenda Items

AGENDA REQUESTS

Type Information

Purpose:

This is an opportunity for the Acting Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

16 ADJOURNMENT

PLACEHOLDER - Extend Meeting

Type Action

Recommended The recommendation is that the Board of Education extends the meeting to ____ P.M.
Action

Purpose:

This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

Adjournment

Type Action

Recommended The recommendation is that the Board of Education adjourns this meeting.
Action

Purpose:

No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time. This action will conclude the meeting.

Motion & Voting

The recommendation is that the Board of Education adjourns this meeting.

Motion by Diego Torres, second by Bowen Zhang.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Aiden Hill, Bowen Zhang, Diego Torres, Katherine Jones, Nancy Thomas

1 CALL TO ORDER

Pledge of Allegiance

Type Procedural

Purpose:

The Governance Team will recite the Pledge of Allegiance

Roll Call

Type Procedural

Trustees:

President Nancy Thomas
Vice President/Clerk Aiden Hill
Member Katherine Jones
Member Phuong Nguyen
Member Bowen Zhang

2 APPROVAL OF AGENDA

Approval of the Agenda

Type Action

Recommended The recommendation is that the Board of Education approve the agenda for this meeting.
Action

Purpose:

Members of the Governance Team may request that the agenda be amended or approved as presented.

Motion & Voting

The recommendation is that the Board of Education approve the agenda for this meeting.

Motion by Bowen Zhang, second by Katherine Jones.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Aiden Hill, Bowen Zhang, Diego Torres, Katherine Jones, Nancy Thomas

3 PUBLIC COMMENT ON AGENDA ITEMS

Public Comment on Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

4 CLOSED SESSION

Public Employee Discipline/Dismissal/Release (Gov. Code, 54957, subd. (b) (1))

Type Action, Information, Procedural

Purpose:

Public Employee Appointment/Employment: Interim Superintendent

Type Action, Information, Procedural

Recess to Closed Session

Type Procedural

Purpose:

The Board will recess to Closed Session, and reconvene to Open Session on or about 7:00 p.m.

5 REPORT OF CLOSED SESSION ACTION

Report of Closed Session Action

Type Action, Procedural

Purpose:

If available, a report of the closed session will be provided by the Board President.

Review, Consider, and Accept Agreement with the Superintendent

Type Action, Procedural

Purpose:

If available, a report of the closed session will be provided by the Board President.

Motion & Voting

Motion to review, consider, and accept agreement with the Superintendent.

Motion by Aiden Hill, second by Katherine Jones.

Yea: Aiden Hill, Katherine Jones, Nancy Thomas

Nay: **Phuong Nguyen, Bowen Zhang**

Not Present at Vote: Diego Torres

6 ADJOURNMENT

Adjournment

Type Action

Recommended The recommendation is that the Board of Education adjourns this meeting.

Action

Purpose:

No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time.

This action will conclude the meeting.

Motion & Voting

The recommendation is that the Board of Education adjourns this meeting at 8:44 pm.

Motion by Phuong Nguyen, second by Bowen Zhang.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Aiden Hill, Bowen Zhang, Diego Torres, Katherine Jones, Nancy Thomas

1 CALL TO ORDER

Meeting Practices and Information

Type Procedural

In-person Meeting Information:

NUSD has opened its boardroom for in-person meetings and will follow the State's and Alameda County's safety guidelines for public gatherings. Please refrain from attending in-person meetings if you have any of the following symptoms:

- Loss of taste/smell
- Difficulty breathing
- Vomiting
- Diarrhea
- Fever
- Cough
- Headache
- Sore Throat
- Runny Nose

For additional COVID-19 information please go to <https://www.newarkunified.org/covid-19> or <https://www.acoe.org/guidance>

Observe The Board Of Education Meeting:

Members of the public 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.

Public Comment:

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

Roll Call

Type Procedural

Trustees:

President Nancy Thomas
Vice President/Clerk Aiden Hill
Member Phuong Nguyen
Member Katherine Jones
Member Bowen Zhang

Student Board Member:

Member Diego Torres

2 APPROVAL OF AGENDA

Approval of the Agenda

Type Action

Recommended The recommendation is that the Board of Education approve the agenda for this meeting.

Action

Purpose:

Members of the Governance Team may request that the agenda be amended or approved as presented.

Motion & Voting

The recommendation is that the Board of Education approve the agenda for this meeting.

Motion by Phuong Nguyen, second by Katherine Jones.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Aiden Hill, Bowen Zhang, Katherine Jones, Nancy Thomas

Not Present at Vote: Diego Torres

3 CLOSED SESSION

Public Comment on Closed Session Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board. If a constituent wishes to address the Board on any agenda item, please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org.

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE (Gov. Code, 54957, subd. (b)(1))

Type Action, Information, Procedural

Purpose:

Information will be provided by the Superintendent and Executive Director of Human Resources.

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a): Employee Organizations - NTA and CSEA

Type Action, Information, Procedural

Purpose:

Information may be provided by the agency negotiator, Executive Director of Human Resources. Assistance from the legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided. The employee organizations include NTA & CSEA.

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a)): Employee Group - NEWMA, Unrepresented Supervisors, and Contracted Management

Type Action, Discussion, Procedural

Purpose:

Information may be provided by the agency negotiator, the Executive Director of Human Resources, and the Superintendent. Assistance from legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided. The employee organizations include NEWMA, Unrepresented Supervisors, and Contracted Management

CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION Significant exposure to litigation pursuant to Gov. Code, 54956.9, subd. (d)[(1) or (2)]

Type Action, Discussion, Procedural

Purpose:

Information may be provided regarding significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9:
One case

Recess from Closed Session

Type Procedural

Purpose:

The Board will recess to Closed Session, and reconvene to Open Session on or about 7:00 p.m.

4 RECONVENE TO OPEN SESSION

Pledge of Allegiance

Type Procedural

Purpose:

The Governance Team will recite the Pledge of Allegiance

5 REPORT OF CLOSED SESSION ACTIONS

Report of Closed Session Actions

Type Action, Procedural

Purpose:

If available, a report of the closed session will be provided by the Board President.

6 STUDENT REPORT

Student Reports from Newark Junior High School, Alternative Education, and Newark Memorial High School

Type Information

Purpose:

At regular Board of Education meetings, a spokesperson of each secondary school may make a brief presentation. Discussion items may include updates, celebrations, and upcoming events.

1. Newark Junior High School
2. Alternative Education
3. Newark Memorial High School

7 RECOGNITIONS AND CELEBRATIONS

Staff Spotlight

Type Information

Purpose:

To recognize the wonderful accomplishments of our NUSD Team.

Background:

The presentation will be provided by the Superintendent.

8 EMPLOYEE ORGANIZATIONS

Employee Organizations

Type Information

Purpose:

At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Background:

Discussion items are limited to updates, celebrations, and upcoming events.

1. NTA: Cheri Villa
2. CSEA: N/A
3. NEWMA: Lizaday Rancap-Perez

9 PUBLIC COMMENT ON NON-AGENDA ITEMS

Public Comment on Non-Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

10 PUBLIC COMMENT ON AGENDA ITEMS

Public Comment on Agenda Items

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

11 CONSENT AGENDA: PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type Action

Recommended It is recommended that the Board of Education approve, under one consented vote, the
Action agenda items under Consent-Personnel, except for agenda items:

Purpose:

This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:

Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Motion & Voting

It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent-Personnel, except for agenda items:

- Motion by Phuong Nguyen, second by Bowen Zhang.
- Final Resolution: Motion Carries
- Yea: Phuong Nguyen, Aiden Hill, Bowen Zhang, Katherine Jones, Nancy Thomas
- Abstain: Diego Torres

REPORT: Personnel

Type Action

Absolute Date Feb 02, 2023
Recommended The recommendation is that the Board of Education ratify the personnel report as presented.
Action

Purpose:

The purpose is for the Board of Education to ratify the Personnel Report as presented.

Background:

All personnel activities including new hires, changes in status, resignation, leaves, and retirements are routinely submitted to the Board for ratification.

File Attachments

[HR PAL 02-02-2023.pdf](#) (151 KB)

Motion & Voting

The recommendation is that the Board of Education ratify the personnel report as presented.

- Motion by Phuong Nguyen, second by Bowen Zhang.
- Final Resolution: Motion Carries

Yea: Phuong Nguyen, Aiden Hill, Bowen Zhang, Katherine Jones, Nancy Thomas
Abstain: Diego Torres

SENIORITY LIST: Classified

Type Action
Absolute Date Feb 02, 2023
Recommended The recommendation is that the Board of Education receive the 2022-2023 Classified
Action Seniority List.

Purpose:
The purpose is for the Board of Education to receive the 2022-2023 Classified Seniority List.

Background:
Each year, the Classified Seniority List is posted for review by classified employees and identifies the job classification total hours worked in a specific classification for each regular classified staff member. A copy of this Classified Seniority List has been provided to each classified staff person for review and has been posted at each school and campus site.

File Attachments
Classified Seniority List 2022-2023.pdf (7,643 KB)

Motion & Voting
The recommendation is that the Board of Education receive the 2022-2023 Classified Seniority List.
Motion by Phuong Nguyen, second by Bowen Zhang.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Aiden Hill, Bowen Zhang, Katherine Jones, Nancy Thomas
Abstain: Diego Torres

SENIORITY LIST: Certificated

Type Action
Absolute Date Feb 02, 2023
Recommended The recommendation is that the Board of Education receive the 2022-2023 Certificated
Action Seniority List.

Purpose:
The purpose is for the Board of Education to receive the 2022-2023 Certificated Seniority List.

Background:
Each year, the Certificated Seniority List is posted for review by certificated employees to determine whether the District has the correct hire date for each such employee. This year, the Certificated Seniority List was posted and an opportunity for employees to review was provided. The Certificated Seniority List does not imply an order of employment for certificated employees who were hired on the same date.

File Attachments
Certificated Seniority List 2022-2023.pdf (91 KB)

Motion & Voting
The recommendation is that the Board of Education receive the 2022-2023 Certificated Seniority List.
Motion by Phuong Nguyen, second by Bowen Zhang.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Aiden Hill, Bowen Zhang, Katherine Jones, Nancy Thomas
Abstain: Diego Torres

RESOLUTION 2022.23.19: Criteria for Determining Order of Seniority for Employees with the Same Date of First Paid Service

Type Action
Absolute Date Feb 02, 2023
Recommended The recommendation is that the Board of Education approve Resolution No. 2022.23.19 -
Action Criteria for Determining Order of Seniority for Employees with the Same Date of First Paid
Service

Purpose:
For the Board to approve Resolution No. 2022.23.19 so that a criteria for determining order of seniority for employees with the same date of first paid service is established.

Background:
Resolution No. 2022.23.19 is presented to determine "tie-breaking" criteria for certificated employees with the same date of first paid service in the district. In the event of certificated layoffs, this criteria will be used to establish the order of layoffs for those with the same seniority date.

File Attachments
Resolution No. 2022.23.19.pdf (41 KB)

Motion & Voting

The recommendation is that the Board of Education approve Resolution No. 2022.23.19 - Criteria for Determining Order of Seniority for Employees with the Same Date of First Paid Service

Motion by Phuong Nguyen, second by Bowen Zhang.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Aiden Hill, Bowen Zhang, Katherine Jones, Nancy Thomas

Abstain: Diego Torres

NEW POSITION: Nutritionist

Type	Action
Preferred Date	Feb 02, 2023
Fiscal Impact	Yes
Dollar Amount	\$67,500.00
Budgeted	Yes
Budget Source	Fund 13: Cafeteria Fund
Recommended	The recommendation is that the Board of Education approve the Nutritionist position and job description.
Action	

Purpose: The purpose of this item is to approve the Nutritionist position and job description.

Background: The position of Nutritionist will assist with the implementation of the District Wellness Policy and menu preparation for the 2022-2023 and 2023-2024 school years. Under the supervision and direction of the Director of Child Nutrition, the Nutritionist will provide a nutritionally sound and cost-effective food services program that will meet the needs of students while maintaining compliance with all state and federal guidelines as they relate to the National School Lunch, School Breakfast After School Snack and Child Adult Care Food Programs. This position typically works 20 hours per week; 11 months a year.

File Attachments: Nutritionist Job Description 02.02.2023.pdf (191 KB)

Motion & Voting: The recommendation is that the Board of Education approve the Nutritionist position and job description. Motion by Phuong Nguyen, second by Bowen Zhang. Final Resolution: Motion Carries. Yea: Phuong Nguyen, Aiden Hill, Diego Torres, Katherine Jones, Nancy Thomas. Abstain: Bowen Zhang

12 CONSENT AGENDA: NON-PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type	Action
Recommended	It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent Non-Personnel, except for agenda items:
Action	

Purpose: This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background: Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Motion & Voting: It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent Non-Personnel, except for agenda items: Motion by Phuong Nguyen, second by Bowen Zhang. Final Resolution: Motion Carries. Yea: Phuong Nguyen, Aiden Hill, Bowen Zhang, Diego Torres, Katherine Jones, Nancy Thomas

REPORT: Contracts and Purchase Orders Authorized under Resolution 2020.21- 025 (Delegate Authority to Procure Necessary Materials, Equipment and Services to Provide Distance and/or In-Person Learning for Staff, Teachers, and Students to Mitigate the Effects of Covid-19)

Type	Action
Fiscal Impact	Yes
Budgeted	Yes
Recommended	The recommendation is that the Board of Education accept the update on costs associated with the implementation of Resolution 2020.21-025 (Resolution of the Board of Education of the Newark Unified School District to Delegate Authority to Procure Necessary Materials, Equipment and Services to Provide Distance and/or In-Person Learning for Staff, Teachers, and Students to Mitigate the Effects of Covid-19)
Action	

Purpose:

To update the Board on costs associated with the implementation of Resolution 2020.21-025 (Resolution of the Board of Education of the Newark Unified School District to Delegate Authority to Procure Necessary Materials, Equipment and Services to Provide Distance and/or In-Person Learning for Staff, Teachers, and Students to Mitigate the Effects of Covid-19) from January 1, 2023 through January 31, 2023.

Background:

On April 1, 2021, the Newark Unified School District Board approved Resolution 2020.21-025 delegating authority to the Superintendent or designee to procure necessary materials, equipment, and services that are needed to provide distance and/or in-person learning to mitigate the effects of Covid-19. Language in the resolution states "the Superintendent/Designee shall make periodic reports to the Board of Education and the public regarding implementation of this resolution and the costs associated therewith"; requiring the update provided here.

On June 16, 2022 Amended Resolution 2020.21-025 was approved. The amendment extends it to on or around June 30, 2023 and states that updates will be presented at the first Board meeting of each month.

VENDOR	DATE	PO NUMBER	DESCRIPTION	AMOUNT
N/A *				

N/A *

*There are no contracts or purchase orders to report for the period of January 1, 2023 through January 31, 2023.

Motion & Voting

The recommendation is that the Board of Education accept the update on costs associated with the implementation of Resolution 2020.21-025 (Resolution of the Board of Education of the Newark Unified School District to Delegate Authority to Procure Necessary Materials, Equipment and Services to Provide Distance and/or In-Person Learning for Staff, Teachers, and Students to Mitigate the Effects of Covid-19)

Motion by Phuong Nguyen, second by Bowen Zhang.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Aiden Hill, Bowen Zhang, Diego Torres, Katherine Jones, Nancy Thomas

REPORT: Monthly Purchase Order Report

Type	Action
Recommended	The recommendation is that the Board of Education receive the Monthly Purchase Order
Action	Report as presented.

Purpose:

The purpose of this item is to present a monthly report for Board review on Purchase Order transactions per Board Policy 3300, Expenditures and Purchases.

Background:

Based on the discussion at the Board's Study Session on January 6, 2022, staff is providing a monthly report on Purchase Order transactions per Board Policy 3300, Expenditures and Purchases. The policy states that "The Board shall review all transactions entered into by the Superintendent or designee on behalf of the Board every 60 days."

File Attachments

[Monthly Purchase Order Report 02-02-2023.pdf](#) (78 KB)

Motion & Voting

The recommendation is that the Board of Education receive the Monthly Purchase Order Report as presented.

Motion by Phuong Nguyen, second by Bowen Zhang.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Aiden Hill, Bowen Zhang, Diego Torres, Katherine Jones, Nancy Thomas

PURCHASE: Chromebook Purchase- Trafera

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$820,626.00
Budget Source	Learning Recovery Emergency Block Grant, LCAP and Title I
Recommended	The recommendation is that the Board of Education approve the purchase of 2,579
Action	Chromebooks and 23 carts through Trafera as presented.

Purpose:

To obtain Board approval for the purchase of Chromebooks and Chromebook carts to support student computing technology.

Background:

The new Chromebooks will replace old Chromebooks that have reached their end of expected life period and increase quantities to provide more Chromebooks for students.

The Chromebooks on the attached quote include 2,579 Chromebooks, 23 Chromebook carts, a four-year limited warranty and Google Chrome Perpetual EDU License.

School boards have the authority to "piggyback" on another public agency's bid, per Public Contract Code 20118, when it is in the best interest of a district. It is often advantageous to utilize piggyback bids when contract items are identical to the district's specifications. Using piggyback contracts saves time and often provides lower prices than a single jurisdiction would be able to obtain. Per Board Policy 3311, the District may piggyback onto the contract of another public agency or corporation to lease or purchase equipment or supplies to the extent authorized by law. The piggyback contracts utilized for this purchase are attached. Please note Trinity 3 Technology and FireFly Computers merged, launching a new identity as Trafera. The NCPA agreement with FireFly is now available to Trafera.

File Attachments

- [Trafera - Chromebook Quote Qty 2579 E000089065-R4.pdf](#) (103 KB)
- [NCPA Technology Solutions Contract #01-43.pdf](#) (5,594 KB)
- [NCPA Technology Solutions Contract #01-43_Renewal.pdf](#) (823 KB)

Motion & Voting

The recommendation is that the Board of Education approve the purchase of 2,579 Chromebooks and 23 carts through Trafera as presented.

Motion by Nancy Thomas, second by Aiden Hill.

Final Resolution: Motion Fails

Yea: Phuong Nguyen, Bowen Zhang, Diego Torres

Nay: Aiden Hill, Katherine Jones, Nancy Thomas

RESOLUTION 2022.23.20 - Notice of Completion for Landscaping and Irrigation Group 2: Coyote Hills, Newark Memorial High School, MacGregor and the District Office.

Type	Action
Recommended	The recommendation is that the Board of Education approve Resolution 2022.23.20 and
Action	authorize the filing of a Notice of Completion with the County Recorder of Alameda County for Landscaping and Irrigation Group 2, Coyote Hills, Newark Memorial High School, MacGregor and the District Office, by Bortolussi & Watkin Inc.

Purpose:
To authorize the filing of a Notice of Completion (NOC) with the County Recorder of Alameda County for the Landscaping and Irrigation Project, Group 2.

Background:
On August 5, 2021, the Board of Trustees awarded a contract to Bortolussi & Watkin Inc. for Planting and Irrigation Group 2 Schools Project in the amount of \$1,254,414 and authorized staff to select additive alternates within the budgeted amount. Bortolussi & Watkins was issued a contract in the amount of \$1,033,130.
On May 5, 2022, the Board of Trustees approved Change Order #1 in the amount of \$1,032 for irrigation controllers for a total contract amount and final expenditure of \$1,034,162.
The original budget was \$1,254,414 and the final budget is \$1,034,162 which provides the District a savings of \$220,252. All contract items, punchlist and project closeout items have been satisfied. Accordingly, staff requests acceptance of the project which will allow filing a Notice of Completion with the County and permit the release of the retention thirty-five (35) days after approval.

File Attachments

- [Resolution 2022.23.20 Notice of Completion Landscaping and Irrigation_Group 2.pdf](#) (11 KB)
- [Notice of Completion Landscaping & Irrigation Coyote Hills.pdf](#) (71 KB)
- [Notice of Completion Landscaping & Irrigation MacGregor.pdf](#) (71 KB)
- [Notice of Completion Landscaping & Irrigation District Office.pdf](#) (71 KB)
- [Notice of Completion Landscaping & Irrigation NMHS.pdf](#) (71 KB)

Motion & Voting

The recommendation is that the Board of Education approve Resolution 2022.23.20 and authorize the filing of a Notice of Completion with the County Recorder of Alameda County for Landscaping and Irrigation Group 2, Coyote Hills, Newark Memorial High School, MacGregor and the District Office, by Bortolussi & Watkin Inc.

Motion by Phuong Nguyen, second by Bowen Zhang.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Aiden Hill, Bowen Zhang, Diego Torres, Katherine Jones, Nancy Thomas

CONTRACT AMENDMENT: Ratcliff Architects

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$26,740.00
Budget Source	Fund 25 Capital Facilities Fund
Recommended	The recommendation is that the Board of Education approve the amendment for Ratcliff
Action	Architects for the HVAC Phase 2 Project as presented.

Purpose:
To approve an amendment to an agreement with Ratcliff Architects to provide fall protection details as required by the Division of the State Architect (DSA) for the Newark Junior High School and Newark Memorial High School Heating Ventilation and Air Conditioning (HVAC) Project, Phase 2.

Background:
On December 16, 2021, the Board of Trustees approved a contract with Ratcliff Architects to develop plans and specifications for Division of the State Architect (DSA) approval for five (5) units at elementary schools, five (5) HVAC and four (4) heat pumps at NJHS and thirty-one (31) units at NMHS. As a result of DSA plan review comments on NJHS and NMHS applications, Ratcliff and its structural engineer consultant have performed as-built research and prepared new fall protection details and structural calculations for DSA backcheck responses. DSA is requiring the addition of a post on the roof next to each of the AC units. This post will be for workers to clip their safety harness to and avoid falling accidents.

The amendment increases the contract by \$26,740. The new contract amount will be \$253,456. After DSA approves the plans, the district will go out to bid for the installation of the HVAC units.

File Attachments

[Ratcliff Architects_District Wide HVAC Phase 2_ Amendment 1.pdf](#) (342 KB)

Motion & Voting

The recommendation is that the Board of Education approve the amendment for Ratcliff Architects for the HVAC Phase 2 Project as presented.

Motion by Phuong Nguyen, second by Katherine Jones.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Aiden Hill, Bowen Zhang, Diego Torres, Katherine Jones, Nancy Thomas

PURCHASE: Controllers and Access Points- Colligo Systems LLC

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$375,761.00
Budget Source	Learning Recovery Emergency Block Grant and General Fund
Recommended Action	The recommendation is that the Board of Education approve the purchase of controllers and access points from Colligo Systems as presented.

Purpose:

To purchase controllers and access points from Colligo Systems as part of the project to address connectivity and WiFi issues.

Background:

At the November 17, 2022 Board meeting, staff presented information about technology connectivity and WiFi issues. The district's wireless system, access points and controllers are outdated and need to be upgraded to improve and resolve connectivity and WiFi issues. This includes new controllers and access points. This purchase prioritizes the urgent need at Newark Memorial High School providing new access points for Newark Memorial High School and new controllers for the district. The attached quote from Colligo Systems LLC is based on pricing through the California Multiple Award Schedule (CMAS). A subsequent order to replace and upgrade the access points at the elementary schools, Newark Junior High School and the District Office will be presented to the Board around March or April as part of the E-Rate program. The E-Rate program will be able to provide funding for approximately 55% of the total cost.

File Attachments

[Quote_Colligo Systems_Controllers and Access Points.pdf](#) (106 KB)

[Colligo Systems CMAS 3-20-70-3459B#1 \(1\).pdf](#) (273 KB)

Motion & Voting

The recommendation is that the Board of Education approve the purchase of controllers and access points from Colligo Systems as presented.

Motion by Diego Torres, second by Bowen Zhang.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Aiden Hill, Bowen Zhang, Diego Torres, Katherine Jones, Nancy Thomas

FIELD TRIP- Senior Cruise

Type	Action
Preferred Date	Feb 02, 2023
Absolute Date	Feb 02, 2023
Fiscal Impact	Yes
Dollar Amount	\$6,400.00
Budgeted	Yes
Budget Source	Student Fundraising & Donations
Recommended Action	The recommendation is that the Board of Education approves the Senior Cruise for the Newark Memorial High School's twelfth grade students.

Purpose:

Newark Memorial High School requests permission to take twelfth grade students on a non-curricular, field trip. Although this is non-curricular afterschool activity, it does contribute to the social emotional growth of students, as they celebrate their last school year together in a positive and fun environment.

School: Newark Memorial High School

Dates: February 24, 2023, 8:00 pm to 11:00 pm

Location: Luxe Cruise and Events, 2394 Mariner Square Dr. STE B, Alameda, CA 94501

Chaperones for Field Trip:

The ratio of adults to students on school-sponsored trips shall be based on the following formula:

K-3 1 adult for every 5-8 students

4-9 1 adult for every 10 students

10-12 1 adult for every 10 students where strict supervision is required (tours, theaters, etc.)

No student will be denied due to a lack of funds.

Background:

According to Board Policy 6153.2, all trips that are non-curricular require Board approval. The site principal and Newark Memorial High

School Director of Student Activities request permission for 12th grade students to attend a 3 hour cruise out of Alameda using Luxe Cruise and Events.

File Attachments

2.24.23 NMHS Senior Cruise.pdf (845 KB)

Motion & Voting

The recommendation is that the Board of Education approves the Senior Cruise for the Newark Memorial High School's twelfth grade students.

Motion by Phuong Nguyen, second by Bowen Zhang.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Aiden Hill, Bowen Zhang, Diego Torres, Katherine Jones, Nancy Thomas

13 SUPERINTENDENT REPORT

Superintendent Report

Type Information

Purpose:

The superintendent will provide the Board of Education with district information, updates, news, or anything in the jurisdiction of the board or the superintendent.

Background:

The presentation and information will be provided by the Superintendent

14 NEW BUSINESS

New Secondary Courses for 2023-24

Type Action

Preferred Date Feb 02, 2023

Absolute Date Feb 16, 2023

Fiscal Impact No

Recommended Action The recommendation is that the Board of Education approves the updated courses for the 2023-24 academic school year.

Purpose:

For the 2023-24 school year, Ed Services and Newark Memorial High School, in alignment with Curriculum and Assessment Council, is recommending the following:

Pre-Calculus AP course

Aerospace Engineering course

Change of name only for Math Analysis to Pre-Calculus (in alignment with CA Mathematics Framework)

Background:

For the recommended new courses, Ed Services has partnered with staff from Newark Memorial High School to present and receive approval from Curriculum and Assessment Council. Please note the following:

Effective for the 2023-24 school year, the AP College Board will offer an AP exam for Precalculus. Like many districts,

Newark Unified intends to provide students an opportunity to take this exam by offering a Pre-Calculus AP course

Aerospace Engineering, a 'G' elective, will replace Astronomy/Aerospace/Rocketry (which is currently not A-G approved),

thus allowing the course to count for college admissions. The new course will have an increased emphasis on engineering

and design and eventually will be folded into the STAR initiative

In alignment with the Pre-Calculus AP course and the College Board, it is recommended for consistency purposes that all

Math Analysis courses receive a name change to Pre-Calculus (i.e. Math Analysis and Blended Algebra 2/Math Analysis)

File Attachments

New Secondary Courses 23-24 SY.pdf (1,344 KB)

New Courses Attachment 2.pdf (989 KB)

New Courses Attachment 1.pdf (797 KB)

Name Change Attachment 3 (Original Math Analysis 2007).pdf (485 KB)

Motion & Voting

The recommendation is that the Board of Education approves the updated courses for the 2023-24 academic school year.

Motion by Phuong Nguyen, second by Katherine Jones.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Aiden Hill, Bowen Zhang, Diego Torres, Katherine Jones, Nancy Thomas

Marketing Services Update and Amendment to Presidio Communications Contract

Type Action

Fiscal Impact Yes

Dollar Amount \$45,000.00

Budget Source General Fund

Recommended Action The recommendation is that the Board of Education approve the amendment to the contract with Presidio Communications for digital advertising buy and placement.

Purpose:

In response to staff's request for recommendations to improve enrollment in the District's Transitional Kindergarten and Kindergarten (TK/K) programs, Presidio Communications has recommended running a highly targeted advertising program to drive parents from both inside and outside the District's boundaries to enroll their child or children in District TK/K programs. The attached proposal outlines the advertising buy and placement (the "ad buy") for a program that spans search advertising, digital display advertising, campaign management, optimization, and reporting.

Background:

In July 2022, based on Board direction, staff initiated an RFP (Request for Proposal) process for marketing services with three main objectives: increase enrollment, recruitment and retention of highly qualified staff, and improve community awareness of the greatness of our district, schools, and programs. On September 15, 2022 the Board awarded the contract for marketing services to Presidio Communications. The District engaged Presidio Communications in mid September 2022 to consult on the District's communications and its overall marketing strategy. This includes support with communications operations, streamlining existing marketing processes, and making recommendations for strategic investments in the District's marketing. After an extensive three-month onboarding process that included an audit of the District's communications and marketing efforts, Presidio has worked with staff to make recommendations for new initiatives to improve the District's marketing and increase enrollment.

File Attachments

[TK Digital Marketing Proposal_Presidio Contract Amendment No 1.pdf](#) (576 KB)

POLICY UPDATE: Board Policy 3516 and Administrative Regulation 3516 - Emergencies And Disaster Preparedness Plan

Type Action, Procedural
Fiscal Impact No
Recommended Action The recommendation is that the Board of Education approve the updated Board Policy 3516 and Administrative Regulation 3516 - Emergencies And Disaster Preparedness Plan

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation.

Background:

This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a second reading.

Board Policy 3516 - Emergencies And Disaster Preparedness Plan

The NUSD board policy has not been revised since 1996. The language has been replaced to match the sample board policy provided by the California School Board Association.

Administrative Regulation 3516 - Emergencies And Disaster Preparedness Plan

The NUSD administrative regulation has not been revised since 1996. The language has been replaced to match the sample board policy provided by the California School Board Association.

File Attachments

- [Existing NUSD BP 3516 Emergencies And Disaster Preparedness Plan.pdf](#) (67 KB)
- [Existing NUSD AR 3516 Emergencies And Disaster Preparedness Plan.pdf](#) (99 KB)
- [Recommended CSBA BP 3516 Emergencies And Disaster Preparedness Plan 02-02-2023.pdf](#) (254 KB)
- [Recommended CSBA AR 3516 Emergencies And Disaster Preparedness Plan 02-02-2023.pdf](#) (197 KB)

Motion & Voting

The recommendation is that the Board of Education approve the updated Board Policy 3516 and Administrative Regulation 3516 - Emergencies And Disaster Preparedness Plan

Motion by Bowen Zhang, second by Nancy Thomas.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Aiden Hill, Bowen Zhang, Diego Torres, Katherine Jones, Nancy Thomas

POLICY UPDATE: Board Policy 6173.1 and Administrative Regulation 6173.1 - Education For Foster Youth

Type Action, Procedural
Preferred Date Feb 02, 2023
Fiscal Impact No
Recommended Action The recommendation is that the Board of Education approve the updated Board Policy 6173.1 and Administrative Regulation 6173.1 - Education For Foster Youth

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation.

Background:

This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California

School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a second reading.

Board Policy 6173.1 - Education For Foster Youth

The NUSD board policy has not been revised since 2014. The language has been replaced to match the sample board policy provided by the California School Board Association.

Administrative Regulation 6173.1 - Education For Foster Youth

The NUSD administrative regulation has not been revised since 2014. The language has been replaced to match the sample board policy provided by the California School Board Association.

File Attachments

Existing NUSD AR 6173.1 Education For Foster Youth 02-02-2023.pdf (205 KB)

Existing NUSD BP 6173.1 Education For Foster Youth 02-02-23.pdf (101 KB)

Recommended CSBA AR 6173.1 Education For Foster Youth 02-02-2023.pdf (662 KB)

Recommended BP 6173.1 Education For Foster Youth 02-02-2023.pdf (187 KB)

Motion & Voting

The recommendation is that the Board of Education approve the updated Board Policy 6173.1 and Administrative Regulation 6173.1 - Education For Foster Youth

Motion by Phuong Nguyen, second by Diego Torres.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Aiden Hill, Bowen Zhang, Diego Torres, Katherine Jones, Nancy Thomas

POLICY UPDATE: Board Policy 1621 - Home-Based Schooling

Type	Action, Procedural
Preferred Date	Feb 02, 2023
Fiscal Impact	No
Recommended Action	The recommendation is that the Board of Education rescinds Board Policy 1621 - Home-Based Schooling

Purpose:

The purpose is for the Board of Education to review the policy and rescind the board policy per the CSBA recommendations.

Background:

The rescission of this policy is sanctioned by the California School Board Association. Policy 1621 - Home-Based Schooling has been deleted because the district does not have a role in the approval of home-based schooling options and because the legal options are unclear, CSBA has deleted this policy and may wish to retain it; however, district legal counsel should be consulted as appropriate. Material related to independent study for home-based students has been moved to BP 6158 -Independent Study, See also BP/AR 5112.1 - Exemption Form Attendance.

File Attachments

Existing NUSD BP 1621 ^Home-Based Schooling.pdf (73 KB)

Existing NUSD BP 6158 - Independent Study.pdf (339 KB)

Motion & Voting

The recommendation is that the Board of Education rescinds Board Policy 1621 - Home-Based Schooling

Motion by Nancy Thomas, second by Bowen Zhang.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Aiden Hill, Bowen Zhang, Diego Torres, Katherine Jones, Nancy Thomas

15 CONSENT AGENDA: PULLED AGENDA ITEMS

Consent Agenda: Pulled Agenda Items

16 BOARD MEMBER REQUESTS

POLICY UPDATE: Board Bylaw 9300.11 Methods of Operation

Type	Discussion
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Purpose:

The Board President requests that the Board review the existing policy and her recommended updates.

Background:

Board Bylaw 9300.00: Methods of Operation is a unique bylaw to Newark Unified School District, and the California School Board Association does not have a similar policy or have a recommendation for this policy.

On January 12, 2023, the Board President requested to add to the agenda a discussion to review existing Board Bylaw 9124 and the recommended updates provided by Member Hill. The Board members may review the attachments and discuss them.

Per the Board President:

This Bylaw describes the order of the meetings of the Board of Education. During the transfer of NUSD policies from the old CSBA

GAMUT to the new GAMUT Policy Plus in October 2020, this bylaw was one of 63 policies that did not transfer cleanly to the new policy manual. Rather, it remained as a DRAFT in the new GAMUT and was not visible to the public. Two changes to this bylaw were made during that time without public comment, nor board discussion/approval. This agenda item seeks the board's input whether Board to ratify those unapproved bylaw changes, revert to the original bylaw, or recommend other changes to BB 9300.11

[File Attachments](#)

- [Board Member Recommended Updates - Board Bylaw 9300.11 Methods of Operation.pdf](#) (35 KB)
- [NUSD Existing Board Bylaw 9300.11 ^Methods Of Operation - 01-19-23.pdf](#) (92 KB)

17 BOARD OF EDUCATION: COMMITTEE REPORTS, REQUESTS, AND ANNOUNCEMENTS

Board of Education Recognitions and Announcements

Type Information

Purpose:

The Trustees may acknowledge or recognize specific programs, activities, or personnel at this time.

Board of Education Committee Reports

Type Information

Purpose:

The Trustees will provide an update, if available, on the committees of which they are members.

Background:

Each year the Board of Education members liaise with schools and committees in order to build relationships, hear from staff, students, and families, and act as a conduit for information to and from the schools.

Board Committees 2022-23

Board Adopted on 12/15/22	Representative	Alternate
Mission Valley Regional Occupational Center/Program (ROC/P) Executive Board	1. Nancy Thomas	1. Bowen Zhang
Regional Policy Board of Special Education Local Plan Area (SELPA)	1. Katherine Jones	1. Phuong Nguyen
Newark Teacher Induction Advisory Council (Formally EBIC)	1. Aiden Hill	1. Phuong Nguyen
Audit Committee	1. Aiden Hill	2. Katherine Jones
Bond/Parcel Tax Committee	1. Phuong Nguyen	2. Katherine Jones
City of Newark NUSD Liaison Committee	1. Nancy Thomas	1. Aiden Hill
	2. Phuong Nguyen	1. Katherine Jones

Board of Education Requests

Type Action, Discussion, Information

Purpose:

This is an opportunity for the Board of Education to suggest items for placement on future agendas and to review Board requests. Approval from the majority of the Board will be required for direction to be provided to the Superintendent.

Background:

The following derives directly from the Board approved "Governance Team Handbook"

Authority is Collective, Not Individual:

The only authority to direct action rests with the Board as a whole when seated at a regular or special board meeting. Outside of this meeting, there is no authority.

A majority Board vote provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction.

Bringing New Ideas Forward

The Board will be open to having "brainstorming" discussions, or study sessions, around any idea that a Trustee may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Trustee, at their initiative or at the request of a constituent, which was previously discussed during a board meeting.

Trustees will first notify the Board President and Superintendent of their interest in bringing forward a new idea at a board meeting. When initially agendized, the preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.

Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea. The Superintendent will decide on the delegation of assignments to District staff.

The new idea may be agendized for discussion only. The Board majority will decide if the new idea should be further developed and studied by staff. The Board majority will decide if staff time should be invested in the "fleshing out" of new ideas.

Individual Trustees, in the course of interactions with constituents, will be careful not to make or imply the commitment of the full Board to explore or proceed with implementing new ideas.

Motion & Voting

[Request to have a Board Study Session to talk about board meeting process.](#)

Motion by Nancy Thomas, second by Aiden Hill.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Aiden Hill, Bowen Zhang, Diego Torres, Katherine Jones, Nancy Thomas

18 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

Superintendent's Concluding Comments, Updates, and Future Agenda Items

AGENDA REQUESTS

Type Information

Purpose:

This is an opportunity for the Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

19 ADJOURNMENT

PLACEHOLDER - Extend Meeting

Type Action

Recommended The recommendation is that the Board of Education extends the meeting to ____ P.M.
Action

Purpose:

This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

Motion & Voting

The recommendation is that the Board of Education extends the meeting to __9:06__ P.M.

Motion by Diego Torres, second by Katherine Jones.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Aiden Hill, Bowen Zhang, Diego Torres, Katherine Jones, Nancy Thomas

1 CALL TO ORDER

Meeting Practices and Information

Type Procedural

In-person Meeting Information:

NUSD has opened its boardroom for in-person meetings and will follow the State's and Alameda County's safety guidelines for public gatherings. Please refrain from attending in-person meetings if you have any of the following symptoms:

- Loss of taste/smell
- Difficulty breathing
- Vomiting
- Diarrhea
- Fever
- Cough
- Headache
- Sore Throat
- Runny Nose

For additional COVID-19 information please go to <https://www.newarkunified.org/covid-19> or <https://www.acoe.org/guidance>

Observe The Board Of Education Meeting:

Members of the public 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.

Public Comment:

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

Pledge of Allegiance

Type Procedural

Purpose:

The Governance Team will recite the Pledge of Allegiance

Roll Call

Type Procedural

Trustees:

President Nancy Thomas

Vice President/Clerk Aiden Hill
Member Katherine Jones
Member Phuong Nguyen
Member Bowen Zhang

2 APPROVAL OF AGENDA

Approval of the Agenda

Type Action
Recommended The recommendation is that the Board of Education approve the agenda for this meeting.
Action

Purpose:
Members of the Governance Team may request that the agenda be amended or approved as presented.

Motion & Voting
The recommendation is that the Board of Education approve the agenda for this meeting, with the amendments to remove agenda item 4.1 and 5.2.

Motion by Katherine Jones, second by Aiden Hill.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Aiden Hill, Katherine Jones, Nancy Thomas
Not Present at Vote: Bowen Zhang

3 PUBLIC COMMENT ON AGENDA ITEMS

Public Comment on Agenda Items

Type Procedural

Purpose:
The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:
Please see the instructions on the link below for public comment information on non-agenda items and agenda items.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

4 BOARD MEMBER REQUESTS

Legal Counsel Representation Selection

Type Action
Recommended The Board President's recommendation is that the Board of Education approves the use of
Action Lozano Smith, Attorneys at Law for legal representation regarding the complaint received and possible investigation and litigation.

Purpose:
For the Board to discuss and select legal representation from the currently retained NUSD law firms.

Background:
Per the request of the Board President, Nancy Thomas, the Board will have a discussion, provide direction, and take action regarding which existing legal counsel to use regarding the complaint received and possible investigation and litigation.

5 CLOSED SESSION

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE (Gov. Code, 54957, subd. (b)(1))

Type Action, Information, Procedural

Purpose:

Recess to Closed Session

Type Procedural

Purpose:
The Board will recess to Closed Session, and reconvene to Open Session on or about 7:00 p.m.

6 REPORT OF CLOSED SESSION ACTION

Report of Closed Session Action

Type Action, Procedural

Purpose: If available, a report of the closed session will be provided by the Board President.

7 ADJOURNMENT

Adjournment

Type Action Recommended Action The recommendation is that the Board of Education adjourns this meeting.

Purpose: No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time. This action will conclude the meeting.

Motion & Voting The recommendation is that the Board of Education adjourns this meeting at 7:26 pm. Motion by Phuong Nguyen, second by Katherine Jones. Final Resolution: Motion Carries Yea: Phuong Nguyen, Aiden Hill, Bowen Zhang, Katherine Jones, Nancy Thomas

1 CALL TO ORDER

Meeting Practices and Information

Type Procedural

In-person Meeting Information: NUSD has opened its boardroom for in-person meetings and will follow the State's and Alameda County's safety guidelines for public gatherings. Please refrain from attending in-person meetings if you have any of the following symptoms:

- Loss of taste/smell
Difficulty breathing
Vomiting
Diarrhea
Fever
Cough
Headache
Sore Throat
Runny Nose

For additional COVID-19 information please go to https://www.newarkunified.org/covid-19 or https://www.acoe.org/guidance

Observe The Board Of Education Meeting: Members of the public 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.

Public Comment: The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

Roll Call

Type Procedural

Trustees: President Nancy Thomas Vice President/Clerk Aiden Hill Member Phuong Nguyen Member Bowen Zhang Member Katherine Jones

Student Board Member: Member Diego Torres

2 APPROVAL OF AGENDA

Approval of the Agenda

Type Action

Recommended The recommendation is that the Board of Education approve the agenda for this meeting.
Action

Purpose:

Members of the Governance Team may request that the agenda be amended or approved as presented.

Motion & Voting

The recommendation is that the Board of Education approve the agenda for this meeting with the following amendments:
Staff recommends that item 15.2 be pulled and the President would like to move item 3.6 to be the first item discussed and 16.1 to immediately follow non-personnel consent items.

Motion by Phuong Nguyen, second by Katherine Jones.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Aiden Hill, Bowen Zhang, Katherine Jones, Nancy Thomas

Not Present at Vote: Diego Torres

3 CLOSED SESSION

Public Comment on Closed Session Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board. If a constituent wishes to address the Board on any agenda item, please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org.

COMPLAINT AGAINST EMPLOYEE (Gov. Code, 54957, subd. (b)(1))

Type Action, Discussion, Information

Purpose:

Information will be provided by the Superintendent and Executive Director of Human Resources.

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE (Gov. Code, 54957, subd. (b)(1))

Type Action, Information, Procedural

Purpose:

Information will be provided by the Superintendent and Executive Director of Human Resources.

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a): Employee Organizations - NTA and CSEA

Type Action, Information, Procedural

Purpose:

Information may be provided by the agency negotiator, Executive Director of Human Resources. Assistance from the legal firm may be provided.

The employee organizations include NTA & CSEA.

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a)): Employee Group - NEWMA, Unrepresented Supervisors, and Contracted Management [Assistant Superintendent of Educational Services]

Type Action, Discussion, Procedural

Purpose:

Information may be provided by the agency negotiator, the Executive Director of Human Resources, and the Superintendent. Assistance from the legal firm may be provided.

The employee organizations include NEWMA, Unrepresented Supervisors, and Contracted Management

CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION Significant exposure to litigation pursuant to Gov. Code, 54956.9, subd. (d)[(2) or (3)]

Type Action, Discussion, Procedural

Purpose:

Information may be provided regarding significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: Three cases

Recess to Closed Session

Type Procedural

Purpose:

The Board will recess to Closed Session, and reconvene to Open Session on or about 7:00 p.m.

4 REPORT OF CLOSED SESSION ACTIONS

Report of Closed Session Actions

Type Action, Procedural

Purpose:

If available, a report of the closed session will be provided by the Board President.

5 RECONVENE TO OPEN SESSION

Pledge of Allegiance

Type Procedural

Purpose:

The Governance Team will recite the Pledge of Allegiance

6 STUDENT REPORT

Student Reports from Newark Junior High School, Alternative Education, and Newark Memorial High School

Type Information

Purpose:

At regular Board of Education meetings, a spokesperson of each secondary school may make a brief presentation. Discussion items may include updates, celebrations, and upcoming events.

1. Newark Junior High School
2. Alternative Education
3. Newark Memorial High School

7 RECOGNITIONS AND CELEBRATIONS

Staff Spotlight

Type Information

Purpose:

To recognize the wonderful accomplishments of our NUSD Team.

Background:

The presentation will be provided by the Superintendent.

School Spotlight: Kennedy Elementary

Type Information

Purpose:

The School Spotlight gives the Board of Education and the public an opportunity to hear the highlights, achievements, and initiatives at each school from the principals.

Background:

The presentation and information will be provided by the Kennedy Elementary Principal, Jaime Soria.

8 EMPLOYEE ORGANIZATIONS

Employee Organizations

Type Information

Purpose:

At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Background:

Discussion items are limited to updates, celebrations, and upcoming events.

1. NTA: Sean Abruzzi
2. CSEA: Maria Huffer
3. NEWMA: Vicenta Ditto

9 PUBLIC COMMENT ON NON-AGENDA ITEMS

Public Comment on Non-Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

10 PUBLIC COMMENT ON AGENDA ITEMS

Public Comment on Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

11 CONSENT AGENDA: PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type Action

Recommended Action It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent-Personnel, except for agenda items:

Purpose:

This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:

Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Motion & Voting

It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent-Personnel, except for agenda items:

- Motion by Bowen Zhang, second by Katherine Jones.
- Final Resolution: Motion Carries
- Yea: Phuong Nguyen, Bowen Zhang, Katherine Jones, Nancy Thomas
- Nay: Aiden Hill
- Abstain: Diego Torres

MOU Between NTA and NUSD to Increase In-House Substitute Rates

Type Action

Preferred Date Jan 19, 2023

Recommended Action The recommendation is that the Board of Education approves the MOU between NTA and NUSD to increase the in-house substitute rates.

Purpose:

The purpose is to increase the in-house substitute rates for the 2022-23 school year to help compensate for missed preparation periods.

Background:

This year we have continued to experience an increase in the need for substitute teachers. When a substitute cannot be secured, per the Collective Bargaining Agreement with NTA, site administrators first ask for volunteers to in-house substitute. If there are no volunteers, a teacher is assigned to be an in-house substitute based on a rotating schedule. In-house substitutes are currently compensated \$40 for their missed prep period. The MOU between NTA and NUSD would increase the rate from \$40 to \$70 per missed prep period, retroactively from August 10, 2022, and through the 2022-2023 school year. The District will continue to advertise for and attempt to recruit and hire substitutes, and shall not use the MOU to avoid filling any vacancies.

File Attachments

[Final NUSD NTA In-house MOU Final 12.14.2022.pdf](#) (148 KB)

Personnel Report

Type **Action**

Absolute Date Jan 19, 2023
 Recommended The recommendation is that the Board of Education ratifies the personnel report as presented.
 Action

Purpose:

The purpose is for the Board of Education to ratify the Personnel Report as presented.

Background:

All personnel activities including new hires, changes in status, resignation, leaves, and retirements are routinely submitted to the Board for ratification.

File Attachments

[HR PAL 01-19-2023.pdf](#) (147 KB)

12 CONSENT AGENDA: NON-PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type **Action**

Recommended It is recommended that the Board of Education approve, under one consented vote, the
 Action agenda items under Consent Non-Personnel, except for agenda items:

Purpose:

This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:

Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Motion & Voting

It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent Non-Personnel, except for agenda items: 12.6, 12.21, 12.22, 12.24

Motion by Bowen Zhang, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Aiden Hill, Bowen Zhang, Diego Torres, Katherine Jones, Nancy Thomas

FIELD TRIP: Curricular, Overnight Trip for Birch Grove Intermediate Elementary fifth grade class to travel to Exploring New Horizons, Sempervirens Campus

Type **Action**

Preferred Date Jan 19, 2023
 Absolute Date Feb 16, 2023
 Fiscal Impact Yes
 Dollar Amount \$33,500.00
 Budgeted Yes
 Budget Source LCAP 3.6, Student Donations, & 5th grade ASB funds
 Recommended The recommendation is that the Board of Education approves the overnight trip for the Birch
 Action Grove Intermediate Elementary fifth grade class to travel to Explore New Horizons, Camp
 Sempervirens.

Purpose:

The Birch Grove Intermediate Elementary community requests permission to take fifth grade students on a curricular, overnight field trip. Students will travel to Explore New Horizons, Camp Sempervirens, Scotts Valley, CA for an outdoor science education camp. Students will study science content standards for ecology, resources, life science, etc. while participating in team building activities with classmates and growing as individuals.

School: Birch Grove Intermediate

Dates: February 28, 2023 - March 3, 2023

Location: Explore New Horizons, Camp Sempervirens, Scotts Valley, CA
 Chaperones for Science Camp:

The ratio of adults to students on school-sponsored trips shall be based on the following formula:

K-3 1 adult for every 5-8 students

4-9 1 adult for every 10 students

10-12 1 adult for every 10 students where strict supervision is required (tours, theaters, etc.)

Overnight trip supervision must be gender appropriate. However, in the event that the supervisors, who stay overnight in proximity to students, are of a gender other than that group of campers, adequate planning, and preparation of campers and the physical arrangements of the camp shall be made to ensure optimal safety and privacy of students (AR 6153).

No student will be denied due to a lack of funds.

Background:

According to Board Policy, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. The site principal and fifth grade teachers request permission to take students on an overnight curricular trip to attend an outdoor education/science camp program that is articulated with grade level curriculum. The programs are taught by credentialed staff members and camp staff and are viewed by the sites as a valuable part of the students' educational experience.

FIELD TRIP: Athletic Trip, Overnight, Round Trip Distance Over 125 Miles Field Trip: Newark Memorial Varsity Softball Team to Reno, Nevada.

Type	Action
Preferred Date	Jan 19, 2023
Absolute Date	Mar 16, 2023
Fiscal Impact	Yes
Dollar Amount	\$2,880.00
Budgeted	Yes
Budget Source	Athletics 103, Softball ASB, NM Boosters
Recommended	The recommendation is that the Board of Education approves the overnight trip for the
Action	Newark Memorial High School softball team to attend the 2022 Reed High School Softball Tournament.

Purpose:

The NMHS Principal and Athletic Director request permission to take students on an athletic and overnight trip to Reno, Nevada for the 2022 Reed High School Softball Tournament.

Background:

The Newark Memorial High School Varsity Softball Team has been invited to return to the Reed High School Softball Tournament. This is a highly competitive invitation only tournament which we have been honored to attend for the past 11 years.

Date: March 30- April 1

Location: Reed High School

According to Board Policy 6153, all trips in excess of 125 miles, athletic trips, and overnight trips require Board approval. Newark Memorial High School Principal and Athletic Director request permission to take the Newark Memorial High School Varsity Softball team on an athletic trip to Reed, Nevada.

Requirements met:

Grade K-3, one adult for every 5-8 students; Grades 4-12, one adult for every 10 students; Board Policy requires at least two adults on every trip regardless of the number of students (BP 6153 and AR 6153)

Overnight trip supervision must be gender appropriate

No student will be denied due to a lack of funds

GRANT: 2023-2026 Alameda County Health Care Services Agency Mental Health Services Act Partnership Program

Type	Action
Preferred Date	Jan 19, 2023
Fiscal Impact	Yes
Dollar Amount	\$526,000.00
Budgeted	Yes
Budget Source	Mental Health Services Oversight and Accountability Commission under the Mental Health Services Act (MHSSA)
Recommended	The recommendation is that the Board of Education ratifies the contract with Alameda County
Action	Health Care Services Agency (HCSA) for Mental Health Services Act (MHSSA) Partnership Program services.

Purpose:

The Board of Education accepted the letter of intent with HCSA for MHSSA Partnership Program services on December 5, 2022. Staff now seek ratification of the finalized contract.

Alameda County Health Care Services Agency (HCSA) intends to contract with Newark Unified School District for Mental Health Services Act (MHSSA) Partnership Program services that aim to expand access to school-based mental health services for children and youth. The total amount for the grant is expected to be \$526,000 for the period between January 1, 2023, to December 31, 2026, with approximately \$90,000 reserved for the remainder of the 2022-2023 academic school year.

Funds received from this grant will be allocated according to provisions of the funding source, such as hiring a new mental health clinician to support with services to non-medical students, parent and family workshops, professional development for staff, and funding for student health and wellness initiatives.

Background:

School Health Initiatives are coordinated by the Center for Healthy Schools and Communities (CHSC), the Health Care Services Agency (HCSA) partners with school districts across the county to fund and implement school health initiatives, which are aligned with Alameda County's Vision 2026 goal of health care for all. School Health Initiatives deliver direct health and wellness services, create positive school environments, and provide consultation to schools to ensure the health and well-being of students, families, and their communities. School Health initiatives are powerful because they go beyond single programs. They coordinate the relationships and resources of a community toward a shared vision: healthy students learn better. Improved access to mental health services is foundational to supporting children and youth to develop into healthy, resilient adults. School-community mental health partnerships offer an opportunity to reach children and youth in an environment where they are comfortable and that is accessible. The purpose of the MHSSA is to establish additional mental health partnerships between county mental health or behavioral health departments and local education entities in order to provide increased access to mental health services in locations that are easily accessible to students and their families. Funded by the State of California, the MHSSA services may include: at a minimum, services that are provided on school campuses, to the extent practicable, suicide prevention, drop-out prevention, placement assistance, continuum-of-care for students in need of ongoing services, and outreach to high-risk youth. High-risk youth shall include foster youth, youth who identify as LGBTQ+, and youth who have been expelled or suspended from school.

[File Attachments](#)

[Newark_USD_MHSSA_contract_FY22-23.pdf](#) (16,181 KB)

SUBCONTRACT: EBAC (Alameda County Health Care Services Agency Mental Health Services Act Partnership Program)

Type	Action
Preferred Date	Jan 19, 2023
Fiscal Impact	Yes
Dollar Amount	\$62,000.00
Budgeted	Yes
Budget Source	Budget Source Mental Health Services Act (MHSSA) Partnership Program Grant
Recommended Action	The recommendation is that the Board of Education ratifies the subcontract with EBAC to fulfill agreements outlined in the Alameda County Health Care Services Agency (HCSA) for Mental Health Services Act (MHSSA) Partnership Program service agreement.

Purpose:

The Board of Education accepted the letter of intent with HCSA for MHSSA Partnership Program services on December 5, 2022. Staff now seek ratification of the finalized subcontract for an additional EBAC mental health provider to be located at Newark Memorial High School and Bridgepoint High School. The cost of this subcontract is covered under the MHSSA grant. Alameda County Health Care Services Agency (HCSA) intends to contract with Newark Unified School District for Mental Health Services Act (MHSSA) Partnership Program services that aim to expand access to school-based mental health services for children and youth. The total amount for the contract is expected to be \$526,000 for the period between January 1, 2023, to December 31, 2026, with approximately \$90,000 reserved for the remainder of the 2022-2023 academic school year. Funds will be allocated according to provisions of the funding source, such as hiring a new mental health clinician to support with services to non-medical students, parent and family workshops, professional development for staff, and funding for student health and wellness initiatives. As discussed on December 5, 2022, the district maintains a positive partnership with EBAC and has identified a clinician ready to serve NUSD youth. By partnering with EBAC, NUSD will increase student services, while minimizing the impact of additional reporting requirements.

Background:

School Health Initiatives are coordinated by the Center for Healthy Schools and Communities (CHSC), the Health Care Services Agency (HCSA) partners with school districts across the county to fund and implement school health initiatives, which are aligned with Alameda County's Vision 2026 goal of health care for all. School Health Initiatives deliver direct health and wellness services, create positive school environments, and provide consultation to schools to ensure the health and well-being of students, families, and their communities. School Health initiatives are powerful because they go beyond single programs. They coordinate the relationships and resources of a community toward a shared vision: healthy students learn better. Improved access to mental health services is foundational to supporting children and youth to develop into healthy, resilient adults. School-community mental health partnerships offer an opportunity to reach children and youth in an environment where they are comfortable and that is accessible. The purpose of the MHSSA is to establish additional mental health partnerships between county mental health or behavioral health departments and local education entities in order to provide increased access to mental health services in locations that are easily accessible to students and their families. Funded by the State of California, the MHSSA services may include: at a minimum, services that are provided on school campuses, to the extent practicable, suicide prevention, drop-out prevention, placement assistance, continuum-of-care for students in need of ongoing services, and outreach to high-risk youth. High-risk youth shall include foster youth, youth who identify as LGBTQ+, and youth who have been expelled or suspended from school.

[File Attachments](#)

[EBAC Newark MHSSA FY22-23 Contract.pdf](#) (4,686 KB)

MOU: Ohlone Connections and Dual Enrollment

Type	Action
Preferred Date	Jan 19, 2023
Fiscal Impact	No
Recommended Action	The recommendation is that the Board of Education approves the Ohlone Community College District agreements for College Connections and Dual Enrollment.

Purpose:

This is an updated MOU with the new Ohlone Community College District administration (OCCD) that has been in place since the

2018-19 school year. These agreements continue to offer Newark Memorial High School students dual enrollment opportunities at Ohlone Community College. As our programs and partnership continue to evolve, it is important to update agreements. Sections were highlighted on each agreement to show where existing agreements were adjusted to reflect current practice.

Background:

Newark Unified School District and the Ohlone College administration engaged in efforts to update the MOU currently in place in order to maintain our partnership and continue to offer Newark Unified students dual enrollment moving forward. Dual enrollment has proven to be an effective strategy to help advanced high school students begin college early. Dual enrollment also allows a broader range of students, particularly students from backgrounds for which a college education is not a given, to transition from high school to college.

NUSD and Ohlone are both committed to maintaining a strong partnership in alignment with Assembly Bill 288. With the new Ohlone administration in place, both dual enrollment and college connection agreements have been finalized for approval. AB 288 was voted into law in the fall of 2015, with the intent to facilitate the development and promotion of K-12 and community college dual enrollment partnerships and programs that target a broader range of high school students.

File Attachments

- [NUSD College Connection 22-24 \(12.2022\).pdf](#) (172 KB)
- [NUSD Dual Enrollment CCAP 22-24 \(12.2022\).pdf](#) (304 KB)

Motion & Voting

The recommendation is that the Board of Education approves the Ohlone Community College District agreements for College Connections and Dual Enrollment.

Motion by Katherine Jones, second by Aiden Hill.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Aiden Hill, Bowen Zhang, Diego Torres, Katherine Jones, Nancy Thomas

LCAP Federal Addendum 2022-23

Type	Action
Fiscal Impact	No
Recommended	The recommendation is that the Board of Education approves the LCAP Federal Addendum for
Action	2022-23.

Purpose:

To provide an annual update on the NUSD's use of Title funds in alignment with Federal requirements.

Background:

The LCAP Federal Addendum is a requirement for Local Educational Agencies (LEAs) applying for Every Student Succeeds Act (ESSA) funding. Its purpose is to supplement the LCAP in order to ensure that LEAs meet the requirements and provisions of the ESSA. Per the CDE, ESSA funding should be strategically considered and planned for on a yearly basis. Thus, it is also their recommendation that LEAs review and update their LCAP Federal Addendum annually. Federal Addendum is reviewed through the Federal Program Monitoring process in the Supporting Effective Instruction Program Instrument and the English Learner Program Instrument.

File Attachments

- [2023_LCAP_Federal_Addendum_Newark_Unified_School_District_20230111.pdf](#) (214 KB)

2023 School Attendance Review Board Panel Members

Type	Action
Preferred Date	Jan 19, 2023
Fiscal Impact	No
Recommended	The recommendation is that the Board of Education approves the proposed 2023 School
Action	Attendance Review Board list of Panel Members.

Purpose:

To approve the proposed membership of the School Attendance Review Board panel for the 2023 calendar year.

Background:

The School Attendance Review Board (SARB) addresses habitual truants, students irregular in attendance, and/or students who are habitually insubordinate or disorderly during attendance at school. The SARB reviews and investigates referrals from school sites at semi-monthly meetings and provides some case management and referrals to school and community-based organizations to address the cause of poor attendance or behaviors.

The SARB is chaired by the Coordinator of Pupil Services and is composed of personnel from the District and Tri-City municipal and community based organization representatives. In meeting with the student and family, the SARB Panel offers the services of their organizations, referrals to other organizations, and follow-up services. In some matters where services are exhausted, it is the SARB's responsibility to refer a case to the County District Attorney for mediation services or prosecution as a last resort.

The SARB Panel reviews student data and keeps student and family information confidential. The role of the SARB is described and outlined in California Education Code section 48263, et seq. Its mandate is further outlined in NUSD Board Policy 5113.1 Chronic Absence And Truancy, which is on this Board agenda for update.

School Attendance Review Board

Ed Code 48321 (b) (1) Local school attendance review boards may include, but need not be limited to, all of the following:

- (A) A parent.
- (B) A representative of school districts.
- (C) A representative of the county probation department.

- (D) A representative of the county welfare department.
- (E) A representative of the county superintendent of schools.
- (F) A representative of law enforcement agencies.
- (G) A representative of community-based youth service centers.
- (H) A representative of school guidance personnel.
- (I) A representative of child welfare and attendance personnel.
- (J) A representative of school or county health care personnel.
- (K) A representative of school, county, or community mental health personnel.
- (L) A representative of the county district attorney's office. If more than one county is represented in a local school attendance review board, a representative from each county's district attorney's office may be included.
- (M) A representative of the county public defender's office. If more than one county is represented in a county school attendance review board, a representative from each county's public defender's office may be included.
- (2) Other persons or group representatives shall be appointed by the county board of education.

[File Attachments](#)

[22-23 SARB Panel List.pdf](#) (87 KB)

POLICY UPDATE: Board Policy and Administrative Regulation 1230: School- Connected Organizations

Type Action, Procedural

Recommended The recommendation is that the Board of Education approves the updated board policy and

Action administrative regulation 1230: School-Connected Organizations.

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation.

Background:

This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a second reading.

Board Policy and Administrative Regulation 1230: School-Connected Organizations
(BP/AR revised 5/16)

Policy and regulation are updated to clarify the relationship between the district and a school-connected organization, such as a booster club, parent-teacher organization, or other nonstudent organization. The policy adds material regarding the establishment of such organizations as separate legal entities subject to their own bylaws and rules, delegates the responsibility to approve organizations' fundraisers to the superintendent or designee, and reflects the legal requirement that donations and participation in fundraising activities be voluntary. Regulation adds authority of the district to revoke an organization's authorization to conduct activities in the district when necessary and adds rules designed to maintain the organization's status as a separate entity from the district based on recommendations in the Fiscal Crisis and Management Assistance Team's guidebook updated in 2015.

File Attachments

[Existing NUSD BP 1230 School-Connected Organizations 1-19-2023.pdf](#) (103 KB)

[Recommended CSBA BP 1230 School-Connected Organizations 1-19-2023.pdf](#) (79 KB)

[Existing NUSD AR 1230 School-Connected Organizations 1-19-2023.pdf](#) (157 KB)

[Recommended CSBA AR 1230 School-Connected Organizations 1-19-2023.pdf](#) (77 KB)

POLICY UPDATE: Board Policy and Administrative Regulation 1321: Solicitation Of Funds From And By Students

Type Action, Procedural

Recommended The recommendation is that the Board of Education approves the updates to Board Policy and

Action Administrative Regulation 1321: Solicitation Of Funds From And By Students.

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation.

Background:

This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a second reading.

Board Policy 1321: Solicitation Of Funds From And By Students

The NUSD board policy has not been revised since 1995. The language has been replaced to match the sample board policy provided by the California School Board Association.

Administrative Regulation 1321: Solicitation Of Funds From And By Students

The NUSD administrative regulation has not been revised since 1995. The language has been replaced to match the sample board policy provided by the California School Board Association.

File Attachments

[Existing NUSD BP 1321 Solicitation Of Funds From And By Students 01-19-2023.pdf](#) (111 KB)

- [Recommended CSBA BP 1321 Solicitation Of Funds From And By Students 01-19-2023.pdf](#) (188 KB)
- [Existing NUSD AR 1321 Solicitation Of Funds From And By Students 01-19-2023.pdf](#) (106 KB)
- [Recommended CSBA AR 1321 Solicitation Of Funds From And By Students 01-19-2023.pdf](#) (178 KB)

POLICY UPDATE: Board Policy and Administrative Regulation 4118/4218 - Dismissal/Suspension/Disciplinary Action

Type Action, Procedural
Preferred Date Jan 19, 2023
Recommended Action The recommendation is that the Board of Education approves the updated Board Policy and Administrative Regulation 4118/4218 - Dismissal/Suspension/Disciplinary Action.

Purpose:
 The purpose is for the Board of Education to review the recommended changes and approve the updated Board Policy and Administrative Regulation 4118/4218 - Dismissal/Suspension/Disciplinary Action.

Background:
 This is the FIRST reading of the attached policy and regulation. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy and/or regulation will be brought back to the Board of Education for a second reading.

The 4000 section of the policy manual is further divided into employee classifications to allow for variations in language, if needed, according to Ed Code and/or the Collective Bargaining Agreement:

- 4000s All employees
- 4100s Certificated employees
- 4200s Classified employees
- 4300s Management, supervisory, and confidential employees

According to CSBA, to the extent that the policy is inconsistent with provisions of the collective bargaining agreement, the collective bargaining agreement would prevail.

Board Policy and Administrative Regulation 4118 has not been revised by the district since 2015.

Board Policy and Administrative Regulation 4218 has not been revised by the district since 2020.

Board Policy 4118/4218 - Dismissal/Suspension/Disciplinary Action Policy updated to reflect NEW COURT DECISION (Kennedy v. Bremerton School District), in which the U.S. Supreme Court held that the district's decision not to rehire a high school coach who refused to follow district direction to refrain from offering prayers openly in the presence of students after football games, violated the employee's free exercise and free speech rights. The policy also updated to include language formerly in AR that prohibits the disciplining of any employee for protecting a student who is exercising a free speech or press right, and to clarify language within the "Procedures for Serious Disciplinary Proceedings" section in Board Policy 4218.

Administrative Regulation 4118/4218 - Dismissal/Suspension/Disciplinary Action Regulation updated to move, from AR to BP, material which prohibits the disciplining of an employee for acting to protect a student's right to free speech or press, and to make clarifying changes throughout.

File Attachments

- [Existing NUSD BP 4118 DismissalSuspensionDisciplinary Action 01-19-2023.pdf](#) (166 KB)
- [Recommended CSBA BP 4118 DismissalSuspensionDisciplinary Action 01-19-2023.pdf](#) (396 KB)
- [Existing NUSD AR 4118 DismissalSuspensionDisciplinary Action 01-19-2023.pdf](#) (192 KB)
- [Recommended CSBA AR 4118 DismissalSuspensionDisciplinary Action 01-19-2023.pdf](#) (410 KB)
- [Existing NUSD BP 4218 DismissalSuspensionDisciplinary Action 01-19-2023.pdf](#) (200 KB)
- [Recommended CSBA BP 4218 DismissalSuspensionDisciplinary Action 01-19-2023.pdf](#) (381 KB)
- [Existing NUSD AR 4218 DismissalSuspensionDisciplinary Action 01-19-2023.pdf](#) (243 KB)
- [Recommended CSBA AR 4218 DismissalSuspensionDisciplinary Action 01-19-2023.pdf](#) (423 KB)

POLICY UPDATE: Board Policy 5113.1 and Administrative Regulation 5113.1 - Chronic Absence And Truancy

Type Action, Procedural
Preferred Date Jan 19, 2023
Fiscal Impact No
Recommended Action The recommendation is that the Board of Education approveS the updated Board Policy and Administrative Regulation 5113.1 - Chronic Absence And Truancy

Purpose:
 The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation.

Background:
 This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a second reading.

Board Policy 5113.1 - Chronic Absence And Truancy

The NUSD board policy has not been revised since 2014. The language has been replaced to match the sample board policy provided by the California School Board Association.

Administrative Regulation 5113.1 - Chronic Absence And Truancy

The NUSD administrative regulation has not been revised since 2014. The language has been replaced to match the sample board policy provided by the California School Board Association.

[File Attachments](#)

- [Existing NUSD AR 5113.1 Chronic Absence And Truancy.pdf \(171 KB\)](#)
- [Existing NUSD BP 5113.1 Chronic Absence And Truancy.pdf \(101 KB\)](#)
- [Recommended CSBA AR 5113.1 Chronic Absence And Truancy 01-19-2023.pdf \(416 KB\)](#)
- [Recommended CSBA BP 5113.1 Chronic Absence And Truancy 01-19-2023.pdf \(216 KB\)](#)

POLICY UPDATE: Board Policy 5141.21 and Administrative Regulation 5141.21 - Administering Medication And Monitoring Health Conditions

Type Action, Procedural
Preferred Date Jan 19, 2023
Fiscal Impact No
Recommended Action The recommendation is that the Board of Education approves the updated Board Policy and Administrative Regulation 5141.21 - Administering Medication And Monitoring Health Conditions

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation.

Staff request board approval on the first reading of this new board policy, as it provides updates that will allow the district to move forward with applying for a standing order of naloxone from the California Department of Health Care Services (DHCS) Naloxone Distribution Project (NDP) to receive free naloxone (Narcan) kits. The NDP aims to address the opioid crisis by reducing opioid overdose deaths through the provision of free naloxone. If approved, volunteer staff will be trained on appropriate administration.

Background:
This is the FIRST reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a second reading.

Board Policy 5141.21 - Administering Medication And Monitoring Health Conditions
The NUSD board policy has not been revised since 1996. The language has been replaced to match the sample board policy provided by the California School Board Association.
Administrative Regulation 5141.21 - Administering Medication And Monitoring Health Conditions
The NUSD administrative regulation has not been revised since 1996. The language has been replaced to match the sample board policy provided by the California School Board Association.

[File Attachments](#)

- [Existing NUSD AR 5141.21 Administering Medication And Monitoring Health Conditions.pdf \(66 KB\)](#)
- [Recommended CSBA AR 5141.21 Administering Medication And Monitoring Health Conditions 01-19-2023.pdf \(563 KB\)](#)
- [Recommended CSBA BP 5141.21 Administering Medication And Monitoring Health Conditions 01-19-2023.pdf \(289 KB\)](#)
- [Existing NUSD BP 5141.21 Administering Medication And Monitoring Health Conditions.pdf \(63 KB\)](#)

POLICY UPDATE: Board Policy 3541.2 and Administrative Regulation 3541.2 - Transportation For Students With Disabilities

Type Action, Procedural
Preferred Date Jan 19, 2023
Fiscal Impact No
Recommended Action The recommendation is that the Board of Education approves the updated Board Policy 3541.2 and rescinds Administrative Regulation 3541.2 Transportation For Students With Disabilities

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and rescind the administrative regulation.

Background:
This is the SECOND reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice.

Board Policy 3541.2 Transportation for Students with Disabilities:
The NUSD board policy has not been revised since 2007. The language has been replaced to match the sample board policy provided by the California School Board Association.
Administrative Regulation 3541.2 Transportation for Students with Disabilities:
The language in this policy is incorporated into the board policy and the administrative regulation has been rescinded by CSBA. BP/AR 3541.2 - Transportation for Students with Disabilities (5/16) (BP revised; AR deleted)

Policy updated to clarify the policy's applicability to students receiving services pursuant to Section 504 of the federal Rehabilitation Act of 1973, add sample criteria for individualized education program (IEP) teams to use when determining a student's transportation needs, and add material re: the provision of information to IEP teams. Regulation deleted and material moved to BP re: provision of alternative transportation when a student is excluded from school bus transportation for a

disciplinary or other reason, assurance that a contract with a nonpublic, nonsectarian school or agency addresses transportation as necessary, and transportation of service animals.

File Attachments

- Existing NUSD BP 3541.2 Transportation For Students With Disabilities 01-19-2023.pdf (107 KB)
- Existing NUSD AR 3541.2 Transportation For Students With Disabilities 01-19-2023.pdf (114 KB)
- Recommended CSBA BP 3541.2 Transportation For Students With Disabilities 01-19-2023.pdf (196 KB)

POLICY UPDATE: Board Policy 4112 and Administrative Regulation 4112/4212 - Appointment and Conditions of Employment

Type Action, Procedural
Preferred Date Jan 19, 2023
Recommended Action The recommendation is that the Board of Education rescinds Board Policy 4212 - Appointment and Conditions of Employment and approves the updated Administrative Regulation 4112/4212 - Appointment and Conditions of Employment.

Purpose:
 The purpose is for the Board of Education to rescind Board Policy 4212 - Appointment and Conditions of Employment and approve the updated Administrative Regulation 4112/4212 - Appointment and Conditions of Employment.

Background:
 This is the SECOND reading of the attached policy and regulations. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice.

The 4000 section of the policy manual is further divided into employee classifications to allow for variations in language, if needed, according to Ed Code and/or the Collective Bargaining Agreement:

- 4000s All employees
- 4100s Certificated employees
- 4200s Classified employees
- 4300s Management, supervisory, and confidential employees

In this case, the language between Administrative Regulation 4112 and Administrative Regulation 4212 varies to reflect the legal conditions specific to the appointment of certificated employees and classified employees.

Board Policy 4212:

The language formerly in this policy is now incorporated into the administrative regulation and the policy was rescinded per the California School Board Association.

Administrative Regulation 4112:

The regulation has not been revised by the district since the Board adopted it on 11/30/2015. The language has been replaced to match the sample board regulations provided by the California School Board Association.

Administrative Regulation 4212:

Regulation has not been revised by the district since the Board adopted it on 05/21/1996. The language has been replaced to match the sample board regulations provided by the California School Board Association.

File Attachments

- Existing NUSD BP 4212 Appointment And Conditions Of Employment 12-15-2022.pdf (88 KB)
- Existing NUSD AR 4112 Appointment & Conditions of Employment 12-15-2022.pdf (141 KB)
- Existing NUSD AR 4212 Appointment & Conditions of Employment 12-15-2022.pdf (107 KB)
- Recommended CSBA AR 4112 Appointment & Conditions of Employment 12-15-2022.pdf (215 KB)
- Recommended CSBA AR 4212 Appointment & Conditions of Employment 12-15-2022.pdf (207 KB)

POLICY UPDATE: Board Policy and Administrative Regulation 4219.11/4319.11 - Sexual Harassment

Type Action, Procedural
Preferred Date Jan 19, 2023
Recommended Action The recommendation is that the Board of Education approves the updated Board Policy and Administrative Regulation 4219.11/4319.11 - Sexual Harassment.

Purpose:
 The purpose is for the Board of Education to review the recommended changes and approve the updated Board Policy and Administrative Regulation 4219.11/4319.11 - Sexual Harassment.

Background:
 This is the SECOND reading of the attached policy and regulation. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice.

The 4000 section of the policy manual is further divided into employee classifications to allow for variations in language, if needed, according to Ed Code and/or the Collective Bargaining Agreement:

- 4000s All employees
- 4100s Certificated employees
- 4200s Classified employees
- 4300s Management, supervisory, and confidential employees

The district revised Board Policy and Administrative Regulation 4119.11 - Sexual Harassment on February 4, 2021. Board Policy and Administrative Regulation 4219.11 and 4319.11 should have been updated and taken to the Board at the same time, as the language in all three policies and regulations is exactly the same.

Policy updated to clarify that, in some instances, it may be necessary to concurrently review a sexual harassment complaint under both the Title IX sexual harassment complaint procedures and the district's procedure reflecting state law, as described in AR 4030 - Nondiscrimination in Employment, in order to meet the applicable timelines. Policy also adds the requirement to provide supportive measures to the respondent as well as the complainant.

Regulation updated to add section on "Definitions," including the federal definition of sexual harassment for purposes of applying the Title IX complaint procedures. Section identifying the Title IX Coordinator(s) moved and revised to reference CSBA's AR 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures. Section on "Notifications" adds federal requirement to disseminate the district's sexual harassment policy and procedures, along with the name and contact information of the Title IX Coordinator, by posting them in a prominent location on the district's web site and including them in any handbook provided to employees or employee organizations. New section on "Complaint Procedures" references the applicable procedures and the responsibility of the district to take prompt action to stop the sexual harassment, prevent recurrence, and address any continuing effects.

File Attachments

- [Existing NUSD BP 4219.11 Sexual Harassment 12-15-2022.pdf](#) (131 KB)
- [Existing NUSD BP 4319.11 Sexual Harassment 12-15-2022.pdf](#) (133 KB)
- [Existing NUSD AR 4219.11 Sexual Harassment 12-15-2022.pdf](#) (143 KB)
- [Existing NUSD AR 4319.11 Sexual Harassment 12-15-2022.pdf](#) (199 KB)
- [Recommended CSBA BP 4219.11 Sexual Harassment 12-15-2022.pdf](#) (304 KB)
- [Recommended CSBA BP 4319.11 Sexual Harassment 12-15-2022.pdf](#) (348 KB)
- [Recommended CSBA AR 4219.11 Sexual Harassment 12-15-2022.pdf](#) (481 KB)
- [Recommended CSBA AR 4319.11 Sexual Harassment 12-15-2022.pdf](#) (502 KB)

POLICY UPDATE: Board Policy and Administrative Regulation 5123 - Promotion/Acceleration/Retention

Type	Action, Procedural
Preferred Date	Jan 19, 2023
Fiscal Impact	No
Recommended Action	The recommendation is that the Board of Education approves the updated Board Policy and Administrative Regulation 5123 - Promotion/Acceleration/Retention

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation.

Background:
This is the SECOND reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. Board Policy 5123 - Promotion/Acceleration/Retention

The NUSD board policy has not been revised since 2007. The language has been replaced to match the sample board policy provided by the California School Board Association. Highlighted language reflects District practice.

Administrative Regulation 5123 - Promotion/Acceleration/Retention

The NUSD administrative regulation has not been revised since 2005. The language has been replaced to match the sample board policy provided by the California School Board Association.

(BP revised 7/19)

Policy updated to make minor revisions reflecting current law pertaining to the requirement to provide remedial instruction to students who are recommended for retention or are identified as being at risk for retention.

(BP/AR revised 12/13)

MANDATED policy updated to reflect the mandate that the policy provides for students to be identified for retention as early in the school year, and as early in their school careers, as possible. The policy reflects NEW LAW (AB 484) which establishes a new state assessment system, impacting the indicators that may be used to identify a student for retention. The policy also reflects NEW LAW (AB 97) which redirects into the LCFF funding for supplemental instruction for students in grades 2-9 who have been retained or recommended for retention (without eliminating the district's responsibility to provide supplemental instruction for such students) and for students in grades 2-6 who have been identified as being at risk of retention. The policy contains material formerly in AR re: grade levels at which students will be identified for retention, subjects that will be used as the basis for identifying students for retention, responsibility for retention decisions when the student has more than one teacher, and requirement for an appeals process. MANDATED regulation updated to reflect the California Department of Education (CDE) recommendation re: the timing of approving a student's continuation in kindergarten for an additional year and to clarify the process for parent/guardian appeal of a teacher's decision to promote or retain a student.

(Revise BP 7/05)

Updated MANDATED policy deletes material related to progress toward the high school exit examination which is covered in BP/AR 6162.52 - High School Exit Examination and makes other editorial changes. Note and legal references revised to reflect NEW LAW (AB 825 - categorical reform) establishing the Pupil Retention Block Grant which incorporates the purpose of optional supplemental instruction for students "at risk" of retention.

File Attachments

- [Existing NUSD BP 5123 PromotionAccelerationRetention.pdf](#) (100 KB)
- [Existing NUSD AR 5123 PromotionAccelerationRetention.pdf](#) (99 KB)
- [Recommended CSBA BP 5123_ Promotion_Acceleration_Retention 01-19-2023.pdf](#) (152 KB)
- [Recommended CSBA AR 5123_ Promotion_Acceleration_Retention 01-19-2023.pdf](#) (148 KB)

POLICY UPDATE: Board Policy and Administrative Regulation 6159.3 - Appointment of Surrogate Parent for Special

Type	Action, Procedural
Preferred Date	Jan 19, 2023

Fiscal Impact No
 Recommended Action The recommendation is that the Board of Education approves the updated Board Policy and Administrative Regulation 6159.3 Appointment of Surrogate Parent for Special Education.

Purpose:
 The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation.

Background:
 This is the SECOND reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice.

This will be the first adoption of this board policy and administrative regulation. The language reflects the sample board policy provided by the California School Board Association.
 BP/AR 6159.3: Appointment of Surrogate Parent for Special Education (BP/AR 6159.3 - Revised 3/05)
 MANDATED policy and MANDATED regulation updated to reflect NEW FEDERAL LAW (IDEA Reauthorization), effective July 1, 2005. Material formerly in policy re: qualifications of a surrogate parent moved to regulation. Regulation reorganized and reflects NEW LAW which (1) requires the appointment of a surrogate for unaccompanied homeless youth and (2) requires districts to make a reasonable effort to appoint a surrogate within 30 days of the determination that a surrogate is needed. The regulation also contains a new section re: Termination of Appointment.

File Attachments
[Recommended CSBA AR 6159.3 Appointment Of Surrogate Parent For Special Education Students 01-19-2023.pdf](#) (237 KB)
[Recommended CSBA BP 6159.3 Appointment Of Surrogate Parent For Special Education Students 01-19-2023.pdf](#) (165 KB)

POLICY UPDATE: Board Policy 6164.6 and Administrative Regulation 6164.6 - Identification And Education Under Section 504

Type Action, Procedural
 Preferred Date Jan 19, 2023
 Fiscal Impact No
 Recommended Action The recommendation is that the Board of Education approves the updated Board Policy and Administrative Regulation 6164.6 Identification And Education Under Section 504.

Purpose:
 The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation.

Background:
 This is the SECOND reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice.
 The policy and regulation have not been updated by the district since the last revised date in 2014. Since then, CSBA has made the revisions listed below.

Board Policy and Administrative Regulation 6164.6 Identification And Education Under Section 504 (BP/AR revised 12/16)
 Policy updated to add requirements to address the needs of students with disabilities in the district's local control and accountability plan. Regulation updated to reflect NEW FEDERAL REGULATIONS (81 Fed. Reg. 53203) which primarily revise definitions used in the Americans with Disabilities Act.

File Attachments
[Existing NUSD AR 6164.6 Identification And Education Under Section 504 01-19-2023.pdf](#) (128 KB)
[Existing NUSD BP 6164.6 Identification And Education Under Section 504 01-19-2023.pdf](#) (110 KB)
[Recommended CSBA AR 6164.6 Identification And Education Under Section 504 01-19-2023.pdf](#) (291 KB)
[Recommended CSBA BP 6164.6 Identification And Education Under Section 504 01-19-2023.pdf](#) (159 KB)

POLICY UPDATE: Board Policy 6183 - Home and Hospital Instruction

Type Action, Procedural
 Preferred Date Jan 19, 2023
 Fiscal Impact No
 Recommended Action The recommendation is that the Board of Education approves the updated Administrative Regulation 6183 Home and Hospital Instruction and rescind Board Policy 6183 Home and Hospital Instruction.

Purpose:
 The purpose is for the Board of Education to review the recommended changes and approve the updated Administrative Regulation 6183 Home and Hospital Instruction and rescind Board Policy 6183 Home and Hospital Instruction.

Background:
 This is the SECOND reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration has reviewed the recommended updates for accuracy and

made revisions to reflect district practice.

Board Policy 6183 Home and Hospital Instruction:

The language in this policy is incorporated into the administrative regulation and the policy was rescinded by CSBA. (AR revised)

Regulation reorganized and updated to reflect NEW LAW (AB 2109) which expands the parental notification to include information regarding student eligibility for individual instruction and the duration of such instruction, requires that individual instruction in a student's home begin within five days of determining a student's eligibility, provides that students receiving individual instruction in a hospital for a partial week are eligible to attend school on days that they are not at the hospital, and provides that the absences of a temporarily disabled student must be excused until the student is able to return to the regular school program.

File Attachments

- [Existing NUSD BP 6183 Home And Hospital Instruction 01-19-2023.pdf](#) (119 KB)
- [Recommended CSBA AR 6183 Home And Hospital Instruction 01-19-2023.pdf](#) (157 KB)

REPORT: Williams Uniform Complaint Quarterly Report October 1, 2022 to December 31, 2022

Type	Action
Absolute Date	Jan 19, 2023
Recommended	The recommendation is that the Board of Education approves the Williams Uniform Complaint
Action	Quarterly Report for the period of October 1, 2022 to December 31, 2022.

Purpose:
The purpose is for the Board of Education to receive and approve the Williams Uniform Complaint Quarterly Report for the period of October 1, 2022, to December 31, 2022.

Background:
Education Code 35186 requires that the Superintendent of a school district report summarized data on the nature and resolution of all complaints filed under the Williams Uniform Complaint Procedures to the local Board of Education and the County Superintendent of Schools on a quarterly basis. The report must include the number of complaints by general area, the number of resolved and unresolved complaints, and be publicly presented at a regularly scheduled Board meeting. The attached report is presented to the Board for the period of October 1, 2022, to December 31, 2022.

- File Attachments**
[Q323 UCP Report.pdf](#) (143 KB)

Motion & Voting
The recommendation is that the Board of Education approves the Williams Uniform Complaint Quarterly Report for the period of October 1, 2022 to December 31, 2022.
Motion by Phuong Nguyen, second by Aiden Hill.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Aiden Hill, Bowen Zhang, Diego Torres, Katherine Jones, Nancy Thomas

REPORT: Quarterly Report on Contracts - FY 2022-23

Type	Action
Fiscal Impact	Yes
Budgeted	Yes
Budget Source	General Fund
Recommended	The recommendation is that the Board of Education receives the Quarterly Report on
Action	Contracts.

Purpose:
These quarterly reports on contracts are submitted to the Board for review.

Background:
The Board has requested a report of all contracts for services over \$10,000 be reviewed by the Board on a quarterly basis. This report only includes contracts that have not been previously approved by the Board. Contracts are on file in the Business Office.

- File Attachments**
[Quarterly Contract Report Q2 22-23_1-19-2023.pdf](#) (8 KB)
[Geoff Vu_2022_fully executed_redacted.pdf](#) (153 KB)

Motion & Voting
The recommendation is that the Board of Education receives the Quarterly Report on Contracts.
Motion by Phuong Nguyen, second by Bowen Zhang.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Bowen Zhang, Diego Torres, Katherine Jones
Nay: Aiden Hill, Nancy Thomas

REPORT: Warrant Report for December 2022

Type	Action
Fiscal Impact	No
Recommended	The recommendation is that the Board of Education approves the Warrant Report as

Action presented.

Purpose:

The purpose of this item is to present warrants, for the total amount of \$2,362,993.15, made from District funds for December 2022.

Background:

The warrant registers represent a complete listing of all payments made from District funds for a month. Because Newark Unified School District is a fiscally dependent District, each warrant must pass through two separate audits; first by the District's Fiscal Services department, and second by the County Office of Education. No warrant can be paid until such time as it is examined and approved by the County Office of Education.

File Attachments

[Warrant Report December 2022.pdf](#) (414 KB)

REPORT: Monthly Purchase Order Report

Type Action

Recommended The recommendation is that the Board of Education approves the Monthly Purchase Order
 Action Report as presented.

Purpose:

The purpose of this item is to present a monthly report on Purchase Order transactions per Board Policy 3300, Expenditures and Purchases.

Background:

Based on the discussion at the Board's Study Session on January 6, 2022, staff is providing a monthly report on Purchase Order transactions per Board Policy 3300, Expenditures and Purchases. The policy states that "The Board shall review all transactions entered into by the Superintendent or designee on behalf of the Board every 60 days."

File Attachments

[Monthly Purchase Order Report 01-19-2023.pdf](#) (123 KB)

Motion & Voting

The recommendation is that the Board of Education approves the Monthly Purchase Order Report as presented.

Added Motion:

- Motion by President Thomas to suspend discussion.
- Motion by Nancy Thomas, and Second by Phuong Nguyen
- 5 Yea
- Motion by Phuong Nguyen, second by Bowen Zhang.
- Final Resolution: Motion Carries
- Yea: Phuong Nguyen, Bowen Zhang, Diego Torres, Nancy Thomas
- Nay: Aiden Hill, Katherine Jones

REPORT: Contracts and Purchase Orders Authorized under Resolution 2020.21-025 (Delegate Authority to Procure Necessary Materials, Equipment and Services to Provide Distance and/or In-Person Learning for Staff, Teachers, and Students to Mitigate the Effects of Covid-19)

Type Action

Fiscal Impact Yes
 Budgeted Yes
 Recommended The recommendation is that the Board of Education accept the update on costs associated
 Action with the implementation of Resolution 2020.21-025 (Resolution of the Board of Education of the Newark Unified School District to Delegate Authority to Procure Necessary Materials, Equipment and Services to Provide Distance and/or In-Person Learning for Staff, Teachers, and Students to Mitigate the Effects of Covid-19)

Purpose:

To update the Board on costs associated with the implementation of Resolution 2020.21-025 (Resolution of the Board of Education of the Newark Unified School District to Delegate Authority to Procure Necessary Materials, Equipment and Services to Provide Distance and/or In-Person Learning for Staff, Teachers, and Students to Mitigate the Effects of Covid-19) from December 1, 2022, through December 31, 2022.

Background:

On April 1, 2021, the Newark Unified School District Board approved Resolution 2020.21-025 delegating authority to the Superintendent or designee to procure necessary materials, equipment, and services that are needed to provide distance and/or in-person learning to mitigate the effects of Covid-19. Language in the resolution states "the Superintendent/Designee shall make periodic reports to the Board of Education and the public regarding implementation of this resolution and the costs associated therewith"; requiring the update provided here.

On June 16, 2022, the Amended Resolution 2020.21-025 was approved. The amendment extends it to on or around June 30, 2023, and states that updates will be presented at the first Board meeting of each month.

VENDOR	DATE	PO NUMBER	DESCRIPTION	AMOUNT
N/A *				

*There are no contracts or purchase orders to report for the period of December 1, 2022, through December 31, 2022.

13 SUPERINTENDENT REPORT

Superintendent Report

Type Information

Purpose:

The superintendent will provide the Board of Education with district information, updates, news, or anything in the jurisdiction of the board or the superintendent.

Background:

The presentation and information will be provided by the Superintendent

File Attachments

[Superintendent's Report 1.19.23.pdf](#) (3,098 KB)

14 STAFF REPORT

Mission Valley ROP Update

Type Information

Purpose:

Mr. Tom Hanson, Superintendent of Mission Valley ROP will provide a program update.

Background:

On a regular basis, an update regarding the program is provided to the Board from our partners at Mission Valley ROP.

File Attachments

[MVROP JPA CTE PROGRAM SERVICES PRESENTATION 2023_NUSD.pdf](#) (1,651 KB)

2022 Dashboard & CAASPP Results

Type Information

Purpose:

To share an update to the Board of Education and community about the Newark Unified School District's California School Dashboard results, which were released in December of 2022 by the California Department of Education. Preliminary CAASPP data was shared with the Board on August 22, 2022. This presentation will provide an overview of the public California Dashboard tool, an update on finalized CAASPP scores, and details on how results continue to inform district next steps.

Background:

The California School Dashboard, the state's accountability and continuous improvement system, provides annual reports that display the performance of districts, schools, and student groups based on a set of state and local measures. These reports help districts and schools monitor student progress and identify strengths and areas in need of improvement.

File Attachments

[2022 Dashboard & CAASPP - NUSD .pdf](#) (2,928 KB)

LCAP Mid Year Update

Type Information

Purpose:

To provide the Board of Education with an update on the use of federal and state funds as well as engagement, actions, and outcomes related to these funds.

Background:

Staff will present the 2022-23 mid-year report to the NUSD governing board related to engagement on and implementation of the LCAP. It should be noted that in 2021-22, California Assembly Bill 130 and the American Rescue Plan Act of 2021 required all LEAs to submit a Supplement to the Annual Update to the LCAP, and that this is no longer a requirement for 22-23 and future years. However, we continue this practice this year in order to keep the governing board and the public informed regarding progress on LCAP goals and actions. No board adoption is required until June with the 2022-23 LCAP.

File Attachments

[NUSD 2022-23 Mid-Year LCAP Report.pdf](#) (1,451 KB)

15 NEW BUSINESS

Assignment of Yessenia Cerf-Arriola as a Special Education Teacher at Schilling Elementary on the Basis of a Short Term Staff Permit, Effective December 1, 2022.

Type Action
Absolute Date Jan 19, 2023
Fiscal Impact No
Recommended Action The recommendation is that the Board of Education approves the assignment of Yessenia Cerf-Arriola as a Special Education Teacher at Schilling Elementary on the basis of a Short Term Staff Permit, effective December 1, 2022.

Purpose:
 The purpose of this item is for the Board of Education to approve the assignment of Yessenia Cerf-Arriola as a Special Education Teacher at Schilling Elementary on the basis of a Short Term Staff Permit, effective December 1, 2022, due to the unavailability of a third-year extension of the intern program.

Background:
 Yessenia Cerf-Arriola has successfully served as a Special Education Teacher at Schilling Elementary since December of 2020 under an Intern Education Specialist Instruction Credential. Yessenia has completed her teaching program with Cal State East Bay and is working to complete the RICA, a reading instruction competence assessment measuring an individual's knowledge, skill, and ability relative to effective reading instruction. Upon completion of the RICA, Cal State East Bay will submit the formal recommendation for an Education Specialist Instruction Credential for Yessenia. There is no financial impact on the approval of this emergency permit.

Motion & Voting
 The recommendation is that the Board of Education approves the assignment of Yessenia Cerf-Arriola as a Special Education Teacher at Schilling Elementary on the basis of a Short Term Staff Permit, effective December 1, 2022.
 Motion by Phuong Nguyen, second by Katherine Jones.
 Final Resolution: Motion Carries
 Yea: Phuong Nguyen, Aiden Hill, Bowen Zhang, Diego Torres, Katherine Jones, Nancy Thomas

New Secondary Courses for 2023-24

Type Action
Preferred Date Jan 19, 2023
Absolute Date Feb 09, 2023
Fiscal Impact No
Recommended Action The recommendation is that the Board of Education approves the updated courses for the 2023-24 academic school year.

Purpose:
 For the 2023-24 school year, Ed Services and Newark Memorial High School, in alignment with Curriculum and Assessment Council, is recommending the following:
 Pre-Calculus AP course
 Aerospace Engineering course
 Change of name only for Math Analysis to Pre-Calculus (in alignment with CA Mathematics Framework)

Background:
 For the recommended new courses, Ed Services has partnered with staff from Newark Memorial High School to present and receive approval from Curriculum and Assessment Council. Please note the following:
 Effective for the 2023-24 school year, the AP College Board will offer an AP exam for Precalculus. Like many districts, Newark Unified intends to provide students an opportunity to take this exam by offering a Pre-Calculus AP course
 Aerospace Engineering, a 'G' elective, will replace Astronomy/Aerospace/Rocketry (which is currently not A-G approved), thus allowing the course to count for college admissions. The new course will have an increased emphasis on engineering and design and eventually be folded into the STAR initiative
 In alignment with the Pre-Calculus AP course and the College Board, it is recommended for consistency purposes that all Math Analysis courses receive a name change to Pre-Calculus (i.e. Math Analysis and Blended Algebra 2/Math Analysis)

File Attachments
[New Secondary Courses 23-24 SY.pdf](#) (1,290 KB)

Birch Grove Primary Elementary School Parking Lot Improvement Project

Type Action
Fiscal Impact Yes
Dollar Amount \$841,631.00
Budget Source Fund 25 Capital Facilities Fund
Recommended Action The recommendation is that the Board of Education approve the Birch Grove Primary Elementary School Parking Lot Improvement Project.

Purpose:
 To approve the Birch Grove Primary Parking Lot Improvement Project and Preliminary Budget. Staff will come back with bid results and recommendation for bid award in the Spring 2023.

Background:

The Birch Grove Primary Parking Lot paving is well beyond its useful life. The paving is cracked and causes tripping hazards as well as safety concerns with students walking across the parking lot in front of moving vehicles during drop-off and pick-up. There are potholes and drainage issues. The existing parking lot also has circulation issues with parked cars backing into the lane of parents dropping off. The new design of this parking lot is intended to address and alleviate these issues. The District has held community engagement meetings with stakeholders including the School Site Council and Parent Teacher Association. We had initial meetings with both groups to get their feedback and followed up with a second round of meetings to share with them a conceptual design that addressed their concerns. The scope of work for this project would include demolition of the existing paving, grading, drainage improvements, new paving, new trash enclosure, accessible parking and path of travel upgrades, concrete curbs and sidewalks, fencing, gates, paving seal coat and restriping. A preliminary budget has been developed in the amount of \$841,631. During preliminary design the Civil Engineer will meet with DSA (Division of the State Architect) to review the scope of the project and address DSA requirements. A project contingency is included in the preliminary budget to address potential scope revisions required by DSA. This action item is to approve the Birch Grove Primary Parking Lot Improvement Project and preliminary project budget.

File Attachments

- J22070 BIRCH GROVE DSN-PLAN D (2) (1).pdf (258 KB)
Preliminary Budget - BGP Paving 2023 01 11 R1.pdf (73 KB)
BGP Parking Lot_Existing Site Plan.pdf (153 KB)
NUSD BGP Parking Lot Board Meeting 1-19-2023.pptx.pdf (891 KB)

Motion & Voting

The recommendation is that the Board of Education approve the Birch Grove Primary Elementary School Parking Lot Improvement Project.

Motion by Phuong Nguyen, second by Bowen Zhang.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Bowen Zhang, Diego Torres, Katherine Jones
Nay: Aiden Hill, Nancy Thomas

Audit Report for Fiscal Year Ended June 30, 2022

Type Action
Recommended Action The recommendation is that the Board of Education accepts the independent audit report for the fiscal year ending June 30, 2022, as presented.

Purpose:
The purpose of this item is for the Board to receive information about and accept the financial audit report for the fiscal year ending June 30, 2022, as presented.

Background:
In accordance with generally accepted auditing standards and Government Auditing Standards, the independent auditing firm of Christy White, Inc. has completed its audit of the combined financial statements of the Newark Unified School District for the year ending June 30, 2022. A representative from Christy White, Inc. will present the audit report to the Board for review. The audit report is the financial document that all outside agencies review, county offices scrutinize, and bond rating agencies rely on. The District prepares all reports in the state-approved format, but the audit report is the document that is readily available to the public and is audited in accordance with Government Auditing Standards and the Guide for Annual Audits of K-12 Local Education Agencies and State Compliance Reporting. The district's Audit Committee met and reviewed the audit report on January 10, 2023.

File Attachments

- Audit Report 21-22 Newark USD FINAL.pdf (798 KB)
SAS Letter to Newark USD Board 2021-22.pdf (149 KB)

Motion & Voting

The recommendation is that the Board of Education accepts the independent audit report for the fiscal year ending June 30, 2022, as presented.
Motion by Bowen Zhang, second by Phuong Nguyen.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Aiden Hill, Bowen Zhang, Katherine Jones, Nancy Thomas
Not Present at Vote: Diego Torres

16 CONSENT AGENDA: PULLED AGENDA ITEMS

PLACEHOLDER - Pulled Consent Agenda Items

Type Action

Purpose:
This is specifically a placeholder, and will only be used if agenda items from the consent categories are pulled for additional discussion.

Background:
Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately. Those items pulled will be discussed and voted on here.

17 BOARD MEMBER REQUESTS

POLICY UPDATE: Board Bylaw 9124 Attorney

Type Discussion

Purpose:

The Board President requests that the Board review the existing policy and her recommended updates.

Background:

On January 12, 2023, the Board President requested to add to the agenda a discussion to review existing Board Bylaw 9124 and the recommended updates provided by Member Hill. The Board members may review the attachments and discuss them.

Per the Board President:

The CSBA Recommended Bylaw 9124 has an additional paragraph under "Contacting Legal Counsel" that allows the Board President or Superintendent to confer with district legal counsel at his/her discretion.

The Board President recommends the CSBA paragraph be edited to require that the Board President must have the approval of a board majority to confer with legal counsel, except when a special or emergency meeting requires legal counsel attendance.

File Attachments

[NUSD Existing Board Bylaw 9124 - Attorney - Jan 19 2023.pdf](#) (145 KB)

[Recommended CSBA BB 9124 - Attorney - 01-19-2023.pdf](#) (85 KB)

[Board Member Recommended Updates - Board Bylaw 9124 Attorney.pdf](#) (59 KB)

POLICY UPDATE: Board Bylaw 9123.1 Vice President

Type Discussion

Purpose:

The Board President requests that the Board review the existing policy and her recommended updates.

Background:

Board Bylaw 9123.1: Vice President is a unique bylaw to Newark Unified School District, as the California School Board Association has incorporated this bylaw under Board Bylaw 9123: Clerk, describing the duties of the Clerk, which in NUSD's case the clerk is also the vice president.

On January 12, 2023, the Board President requested to add to the agenda a discussion to review existing Board Bylaw 9124 and the recommended updates provided by Member Hill. The Board members may review the attachments and discuss them.

Per the Board President:

This Bylaw will codify the role of the Vice President in the preparation of the Board meeting agendas. The inclusion of the Vice President in the agenda setting meeting will add an additional perspective to the discussion and will support the transition of the Vice President should he/she be elected as president the following year.

File Attachments

[NUSD Existing Board Bylaw- 9123.1 ^Vice President - 01-19-23.pdf](#) (94 KB)

[Recommended CSBA BB 9123 - Clerk - 01-19-2023.pdf](#) (51 KB)

[Board Member Recommended Updated - Board Bylaw 9123.1 Vice President.pdf](#) (34 KB)

POLICY UPDATE: Board Bylaw 9300.11 Methods of Operation

Type Discussion

Purpose:

The Board President requests that the Board review the existing policy and her recommended updates.

Background:

Board Bylaw 9300.00: Methods of Operation is a unique bylaw to Newark Unified School District, and the California School Board Association does not have a similar policy or have a recommendation for this policy.

On January 12, 2023, the Board President requested to add to the agenda a discussion to review existing Board Bylaw 9124 and the recommended updates provided by Member Hill. The Board members may review the attachments and discuss them.

Per the Board President:

This Bylaw describes the order of the meetings of the Board of Education. During the transfer of NUSD policies from the old CSBA GAMUT to the new GAMUT Policy Plus in October 2020, this bylaw was one of 63 policies that did not transfer cleanly to the new policy manual. Rather, it remained as a DRAFT in the new GAMUT and was not visible to the public. Two changes to this bylaw were made during that time without public comment, nor board discussion/approval. This agenda item seeks the board's input whether Board to ratify those unapproved bylaw changes, revert to the original bylaw, or recommend other changes to BB 9300.11

File Attachments

[Board Member Recommended Updates - Board Bylaw 9300.11 Methods of Operation.pdf](#) (35 KB)

[NUSD Existing Board Bylaw 9300.11 ^Methods Of Operation - 01-19-23.pdf](#) (92 KB)

18 BOARD OF EDUCATION: COMMITTEE REPORTS, REQUESTS, AND ANNOUNCEMENTS

Board of Education Recognitions and Announcements

Type Information

Purpose:

The Trustees may acknowledge or recognize specific programs, activities, or personnel at this time.

Board of Education Committee Reports

Type Information

Purpose:

The Trustees will provide an update, if available, on the committees of which they are members.

Background:

Each year the Board of Education members liaise with schools and committees in order to build relationships, hear from staff, students, and families, and act as a conduit for information to and from the schools.

Board Committees 2022-23

Mission Valley Regional Occupational Center/Program (ROC/P)

Executive Board

Regional Policy Board of Special Education Local Plan Area (SELPA)

Newark Teacher Induction Advisory Council (Formally EBIC)

Audit Committee

Bond/Parcel Tax Committee

City of Newark NUSD Liaison Committee

Board of Education Requests

Type Action, Discussion, Information

Purpose:

This is an opportunity for the Board of Education to suggest items for placement on future agendas and to review Board requests. Approval from the majority of the Board will be required for direction to be provided to the Superintendent.

Background:

The following derives directly from the Board approved "Governance Team Handbook"

Authority is Collective, Not Individual:

The only authority to direct action rests with the Board as a whole when seated at a regular or special board meeting. Outside of this meeting, there is no authority.

A majority Board vote provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction.

Bringing New Ideas Forward

The Board will be open to having "brainstorming" discussions, or study sessions, around any idea that a Trustee may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Trustee, at their initiative or at the request of a constituent, which was previously discussed during a board meeting.

Trustees will first notify the Board President and Superintendent of their interest in bringing forward a new idea at a board meeting.

When initially agendized, the preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.

Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea. The Superintendent will decide on the delegation of assignments to District staff.

The new idea may be agendized for discussion only. The Board majority will decide if the new idea should be further developed and studied by staff. The Board majority will decide if staff time should be invested in the "fleshing out" of new ideas.

Individual Trustees, in the course of interactions with constituents, will be careful not to make or imply the commitment of the full Board to explore or proceed with implementing new ideas.

19 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

Superintendent's Concluding Comments, Updates, and Future Agenda Items

AGENDA REQUESTS

Type Information

Purpose:

This is an opportunity for the Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

20 ADJOURNMENT

PLACEHOLDER - Extend Meeting

Type Action

Recommended Action The recommendation is that the Board of Education extends the meeting to ____ P.M.

Purpose: This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

Motion & Voting

The recommendation is that the Board of Education extends the meeting to 12:00 A.M. Motion by Aiden Hill, second by Nancy Thomas. Final Resolution: Motion Carries Yea: Phuong Nguyen, Aiden Hill, Bowen Zhang, Diego Torres, Katherine Jones, Nancy Thomas

Adjournment

Type Action Recommended Action The recommendation is that the Board of Education adjourns this meeting.

Purpose: No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time. This action will conclude the meeting.

Motion & Voting

The recommendation is that the Board of Education adjourns this meeting at 11:56 pm. Motion by Phuong Nguyen, second by Katherine Jones. Final Resolution: Motion Carries Yea: Phuong Nguyen, Aiden Hill, Bowen Zhang, Katherine Jones, Nancy Thomas Not Present at Vote: Diego Torres

1 CALL TO ORDER

Meeting Practices and Information

Type Procedural

In-person Meeting Information:

NUSD has opened its boardroom for in-person meetings and will follow the State's and Alameda County's safety guidelines for public gatherings. Please refrain from attending in-person meetings if you have any of the following symptoms:

- Loss of taste/smell
Difficulty breathing
Vomiting
Diarrhea
Fever
Cough
Headache
Sore Throat
Runny Nose

For additional COVID-19 information please go to https://www.newarkunified.org/covid-19 or https://www.acoe.org/guidance

Observe The Board Of Education Meeting:

Members of the public 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.

Public Comment:

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

Pledge of Allegiance

Type Procedural

Purpose: The Governance Team will recite the Pledge of Allegiance

Roll Call

Type Procedural

Trustees: President Nancy Thomas Vice President/Clerk Aiden Hill

Member Katherine Jones
Member Phuong Nguyen
Member Bowen Zhang

2 APPROVAL OF AGENDA

Approval of the Agenda

Type Action

Recommended The recommendation is that the Board of Education approve the agenda for this meeting.

Action

Purpose:

Members of the Governance Team may request that the agenda be amended or approved as presented.

Motion & Voting

The recommendation is that the Board of Education approve the agenda for this meeting, with the amendment of moving item 5.1 to 2.2 and 5.2 will become 5.1.

Motion by Phuong Nguyen, second by Bowen Zhang.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Aiden Hill, Bowen Zhang, Katherine Jones, Nancy Thomas

3 PUBLIC COMMENT ON AGENDA ITEMS

Public Comment on Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.

<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

4 BOARD MEMBER REQUESTS

Legal Counsel Representation Selection

Type Action

Recommended The Board President's recommendation is that the Board of Education approves the use of

Action Lozano Smith, Attorneys at Law for legal representation regarding the complaint received and possible investigation and litigation.

Purpose:

For the Board to discuss and select legal representation from the currently retained NUSD law firms.

Background:

Per the request of the Board President, Nancy Thomas, the Board will have a discussion, provide direction, and take action regarding which existing legal counsel to use regarding the complaint received and possible investigation and litigation.

Motion & Voting

The Board President's recommendation is that the Board of Education approves the use of Lozano Smith, Attorneys at Law for legal representation regarding the complaint received and possible investigation and litigation.

Motion by Aiden Hill, second by Katherine Jones.

Final Resolution: Motion Carries

Yea: Aiden Hill, Katherine Jones, Nancy Thomas

Nay: Phuong Nguyen, Bowen Zhang

5 CLOSED SESSION

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a): Employee Organizations - NTA and CSEA

Type Action, Information, Procedural

Purpose:

Information may be provided by the agency negotiator, Executive Director of Human Resources, and/or assistance from the legal firm

Dannis, Woliver, Kelley, Attorneys at Law may be provided.

The employee organizations include NTA & CSEA.

CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION Significant exposure to litigation pursuant to Gov. Code, 54956.9, subd. (d)[(2) or (3)]

Type Action, Discussion, Procedural

Purpose:

Information may be provided regarding significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: One case

Recess to Closed Session

Type Procedural

Purpose:

The Board will recess to Closed Session, and reconvene to Open Session on or about 7:00 p.m.

6 ADJOURNMENT

Adjournment

Type Action

Recommended The recommendation is that the Board of Education adjourns this meeting.
Action

Purpose:

No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time. This action will conclude the meeting.

1 CALL TO ORDER

Meeting Practices and Information

Type Information, Procedural

IN-PERSON MEETING INFORMATION

NUSD has opened its boardroom for in-person meetings and will follow the State's and Alameda County's safety guidelines for public gatherings. Please refrain from attending in-person meetings if you have any of the following symptoms:

- Loss of taste/smell
- Difficulty breathing
- Vomiting
- Diarrhea
- Fever
- Cough
- Headache
- Sore Throat
- Runny Nose

For additional COVID-19 information please go to <https://www.newarkunified.org/covid-19> or <https://www.acoe.org/guidance>

OBSERVE THE BOARD OF EDUCATION MEETING

Members of the public 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.

PUBLIC COMMENT

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

Roll Call

Type Procedural

Trustees:

- President Bowen Zhang
- Vice President/Clerk Phuong Nguyen
- Member Aiden Hill
- Member Terrence Grindall
- Member Alicia Marquez

Student Board Member:

- Member Estaina Resendiz Ortiz

2 APPROVAL OF AGENDA

Approval of the Agenda

Type Action
Recommended Action The recommendation is that the Board of Education approve the agenda for this meeting.

Purpose: Members of the Governance Team may request that the agenda be amended or approved as presented.

3 OLD BUSINESS

2021-22 District Goals and Superintendent Objectives

Type Action
Recommended Action The recommendation is that the Board of Education approve the 2021-22 District Goals and Superintendent Objectives.

Purpose: For the board to approve the finalized district goals and superintendent objectives as articulated in the District Goals and Superintendent Objectives 2021-22 document.

Background: "Each year of the agreement, the Board and the Superintendent shall establish by mutual agreement the Superintendent's performance and benchmarks for the next school year. Evaluations shall be based upon the achievement of the mutually agreed upon performance goals for the year in question, the Superintendent's effectiveness at discharging his duties as defined in this Agreement and Board Policies, and job description, if any." (Superintendent Contract)
"Evaluation criteria shall be agreed upon by the Board and Superintendent prior to the evaluation and shall include, but not be limited to, district goals and success indicators; educational, management, and community leadership skills; and the Superintendent's professional relationship with the Board. The Board and Superintendent shall jointly determine the evaluation method(s) and schedule that will best serve the district and the structure and format of the instrument to be used." BP 2140
At the October 27th Board meeting, the Board reviewed the prior year's goals and objectives and identified the areas of focus which the District should either start, stop, or continue for the 2021-2022 school year. At the November 18th, December 6th, and December 14th, 2021, meetings the Board discussed the 2021-22 District Goals and Superintendent Objectives and provided valuable feedback and input into the direction for this current school year. Per the direction of the Board, the Superintendent created the attached document, which provides a SMARTER goal accountability framework in order to track the level of implementation and impact of desired outcomes. During the school year, there are thousands of actions the administration takes in order to serve our students and families. The purpose of this document is to name the top priority areas for the year and the means to measure progress in these priority areas, in order to collectively stay focused on those areas with the highest leverage potential and the greatest academic return on investment for our students, families, and district.

File Attachments
District Goals & Supt Objectives 2021-22 FINAL 12.16.21.pdf (1,494 KB)

Motion & Voting
The recommendation is that the Board of Education approve the 2021-22 District Goals and Superintendent Objectives.
Motion by Bowen Zhang, second by Phuong Nguyen.
Final Resolution: Motion Carries
Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Alicia Marquez, Estaina Resendiz-Ortiz
Nay: Aiden Hill

4 ADJOURNMENT

PLACEHOLDER - Extend Meeting

Type Action
Recommended Action The recommendation is that the Board of Education extends the meeting to ____P.M.

Purpose: This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

Adjournment

Type Action, Procedural
Recommended Action The recommendation is that the Board of Education adjourns this meeting.

Purpose: No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time. This action will conclude the meeting.

Motion & Voting

The recommendation is that the Board of Education adjourns this meeting.

Motion by Bowen Zhang, second by Alicia Marquez.

Final Resolution: Motion Carries

Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Estaina Resendiz-Ortiz

1 CALL TO ORDER

Meeting Practices and Information

Type Procedural

In-person Meeting Information:

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Observe The Board Of Education Meeting:

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Public Comment:

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLI COMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLI COMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

Roll Call

Type Procedural

Trustees:

- President Phuong Nguyen
- Vice President/Clerk Terrence Grindall
- Member Aiden Hill
- Member Alicia Marquez
- Member Bowen Zhang

Student Board Member:

Diego Torres

2 APPROVAL OF AGENDA

Approval of the Agenda

Type Action

Recommended The recommendation is that the Board of Education approve the agenda for this meeting.
Action

Purpose:

Members of the Governance Team may request that the agenda be amended or approved as presented.

Motion & Voting

The recommendation is that the Board of Education approve the agenda for this meeting.

Motion by Bowen Zhang, second by Aiden Hill.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Bowen Zhang, Diego Torres

3 CLOSED SESSION

Public Comment on Closed Session Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board. If a constituent wishes to address the Board on any agenda item, please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org.

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE (Gov. Code, 54957, subd. (b)(1))

Type Action, Information, Procedural

Purpose:

Information will be provided by the Superintendent and Executive Director of Human Resources.

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a): Employee Organizations - NTA and CSEA

Type Action, Information, Procedural

Purpose:

Information may be provided by the agency negotiator, Executive Director of Human Resources. Assistance from the legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided. The employee organizations include NTA & CSEA.

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a)): Employee Group - NEWMA, Unrepresented Supervisors, and Contracted Management

Type Action, Discussion, Procedural

Purpose:

Information may be provided by the agency negotiator, the Executive Director of Human Resources, and the Superintendent. Assistance from legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided. The employee organizations include NEWMA, Unrepresented Supervisors, and Contracted Management

CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION Significant exposure to litigation pursuant to Gov. Code, 54956.9, subd. (d)[(2) or (3)]

Type Action, Discussion, Procedural

Purpose:

Information may be provided regarding significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: Two cases

CONFERENCE WITH LEGAL COUNSEL EXISTING LITIGATION (Gov. Code, 54956.9, subd. (d)(1))

Type Action, Information, Procedural

Purpose:

To discuss the following case(s): Bretz vs Newark Unified School District Keenan Claim # 569505

STUDENT EXPULSION (Ed. Code, 48918)

Type Information, Procedural

Purpose:

For the Board to review expulsion-related cases.

Background:

The expulsion review process was followed in accordance with the California Education Code Section 48916 requires that "an expulsion order shall remain in effect until the governing board orders a readmission of the pupil" as well as Board Policy and Administrative Regulation 5144.1 and, if applicable, 5144.2 for students with disabilities.

The following cases are up for review:

- e2122- 02
- e2122- 20
- e2122- 19
- e2122- 14
- e2122- 18

A Stipulation Expulsion Agreement was completed in accordance with Board Policy and Administrative Regulation 5144.1 and, if applicable, 5144.2 for students with disabilities.

In addition, the administration asks for approval of the recommendation for Case# e2223-02. (Ed Code. 48918).

Recess to Closed Session

Type Procedural

Purpose:

The Board will recess to Closed Session, and reconvene to Open Session on or about 7:00 p.m.

4 REPORT OF CLOSED SESSION ACTIONS

Report of Closed Session Actions

Type Action, Procedural

Purpose:

If available, a report of the closed session will be provided by the Board President.

5 RECONVENE TO OPEN SESSION

Pledge of Allegiance

Type Procedural

Purpose:

The Governance Team will recite the Pledge of Allegiance

6 RECOGNITIONS AND CELEBRATIONS

Recognition to the Outgoing Board Member

Type Information

Purpose:

The Board will recognize the outgoing Board Member, Terrence Grindall.

Background:

Terrence Grindall has served the students of Newark Unified School District as a member of the Board of Education for two years and has been a loyal and dependable Board member having contributed countless hours of service in an effort to improve school district programs. Terrence Grindall has devoted significant time and effort serving as the representative for committees such as the Mission Valley Regional Occupational Center/Program Governing Council, City of Newark - Newark Unified School District Liaison Committee, Bond/Parcel Tax Committee, and the Audit Committee. Terrence Grindall has been an active leader and participant in numerous community organizations including serving as President of the Newark Rotary Club, Board Member and two-time past President of the Optimist Club, Board Member and past President of the Newark Education Foundation, and Board Member of the Bay Area Homeownership Alliance.

We congratulate, commend, and express our deep gratitude and appreciation to Terrence Grindall for his service to the school district and community and the Board of Education extends its sincere appreciation and best wishes for future endeavors.

School Spotlight: Birch Grove Intermediate

Type Information

Purpose:

The School Spotlight gives the Board of Education and the public an opportunity to hear the highlights, achievements, and initiatives at each school from the principals.

Background:

The presentation and information will be provided by the Birch Grove Intermediate Principal, Olivia Wong.

7 EMPLOYEE ORGANIZATIONS

Employee Organizations

Type Information

Purpose:

At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Background:

Discussion items are limited to updates, celebrations, and upcoming events.

1. NTA: Sean Abruzzi
2. CSEA: Maria Huffer
3. NEWMA: Vicenta Ditto

8 ANNUAL ORGANIZATION OF THE BOARD OF EDUCATION

Signature Cards - Mid-Year Revision

Type Action
Recommended The recommendation is that the Board of Education approves the Signature Cards Mid-Year
Action Revision for Board Members as presented.

Purpose:
To update the signature card of Authorized Agents as required by the Alameda County Office of Education.
Board Members

Background:
This is the "Signature Card" to be kept on file at the Alameda County Office of Education. This is a mid-year revision to update Board Member signatures.

File Attachments
[Jones, Katherine_Board Member Mid-Year_2022-23.pdf](#) (129 KB)
[Thomas, Nancy_Board Member Mid-Year_2022-23.pdf](#) (147 KB)

Motion & Voting
The recommendation is that the Board of Education approves the Signature Cards Mid-Year Revision for Board Members as presented.
Motion: Thomas
Second: Zhang
Unanimous: 5 Yea

Receive Certification of the November 8, 2022 General Election Board Trustee Results

Type Action
Recommended The recommendation is that the Board Receive the Certificate of Election Results and a copy
Action of the Official Canvass for the November 8, 2022, General Election for the Newark Unified
School District.

Purpose:
Background:
The Alameda County Registrar of Voters has furnished a Certificate of Election Results and a copy of the Official Canvass for the November 8, 2022, General Election for the Newark Unified School District. These documents are to be received by the Board of Education and attached to the official minutes of the December 15, 2020 Board of Education meeting.
Current Status:
The Board is asked to receive the Certificate of Election Results and a copy of the Official Canvass for the November 8, 2022 General Election for the Newark Unified School District.
Policy Implications:
This information is consistent with existing Board of Education Policy 9110.

File Attachments
[Newark USD November 8, 2022, General Election.pdf](#) (100 KB)

Motion & Voting
The recommendation is that the Board Receive the Certificate of Election Results and a copy of the Official Canvass for the November 8, 2022, General Election for the Newark Unified School District.
Motion: Jones
Second: Thomas
Unanimous: 5 Yea

Election of Officers - President

Type Action
Recommended The recommendation is that the Board of Education approves the nomination for the new
Action Board President.

Purpose:
The Board shall nominate a candidate to be voted and approved by the Board as the new President.

Background:
Board Policy 9100: Organization
Annual Organizational Meeting
The Board shall hold an annual organizational meeting within the time limits prescribed by law. (Education Code 35143)
At this meeting the Board shall:
1. Elect a president and a clerk from its members.
2. Authorize signatures.
3. Develop a schedule of regular meetings for the year.
4. Develop a Board calendar for the year.
5. Designate Board representatives.
(cf. 9140 - Board Representatives)

(cf. 9320 - Meetings)

Election of Officers

The Board shall each year elect its entire slate of officers.

(cf. 9224 - Oath or Affirmation)

Officers of the Board (NUSD Governance Team Handbook)

At the annual organizational meeting, the Board shall elect from among its members a President and Vice President/Clerk of the Board. The term length of the officers shall be for one year. The Board shall designate the Superintendent as Secretary of the Board.

Duties of the Board Officers (NUSD Governance Team Handbook)

The President of the Board of Education (Board Policy 9121)

At the annual organizational meeting, the Governing Board shall appoint a president from its membership. The president shall preside at all Governing Board Meetings. They shall:

- Call the meeting to order at the appointed time.
- Announce the business to come before the Board in its proper order.
- Enforce and maintain the Board's policies related to the order of business and conduct the meetings.
- Recognize persons who desire to speak, and protect the speaker who has the floor from disturbance or interference.
- Explain what the effect of a motion would be if it is not clear to every member.
- Restrict discussion to the question when a motion is before the Board.
- Rule on parliamentary procedure.
- Put motions to a vote, and state the results of the vote.

The President shall have the same rights as any member of the Board, including the right to move, second, discuss, and vote on all questions before the Board, allowing other members priority to speak and make motions as a point of courtesy.

The Board President, or in their absence the Vice-President, shall also perform other duties as directed by law, State Department of Education regulations, and the Board, including the duty to:

- Meet with the Superintendent before meetings to review the agenda and meeting details.
- Represent the District at events when invited or appropriate.
- Sign instruments, acts, and orders necessary to carry out state requirements or the will of the Board.
- Consult with the Superintendent on appropriate Board issues or crucial matters which may occur between board meetings.
- Appoint and disband all committees, subject to Board approval.
- Call for meetings of the Board as they shall deem necessary, giving notices as prescribed by law.
- Be responsible for the orderly conduct of all board meetings.
- Share informational mail with other board members.

When the president resigns, is absent, or is disabled, the Vice President shall perform the President's duties. When both the President and Vice President are absent or disabled, the Board shall choose a President Pro Tempore to perform the President's duties.

Motion & Voting

The recommendation is that the Board of Education approves the nomination for the new Board President.

Motion: Zhang

Second: Nguyen

Unanimous: 5 Yea

Election of Officers - Clerk/Vice President

Type Action

Recommended The recommendation is that the Board of Education approves the nomination for the new
Action Clerk/Vice President.

Purpose:

The Board shall nominate a candidate to be voted and approved by the Board as the new Clerk/Vice President.

Background:

Board Policy 9100: Organization

Annual Organizational Meeting

The Board shall hold an annual organizational meeting within the time limits prescribed by law. (Education Code 35143)

At this meeting the Board shall:

1. Elect a president and a clerk from its members.
2. Authorize signatures.
3. Develop a schedule of regular meetings for the year.
4. Develop a Board calendar for the year.
5. Designate Board representatives.

(cf. 9140 - Board Representatives)

(cf. 9320 - Meetings)

Election of Officers

The Board shall each year elect its entire slate of officers.

(cf. 9224 - Oath or Affirmation)

Officers of the Board (NUSD Governance Team Handbook)

At the annual organizational meeting, the Board shall elect from among its members a President and Vice President/Clerk of the Board. The term length of the officers shall be for one year. The Board shall designate the Superintendent as Secretary of the Board.

The Vice President of the Board of Education (Board Policy 9123)

At the annual organizational meeting, the Governing Board shall appoint or elect a Vice President from its membership. The duties of the Vice President shall be:

- Serve as the presiding officer in the absence of the President.
- Certify and attest to actions taken by the Board when required.
- Sign the minutes of the board meetings following their approval.
- Sign documents as directed by the Board on behalf of the District, and sign all other items which require the signature of

the clerk.
Perform any other duties as assigned by the Board.

Motion & Voting

The recommendation is that the Board of Education approves the nomination for the new Clerk/Vice President.

Motion: Zhang
Second: Nguyen
Unanimous: 5 Yea

Appointment of Superintendent as Secretary of the Governing Board

Type Action
Recommended The recommendation is that the Board of Education approves the appointment of the
Action Superintendent as Secretary of the Governing Board.

Purpose:
The Board shall appoint the Superintendent as Secretary of the Governing Board.

Background:
BOARD BYLAW 9100: ORGANIZATION
Annual Organizational Meeting

The Board shall hold an annual organizational meeting within the time limits prescribed by law. (Education Code 35143)

At this meeting the Board shall:

1. Elect a president and a clerk from its members.
2. Authorize signatures.
3. Develop a schedule of regular meetings for the year.
4. Develop a Board calendar for the year.
5. Designate Board representatives.

(cf. 9140 - Board Representatives)
(cf. 9320 - Meetings)

Election of Officers

The Board shall each year elect its entire slate of officers.

(cf. 9224 - Oath or Affirmation)

BOARD BYLAW 9122: SECRETARY

The Governing Board shall appoint the Superintendent to serve as secretary to the Board. The secretary to the Board shall be responsible for maintaining an accurate and complete record of all Board proceedings and shall:

1. Prepare, distribute and maintain the Board agenda.
(cf. 9322 - Agenda/Meeting Materials)
2. Record, distribute and maintain the Board minutes.
(cf. 9324 - Minutes and Recordings)
3. Maintain Board records and documents.
4. Conduct official correspondence for the Board.
5. As directed by the Board, sign and execute official papers
6. Perform other duties as assigned by the Board.
(cf. 2111 - Superintendent Governance Standards)

Motion & Voting

The recommendation is that the Board of Education approves the appointment of the Superintendent as Secretary of the Governing Board.

Motion: Thomas
Second: Zhang
Unanimous: 5 Yea

Adoption of Board Policy Manual

Type Action
Recommended The recommendation is that the Board of Education adopts the NUSD Board Policy Manual.
Action

Purpose:
The Board shall adopt the NUSD Board Policy Manual

Background:
The Board shall review and adopt the NUSD Board Policy Manual at every annual organization meeting. The digital manual can get found here: <https://simbli.eboardsolutions.com/Policy/PolicyListing.aspx?S=36030599>

Motion & Voting

The recommendation is that the Board of Education adopts the NUSD Board Policy Manual.

Motion: Thomas
Second: Hill
Unanimous: 5 Yea

Adoption of the Governance Team Handbook

Type Action

Recommended Action The recommendation is that the Board of Education readopts the Governance Team Handbook.

Purpose:
The Board shall readopt the Governance Team Handbook which is currently adopted and followed.

Background:
The Governance Team Handbook "reflects the governance team's work on the creation of an effective framework for successful leadership and governance. This involves an ongoing commitment to discussions focused on the development of a Unity of Purpose, Governance Team Goals, and a commitment to norms and protocols relating to the formal structures that enable the Board of Education and Superintendent in the performance of their responsibilities in a way that benefits all children."

File Attachments
[21-1216 - NUSD Governance Team Handbook - ADOPTED Dec 16, 2021.pdf](#) (344 KB)

Motion & Voting
The recommendation is that the Board of Education readopts the Governance Team Handbook.
Motion: Hill
Second: Nguyen
Unanimous: 5 Yea
Hill requested: asked to revisit handbook on a regular basis.

Set Regular Meeting Times (Hours)

Type Action
Recommended Action The recommendation is that the Board of Education approves the beginning and end times of the regular meetings' open session to 7:00 pm - 10:00 pm.

Purpose:
The Board shall set the beginning and end times of the regular meetings' open session to 7:00 pm - 10:00 pm.

Background:
BOARD BYLAW 9100: ORGANIZATION
Annual Organizational Meeting
The Board shall hold an annual organizational meeting within the time limits prescribed by law. (Education Code 35143)
At this meeting the Board shall:
1. Elect a president and a clerk from its members.
2. Authorize signatures.
3. Develop a schedule of regular meetings for the year.
4. Develop a Board calendar for the year.
5. Designate Board representatives.
(cf. 9140 - Board Representatives)
(cf. 9320 - Meetings)
Election of Officers
The Board shall each year elect its entire slate of officers.
(cf. 9224 - Oath or Affirmation)

Motion & Voting
The recommendation is that the Board of Education approves the beginning and end times of the regular meetings' open session to 7:00 pm - 10:00 pm.
Motion: Thomas
Second: Jones
Unanimous: 5 Yea

Set Regular Meeting Dates for 2023-24

Type Action
Recommended Action The recommendation is that the Board of Education approves the dates of the regular meetings for the 2023-24 school year.

Purpose:
The Board shall approve the dates of the regular board meetings for the 2022-23 school year.

Background:
Board Policy 9100: ORGANIZATION
Annual Organizational Meeting
The Board shall hold an annual organizational meeting within the time limits prescribed by law. (Education Code 35143)
At this meeting the Board shall:
1. Elect a president and a clerk from its members.
2. Authorize signatures.
3. Develop a schedule of regular meetings for the year.
4. Develop a Board calendar for the year.
5. Designate Board representatives.
(cf. 9140 - Board Representatives)
(cf. 9320 - Meetings)

Election of Officers

The Board shall each year elect its entire slate of officers.

(cf. 9224 - Oath or Affirmation)

RECOMMENDED BOARD OF EDUCATION MEETING DATES for the School Year 2023-24

- Aug 3
- Aug 17 (Study Session)
- Sep 7
- Sep 21 (Study Session)
- Oct 5
- Oct 19 (Study Session)
- Nov 2
- Nov 16 (Study Session)
- CSBA AEC: NOV 30 - DEC 3
- Dec 7
- Dec 21 (Study Session)
- Jan 4 (No Meeting: WINTER BREAK 1-5)
- Jan 18 (Study Session)
- Feb 1
- Feb 15 (Study Session)
- Mar 2
- Mar 16 (Study Session)
- Apr 4 (No Meeting: SPRING BREAK 1-5)
- April 18 (Study Session)
- May 4
- May 18 (Study Session)
- Jun 6
- Jun 20 (Study Session)

Motion & Voting

The recommendation is that the Board of Education approves the dates of the regular meetings for the 2023-24 school year.

NEW MOTION: The recommendation from Member Thomas is that board meetings change to Tuesdays beginning in the 2023-24 school year.

Motion: Thomas

Second: Nguyen

Unanimous: 5 Yea

Appointment of a Board Representative to Mission Valley Regional Occupational Program (MVROP) Governing Council

Type Action

Recommended	The recommendation is that the Board of Education appoints a Board Representative and
Action	Alternate to Mission Valley Regional Occupational Program Governing Council.

Purpose:

To nominate and appoint a representative and alternate to the Mission Valley Regional Occupational Program (MVROP) Governing Council.

Background:

Board Bylaw 9140: The Governing Board recognizes that effective performance of its community leadership responsibilities may require its participation in district or community committees on matters of concern to the district and its students. As needed, the Board may appoint any of its members to serve as its representative on a district committee or on a committee of another public agency or organization of which the Board or district is a member or to which the Board is invited to participate. The Education Code requires a Regional Occupational Center/Program Exhibit to be governed by a board of trustees as established by the Joint Powers Agreement. The Mission Valley ROC/P board of trustees is composed of one member of the Board of Education from Fremont, Newark, and New Haven unified school districts. Each year at this time a representative from the Board is selected to be the District's representative to the ROC/P Executive Board. Meetings are held on the third Thursday of the month at 3:30 pm.

- Thursday, January 19, 2023
- Thursday, February 9, 2023
- Thursday, March 9, 2023
- Thursday, April 20, 2023
- Thursday, May 11, 2023
- Thursday, June 8, 2023
- Thursday, June 15, 2023
- Thursday, September 7, 2023
- Thursday, October 12, 2023
- Thursday, November 9, 2023
- Thursday, December 7, 2023

Motion & Voting

The recommendation is that the Board of Education appoints a Board Representative and Alternate to Mission Valley Regional Occupational Program Governing Council.

Motion: Nguyen

Second: Jones

Unanimous: 5 Yea

Appointment of a Board Representative to Regional Policy Board of Special Education Local Plan Area (SELPA)

Type Action
Recommended The recommendation is that the Board of Education appoint the Board Representative and
Action Alternate to the Regional Policy Board of Special Education Local Plan Area (SELPA).

Purpose:
 To appoint a representative and alternate to the Mission Valley SELPA to continue until the end of this current school year.

Background:
 Board Bylaw 9140: The Governing Board recognizes that effective performance of its community leadership responsibilities may require its participation in district or community committees on matters of concern to the district and its students. As needed, the Board may appoint any of its members to serve as its representative on a district committee or on a committee of another public agency or organization of which the Board or district is a member or to which the Board is invited to participate.
 In 1977, all school districts and county school offices were mandated to form consortiums in geographical regions of sufficient size and scope to provide for all special education service needs of children residing within the region's boundaries. Each region, Special Education Local Plan Area (SELPA), developed a local plan describing how it would provide special education services.
 SELPAs are dedicated to the belief that all students can learn and that special needs students must be guaranteed equal opportunity to become contributing members of society. SELPAs facilitate high-quality educational programs and services for special needs students and training for parents and educators. The SELPA collaborates with county agencies and school districts to develop and maintain healthy and enriching environments in which special needs students and families can live and succeed.
 The Mission Valley SELPA consists of three school districts: New Haven Unified, Newark, and Fremont Unified School Districts. The SELPA was formed for the purpose of ensuring that quality special education programs and services are available to students living throughout the area. All three school districts coordinate to provide services to identified students who require special education programs and services. The special education directors within each of the districts meet regularly to share resources and coordinate as related to shared program goals. The 2022-23 Mission Valley SELPA Regional Policy Board Meeting dates are:
 September 27, 2022, 3:30-5:30 PM
 November 15, 2022, 3:30-5:30 PM
 March 14, 2023, 3:30-5:30 PM
 June 13, 2023, 3:30-5:30 PM
 It is recommended that the Board appoint a representative and an alternate to the SELPA.

Motion & Voting
 The recommendation is that the Board of Education appoint the Board Representative and Alternate to the Regional Policy Board of Special Education Local Plan Area (SELPA).
Motion: Zhang
Second: Torres
Unanimous: 5 Yea

Appointment of a Board Representative to Newark Teacher Induction Advisory Council

Type Action
Recommended The recommendation is that the Board of Education re-appoint the current Board
Action Representative and Alternate to the Newark Teachers Induction Advisory Council.

Purpose:
 To review and re-appoint a representative and alternate to the Newark Teachers Induction Advisory Council until the end of the current school year.

Background:
 Board Bylaw 9140: The Governing Board recognizes that effective performance of its community leadership responsibilities may require its participation in district or community committees on matters of concern to the district and its students. As needed, the Board may appoint any of its members to serve as its representative on a district committee or on a committee of another public agency or organization of which the Board or district is a member or to which the Board is invited to participate.
 The California Teacher Induction Program (CTIP) formerly known as Beginning Teacher Support and Assessment Induction (BTSA Induction) is a program co-sponsored by the California Department of Education (CDE) and California Commission on Teacher Credentialing (CCTC) designed to support the professional development of newly-credentialed teachers and fulfill the requirements for the California professional clear Multiple/ Single-subject and/or Education Specialist credentials. Senate Bill 2042 identified it as the only pathway to a clear credential. While the name changed in 2014, the intent and purpose remain the same:
Teacher Induction Program Goals:
 Provide an effective transition into the teaching career.
 Improve the educational performance of students through improved training, information, and assistance of new teachers.
 Enable candidates to be effective in teaching students who are culturally, linguistically, and academically diverse.
 Ensure the professional success and retention of new teachers.
 Ensure that a mentor provides individualized & job-embedded support and professional learning guidance.
 Ensure that an Individualized Learning Plan is developed by each candidate and is based on ongoing self-assessment on the California Standards for the Teaching Profession / Continuum of Practice.
 Ensure continuous program improvement through an ongoing process of inquiry.
 Newark Teacher Induction is a commission-approved Induction program. It is approved to support general and special education teachers who need to clear preliminary and/or Level I credentials.
 A Program Director provides day-to-day coordination within the local school districts and is responsible for implementing and coordinating local support, and ensuring program accountability and quality. An Advisory Council provides support and recommendations to the Program Director in matters of program implementation and evaluation. The Advisory Council consists of mentors, administrators, and board members from all the partner districts and/or schools. The Program Director serves as the program manager and executive officer of the Advisory Council.

Meetings are quarterly and usually held on a Friday morning, however, the council will come to an agreement on a time that works best for all.

The Assistant Superintendent of Educational Services and/or Superintendent also attend the Newark Teacher Induction Council meetings.

Motion & Voting

The recommendation is that the Board of Education re-appoint the current Board Representative and Alternate to the Newark Teachers Induction Advisory Council.

Motion: Zhang

Second: Hill

Unanimous: 5 Yea

Public Comment on Non-Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.

<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

Appointment of a Board Representative to Bond/Parcel Tax Committee

Type Action

Recommended The recommendation is that the Board of Education re-appoint the current two Board
Action representatives and alternate to the Bond/Parcel Tax Committee.

Purpose:

To review and re-appoint the two representatives and alternative to the Bond/Parcel Tax Committee until the end of the current school year.

Background:

Board Bylaw 9140: The Governing Board recognizes that effective performance of its community leadership responsibilities may require its participation in district or community committees on matters of concern to the district and its students. As needed, the Board may appoint any of its members to serve as its representative on a district committee or on a committee of another public agency or organization of which the Board or district is a member or to which the Board is invited to participate.

The purpose of the Bond/Parcel Tax Committee is to discuss ideas and implement actions that may assist in the procurement of a Bond or Parcel Tax to aid NUSD.

It is recommended that the Board will re-appoint the current two representatives and alternate to the Bond/Parcel Tax Committee.

Motion & Voting

The recommendation is that the Board of Education re-appoint the current two Board representatives and alternate to the Bond/Parcel Tax Committee.

Motion: Zhang

Second: Nguyen

Unanimous: 5 Yea

Appointment of a Board Representative to Audit Committee

Type Action

Recommended The recommendation is that the Board of Education appoint two Board representatives and an
Action alternate to Audit Committee.

Purpose:

To conduct the appointment of two representatives and one alternate to the Audit Committee.

Background:

Board Bylaw 9140: The Governing Board recognizes that effective performance of its community leadership responsibilities may require its participation in district or community committees on matters of concern to the district and its students. As needed, the Board may appoint any of its members to serve as its representative on a district committee or on a committee of another public agency or organization of which the Board or district is a member or to which the Board is invited to participate.

Pursuant to Board Policy 3460, the NUSD Board of Education has appointed the audit committee to serve in an advisory capacity and:

a. Make recommendations regarding the selection of the external independent auditor in accordance with Education Code 41020 and 41020.5

b. Review the plan for the audit process with the independent auditor to determine the adequacy of the nature, scope, and timetable of the audit

c. Review the results of the audit and participate with the independent auditor and management in preparing final recommendations and responses.

d. Review Board policies and administrative regulations to recommend any revisions needed to ensure effective financial reporting

e. Periodically report to the Board regarding the status of previous audit recommendations for improving the accounting and internal control systems

This committee meets, at a minimum, once per year in January. It is recommended that the Board will appoint two representatives to the Audit Committee.

Motion & Voting

The recommendation is that the Board of Education appoints two Board representatives and an alternate to Audit Committee.

Motion: Hill
Second: Thomas
Unanimous: 5 Yea

Appointment of a Board Representative to the City of Newark - NUSD Liaison Committee

Type Action
Recommended Action The recommendation is that the Board of Education appoints two Board representatives and an alternate to the City of Newark - NUSD Liaison Committee.

Purpose:
To nominate and appoint two representatives and an alternative to the City of Newark - NUSD Liaison Committee

Background:
Board Bylaw 9140: The Governing Board recognizes that effective performance of its community leadership responsibilities may require its participation in district or community committees on matters of concern to the district and its students. As needed, the Board may appoint any of its members to serve as its representative on a district committee or on a committee of another public agency or organization of which the Board or district is a member or to which the Board is invited to participate. This committee meets four times per year with two representatives from the Newark City Council and two members from the NUSD Board of Education to update and inform both bodies of news from each agency. The committee meets quarterly on the third Monday of the month. The next meeting will be on the fourth Monday in January due to a holiday on the third Monday. The Board will appoint two representatives, and an alternative to the City Liaison Committee.

Motion & Voting

The recommendation is that the Board of Education appoints two Board representatives and an alternate to the City of Newark - NUSD Liaison Committee.

Motion: Thomas
Second: Nguyen
Unanimous: 5 Yea

10 PUBLIC COMMENT ON AGENDA ITEMS

Public Comment on Agenda Items

Type Procedural

Purpose:
The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:
Please see the instructions on the link below for public comment information on non-agenda items and agenda items.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

11 CONSENT AGENDA: PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type Action
Recommended Action It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent-Personnel, except for agenda items:

Purpose:
This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:
Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Personnel Report

Type Action
Absolute Date Dec 15, 2022
Recommended Action The recommendation is that the Board of Education ratify the personnel report as presented.

Purpose:

The purpose is for the Board of Education to ratify the Personnel Report as presented.

Background:

All personnel activities including new hires, changes in status, resignation, leaves, and retirements are routinely submitted to the Board for ratification.

File Attachments

HR PAL 12-15-2022.pdf (148 KB)

Motion & Voting

The recommendation is that the Board of Education ratifies the personnel report as presented.

Motion: Zhang

Second: Jones

Unanimous: 5 Yea

12 CONSENT AGENDA: NON-PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type Action

Recommended Action It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent Non-Personnel, except for agenda items:

Purpose:

This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:

Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Motion & Voting

It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent Non-Personnel, except for agenda items: 12.5, 12.6, 12.7, 12.8-12.14.

Motion: Zhang

Second: Hill

Unanimous: 5 Yea

CONTRACT: ProCare Therapy for Special Education Services

Type Action

Absolute Date Dec 15, 2022
Fiscal Impact Yes
Dollar Amount \$64,020.00
Budgeted No
Budget Source Resource 6500 - Special Education and General Fund Contribution
Recommended Action The recommendation is that the Board of Education approves the contract with ProCare Therapy.

Purpose:

To ratify the contract with ProCare Therapy for Special Education aides in the amount of \$64,020.00

Background:

The District contracts with staffing agencies when necessary to provide related services to students with Individual Education Programs (IEPs). ProCare Therapy will provide personnel to support related services to Students With Disabilities (SWDs) needed for unfilled positions for the 2022-2023 school year. The cost will be offset by the unfilled positions budget.

File Attachments

ProCare Therapy Contract 22-23.pdf (350 KB)

Motion & Voting

CONTRACT: Addendum to the Contract with UpFront Interpreting for Special Education Services

Type Action

Absolute Date Dec 15, 2022
Fiscal Impact Yes
Dollar Amount \$65,883.00
Budgeted No
Budget Source Resource 6500 - Special Education and General Fund Contribution
Recommended Action The recommendation is that the Board of Education approve the Addendum to the Contract with UpFront Interpreting.

Purpose:

To ratify the addendum to the contract with UpFront Interpreting for an American Sign Language (ASL) Aide in the amount of \$65,883.00.

Background:

The original contract was approved by all parties on 9/8/2022 for the period of 9/12/2022 - 12-12/2022. This Addendum is to extend the terms of the contract through the end of the 2022-23 school year and add the additional cost for the extension of terms to the purchase order. In order to meet the communication needs of this student in particular, it was determined by the Individualized Educational Program team that this need extends for the remainder of the year.

File Attachments

[UpFront Interpreting Contract 22-23 Fully Executed.pdf](#) (699 KB)

[UpFront Interpreting Addendum 1 22-23.docx.pdf](#) (39 KB)

Motion & Voting

CONTRACT: Addendum to the Contract with Ed Sped Solutions, Inc.

Type	Action
Absolute Date	Dec 15, 2022
Fiscal Impact	Yes
Dollar Amount	\$20,000.00
Budgeted	No
Budget Source	Resource 6500 - Special Education and General Fund Contribution
Recommended	The recommendation is that the Board of Education approves the Addendum to the Contract
Action	with Ed Sped Solutions, Inc.

Purpose:

To ratify the addendum to the contract with Ed Sped Solutions in the amount of \$20,000.00

Background:

The addendum to this contract is to include home instruction within the EdSped Clinic. This is a temporary need in order to provide a student with disabilities access to their education per their Individual Education Plan (IEP) in order to meet the students unique needs which currently can't be served in the general education setting.

File Attachments

[Ed Sped Addendum2 12.5.2022.pdf](#) (163 KB)

Motion & Voting

CONTRACT: MOU Extension with Beacon Consulting Group - Energy & Water Efficiency Work

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$66,000.00
Budgeted	Yes
Budget Source	Fund 10 General Fund and Fund 40 Special Reserve for Capital Outlay
Recommended	The recommendation is that the Board of Education approves an extension of the MOU with
Action	Beacon Consulting Group (BCG) for an additional five (5) years.

Purpose:

The purpose is to approve an extension of the MOU (Memorandum of Understanding) with Beacon Consulting Group (BCG) for an additional five years (through June 30, 2027) to continue providing energy and water efficiency work, Prop 39 final reporting services, acquisition of grants, and, as requested, infrastructure work.

Background:

The extension includes the following services:

1. Continue working with Bay Area Air Quality Management District (BAAQMD) with existing grants for electric vehicles and future grants that become available; PG&E rebates and electric vehicle charging stations.
2. Provide assistance on future cost savings grant opportunities.

Beacon Consulting Group has provided energy and water efficiency services to NUSD since 2013. They have been instrumental in securing \$1.4 million in Prop 39 funds for energy and water efficiency work. They are currently working with BAAQMD and PG&E to provide the district with cost savings to purchase electric vehicles, and cost savings for the construction of a charging station infrastructure at the Maintenance, Operations and Transportation (MOT) yard.

The financial effect of BCG's work is to decrease operating cost by using grants and other public funding to improve the energy and water efficiency of the District's operations. BCG is paid by receiving a percentage of district cost savings and on an hourly rate for grant management such as time spent to apply for grants, working with grant organizations on the implementation of the programs being supported.

File Attachments

[Beacon Consulting Group \(LEEP\)_Extension 2_2022-2027.pdf](#) (29 KB)

Motion & Voting

The recommendation is that the Board of Education approves an extension of the MOU with Beacon Consulting Group (BCG) for an additional five (5) years.

Motion: Nguyen

Second: Zhang
 Unanimous: 5 Yea

CONTRACT: Bid Award Electric Vehicle Charging Stations Project

Type Action
 Fiscal Impact Yes
 Dollar Amount \$52,500.00
 Budget Source Bay Area Air Quality Management District Grant and Fund 40 Special Reserve for Capital
 Outlay
 Recommended Action The recommendation is that the Board of Education award the contract to Pappas Energy Inc. for the Electric Vehicle Charging Stations Project.

Purpose:
 To award a contract for the Electric Vehicle Charging Stations Project to Pappas Energy Inc. as part of the grant requirements from the Bay Area Air Quality Management District (BAAQMD).

Background:
 The scope of work for this project includes the installation of five (5) electric vehicle charging stations at the district MOT yard, which includes the concrete pad, and wiring from the electrical panel to the EV chargers. Two of the charging stations will be operational immediately to use for the district's electric buses. The other three will be activated as new electric vehicles are added. This project does not require DSA approval. The estimated cost was about \$50K. The cost of the recommended bid award is \$52,500.

On June 17, 2021, the Board of Trustees approved the PG&E Electric Vehicle Fleet Electrification Program Grant for Electric Vehicle Charging Station Infrastructure. This project began on June 19, 2019, when the Board approved Resolution 2139, confirming its interest in applying for funding to replace its five school buses with zero-emissions buses and related charging infrastructure.

The BAAQMD grant approved in December 2020 provides \$75,770 towards this project and qualified NUSD for PG&E's Electric Vehicle Fleet Electrification program. PG&E has designed the infrastructure, at their cost, and has installed a new electric meter that has the capacity to handle the additional load, in preparation for installing the charging stations.

The Electric Vehicle Charging Stations Project went through a bidding process under the California Uniform Public Construction Cost Accounting Act (CUPCCAA).

E Design C provided the drawings and scope of work for the project. All potential bidders were provided with the drawings and given an opportunity to speak with the design engineer.

Three (3) bids were received for the Electric Vehicle Charging Stations Project.

Bidder	Proposal Date	Bid Walk Date	Proposal
Smith & Sons	8/3/22	7/21/22	\$131,000
Pappas Energy	8/15/22	7/14/22	\$52,500
Electrical Express	8/23/22	7/15/22	\$197,600

File Attachments
[Pappas Energy_Bid Proposal-EV Charging Stations.pdf](#) (663 KB)

Motion & Voting
 The recommendation is that the Board of Education award the contract to Pappas Energy Inc. for the Electric Vehicle Charging Stations Project.
 Motion: Thomas
 Second: Zhang
 Unanimous: 5 Yea

RESOLUTION 2022.23.15 Combined Annual Accounting of Developer Fees for 2021-2022 and Five Year Report

Type Action
 Recommended Action The recommendation is that the Board of Education approves Resolution 2022.23.15 Combined Annual Accounting of Developer Fees (Fund 25) for 2021-2022 and the Five Year Report.

Purpose:
 The purpose of this item is to seek Board approval of Resolution 2022.23.15 Combined Annual Accounting of Developer Fees (Fund 25 Capital Facilities Fund) for 2021-2022 and the Five Year Report.

Background:
 Districts that maintain a developer fee fund are required to prepare an annual accounting of that fund. The Board of Education enacted developer fees to provide for the reconstruction and/or modernization of existing facilities. Under Government Code Section 66006(b), each school district that imposes developer fees is required to annually review the income and the amount of expenditures from developer fees. The report must be publicly available 15 days prior to Board action to adopt a resolution affirming the reported information and making necessary findings.

Three fee schedules were used when collecting developer fees for FY 2021-22 (July 1, 2021, through June 30, 2022): residential development, commercial & industrial devolvment, and mini-storage development.

Board Approved	Fees in Effect	Residential	Commercial	Mini-Storage
August 6, 2020	10/5/20 - 6/5/22	4.08	0.66	0.08
April 7, 2022	6/6/22 - present	4.79	0.78	0.07

The total amount in Fund 25, Capital Facilities Fund was \$16,827,210.06 as of June 30, 2022.

Government Code 66001 requires that school districts make an additional finding every five (5) years for any fund in which those fees remained unexpended at the end of the fiscal year. Many school districts issue a Five Year Report annually. This report

covers fiscal years 2017-2022.

File Attachments

- [Res 2022.23.15 Combined Annual Acct of Dev Fees 21-22 & 5 Yr Report.pdf](#) (189 KB)
- [Developer Fee Public Notice_Posted 11-30-22_eng and sp.pdf](#) (74 KB)

Motion & Voting

The recommendation is that the Board of Education approves Resolution 2022.23.15 Combined Annual Accounting of Developer Fees (Fund 25) for 2021-2022 and the Five Year Report.

Motion: Zhang
Second: Jones
Unanimous: 5 Yea

POLICY UPDATE: Board Policy 3541.2 and Administrative Regulation 3541.2 - Transportation For Students With Disabilities

Type Action, Procedural
Recommended The recommendation is that the Board of Education approves the updated Board Policy
Action 3541.2 and rescinds Administrative Regulation 3541.2 Transportation For Students With Disabilities

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and rescind the administrative regulation.

Background:
This is the first reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a second reading.

Board Policy 3541.2 Transportation for Students with Disabilities:

The NUSD board policy has not been revised since 2007. The language has been replaced to match the sample board policy provided by the California School Board Association.

Administrative Regulation 3541.2 Transportation for Students with Disabilities:

The language in this policy is incorporated into the board policy and the administrative regulation has been rescinded by CSBA. BP/AR 3541.2 - Transportation for Students with Disabilities (5/16) (BP revised; AR deleted)

Policy updated to clarify the policy's applicability to students receiving services pursuant to Section 504 of the federal Rehabilitation Act of 1973, add sample criteria for individualized education program (IEP) teams to use when determining a student's transportation needs, and add material re: the provision of information to IEP teams. Regulation deleted and material moved to BP re: provision of alternative transportation when a student is excluded from school bus transportation for a disciplinary or other reason, assurance that a contract with a nonpublic, nonsectarian school or agency addresses transportation as necessary, and transportation of service animals.

File Attachments

- [Existing NUSD BP 3541.2 Transportation For Students With Disabilities 12-15-2022.pdf](#) (107 KB)
- [Existing NUSD AR 3541.2 Transportation For Students With Disabilities 12-15-2022.pdf](#) (114 KB)
- [Recommended CSBA BP 3541.2 Transportation For Students With Disabilities 12-15-2022.pdf](#) (202 KB)

POLICY UPDATE: Board Policy 4112 and Administrative Regulation 4112/4212 - Appointment and Conditions of Employment

Type Action, Procedural
Recommended The recommendation is that the Board of Education rescinds Board Policy 4212 - Appointment
Action and Conditions of Employment and approves the updated Administrative Regulation 4112/4212 - Appointment and Conditions of Employment.

Purpose:
The purpose is for the Board of Education to rescind Board Policy 4212 - Appointment and Conditions of Employment and approve the updated Administrative Regulation 4112/4212 - Appointment and Conditions of Employment.

Background:
This is the first reading of the attached policy and regulations. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the regulations will be brought back to the Board of Education for a second reading.

The 4000 section of the policy manual is further divided into employee classifications to allow for variations in language, if needed, according to Ed Code and/or the Collective Bargaining Agreement:

- 4000s All employees
- 4100s Certificated employees
- 4200s Classified employees
- 4300s Management, supervisory, and confidential employees

In this case, the language between Administrative Regulation 4112 and Administrative Regulation 4212 varies to reflect the legal conditions specific to the appointment of certificated employees and classified employees.

Board Policy 4212:

The language formerly in this policy is now incorporated into the administrative regulation and the policy was rescinded per the California School Board Association.

Administrative Regulation 4112:

The regulation has not been revised by the district since the Board adopted it on 11/30/2015.

The language has been replaced

to match the sample board regulations provided by the California School Board Association.

Administrative Regulation 4212:

Regulation has not been revised by the district since the Board adopted it on 05/21/1996.

The language has been replaced to

match the sample board regulations provided by the California School Board Association.

File Attachments

[Existing NUSD BP 4212 Appointment And Conditions Of Employment 12-15-2022.pdf](#) (88 KB)

[Existing NUSD AR 4112 Appointment & Conditions of Employment 12-15-2022.pdf](#) (141 KB)

[Existing NUSD AR 4212 Appointment & Conditions of Employment 12-15-2022.pdf](#) (107 KB)

[Recommended CSBA AR 4112 Appointment & Conditions of Employment 12-15-2022.pdf](#) (215 KB)

[Recommended CSBA AR 4212 Appointment & Conditions of Employment 12-15-2022.pdf](#) (207 KB)

POLICY UPDATE: Board Policy and Administrative Regulation 4219.11/4319.11 - Sexual Harassment

Type Action, Procedural

Recommended The recommendation is that the Board of Education approves the updated Board Policy and

Action Administrative Regulation 4219.11/4319.11 - Sexual Harassment.

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated Board Policy and Administrative Regulation 4219.11/4319.11 - Sexual Harassment.

Background:

This is the first reading of the attached policy and regulation. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy and/or regulation will be brought back to the Board of Education for a second reading.

The 4000 section of the policy manual is further divided into employee classifications to allow for variations in language, if needed, according to Ed Code and/or the Collective Bargaining Agreement:

4000s All employees

4100s Certificated employees

4200s Classified employees

4300s Management, supervisory, and confidential employees

The district revised Board Policy and Administrative Regulation 4119.11 - Sexual Harassment on February 4, 2021. Board Policy and Administrative Regulation 4219.11 and 4319.11 should have been updated and taken to the Board at the same time, as the language in all three policies and regulations is exactly the same.

Policy updated to clarify that, in some instances, it may be necessary to concurrently review a sexual harassment complaint under both the Title IX sexual harassment complaint procedures and the district's procedure reflecting state law, as described in AR 4030 - Nondiscrimination in Employment, in order to meet the applicable timelines. Policy also adds the requirement to provide supportive measures to the respondent as well as the complainant.

Regulation updated to add section on "Definitions," including the federal definition of sexual harassment for purposes of applying the Title IX complaint procedures. Section identifying the Title IX Coordinator(s) moved and revised to reference CSBA's AR 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures. Section on "Notifications" adds federal requirement to disseminate the district's sexual harassment policy and procedures, along with the name and contact information of the Title IX Coordinator, by posting them in a prominent location on the district's web site and including them in any handbook provided to employees or employee organizations. New section on "Complaint Procedures" references the applicable procedures and the responsibility of the district to take prompt action to stop the sexual harassment, prevent recurrence, and address any continuing effects.

File Attachments

[Existing NUSD BP 4219.11 Sexual Harassment 12-15-2022.pdf](#) (131 KB)

[Existing NUSD BP 4319.11 Sexual Harassment 12-15-2022.pdf](#) (133 KB)

[Existing NUSD AR 4219.11 Sexual Harassment 12-15-2022.pdf](#) (143 KB)

[Existing NUSD AR 4319.11 Sexual Harassment 12-15-2022.pdf](#) (199 KB)

[Recommended CSBA BP 4219.11 Sexual Harassment 12-15-2022.pdf](#) (304 KB)

[Recommended CSBA BP 4319.11 Sexual Harassment 12-15-2022.pdf](#) (348 KB)

[Recommended CSBA AR 4219.11 Sexual Harassment 12-15-2022.pdf](#) (481 KB)

[Recommended CSBA AR 4319.11 Sexual Harassment 12-15-2022.pdf](#) (502 KB)

POLICY UPDATE: Board Policy and Administrative Regulation 5123 - Promotion/Acceleration/Retention

Type Action, Procedural

Recommended The recommendation is that the Board of Education approves the updated Board Policy and

Action Administrative Regulation 5123 - Promotion/Acceleration/Retention

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation.

Background:

This is the first reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a second reading.

Board Policy 5123 - Promotion/Acceleration/Retention

The NUSD board policy has not been revised since 2007. The language has been replaced to match the sample board policy provided by the California School Board Association. Highlighted language reflects District practice.

Administrative Regulation 5123 - Promotion/Acceleration/Retention

The NUSD administrative regulation has not been revised since 2005. The language has been replaced to match the sample board policy provided by the California School Board Association.

(BP revised 7/19)

Policy updated to make minor revisions reflecting current law pertaining to the requirement to provide remedial instruction to students who are recommended for retention or are identified as being at risk for retention.

(BP/AR revised 12/13)

MANDATED policy updated to reflect the mandate that the policy provides for students to be identified for retention as early in the school year, and as early in their school careers, as possible. The policy reflects NEW LAW (AB 484) which establishes a new state assessment system, impacting the indicators that may be used to identify a student for retention. The policy also reflects NEW LAW (AB 97) which redirects into the LCFF funding for supplemental instruction for students in grades 2-9 who have been retained or recommended for retention (without eliminating the district's responsibility to provide supplemental instruction for such students) and for students in grades 2-6 who have been identified as being at risk of retention. The policy contains material formerly in AR re: grade levels at which students will be identified for retention, subjects that will be used as the basis for identifying students for retention, responsibility for retention decisions when the student has more than one teacher, and requirement for an appeals process. MANDATED regulation updated to reflect the California Department of Education (CDE) recommendation re: the timing of approving a student's continuation in kindergarten for an additional year and to clarify the process for parent/guardian appeal of a teacher's decision to promote or retain a student.

(Revise BP 7/05)

Updated MANDATED policy deletes material related to progress toward the high school exit examination which is covered in BP/AR 6162.52 - High School Exit Examination and makes other editorial changes. Note and legal references revised to reflect NEW LAW (AB 825 - categorical reform) establishing the Pupil Retention Block Grant which incorporates the purpose of optional supplemental instruction for students "at risk" of retention.

[File Attachments](#)

[Existing NUSD BP 5123 PromotionAccelerationRetention.pdf](#) (100 KB)

[Existing NUSD AR 5123 PromotionAccelerationRetention.pdf](#) (99 KB)

[Recommended CSBA AR 5123_Promotion_Acceleration_Retention!.pdf](#) (100 KB)

[Recommended CSBA BP 5123_Promotion_Acceleration_Retention.pdf](#) (127 KB)

POLICY UPDATE: Board Policy and Administrative Regulation 6159.3 - Appointment of Surrogate Parent for Special

Type Action, Procedural

Recommended The recommendation is that the Board of Education approves the updated Board Policy and

Action Administrative Regulation 6159.3 Appointment of Surrogate Parent for Special Education

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation.

Background:

This is the first reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a second reading.

This will be the first adoption of this board policy and administrative regulation. The language reflects the sample board policy provided by the California School Board Association.

BP/AR 6159.3: Appointment of Surrogate Parent for Special Education

(BP/AR 6159.3 - Revised 3/05)

MANDATED policy and MANDATED regulation updated to reflect NEW FEDERAL LAW (IDEA Reauthorization), effective July 1, 2005. Material formerly in policy re: qualifications of a surrogate parent moved to regulation. Regulation reorganized and

reflects NEW LAW which (1) requires the appointment of a surrogate for unaccompanied homeless youth and (2) requires districts to make a reasonable effort to appoint a surrogate within 30 days of the determination that a surrogate is needed. The

regulation also contains a new section re: Termination of Appointment.

File Attachments

[Recommended CSBA BP 6159.3 Appointment Of Surrogate Parent For Special Education Students 12-05-2022.pdf](#) (119 KB)

[Recommended CSBA AR 6159.3 Appointment Of Surrogate Parent For Special Education Students 12-05-2022.pdf](#) (188 KB)

POLICY UPDATE: Board Policy 6164.6 and Administrative Regulation 6164.6 - Identification And Education Under Section 504

Type Action, Procedural

Recommended The recommendation is that the Board of Education approves the updated Board Policy and

Action Administrative Regulation 6164.6 Identification And Education Under Section 504

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation.

Background:

This is the first reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a second reading.

The policy and regulation have not been updated by the district since the last revised date in 2014. Since then, CSBA has made the revisions listed below.

Board Policy and Administrative Regulation 6164.6 Identification And Education Under Section 504 (BP/AR revised 12/16)

Policy updated to add requirements to address the needs of students with disabilities in the district's local control and accountability plan. Regulation updated to reflect NEW FEDERAL REGULATIONS (81 Fed. Reg. 53203) which primarily revise definitions used in the Americans with Disabilities Act.

File Attachments

- [Existing NUSD BP 6164.6 Identification And Education Under Section 504 12-15-2022.pdf](#) (110 KB)
- [Existing NUSD AR 6164.6 Identification And Education Under Section 504 12-15-2022.pdf](#) (128 KB)
- [Recommended CSBA BP 6164.6 Identification And Education Under Section 504 12-15-2022.pdf](#) (165 KB)
- [Recommended CSBA AR 6164.6 Identification And Education Under Section 504 12-15-2022.pdf](#) (291 KB)

POLICY UPDATE: Board Policy 6183 - Home and Hospital Instruction

Type	Action, Procedural
Recommended	The recommendation is that the Board of Education approves the updated Administrative
Action	Regulation 6183 Home and Hospital Instruction and rescind Board Policy 6183 Home and Hospital Instruction

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated Administrative Regulation 6183 Home and Hospital Instruction and rescind Board Policy 6183 Home and Hospital Instruction.

Background:
This is the first reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a second reading.

Board Policy 6183 Home and Hospital Instruction:

The language in this policy is incorporated into the administrative regulation and the policy was rescinded by CSBA. (AR revised)

Regulation reorganized and updated to reflect NEW LAW (AB 2109) which expands the parental notification to include information regarding student eligibility for individual instruction and the duration of such instruction, requires that individual instruction in a student's home begin within five days of determining a student's eligibility, provides that students receiving individual instruction in a hospital for a partial week are eligible to attend school on days that they are not at the hospital, and provides that the absences of a temporarily disabled student must be excused until the student is able to return to the regular school program.

File Attachments

- [Existing NUSD BP 6183 Home And Hospital Instruction 12-05-2022.pdf](#) (119 KB)
- [Recommended CSBA AR 6183 Home And Hospital Instruction 12-05-2022.pdf](#) (158 KB)

REPORT: Donations Report

Type	Action
Recommended	The recommendation is that the Board of Education accepts the Donations Report as
Action	presented.

Purpose:
The purpose is to acknowledge the receipt of donations to the District.

Background:
Throughout the year community members, groups, parents and other individuals make monetary and in-kind (supplies and equipment) donations to NUSD. The exact nature of the source of the donation is submitted to the Business Office on a standard form. It is critical that any restrictions on the funding be indicated and the budget developed based on the donor restrictions. If there is no indication of the school or use of the funding, any proceeds or cash donations received are placed in the NUSD local revenue in the unrestricted general fund. It is recommended that the donations be processed through the Business Office and ultimately approved by the Board so that the funding can be publicly acknowledged and budgeted properly according to donor restrictions. There is acknowledged and budgeted properly according to donor restrictions. There is acknowledgment at the public Board meeting and a letter of thanks is sent to the donor by the Business Office for NUSD.

File Attachments

- [Summary of Donations_12-15-2022.pdf](#) (18 KB)

Motion & Voting

The recommendation is that the Board of Education accepts the Donations Report as presented.

Motion: Zhang

Second: Hill

Unanimous: 5 Yea

Motion by Bowen Zhang, second by Aiden Hill.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Aiden Hill, Bowen Zhang, Diego Torres, Katherine Jones, Nancy Thomas

REPORT: Warrant Report for November 2022

Type Action

Recommended The recommendation is that the Board of Education approves the Warrant Report as
Action presented.

Purpose:

The purpose of this item is to present warrants, for the total amount of \$2,504,064.68, made from District funds for November 2022.

Background:

The warrant registers represent a complete listing of all payments made from District funds for a month. Because Newark Unified School District is a fiscally dependent District, each warrant must pass through two separate audits; first by the District's Fiscal Services department, and second by the County Office of Education. No warrant can be paid until such time as it is examined and approved by the County Office of Education.

File Attachments

Warrant Report November 2022.pdf (397 KB)

Motion & Voting

The recommendation is that the Board of Education approves the Warrant Report as presented.

Motion: Zhang

Second: Hill

Unanimous: 5 Yea

Motion by Bowen Zhang, second by Aiden Hill.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Aiden Hill, Bowen Zhang, Diego Torres, Katherine Jones, Nancy Thomas

MINUTES: Minutes of the December 5, 2022, Regular Meeting of the Board of Education

Type Action, Minutes

Recommended The recommendation is that the Board of Education approves the minutes of the December 5,
Action 2022, Regular Meeting of the Board of Education.
Minutes View Minutes for Dec 5, 2022 - Regular Meeting of the Board of Education

Purpose:

For the board to review and approve the minutes of the December 5, 2022, Regular Meeting of the Board of Education

Background:

The attached minutes are reflective of the December 5, 2022, Regular Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel HERE

Motion & Voting

The recommendation is that the Board of Education approves the minutes of the December 5, 2022, Regular Meeting of the Board of Education.

Motion: Zhang

Second: Hill

Unanimous: 5 Yea

Motion by Bowen Zhang, second by Aiden Hill.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Aiden Hill, Bowen Zhang, Diego Torres, Katherine Jones, Nancy Thomas

13 SUPERINTENDENT REPORT

Superintendent Report

Type Information

Purpose:

The superintendent will provide the Board of Education with district information, updates, news, or anything in the jurisdiction of the board or the superintendent.

Background:

The presentation and information will be provided by the Superintendent

14 STAFF REPORT

EL Master Plan Revision Announcement

Type Information

Purpose:

The purpose is to inform the Board of Trustees and the public about our intent to revise our District's English Learner Master Plan, which was last updated in 2019.

Background:

The primary purpose of the English Learner Master Plan is:

To provide the district and the schools with a clear statement of policies related to the development, implementation, and evaluation of English learner programs and services.

To provide specific procedural guidelines for the identification, assessment, and placement of students; reclassification of students; notification and involvement of parents; the formation and functioning of the District English Learner Advisory Committee and site English Learner Advisory Committees; the annual evaluation of English learner programs; and the use of state and federal funds for EL programs and services.

To align policies and procedures with current state and federal mandates.

To provide resources for deeper learning about best instructional practices to support the growth and progress of English Learners.

The Newark Unified School District EL Master Plan will be updated in collaboration with teachers, staff, parents, district leaders, county EL coordinators, non-profit experts, and students.

File Attachments

[22-23 English Learner Master Plan Revision - Community Engagement Slides .pdf](#) (887 KB)

15 STUDENT EXPULSION

Expulsion Stipulation for Case #e2223-02

Type Action

Recommended Action The recommendation is that the Board of Education approves the expulsion stipulation for case number e2223-02.

Purpose:

For the Board to take action on the stipulation expulsion agreement.

Background:

The process was followed in accordance with Board Policy and Administrative Regulation 5144.1 and, if applicable, 5144.2 for students with disabilities. The administration asks for approval of the recommendation for Case# e2223-02. (Ed Code. 48918).

Motion & Voting

The recommendation is that the Board of Education approves the expulsion stipulation for case number e2223-02.

Motion: Zhang

Second: Jones

Yea: 4

Nay: 0

Abstain: 1 - Thomas

Termination Student Expulsion Case# e2122-02

Type Action

Recommended Action The recommendation is that the Board of Education terminate the student expulsion as it relates to the expulsion case e2122-02.

Purpose:

For the Board to take action on expulsion case e2122-02.

Background:

California Education Code Section 48916 requires that "an expulsion order shall remain in effect until the governing board orders a readmission of the pupil."

Motion & Voting

The recommendation is that the Board of Education terminate the student expulsion as it relates to the expulsion case e2122-02.

Motion: Zhang

Second: Hill

Yea: 4

Nay: 0

Abstain: 1 - Thomas

Continue Suspended Enforcement of Student Expulsion Case# e2122-14

Type Action
Recommended Action The recommendation is that the Board of Education continue the suspended enforcement of expulsion as it relates to the expulsion case e2122-14.

Purpose:
For the Board to take action on expulsion case e2122-14.

Background:
California Education Code Section 48916 requires that "an expulsion order shall remain in effect until the governing board orders a readmission of the pupil."

Motion & Voting
The recommendation is that the Board of Education continue the suspended enforcement of expulsion as it relates to the expulsion case e2122-14.
Motion: Zhang
Second: Hill
Yea: 4
Nay: 0
Abstain: 1 - Thomas

Continue Suspended Enforcement of Student Expulsion Case# e2122-18

Type Action
Recommended Action The recommendation is that the Board of Education continue the suspended enforcement of expulsion as it relates to the expulsion case e2122-18.

Purpose:
For the Board to take action on expulsion case e2122-18.

Background:
California Education Code Section 48916 requires that "an expulsion order shall remain in effect until the governing board orders a readmission of the pupil."

Motion & Voting
The recommendation is that the Board of Education continue the suspended enforcement of expulsion as it relates to the expulsion case e2122-18.
Motion: Zhang
Second: Hill
Yea: 4
Nay: 0
Abstain: 1 - Thomas
Motion by Phuong Nguyen, second by Phuong Nguyen.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Bowen Zhang
Abstain: Diego Torres

Termination Suspended Enforcement of Student Expulsion Case# e2122-19

Type Action
Recommended Action The recommendation is that the Board of Education terminate the suspended enforcement of student expulsion as it relates to the expulsion case e2122-19.

Purpose:
For the Board to take action on expulsion case e2122-19.

Background:
California Education Code Section 48916 requires that "an expulsion order shall remain in effect until the governing board orders a readmission of the pupil."

Motion & Voting
The recommendation is that the Board of Education terminate the suspended enforcement of student expulsion as it relates to the expulsion case e2122-19.
Motion: Zhang
Second: Nguyen
Yea: 4
Nay: 0
Abstain: 1 - Thomas

Termination Suspended Enforcement of Student Expulsion Case# e2122-20.

Type Action

Recommended Action The recommendation is that the Board of Education terminate the suspended enforcement of student expulsion as it relates to the expulsion case e2122-20.

Purpose: For the Board to take action on expulsion case e2122-20.

Background: California Education Code Section 48916 requires that "an expulsion order shall remain in effect until the governing board orders a readmission of the pupil."

Motion & Voting The recommendation is that the Board of Education terminate the suspended enforcement of student expulsion as it relates to the expulsion case e2122-20. Motion: Zhang Second: Hill Yea: 4 Nay: 0 Abstain: 1 - Thomas

16 NEW BUSINESS

MOU: Association of California School Administrators (ACSA) Membership for the Executive Director of Human Resources

Type Action Dollar Amount \$1,703.00 Budget Source Fund 10 General Fund Recommended Action The recommendation is that the Board of Education approves the MOU with NEWMA regarding the Association of California School Administrators (ACSA) Membership fee for the Executive Director of Human Resources.

Purpose: For the Board to approve the MOU with NEWMA regarding the Association of California School Administrators (ACSA) Membership fee for the Executive Director of Human Resources.

Background: The ACSA membership fee is paid by the district for contracted management employees. As a member of the Executive Cabinet, it is recommended that the district pay the ACSA membership fee for the Executive Director of Human Resources beginning with the 2022-23 school year.

File Attachments MOU with NEWMA ACSA Membership for Exec Director HR.pdf (10 KB)

Motion & Voting The recommendation is that the Board of Education approves the MOU with NEWMA regarding the Association of California School Administrators (ACSA) Membership fee for the Executive Director of Human Resources. Motion: Zhang Second: Jones Unanimous: 5 Yea

2022-23 First Interim Budget Report

Type Action Recommended Action The recommendation is that the Board of Education approves the 2022-23 First Interim Report with Positive Certification.

Purpose: The purpose of the Interim Report is to advise the Board of Education, administrators, the public and other interested agencies of the District's financial condition at periodic intervals during the fiscal year.

Background: At each interim reporting period, the District must make a certification as to its fiscal health for the current and upcoming two years. A POSITIVE certification indicates that the District WILL be able to meet its financial obligations for the current and upcoming two years. A QUALIFIED certification indicates the District MAY NOT be able to meet its financial obligations for the current and upcoming two years. A NEGATIVE certification indicates the District WILL NOT be able to meet its financial obligations in the current or upcoming two years. The First Interim Budget Report is a "snapshot" in time of the District's revenue and expenditure forecasts for the current fiscal year as well as a projection of the two subsequent fiscal years. It is a good time to adjust the budget based upon any known changes. The First Interim Budget Report covers the period of time from July 1 through October 31 each fiscal year. AB 1200 requires all California school districts to submit two interim reports to their County Office of Education. This year, the First Interim Report is due to the Alameda County Office of Education (ACOE) by December 15, 2022.

File Attachments 22-23 1st Interim Full Book.pdf (2,993 KB)

Motion & Voting The recommendation is that the Board of Education approves the 2022-23 First Interim Report with Positive Certification.

Motion: Nguyen
Second: Zhang
Unanimous: 5 Yea

RESOLUTION 2022.23.18 Designating Certain General Funds as Committed Fund Balance for 2022-23

Type Action, Procedural
Recommended The recommendation is that the Board of Education adopts Resolution 2022.23.18
Action Designating Certain General Funds as Committed Fund Balance for 2022-23.

Purpose:
To approve the Committed designations to the Fund Balance as presented in Resolution 2022.23.18 Designating Certain General Funds as Committed Fund Balance for 2022-23.

Background:
As a result of the balance in the Public School System Stabilization Account, the statutory limitation on school district reserves has been triggered for the 2022-23 budget period, pursuant to Education Code (EC) section 42127.01(e). Beginning with the 2022-23 fiscal year, the district reserve cap requires that a school district's adopted or revised budget shall not contain a combined assigned or unassigned ending general fund balance of more than 10 percent of those funds. Assigned and unassigned balances within Fund 17 Special Reserve Fund for Emergency Purposes are included within the 10% reserve cap. Components of the fund balance designated as committed funds are not included in the 10% reserve cap. On September 15, 2022, the Board adopted Resolution 2022.23.07 designating \$11,935,656 in general funds as Committed to Fund Balance. Included in the Committed Fund Balance designations was the LCAP carryover in the amount of \$857,780. This carryover has been transferred from the Fund Balance to the LCAP operating budget expenditures. Consequently, the Committed Fund Balance designations have been updated. The revised total Committed Fund Balance is \$11,077,876. The Committed Fund Balance designations are necessary to meet the 10% reserve cap requirement.

File Attachments
[Resolution 2022.23.18 Designating Certain General Funds as Committed Fund Balance for 22-23.pdf](#) (12 KB)

Motion & Voting
The recommendation is that the Board of Education adopts Resolution 2022.23.18 Designating Certain General Funds as Committed Fund Balance for 2022-23.
Motion: Zhang
Second: Thomas
Unanimous: 5 Yea

17 CONSENT AGENDA: PULLED AGENDA ITEMS

PLACEHOLDER - Pulled Consent Agenda Items

Type Action

Purpose:
This is specifically a placeholder, and will only be used if agenda items from the consent categories are pulled for additional discussion.

Background:
Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately. Those items pulled will be discussed and voted on here.

18 BOARD OF EDUCATION: COMMITTEE REPORTS, REQUESTS, AND ANNOUNCEMENTS

Board of Education Recognitions and Announcements

Type Information

Purpose:
The Trustees may acknowledge or recognize specific programs, activities, or personnel at this time.

Board of Education Committee Reports

Type Information

Purpose:
The Trustees will provide an update, if available, on the committees of which they are members.

Background:
Each year the Board of Education members liaise with schools and committees in order to build relationships, hear from staff, students, and families, and act as a conduit for information to and from the schools.

Board of Education Requests

Type Action, Discussion, Information

Purpose:

This is an opportunity for the Board of Education to suggest items for placement on future agendas and to review Board requests. Approval from the majority of the Board will be required for direction to be provided to the Superintendent.

Background:

The following derives directly from the Board approved "Governance Team Handbook"

Authority is Collective, Not Individual:

The only authority to direct action rests with the Board as a whole when seated at a regular or special board meeting. Outside of this meeting, there is no authority.

A majority Board vote provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction.

Bringing New Ideas Forward

The Board will be open to having "brainstorming" discussions, or study sessions, around any idea that a Trustee may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Trustee, at their initiative or at the request of a constituent, which was previously discussed during a board meeting.

Trustees will first notify the Board President and Superintendent of their interest in bringing forward a new idea at a board meeting.

When initially agendized, the preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.

Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea. The Superintendent will decide on the delegation of assignments to District staff.

The new idea may be agendized for discussion only. The Board majority will decide if the new idea should be further developed and studied by staff. The Board majority will decide if staff time should be invested in the "fleshing out" of new ideas.

Individual Trustees, in the course of interactions with constituents, will be careful not to make or imply the commitment of the full Board to explore or proceed with implementing new ideas.

19 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

Superintendent's Concluding Comments, Updates, and Future Agenda Items

AGENDA REQUESTS

Type Information

Purpose:

This is an opportunity for the Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

20 ADJOURNMENT

PLACEHOLDER - Extend Meeting

Type Action

Recommended The recommendation is that the Board of Education extends the meeting to ____ P.M.
Action

Purpose:

This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

Motion & Voting

Adjournment

Type Action

Recommended The recommendation is that the Board of Education adjourns this meeting.
Action

Purpose:

No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time. This action will conclude the meeting.

Motion & Voting

1 CALL TO ORDER

Meeting Practices and Information

Type Procedural

In-person Meeting Information:

NUSD has opened its boardroom for in-person meetings and will follow the State's and Alameda County's safety guidelines for public gatherings. Please refrain from attending in-person meetings if you have any of the following symptoms:

- Loss of taste/smell
- Difficulty breathing
- Vomiting
- Diarrhea
- Fever
- Cough
- Headache
- Sore Throat
- Runny Nose

For additional COVID-19 information please go to <https://www.newarkunified.org/covid-19> or <https://www.acoe.org/guidance>

Observe The Board Of Education Meeting:

Members of the public 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.

Public Comment:

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLI COMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLI COMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

Roll Call

Type Procedural

Trustees:

- President Phuong Nguyen
- Vice President/Clerk Terrence Grindall
- Member Aiden Hill
- Member Bowen Zhang

Student Board Member:

- Member Diego Torres

2 APPROVAL OF AGENDA

Approval of the Agenda

Type Action

Recommended Action The recommendation is that the Board of Education approve the agenda for this meeting.

Purpose:

Members of the Governance Team may request that the agenda be amended or approved as presented.

Motion & Voting

The recommendation is that the Board of Education approve the agenda for this meeting.

- Motion by Bowen Zhang, second by Terrence Grindall.
- Final Resolution: Motion Carries
- Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Bowen Zhang
- Not Present at Vote: Diego Torres

3 CLOSED SESSION

Public Comment on Closed Session Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board. If a constituent wishes to address the Board on any agenda item, please fill out a virtual speaker card via email at PUBLI COMMENT@newarkunified.org.

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE (Gov. Code, 54957, subd. (b)(1))

Type Action, Information, Procedural

Purpose:

Information will be provided by the Superintendent and Executive Director of Human Resources.

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a)): Employee Organizations - NTA and CSEA

Type Action, Information, Procedural

Purpose:

Information may be provided by the agency negotiator, Executive Director of Human Resources. Assistance from a legal firm may be provided.
The employee organizations include NTA & CSEA.

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a)): Employee Group - NEWMA, Unrepresented Supervisors, and Contracted Management

Type Action, Discussion, Procedural

Purpose:

Information may be provided by the agency negotiator, the Executive Director of Human Resources, and the Superintendent. Assistance from a legal firm may be provided.
The employee organizations include NEWMA, Unrepresented Supervisors, and Contracted Management

CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION Significant exposure to litigation pursuant to Gov. Code, 54956.9, subd. (d)[(2) or (3)]

Type Action, Discussion, Procedural

Purpose:

Information may be provided regarding significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9:
One case

Recess to Closed Session

Type Procedural

Purpose:

The Board will recess to Closed Session, and reconvene to Open Session on or about 7:00 p.m.

4 REPORT OF CLOSED SESSION ACTIONS

Report of Closed Session Actions

Type Action, Procedural

Purpose:

If available, a report of the closed session will be provided by the Board President.

5 RECONVENE TO OPEN SESSION

Pledge of Allegiance

Type Procedural

Purpose:

The Governance Team will recite the Pledge of Allegiance

6 STUDENT REPORT

Student Reports from Newark Junior High School, Alternative Education, and Newark Memorial High School

Type Information

Purpose:

At regular Board of Education meetings, a spokesperson of each secondary school may make a brief presentation. Discussion items may include updates, celebrations, and upcoming events.
1. Newark Junior High School
2. Alternative Education
3. Newark Memorial High School

7 RECOGNITIONS AND CELEBRATIONS

Staff Spotlight

Type Information

Purpose:

To recognize the wonderful accomplishments of our NUSD Team.

Background:

The presentation will be provided by the Superintendent.

School Spotlight: Schilling Elementary

Type Information

Purpose:

The School Spotlight gives the Board of Education and the public an opportunity to hear the highlights, achievements, and initiatives at each school from the principals.

Background:

The presentation and information will be provided by Schilling Elementary Principal Elba Herrera

File Attachments

[Schilling School Spotlight 12_5_22.pdf](#) (6,964 KB)

8 EMPLOYEE ORGANIZATIONS

Employee Organizations

Type Information

Purpose:

At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Background:

Discussion items are limited to updates, celebrations, and upcoming events.

1. NTA: Sean Abruzzi
2. CSEA: Maria Huffer
3. NEWMA: Vicenta Ditto

9 PUBLIC COMMENT ON NON-AGENDA ITEMS

Public Comment on Non-Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.

<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

10 PUBLIC COMMENT ON AGENDA ITEMS

Public Comment on Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.

<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

11 CONSENT AGENDA: PERSONNEL ITEMS

PLACEHOLDER: One Consented Vote

Type Action
Recommended Action It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent-Personnel, except for agenda items:

Purpose: This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background: Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Increase in Minimum Wage

Type Action
Recommended Action The recommendation is that the Board of Education approve the revised hourly pay rates for classified non-management, unrepresented employees as presented to comply with the increase in minimum wage effective January 1, 2023.

Purpose: To update the rates for classified unrepresented employees to comply with the increase in the minimum wage from \$15.00 to \$15.50 per hour effective January 1, 2023.

Table with 3 columns: POSITION, CURRENT RATE, NEW RATE. Rows include Campus Monitor, Elementary; Classified Substitute - Food Service Assistant; Classified Substitute - Child Care Attendant; Student Assistant.

Background: The State of California minimum wage will increase from \$15.00 to \$15.50 per hour effective January 1, 2023. The hourly rates for the Elementary School Campus Monitor, Student Assistant, and Classified Substitute positions for the Food Service Assistant and Child Care Attendant are currently below the new minimum wage. All classified CSEA unit employees are currently paid above the minimum wage.

Motion & Voting
The recommendation is that the Board of Education approve the revised hourly pay rates for classified non-management, unrepresented employees as presented to comply with the increase in minimum wage effective January 1, 2023.
Motion by Bowen Zhang, second by Terrence Grindall.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Bowen Zhang
Abstain: Diego Torres

Personnel Report

Type Action
Absolute Date Dec 01, 2022
Recommended Action The recommendation is that the Board of Education ratifies the personnel report as presented.

Purpose: The purpose is for the Board of Education to ratify the Personnel Report as presented.

Background: All personnel activities including new hires, changes in status, resignations, leaves, and retirements are routinely submitted to the Board for ratification.

File Attachments
HR PAL 12-05-2022.pdf (188 KB)

Motion & Voting
The recommendation is that the Board of Education ratifies the personnel report as presented.
Motion by Terrence Grindall, second by Bowen Zhang.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Bowen Zhang
Abstain: Diego Torres

12 CONSENT AGENDA: NON-PERSONNEL ITEMS

PLACEHOLDER: One Consented Vote

Type Action

Recommended Action It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent Non-Personnel, except for agenda items:

Purpose:
This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:
Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Motion & Voting
It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent Non-Personnel, except for agenda items: 12.3-12.11.
Motion by Terrence Grindall, second by Bowen Zhang.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Bowen Zhang, Diego Torres

FIELD TRIP: Non-Curricular, Newark Junior High School 8th grade class to travel to Great America.

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$25,521.00
Budgeted	Yes
Budget Source	ASB & Student Fundraising
Recommended Action	The recommendation is that the Board of Education approves the field trip for the Newark Junior High School 8th grade class to travel to Great America.

Purpose:
The Newark Junior High School community requests permission to take eight grade students on a non-curricular, field trip. Students will travel to Great America, Santa Clara CA. The objective of trip is to inspire and build relationships with and amongst students. To support their social-emotional learning.
School: Newark Junior High School
Dates: May 26, 2023
Location: Great America, 4701 Great America Pkwy, Santa Clara, 95054
Chaperones:
The ratio of adults to students on school-sponsored trips shall be based on the following formula:
K-3 1 adult for every 5-8 students
4-12 1 adult for every 10 students
No student will be denied due to a lack of funds.

Background:
According to Board Policy, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. The site principal and fifth grade teachers request permission to take students on an overnight curricular trip to attend an outdoor education/science camp program that is articulated with grade level curriculum. The programs are taught by credentialed staff members and camp staff and are viewed by the sites as a valuable part of the students' educational experience.

CONTRACT: RGM Kramer Contract for Facilities Projects Planning Services

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$197,808.00
Budgeted	Yes
Budget Source	Fund 40 Special Reserve for Capital Outlay Projects and Fund 25 Capital Facilities Fund
Recommended Action	The recommendation is that the Board of Education approves the General Planning Services Agreement with RGM Kramer for Facilities Projects Planning Services.

Purpose:
To approve the contract agreement with RGM Kramer for facilities projects planning services.

Background:
RGM Kramer has been providing bond planning and construction management services since October 2020. They were instrumental in assisting the district to complete approximately \$8,000,000 in the Measure G bond priority projects including HVAC replacements, landscape improvements, asphalt replacement and repairs, and flooring replacement. Although the bond funds have been spent, there are several facilities projects that still need to be completed. Funds remaining in the Special Reserves for Capital Outlay Projects (Fund 40) and the Capital Facilities Fund (Fund 25) will be used to fund prioritized projects. RGM Kramer will provide facilities planning services for prioritized projects as defined by the district.

File Attachments
[RGM Kramer_Planning Services Agreement_12-5-22.pdf](#) (148 KB)

Motion & Voting
The recommendation is that the Board of Education approves the General Planning Services Agreement with RGM Kramer for Facilities Projects Planning Services.
Motion by Terrence Grindall, second by Bowen Zhang.

Final Resolution: Motion Carries
Yea: Phuong Nguyen, Terrence Grindall, Bowen Zhang, Diego Torres
Nay: Aiden Hill

RESOLUTION 2022.23.16 Declaring Surplus Instructional Materials

Type	Action
Recommended	The recommendation is that the Board of Education approves Resolution 2022.23.16
Action	Declaring Surplus Instructional Materials.

Purpose:
The purpose of this item is to obtain Board approval of Resolution 2022.23.16 Declaring Surplus Instructional Materials, declaring instructional materials that are no longer suitable for use as surplus.

Background:
Surplus materials will be disposed of per Board Policy and Administrative Regulation 3270 Sale And Disposal Of Books, Equipment, and Supplies.
The property described in Resolution 2022.23.16 includes instructional materials used at elementary and secondary schools. Staff determined that items are damaged, obsolete, and/or no longer working.

File Attachments
[Resolution 2022.23-16 Declaring Surplus Instructional Materials.pdf](#) (89 KB)

POLICY UPDATE: Board Policy and Administrative Regulation 4161.9, 4261.9, and 4361.9 - Catastrophic Leave Program

Type	Action, Procedural
Recommended	The recommendation is that the Board of Education approves the updated Board Policies and
Action	Administrative Regulations 4161.9, 4261.9, and 4361.9 - Catastrophic Leave Program.

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated Board Policy and Administrative Regulation 4161.9, 4261.9, and 4361.9 - Catastrophic Leave Program.

Background:
This is the first reading of the attached policy and regulation. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy and/or regulation will be brought back to the Board of Education for a second reading.
The 4000 section of the policy manual is further divided into employee classifications to allow for variations in language, if needed, according to Ed Code and/or the Collective Bargaining Agreement:

- 4000s All employees
- 4100s Certificated employees
- 4200s Classified employees
- 4300s Management, supervisory, and confidential employees

In this case, the language in all employee classifications is exactly the same.
The district has not revised the policy and regulation since 2015. CSBA substantially revised and reorganized the policy and regulation in 2018 to clarify requirements for the catastrophic leave program. The policy recommends that donated leave be placed into a pool for eligible employees rather than earmarked for particular employees, and adds a notification to employees regarding the program. The regulation provides that donation of leave be made in writing to the superintendent rather than the board, encourages employees to retain sufficient leave for their own potential use, establishes a maximum amount of catastrophic leave that may be used by an individual employee, and provides that employees will be ineligible for catastrophic leave while receiving workers' compensation benefits.

File Attachments
[Existing NUSD BP 4161.9 Catastrophic Leave Program 12-05-2022.pdf](#) (104 KB)
[Existing NUSD BP 4261.9 Catastrophic Leave Program 12-05-2022.pdf](#) (86 KB)
[Existing NUSD BP 4361.9 Catastrophic Leave Program 12-05-2022.pdf](#) (87 KB)
[Existing NUSD AR 4161.9 Catastrophic Leave Program 12-05-2022.pdf](#) (89 KB)
[Existing NUSD AR 4261.9 Catastrophic Leave Program 12-05-2022.pdf](#) (99 KB)
[Existing NUSD AR 4361.9 Catastrophic Leave Program 12-05-2022.pdf](#) (100 KB)
[Recommended CSBA BP 4161.9 Catastrophic Leave Program 12-05-2022.pdf](#) (218 KB)
[Recommended CSBA BP 4261.9 Catastrophic Leave Program 12-05-2022.pdf](#) (218 KB)
[Recommended CSBA BP 4361.9 Catastrophic Leave Program 12-05-2022.pdf](#) (232 KB)
[Recommended CSBA AR 4161.9 Catastrophic Leave Program 12-05-2022.pdf](#) (464 KB)
[Recommended CSBA AR 4261.9 Catastrophic Leave Program 12-05-2022.pdf](#) (453 KB)
[Recommended CSBA AR 4361.9 Catastrophic Leave Program 12-05-2022.pdf](#) (460 KB)

Motion & Voting
The recommendation is that the Board of Education approves the updated Board Policies and Administrative Regulations 4161.9, 4261.9, and 4361.9 - Catastrophic Leave Program.

Motion by Terrence Grindall, second by Diego Torres.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Terrence Grindall, Bowen Zhang, Diego Torres
Nay: Aiden Hill

POLICY UPDATE: Administrative Regulation 4161.11, 4261.11, and 4361.11 - Industrial Accident/Illness Leave

Type Action, Procedural
Recommended The recommendation is that the Board of Education approves the updated Administrative
Action Regulations 4161.11 and 4261.11, and adopt Administrative Regulation 4361.11 - Industrial
 Accident/Illness Leave.

Purpose:

The purpose is for the Board of Education to review the recommended changes, approve the updated Administrative Regulations 4161.11 and 4261.11, and adopt Administrative Regulation 4361.11.

Background:

This is the first reading of the attached regulations. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the regulations will be brought back to the Board of Education for a second reading.

The 4000 section of the policy manual is further divided into employee classifications to allow for variations in language, if needed, according to Ed Code and/or the Collective Bargaining Agreement:

- 4000s All employees
- 4100s Certificated employees
- 4200s Classified employees
- 4300s Management, supervisory, and confidential employees

In this case, the language in all employee classifications is exactly the same.

Administrative Regulations 4161.11/4261.11 have not been revised by the district since the Board adopted it on 05/21/1996.

Administrative Regulation 4361.11 has not ever been adopted by the Board. Since that time, CSBA has revised Administrative Regulation 4161.11/4261.11 two (2) times.

Administrative Regulation revised August 2013:

MANDATED regulation recoded to merge former AR 4161.11/4361.11 - Industrial Accident/Illness Leave for certificated and administrative/supervisory employees and AR 4261.11 - Industrial Accident/Illness Leave for classified employees. Revised regulation clarifies that the district must set the maximum number of days allowed for such leave, which must be at least 60 working days in one fiscal year for the same industrial accident or illness, and provides options for the district regarding the process of issuing salary payments that take into account the amount of the employee's workers' compensation check. The regulation also clarifies retention of status and benefits, notification when leave is exhausted, and placement on a reemployment list when the employee is not medically able to resume his/her duties after all available leave is exhausted.

Administrative Regulation revised November 2012:

MANDATED regulation updated to reflect NEW LAW (AB 1203) which (1) requires the district to grant a paid leave of absence to a reasonable number of classified employees serving as unelected members of an employee organization for the purpose of attending important organizational activities authorized by the organization and (2) requires the employee organization to provide reasonable prior notice to the district and to reimburse the district within 10 days of receiving certification of the district's payment of compensation to the employee.

File Attachments

- [Existing NUSD AR 4161.11 Industrial Accident Illness Leave 12-05-2022.pdf](#) (90 KB)
- [Existing NUSD AR 4261.11 Industrial Accident Illness Leave 12-05-2022.pdf](#) (90 KB)
- [Recommended CSBA AR 4161.11 Industrial Accident Illness Leave 12-05-2022.pdf](#) (354 KB)
- [Recommended CSBA AR 4261.11 Industrial Accident Illness Leave 12-05-2022.pdf](#) (434 KB)
- [Recommended CSBA AR 4361.11 Industrial Accident Illness Leave 12-05-2022.pdf](#) (556 KB)

Motion & Voting

The recommendation is that the Board of Education approves the updated Administrative Regulations 4161.11 and 4261.11, and adopt Administrative Regulation 4361.11 - Industrial Accident/Illness Leave.

Motion by Bowen Zhang, second by Diego Torres.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Bowen Zhang, Diego Torres

Nay: Aiden Hill

POLICY UPDATE: Board Policy and Administrative Regulation 5112.3 - Student Leave Of Absence

Type Action, Procedural
Recommended The recommendation is that the Board of Education approves the updated Board Policy and
Action Administrative Regulation 5112.3 - Student Leave Of Absence

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation.

Background:

This is the first reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a second reading.

Board Policy 5112.3 - Student Leave Of Absence

The NUSD board policy has not been revised since 2012. The language has been replaced to match the sample board policy

provided by the California School Board Association.
Administrative Regulation 5112.3 - Student Leave Of Absence
The NUSD administrative regulation has not been revised since 2012. The language has been replaced to match the sample board policy provided by the California School Board Association.
BP/AR 5112.3 - Student Leave of Absence (Revised 7/12)
MANDATED policy updated to clarify authority to grant student leaves of absence and to encourage enrollment in an independent study. Regulation updated to more directly reflect the law, add legal citations, and clarify the signature requirements for the written agreement.

File Attachments

- [Existing NUSD AR 5112.3 Student Leave Of Absence.pdf](#) (66 KB)
- [Recommended CSBA AR 5112.3 Student Leave Of Absence.pdf](#) (97 KB)
- [Existing NUSD BP 5112.3 Student Leave Of Absence.pdf](#) (65 KB)
- [Recommended CSBA BP 5112.3 Student Leave Of Absence.pdf](#) (103 KB)

Motion & Voting

The recommendation is that the Board of Education approves the updated Board Policy and Administrative Regulation 5112.3 - Student Leave Of Absence

Motion by Terrence Grindall, second by Diego Torres.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Terrence Grindall, Bowen Zhang, Diego Torres
Nay: Aiden Hill

POLICY UPDATE: Board Policy 5112.8 - High School Parking Lots

Type Action, Procedural
Recommended Action The recommendation is that the Board of Education rescinds the Board Policy 5112.8 - High School Parking Lots.

Purpose:
The purpose is for the Board of Education to review the recommendation to rescind Board Policy 5112.8 - High School Parking Lots.

Background:
This is the first reading of the attached policy. The language is not sanctioned by the California School Board Association as this is a unique policy to Newark Unified. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a second reading.
Board Policy 5112.8 - High School Parking Lots
This board policy is specific to NUSD and has not been revised since 1996. In order to reflect the practices and recommendations of CSBA, the recommendation is to rescind this policy to reflect the recommended CSBA manual.

- File Attachments**
- [Existing NUSD BP 5112.8 ^High School Parking Lots.pdf](#) (64 KB)

Motion & Voting
The recommendation is that the Board of Education rescinds the Board Policy 5112.8 - High School Parking Lots.
Motion by Phuong Nguyen, second by Diego Torres.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Terrence Grindall, Bowen Zhang, Diego Torres
Nay: Aiden Hill

POLICY UPDATE: Board Policy and Administrative Regulation 6159.2 - Nonpublic Nonsectarian School And Agency Services For Special Education

Type Action, Procedural
Recommended Action The recommendation is that the Board of Education approves the updated Board Policy and Administrative Regulation 6159.2 - Nonpublic Nonsectarian School and Agency Services for Special Education

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation.

Background:
This is the first reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a second reading.
The policy and regulation have not been updated since 2014. Since then, CSBA has made the revisions listed below. (BP/AR revised 7/20)
Policy updated to include the provision of nonpublic, nonsectarian school and agency (NPS/A) services in the comprehensive local plan of the Special Education Local Plan Area. The policy reflects NEW LAW (AB 1172, 2019) which requires districts to verify that the NPS/A provides staff training in the use of practices and interventions specific to the unique behavioral needs of the student population at the NPS/A. The policy also reflects the requirement for the district to pay the full amount of the school's tuition or, as amended by AB 1172, the fees for the agency. Legal cite for Education Code 56366.3 deleted as it has been

repealed. Regulation updated to include the maximum term of the master contract between the district and NPS/A, expand the components of the contract in accordance with state law and regulations, and include the ability to terminate the contract for cause with 20 days' notice. The regulation also provides more detail regarding the annual IEP review focused on NPS/A students. The new section on "On-Site Visits" reflects NEW LAW (AB 1172, 2019) which (1) requires the district to conduct an on-site visit of an NPS/A the first time the district places a student at that NPS/A, and (2) requires the district to annually conduct an on-site monitoring visit to review the services provided to the student, the facilities, and the student's progress. (BP/AR revised 4/13)

MANDATED policy and regulation updated to reflect NEW LAW (SB 121, 2012) which prohibits the referral of a student with a disability to, or placement in, a nonpublic, nonsectarian school without the student's individualized education program team's agreement. The policy also adds material on out-of-state placements, applications for state waivers of legal requirements, and district verification of the school/agency's certification to provide special education and related services. The regulation was also reorganized and updated to clarify requirements for the master contract with a nonpublic, nonsectarian school or agency, including the process of making changes to the master contract.

File Attachments

[Existing NUSD BP 6159.2 Nonpublic Nonsectarian School And Agency Services For Special Education 12-05-2022.pdf](#) (111 KB)

[Existing NUSD AR 6159.2 Nonpublic Nonsectarian School And Agency Services For Special Education 12-05-2022.pdf](#) (178 KB)

[Recommended CSBA BP 6159.2 Nonpublic Nonsectarian School And Agency Services For Special Education 12-05-2022.pdf](#) (142 KB)

[Recommended CSBA AR 6159.2 Nonpublic Nonsectarian School And Agency Services For Special Education 12-05-2022.pdf](#) (158 KB)

Motion & Voting

The recommendation is that the Board of Education approves the updated Board Policy and Administrative Regulation 6159.2 - Nonpublic Nonsectarian School and Agency Services for Special Education

Motion by Terrence Grindall, second by Bowen Zhang.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Bowen Zhang, Diego Torres

Nay: Aiden Hill

POLICY UPDATE: Board Policy 6159.4 - Behavioral Interventions For Special Education Students

Type Action, Procedural
Recommended The recommendation is that the Board of Education approve the updated Administrative Regulation 6159.4 Behavioral Interventions For Special Education Students and rescind Board Policy 6159.4 Behavioral Interventions For Special Education Students

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated Administrative Regulation 6159.4 Behavioral Interventions For Special Education Students and rescind Board Policy 6159.4 Behavioral Interventions For Special Education Students.

Background:
This is the first reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a second reading.

Administrative Regulation 6159.4 Behavioral Interventions For Special Education Students:
The NUSD board policy has not been revised since 2014. The language has been replaced to match the sample board policy provided by the California School Board Association.

Board Policy 6159.4 Behavioral Interventions For Special Education Students (Revised 10/96):
The language in this policy is incorporated into the administrative regulation and the policy was rescinded by CSBA.

File Attachments

[Existing NUSD AR 6159.4 Behavioral Interventions For Special Education Students 12-05-2022.pdf](#) (120 KB)

[Recommended CSBA AR 6159.4 Behavioral Interventions For Special Education Students 12-05-2022.pdf](#) (160 KB)

[Existing NUSD BP 6159.4 Behavioral Interventions For Special Education Students 12-05-2022.pdf](#) (107 KB)

Motion & Voting

The recommendation is that the Board of Education approve the updated Administrative Regulation 6159.4 Behavioral Interventions For Special Education Students and rescind Board Policy 6159.4 Behavioral Interventions For Special Education Students

Motion by Diego Torres, second by Terrence Grindall.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Bowen Zhang, Diego Torres

Nay: Aiden Hill

POLICY UPDATE: Board Policy and Administrative Regulation 7231: Architectural And Engineering Services and Board Policy and Administrative Regulation 7140: Architectural And Engineering Services

Type Action, Procedural
Recommended The recommendation is that the Board of Education rescinds Board Policy and Administrative

Action Regulation 7231: Architectural And Engineering Services and adopt Board Policy and Administrative Regulation 7140: Architectural And Engineering Services.

Purpose:

The purpose is for the Board of Education to review the recommendation to rescind Board Policy and Administrative Regulation 7231: Architectural And Engineering Services and adopt the replacement Board Policy and Administrative Regulation 7140: Architectural And Engineering Services.

Background:

This is the first reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a second reading.

Board Policy and Administrative Regulation 7231: Architectural And Engineering Services

The NUSD board policy and regulation have not been revised since November 1996. CSBA has rescinded Board Policy and Administrative Regulation 7231: Architectural And Engineering Services and incorporated the language into Board Policy and Administrative Regulation 7140: Architectural And Engineering Services.

(BP/AR 7140 revised on 10/19)

Policy updated to clarify the district's responsibility to select a licensed architect and/or structural engineer as required by law when professional design services are used for the construction or modernization of school facilities and to address the need to comply with state safety and design standards. The policy adds the general duties of the architect and/or structural engineer and the circumstances under which design specifications must be submitted to CDE and the Division of the State Architect.

Regulation updates the components of the selection process to more directly reflect the law and adds the district's authority, if negotiations with the most qualified firm are unsuccessful, to negotiate a contract with the second most qualified firm and then the third most qualified firm. The regulation also includes the option to award a contract to a single entity for both the design and construction of a school facility in excess of \$1 million ("design-build" contract).

File Attachments

Existing NUSD BP 7231 ^Architectural And Engineering Services 12-05-2022.pdf (100 KB)

Existing NUSD AR 7231 ^Architectural And Engineering Services 12-05-2022.pdf (101 KB)

Recommended CSBA BP 7140_ Architectural And Engineering Services 12-05-2022.pdf (76 KB)

Recommended CSBA AR 7140_ Architectural And Engineering Services 12-05-2022.pdf (75 KB)

Motion & Voting

The recommendation is that the Board of Education rescinds Board Policy and Administrative Regulation 7231: Architectural And Engineering Services and adopt Board Policy and Administrative Regulation 7140: Architectural And Engineering Services.

Motion by Terrence Grindall, second by Bowen Zhang.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Bowen Zhang, Diego Torres

Nay: Aiden Hill

REPORT: Monthly Purchase Order Report

Type Action
Recommended The recommendation is that the Board of Education approves the Monthly Purchase Order
Action Report as presented.

Purpose:

The purpose of this item is to present a monthly report on Purchase Order transactions per Board Policy 3300, Expenditures and Purchases.

Background:

Based on the discussion at the Board's Study Session on January 6, 2022, staff is providing a monthly report on Purchase Order transactions per Board Policy 3300, Expenditures and Purchases. The policy states that "The Board shall review all transactions entered into by the Superintendent or designee on behalf of the Board every 60 days."

File Attachments

Monthly Purchase Order Report 12-05-2022.pdf (100 KB)

REPORT: Contracts and Purchase Orders Authorized under Resolution 2020.21-025 (Delegate Authority to Procure Necessary Materials, Equipment and Services to Provide Distance and/or In-Person Learning for Staff, Teachers, and Students to Mitigate the Effects of Covid-19)

Type Action
Fiscal Impact Yes
Budgeted Yes
Recommended The recommendation is that the Board of Education accept the update on costs associated
Action with the implementation of Resolution 2020.21-025 (Resolution of the Board of Education of the Newark Unified School District to Delegate Authority to Procure Necessary Materials, Equipment and Services to Provide Distance and/or In-Person Learning for Staff, Teachers, and Students to Mitigate the Effects of Covid-19)

Purpose:

To update the Board on costs associated with the implementation of Resolution 2020.21-025 (Resolution of the Board of

Education of the Newark Unified School District to Delegate Authority to Procure Necessary Materials, Equipment and Services to Provide Distance and/or In-Person Learning for Staff, Teachers, and Students to Mitigate the Effects of Covid-19) from November 1, 2022, through November 30, 2022.

Background:

On April 1, 2021, the Newark Unified School District Board approved Resolution 2020.21-025 delegating authority to the Superintendent or designee to procure necessary materials, equipment, and services that are needed to provide distance and/or in-person learning to mitigate the effects of Covid-19. Language in the resolution states "the Superintendent/Designee shall make periodic reports to the Board of Education and the public regarding implementation of this resolution and the costs associated therewith"; requiring the update provided here.

On June 16, 2022, Amended Resolution 2020.21-025 was approved. The amendment extends it to on or around June 30, 2023, and states that updates will be presented at the first Board meeting of each month.

VENDOR	DATE	PO	NUMBER	DESCRIPTION	AMOUNT
N/A	*				

*There are no contracts or purchase orders to report for the period of November 1, 2022, through November 30, 2022.

MINUTES: Minutes of the November 17, 2022, Regular Meeting of the Board of Education

Type Action, Minutes

Recommended The recommendation is that the Board of Education approves the minutes of the November 17, 2022, Regular Meeting of the Board of Education.

Purpose:

For the board to review and approve the minutes of the November 17, 2022, Regular Meeting of the Board of Education

Background:

The attached minutes are reflective of the November 17, 2022, Regular Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel [HERE](#)

13 SUPERINTENDENT REPORT

Superintendent Report

Type Information

Purpose:

The superintendent will provide the Board of Education with district information, updates, news, or anything in the jurisdiction of the board or the superintendent.

Background:

The presentation and information will be provided by the Superintendent

14 NEW BUSINESS

GRANT: 2023-2026 Alameda County Health Care Services Agency Mental Health Services Act Partnership Program

Type Action

Preferred Date Dec 15, 2022

Fiscal Impact Yes

Dollar Amount \$526,000.00

Budgeted Yes

Budget Source Mental Health Services Oversight and Accountability Commission under the Mental Health Services Act (MHSSA)

Recommended The recommendation is that the Board of Education accepts the letter of intent with Alameda County Health Care Services Agency (HCSA) for Mental Health Services Act (MHSSA) Partnership Program services.

Purpose:

Alameda County Health Care Services Agency (HCSA) intends to contract with Newark Unified School District for Mental Health Services Act (MHSSA) Partnership Program services that aim to expand access to school-based mental health services for children and youth. The total amount for the contract is expected to be \$526,000 for the period between January 1, 2023, to December 31, 2026, with approximately \$90,000 reserved for the remainder of the 2022-2023 academic school year. Finalized contracts are anticipated to be available towards the end of December and will be brought before the board for recommended approval at the next available board meeting. Funds will be allocated according to provisions of the funding source, such as hiring a new mental health clinician to support with services to non-medical students, parent and family workshops, professional development for staff, and funding for student health and wellness initiatives.

Background:

School Health Initiatives are coordinated by the Center for Healthy Schools and Communities (CHSC), the Health Care Services Agency (HCSA) partners with school districts across the county to fund and implement school health initiatives, which are aligned with Alameda County's Vision 2026 goal of health care for all. School Health Initiatives deliver direct health and wellness services, create positive school environments, and provide consultation to schools to ensure the health and well-being of students, families, and their communities. School Health initiatives are powerful because they go beyond single programs. They

coordinate the relationships and resources of a community toward a shared vision: healthy students learn better. Improved access to mental health services is foundational to supporting children and youth to develop into healthy, resilient adults. School-community mental health partnerships offer an opportunity to reach children and youth in an environment where they are comfortable and that is accessible.

The purpose of the MHSSA is to establish additional mental health partnerships between county mental health or behavioral health departments and local education entities in order to provide increased access to mental health services in locations that are easily accessible to students and their families.

Funded by the State of California, the MHSSA services may include: at a minimum, services that are provided on school campuses, to the extent practicable, suicide prevention, drop-out prevention, placement assistance, continuum-of-care for students in need of ongoing services, and outreach to high-risk youth. High-risk youth shall include foster youth, youth who identify as LGBTQ+, and youth who have been expelled or suspended from school.

[File Attachments](#)

[HCSA Letter of Funding Commitment to NUSD MHSSA 11-17-22.pdf](#) (370 KB)

[Motion & Voting](#)

The recommendation is that the Board of Education accepts the letter of intent with Alameda County Health Care Services Agency (HCSA) for Mental Health Services Act (MHSSA) Partnership Program services.

Motion by Bowen Zhang, second by Terrence Grindall.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Bowen Zhang, Diego Torres

CAPITAL IMPROVEMENT PROJECTS: Track & Field Improvements at Newark Memorial High School and Water Bottle Filling Stations for All Sites

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$6,477,625.00
Budget Source	Fund 25 Capital Facilities Fund
Recommended Action	The recommendation is that the Board of Education approves the projects for Track and Field Improvements at Newark Memorial High School and the installation of Water Bottle Filling Stations at all sites.

[Purpose:](#)

To approve the projects for Track and Field Improvements at Newark Memorial High School and the installation of water bottle filling stations at all sites.

[Background:](#)

Staff held community engagement meetings with students, staff and parents at Newark Memorial High School to determine priorities for major facilities improvement needs. The track and field improvement and water bottle filling stations ranked as the top two priorities.

[Track and Field Improvements at Newark Memorial High School](#)

The Newark Memorial High School Track and Football Field is in disrepair and well beyond its useful life. The natural turf field has uneven surfaces that create tripping hazards and unsafe conditions and the track is in very poor condition. The scope of work for this project would include demolition of the existing track and field, grading, drainage, concrete, fencing and gates, field striping & logos, synthetic track, artificial turf and new goal posts. The preliminary cost estimate for this project is \$6.3M. The cost includes planning, design, engineering, inspection, testing and construction. The project does not include the bleachers and press box.

[Water Bottle Filling Stations](#)

Water Stations help to remedy health issues commonly linked to shared water fountains, provide an alternative to unhealthy drinks, reduce plastic waste, encourage better hydration, and give children a way to get enough water on a daily basis and keep them well-hydrated. The District has held engagement meetings and all sites have requested hydration stations be installed at their campuses. Elementary schools and MacGregor will receive one outdoor water station and Newark Junior High and Newark Memorial High will each receive two outdoor water stations. There is a range of costs for each station depending on the existing site condition. Certain locations may require power, abatement and parching of existing wall materials. This project may also include the cost to install two water stations which have already been purchased or donated to sites. The estimated project cost for the water stations is \$169,125.

[File Attachments](#)

[Cost Estimate- NMHS Track and Field 12-5-22.pdf](#) (121 KB)

[Cost Estimate- Water Stations 12-5-22.pdf](#) (58 KB)

[Capital Improvement Projects Presentation 12.5.22.pdf](#) (1,425 KB)

[Motion & Voting](#)

The recommendation is that the Board of Education approves the projects for Track and Field Improvements at Newark Memorial High School and the installation of Water Bottle Filling Stations at all sites.

Motion by Phuong Nguyen, second by Terrence Grindall.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Bowen Zhang, Diego Torres

Nay: Aiden Hill

NEW ACTION: Move 14.2 after PC - (moved to 10.2)

Motion by Terrence Grindall, second by Bowen Zhang.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Bowen Zhang, Diego Torres

Nay: Aiden Hill

15 CONSENT AGENDA: PULLED AGENDA ITEMS

PLACEHOLDER - Pulled Consent Agenda Items

Type Action

Purpose:
This is specifically a placeholder, and will only be used if agenda items from the consent categories are pulled for additional discussion.

Background:
Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately. Those items pulled will be discussed and voted on here.

16 BOARD OF EDUCATION: COMMITTEE REPORTS, REQUESTS, AND ANNOUNCEMENTS

Board of Education Recognitions and Announcements

Type Information

Purpose:
The Trustees may acknowledge or recognize specific programs, activities, or personnel at this time.

Board of Education Committee Reports

Type Information

Purpose:
The Trustees will provide an update, if available, on the committees of which they are members.

Background:
Each year the Board of Education members liaise with schools and committees in order to build relationships, hear from staff, students, and families, and act as a conduit for information to and from the schools.

Board Committees 2022-23

Board Adopted on 12/16/21	Representative	Alternate
Mission Valley Regional Occupational Center/Program (ROC/P)	1. Terrence Grindall	1. Bowen Zhang
Executive Board		
Regional Policy Board of Special Education Local Plan Area (SELPA)	1. Bowen Zhang	1. Alicia Marquez
Newark Teacher Induction Advisory Council (Formally EBIC)	1. Alicia Marquez	1. Aiden Hill
Audit Committee	1. Alicia Marquez	2. Aiden Hill
Bond/Parcel Tax Committee	1. Terrence Grindall	1. Bowen Zhang
	1. Phuong Nguyen	2. Phuong Nguyen
City of Newark NUSD Liaison Committee	2. Terrence Grindall	1. Bowen Zhang

Board of Education Requests

Type Action, Discussion, Information

Purpose:
This is an opportunity for the Board of Education to suggest items for placement on future agendas and to review Board requests. Approval from the majority of the Board will be required for direction to be provided to the Superintendent.

Background:
The following derives directly from the Board approved "Governance Team Handbook"
Authority is Collective, Not Individual:
The only authority to direct action rests with the Board as a whole when seated at a regular or special board meeting. Outside of this meeting, there is no authority.
A majority Board vote provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction.
Bringing New Ideas Forward
The Board will be open to having "brainstorming" discussions, or study sessions, around any idea that a Trustee may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Trustee, at their initiative or at the request of a constituent, which was previously discussed during a board meeting.
Trustees will first notify the Board President and Superintendent of their interest in bringing forward a new idea at a board meeting. When initially agendized, the preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.
Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea. The Superintendent will decide on the delegation of assignments to District staff.
The new idea may be agendized for discussion only. The Board majority will decide if the new idea should be further developed and studied by staff. The Board majority will decide if staff time should be invested in the "fleshing out" of new ideas.
Individual Trustees, in the course of interactions with constituents, will be careful not to make or imply the commitment of the full Board to explore or proceed with implementing new ideas.

17 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

Superintendent's Concluding Comments, Updates, and Future Agenda Items

AGENDA REQUESTS

Type Information

Purpose:

This is an opportunity for the Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

18 ADJOURNMENT

PLACEHOLDER - Extend Meeting

Type Action

Recommended The recommendation is that the Board of Education extends the meeting to ____ P.M.
Action

Purpose:

This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

Motion & Voting

The recommendation is that the Board of Education extends the meeting to 11:00 P.M.

Motion by Aiden Hill, second by Terrence Grindall.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Bowen Zhang, Diego Torres

Adjournment

Type Action

Recommended The recommendation is that the Board of Education adjourns this meeting.
Action

Purpose:

No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time. This action will conclude the meeting.

Motion & Voting

The recommendation is that the Board of Education adjourns this meeting at 10:34 pm.

Motion by Terrence Grindall, second by Bowen Zhang.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Bowen Zhang, Diego Torres

1 CALL TO ORDER

Meeting Practices and Information

Type Procedural

In-person Meeting Information:

NUSD has opened its boardroom for in-person meetings and will follow the State's and Alameda County's safety guidelines for public gatherings. Please refrain from attending in-person meetings if you have any of the following symptoms:

- Loss of taste/smell
- Difficulty breathing
- Vomiting
- Diarrhea
- Fever
- Cough
- Headache
- Sore Throat
- Runny Nose

For additional COVID-19 information please go to <https://www.newarkunified.org/covid-19> or <https://www.acoe.org/guidance>

Observe The Board Of Education Meeting:

Members of the public 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.

Public Comment:

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by

submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

Roll Call

Type Procedural

Trustees:
President Phuong Nguyen
Vice President/Clerk Terrence Grindall
Member Aiden Hill
Member Alicia Marquez
Member Bowen Zhang

Student Board Member:
Member Diego Torres

2 APPROVAL OF AGENDA

Approval of the Agenda

Type Action
Recommended The recommendation is that the Board of Education approve the agenda for this meeting.
Action

Purpose:
Members of the Governance Team may request that the agenda be amended or approved as presented.

Motion & Voting
The recommendation is that the Board of Education approve the agenda for this meeting.
Motion by Bowen Zhang, second by Terrence Grindall.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Bowen Zhang

3 CLOSED SESSION

Public Comment on Closed Session Items

Type Procedural

Purpose:
The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board. If a constituent wishes to address the Board on any agenda item, please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org.

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE (Gov. Code, 54957, subd. (b)(1))

Type Action, Information, Procedural

Purpose:
Information will be provided by the Superintendent and Executive Director of Human Resources.

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a): Employee Organizations - NTA and CSEA

Type Action, Information, Procedural

Purpose:
Information may be provided by the agency negotiator, Executive Director of Human Resources. Assistance from the legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided.
The employee organizations include NTA & CSEA.

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a)): Employee Group - NEWMA, Unrepresented Supervisors, and Contracted Management

Type Action, Discussion, Procedural

Purpose:
Information may be provided by the agency negotiator, the Executive Director of Human Resources, and the Superintendent. Assistance from legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided.
The employee organizations include NEWMA, Unrepresented Supervisors, and Contracted Management

CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION Significant exposure to litigation pursuant to Gov. Code, 54956.9, subd. (d)[(2) or (3)]

Type Action, Discussion, Procedural

Purpose:

Information may be provided regarding significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: One case

CONFERENCE WITH LEGAL COUNSEL EXISTING LITIGATION (Gov. Code, 54956.9, subd. (d)(1))

Type Action, Information, Procedural

Purpose:

To discuss the following case(s): Clinton v Newark Unified School District (Keenan claim #613896)

PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Gov. Code, 54957, subd. (b) (1)) Title: Superintendent

Type Action, Discussion, Procedural

Purpose:

For the Board to conduct/review the employee performance evaluation for the Superintendent.

Recess to Closed Session

Type Procedural

Purpose:

The Board will recess to Closed Session, and reconvene to Open Session on or about 7:00 p.m.

4 REPORT OF CLOSED SESSION ACTIONS

Report of Closed Session Actions

Type Action, Procedural

Purpose:

If available, a report of the closed session will be provided by the Board President.

5 RECONVENE TO OPEN SESSION

Pledge of Allegiance

Type Procedural

Purpose:

The Governance Team will recite the Pledge of Allegiance

6 STUDENT REPORT

Student Reports from the Bridgepoint High School

Type Information

Purpose:

At regular Board of Education meetings, a spokesperson of each secondary school may make a brief presentation. Discussion items may include updates, celebrations, and upcoming events. Today's school update will be from a Bridgepoint High School Student.

7 RECOGNITIONS AND CELEBRATIONS

School Spotlight: Bridgepoint High School

Type Information

Purpose:

The School Spotlight gives the Board of Education and the public an opportunity to hear the highlights, achievements, and initiatives at each school from the principals.

Background:

The presentation and information will be provided by the Bridgepoint High School Principal, Julie Calderon.

File Attachments

Bridgepoint 2022 School Spotlight.pdf (5,260 KB)

8 EMPLOYEE ORGANIZATIONS

Employee Organizations

Type Information

Purpose:

At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Background:

Discussion items are limited to updates, celebrations, and upcoming events.

- 1. NTA: Sean Abruzzi
- 2. CSEA: Maria Huffer
- 3. NEWMA: Vicenta Ditto

9 PUBLIC COMMENT ON NON-AGENDA ITEMS

Public Comment on Non-Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.

<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

10 PUBLIC COMMENT ON AGENDA ITEMS

Public Comment on Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.

<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

11 CONSENT AGENDA: PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type Action

Recommended Action It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent-Personnel, except for agenda items:

Purpose:

This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:

Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Motion & Voting

2022-23 CSEA Salary Schedule

Type Action

Recommended Action The recommendation is that the Board of Education ratifies the 2022-23 CSEA Salary Schedule effective July 1, 2022, as presented.

Purpose: For the Board of Education to ratify the 2022-23 Classified (CSEA) Salary Schedule effective July 1, 2022.

Background: The 2022-23 CSEA Salary Schedule reflects the agreement approved by the Board on November 3, 2022, including a 6.5% ongoing salary increase, adjustments to longevity rates, and education degree stipends effective July 1, 2022.

File Attachments CSEA 22-23 Salary Schedule with 6.5 per cent increase.pdf (117 KB)

Motion & Voting The recommendation is that the Board of Education ratifies the 2022-23 CSEA Salary Schedule effective July 1, 2022, as presented. Motion by Aiden Hill, second by Bowen Zhang. Final Resolution: Motion Carries Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Bowen Zhang

Personnel Report

Type Action Absolute Date Nov 17, 2022 Recommended Action The recommendation is that the Board of Education ratifies the personnel report as presented.

Purpose: The purpose is for the Board of Education to ratify the Personnel Report as presented.

Background: All personnel activities including new hires, changes in status, resignations, leaves, and retirements are routinely submitted to the Board for ratification.

File Attachments HR PAL 11-17-2022.pdf (192 KB)

Motion & Voting The recommendation is that the Board of Education ratifies the personnel report as presented. Motion by Bowen Zhang, second by Terrence Grindall. Final Resolution: Motion Carries Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Bowen Zhang

12 CONSENT AGENDA: NON-PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type Action Recommended Action It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent Non-Personnel, except for agenda items:

Purpose: This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background: Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Motion & Voting It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent Non-Personnel, except for agenda items: 12.3 -12.13. Motion by Terrence Grindall, second by Bowen Zhang. Final Resolution: Motion Carries Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Bowen Zhang

FIELD TRIP: Curricular, Overnight Trip for Schilling Elementary fifth grade class to travel to Explore New Horizons, Camp

Type Action Preferred Date Nov 17, 2022 Absolute Date Dec 01, 2022 Fiscal Impact Yes Dollar Amount \$9,276.00 Budgeted Yes

Budget Source Student Fundraising, Donations & LCAP 3.6
Recommended Action The recommendation is that the Board of Education approves the overnight trip for the Schilling Elementary fifth grade class to travel to Explore New Horizons, Camp Sempervirens.

Purpose:

The Schilling Elementary community requests permission to take fifth grade students on a curricular, overnight field trip. Students will travel to Explore New Horizons, Camp Sempervirens, Scotts Valley, CA for an outdoor science education camp. Students will study science content standards for ecology, resources, ecosystems team building with their peers. (5th grade state standards LS1, LS2, ESS1, ESS2, ESS3.)

School: Schilling Elementary

Dates: December 6 - December 9, 2022

Location: Explore New Horizons, Camp Sempervirens, Scotts Valley, CA

Chaperones for Science Camp:

The ratio of adults to students on school-sponsored trips shall be based on the following formula:

K-3 1 adult for every 5-8 students

4-9 1 adult for every 10 students

10-12 1 adult for every 10 students where strict supervision is required (tours, theaters, etc.)

Overnight trip supervision must be gender appropriate. However, in the event that the supervisors, who stay overnight in proximity to students, are of a gender other than that group of campers, adequate planning, and preparation of campers and the physical arrangements of the camp shall be made to ensure optimal safety and privacy of students (AR 6153).

No student will be denied due to a lack of funds.

Background:

According to Board Policy, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. The site principal and fifth grade teachers request permission to take students on an overnight curricular trip to attend an outdoor education/science camp program that is articulated with grade level curriculum. The programs are taught by credentialed staff members and camp staff and are viewed by the sites as a valuable part of the students' educational experience.

POLICY UPDATE: Board Policy and Administrative Regulation 4161.1/4261.1 - Personal Illness/Injury Leave

Type Action, Procedural
Preferred Date Nov 17, 2022
Recommended Action The recommendation is that the Board approves the updated Administrative Regulation 4161.1/ 4261.1 - Personal Illness/Injury Leave and rescind Board Policy 4161.1/ 4261.1 - Personal Illness/Injury Leave.

Purpose:

The purpose is for the Board of Education to approve the updated Administrative Regulation 4161.1/4261.1 - Personal Illness/Injury Leave and rescind Board Policy 4161.1/4261.1 - Personal Illness/Injury Leave.

Background:

This is the first reading of the attached regulation. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved regulation. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the regulation will be brought back to the Board of Education for a second reading.

Administrative Regulation 4161.1/4261.1:

The administrative regulation was adopted by the Board on 05/21/1996 and has not been updated by the district since then. The language will be replaced to match the sample board policy provided by the California School Board Association and district practice.

Board Policy 4161.1/4261.1:

The language formerly in this policy is now incorporated into the administrative regulation and the policy was rescinded per CSBA.

File Attachments

- [Existing NUSD AR 4161.1 Personal Illness & Injury Leave.pdf](#) (47 KB)
- [Existing NUSD AR 4261.1 Personal Illness & Injury Leave.pdf](#) (51 KB)
- [Recommended CSBA AR 4161.1 Personal Illness & Injury Leave.pdf](#) (1,096 KB)
- [Recommended CSBA AR 4261.1 Personal Illness & Injury Leave.pdf](#) (663 KB)
- [Existing NUSD BP 4161.1 Personal Illness & Injury Leave.pdf](#) (48 KB)
- [Existing NUSD BP 4261.1 Personal Illness & Injury Leave.pdf](#) (49 KB)

POLICY UPDATE: Administrative Regulation 4161.2/4261.2/4361.2 - Personal Leaves

Type Action, Procedural
Preferred Date Nov 17, 2022
Recommended Action The recommendation is that the Board approves the updated Administrative Regulation 4161.2/ 4261.2/ 4361.2 - Personal Leaves.

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated administrative regulation.

Background:

This is the first reading of the attached regulation. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These

notations will be removed from the final, Board approved policies. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the regulation will be brought back to the Board of Education for a second reading. This Administrative Regulation has not been revised by the district since September 2015. Since that time, CSBA has revised Administrative Regulation 4161.2/4261.2/4361.2 two (2) times. AR revised March 2021:

Regulation updated to reflect NEW LAW (AB 2992, 2020) which extends leave for employees who are victims of domestic violence, sexual assault, or stalking to include employees who are victims of a crime that caused physical injury, or mental injury with a threat of physical injury, and employees whose immediate family member is deceased as a direct result of a crime. The regulation also reflects provisions of AB 2992 which require districts to inform employees of their rights for such leave and authorize employees, when an unscheduled absence occurs, to submit documentation from a victim advocate or any other form of documentation that reasonably verifies that the crime or abuse occurred, including, but not limited to, a written statement signed by the employee or an individual acting on the employee's behalf.

AR revised March 2016: Regulation updated to reflect NEW LAW (SB 579, 2015) which expands the purposes of leave for child-related activities to include (1) enrolling or reenrolling a child in a school or with a licensed child care provider and (2) addressing a school or child care emergency, as defined. The regulation also adds the definition of "parent/guardian" for purposes of such leave, expanded by SB 579 to include a stepparent, foster parent, or person who stands in loco parentis to the child.

File Attachments

- Existing NUSD AR 4161.2 Personal Leaves.pdf (171 KB)
- Existing NUSD AR 4261.2 Personal Leaves.pdf (171 KB)
- Existing NUSD AR 4361.2 Personal Leaves.pdf (171 KB)
- Recommended CSBA AR 4161.2 Personal Leaves.pdf (1,128 KB)
- Recommended CSBA AR 4261.2 Personal Leaves.pdf (431 KB)
- Recommended CSBA AR 4361.2 Personal Leaves.pdf (475 KB)

POLICY UPDATE: Board Policy 5116 - School Attendance Boundaries

Type Action, Procedural
Recommended The recommendation is that the Board of Education approves the updated Board Policy 5116 -
Action School Attendance Boundaries.

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated board policy

Background:
This is the first reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a second reading.
Board Policy 5116 - School Attendance Boundaries
The NUSD board policy has not been revised since 1996. The language has been replaced to match the sample board policy provided by the California School Board Association.

- File Attachments**
- Existing NUSD BP 5116 School Attendance Boundaries.pdf (62 KB)
 - Recommended CSBA BP 5116 School Attendance Boundaries.pdf (186 KB)

POLICY UPDATE: Board Policy and Administrative Regulation 5020 - Parent Rights And Responsibilities

Type Action, Procedural
Recommended The recommendation is that the Board of Education approves the updated Board Policy and
Action Administrative Regulation 5020 - Parent Rights And Responsibilities

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation.

Background:
This is the first reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a second reading.
Board Policy 5020 - Parent Rights And Responsibilities
The NUSD board policy has not been revised since 2007. The language has been replaced to match the sample board policy provided by the California School Board Association.
Administrative Regulation 5020 - Parent Rights And Responsibilities
The NUSD administrative regulation has not been revised since 2007. The language has been replaced to match the sample board policy provided by the California School Board Association.
Parent Rights and Responsibilities (12/14 MR)
(Revise AR 3/05)
MANDATED regulation revised to reflect NEW LAW which clarifies that parents/guardians need to be informed of school rules and

disciplinary procedures in accordance with specific sections of the Education Code, see item #14 in the section entitled "Parent/Guardian Rights."

File Attachments

- [Existing NUSD AR 5020 Parent Rights And Responsibilities.pdf \(116 KB\)](#)
- [Existing NUSD BP 5020 Parent Rights And Responsibilities.pdf \(69 KB\)](#)
- [Recommended CSBA AR 5020 Parent Rights And Responsibilities.pdf \(218 KB\)](#)
- [Recommended CSBA BP 5020 Parent Rights And Responsibilities - for merge.pdf \(288 KB\)](#)

POLICY UPDATE: Board Policy and Administrative Regulation 6159 - Individualized Education Program

Type Action, Procedural
Fiscal Impact No
Recommended Action The recommendation is that the Board of Education approves the updated Board Policy and Administrative Regulation 6159 - Individualized Education Program

Purpose:
 The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation.

Background:
 This is the first reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a second reading.
 The policy and regulation have not been updated by the district since the original adopted date in 2011. Since then, CSBA has made the revisions listed below.

(BP/AR revised 7/20)
 Policy updated to include the requirement, formerly in BP/AR 0430 - Comprehensive Local Plan for Special Education, to provide a free appropriate public education (FAPE) to students who have been suspended or expelled from school or who are placed by the district in a nonpublic, nonsectarian school. The policy adds the requirement to provide FAPE to individuals aged 18-21 who are incarcerated in an adult correctional facility if they had been identified as students with disabilities or had an individualized education program (IEP) in their prior educational placement. Paragraph on the rights of foster parents who moved to AR.
 Regulation updates the section on "Contents of the IEP" to consolidate lists of IEP requirements for clarity. The regulation reflects NEW LAW (SB 98, 2020) which requires the IEP to describe the means by which the IEP will be provided under emergency conditions in which instruction and/or services cannot be provided to the student at school or in person for more than 10 school days. The regulation also reflects NEW LAW (AB 947, 2019) which (1) authorizes districts to consider elements of the "expanded core curriculum," as defined, when developing an IEP for a student who is blind, has low vision, or is visually impaired, and (2) establishes requirements for orientation and mobility evaluations conducted for such students. The regulation also reflects NEW LAW (AB 605, 2019) which requires districts to provide assistive technology devices for use in a student's home or other settings when required by the student's IEP, and requires that such students be given continued access to assistive technology devices for up to two months after transferring out of the district. The section on "Parent/Guardian Consent for Provision of Special Education and Services" was revised to more directly reflect the law.

(AR revised 3/12)
 Reorganized, MANDATED regulation reflects the repeal of a law which previously required districts to request the participation of a county mental health agency in the individualized education program (IEP) team before referring a student to the county mental health agency. The regulation also clarifies membership of the IEP team, possible alternative student assessments for students with disabilities and current exemption from high school exit examination, and parental right to examine student records, and reorganizes material for IEP development and review into applicable sections.

File Attachments

- [Existing NUSD BP 6159 Individualized Education Program 11-17-2022.pdf \(108 KB\)](#)
- [Existing NUSD AR 6159 Individualized Education Program 11-17-2022.pdf \(158 KB\)](#)
- [Recommended CSBA BP 6159 Individualized Education Program 11-17-2022.pdf \(89 KB\)](#)
- [Recommended CSBA AR 6159 Individualized Education Program 11-17-2022.pdf \(436 KB\)](#)

POLICY UPDATE: Board Policy and Administrative Regulation 6159.1 - Procedural Safeguards And Complaints For Special

Type Action, Procedural
Fiscal Impact No
Recommended Action The recommendation is that the Board of Education approves the updated Board Policy and Administrative Regulation 6159.1 - Procedural Safeguards And Complaints For Special Education

Purpose:
 The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation.

Background:
 This is the first reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a second reading.

The policy and regulation have not been updated by the district since 2011. Since then, CSBA has made the revisions listed below.

(Revise BP/AR 7/20)

Policy updated to encourage early, informal resolution of any dispute regarding special education services. The policy also reflects NEW STATE REGULATIONS (Register 2020, No. 21) which establish a complaint process, separate from UCP, for complaints alleging noncompliance with federal or state laws related to the provision of FAPE to students with disabilities, such as the district's violation of the federal Individuals with Disabilities in Education Act or state law on special education, violation of a settlement agreement, failure to implement a due process hearing order, or physical safety concerns that interfere with the provision of FAPE. Regulation updated to clarify that due process complaints should be filed with the state Office of Administrative Hearings and that such complaints must generally be filed within two years of the date the parent/guardian or district knew or should have known about the alleged violation. The regulation also adds a new section on "State Compliance Complaints" reflecting NEW STATE REGULATIONS (Register 2020, No. 21) which establish a complaint process, separate from UCP, for complaints alleging noncompliance with federal or state laws related to the provision of FAPE to students with disabilities, such as the district's violation of the federal Individuals with Disabilities Education Act or state law on special education, violation of a settlement agreement, failure to implement a due process hearing order, or physical safety concerns that interfere with the provision of FAPE.

File Attachments

- [Existing NUSD BP 6159.1 Procedural Safeguards And Complaints For Special Education 11-17-2022.pdf](#) (108 KB)
- [Existing NUSD AR 6159.1 Procedural Safeguards And Complaints For Special Education 11-17-2022.pdf](#) (127 KB)
- [Recommended CSBA BP 6159.1 Procedural Safeguards And Complaints For Special Education 11-17-2022.pdf](#) (160 KB)
- [Recommended CSBA AR 6159.1 Procedural Safeguards And Complaints For Special Education 11-17-2022.pdf](#) (263 KB)

POLICY UPDATE: Board Policy 6164.4 and Administrative Regulation 6164.4 - Identification And Evaluation Of Individuals For Special Education

Type Action, Procedural
Recommended The recommendation is that the Board of Education approve the updated Board Policy and
Action Administrative Regulation 6164.4 - Identification and Evaluation of Individuals for Special
 Education

Purpose:
 The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation.

Background:
 This is the first reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a second reading.
 The policy and regulation have not been updated by the district since the original adopted date in 2011. Since then, CSBA has made the revisions listed below.

(BP/AR revised 9/21)

Policy updated to reference the U.S. Department of Education's (USDOE) Return to School Roadmap: Child Find Under Part B of the Individuals with Disabilities Education Act which reaffirms the obligation to fully implement the Individuals with Disabilities Education Act (IDEA) during the COVID-19 pandemic, including the requirement to meet child find obligations, and encourages districts to reexamine the efficacy of existing child find practices in light of the educational disruptions caused by the COVID-19 pandemic.

Regulation updated to reference USDOE's Return to School Roadmap: Child Find Under Part B of the Individuals with Disabilities Education Act which recommends that districts undertake new child-find activities in light of the educational disruptions caused by the COVID-19 pandemic and emphasizes that students who are experiencing long-term COVID effects be referred for special education evaluation if their symptoms are adversely impacting their ability to participate and learn in the general curriculum.

Regulation also updated to provide that the child find process includes the collection and screening of data to determine if students are making adequate progress, to include the district's obligation to ensure that evaluations of children suspected of having a disability are not delayed or denied because of the implementation of response to intervention strategies, clarify material regarding referrals for initial evaluations, evaluation plans and informed parent/guardian consent, reflect the timeline for the determination of whether the student is eligible for special education and the educational needs of the student and when an Individualized Education Program (IEP) meeting and the development of an IEP occurs, clarify the qualifications of personnel who administer evaluations and reevaluations, add that the normal process of second-language acquisition as well as manifestations of dialect and social linguistic variance not be diagnosed as a disabling condition, and clarify material regarding Independent Educational Evaluations. The regulation also updated to reference M.M. v. Lafayette School District, a Ninth Circuit Court of Appeals decision that held that the district violated IDEA when it failed to provide parents with their child's response to instruction (RTI) data when seeking informed consent for an initial evaluation.

File Attachments

- [Existing NUSD BP 6164.4 Identification And Evaluation Of Individuals For Special Education 11-17-2022.pdf](#) (109 KB)
- [Existing NUSD AR 6164.4 Identification And Evaluation Of Individuals For Special Education 11-17-22.pdf](#) (137 KB)
- [Recommended NUSD BP 6164.4 Identification And Evaluation Of Individuals For Special Education 11-17-2022.pdf](#) (111 KB)
- [Recommended CSBA AR 6164.4 Identification And Evaluation Of Individuals For Special Education 11-17-2022.pdf](#) (276 KB)

POLICY UPDATE: Board Policy 6164.41 and Administrative Regulation 6164.41 - Children With Disabilities Enrolled By Their Parents In Private School

Type Action, Procedural

Recommended Action The recommendation is that the Board of Education approves the updated Board Policy and Administrative Regulation 6164.41 - Children With Disabilities Enrolled By Their Parents In Private School

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation.

Background:

This is the first reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a second reading.

The policy and regulation have not been updated by the district since the original adopted date in 2010. Since then, CSBA has made the revisions listed below.

(BP/AR revised 9/21)

Policy updated to reorganize and clarify the material. Regulation updated to reference USDOE's Return to School Roadmap: Child Find Under Part B of the Individuals with Disabilities Education Act which recommends best practices for keeping parents/guardians, teachers, and private school officials informed of the child find process, enhance the section regarding consultation with private school representatives, and reference USDOE's Questions and Answers on Serving Children with Disabilities Placed by their Parents in Private School which emphasizes that districts may not require a private school to implement an RTI process before evaluating parentally-placed private school children. The regulation also updated to add that evaluation of all identified parentally-placed private school children with disabilities be conducted as specified in BP/AR - Identification and Evaluation of Individuals for Special Education including obtaining parent/guardian consent, that the district is required to make a free appropriate public education available to a child residing in the district who is eligible for an IEP, and to clarify material regarding the qualification requirements of private elementary and secondary school teachers providing equitable services to parentally-placed private school children.

(AR revised 7/16)

A minor revision was made in the regulation to delete the statement that private school teachers providing services to students with disabilities do not need to meet the federal requirements for "highly qualified" teachers, as requirements for highly qualified teachers were repealed by the Every Student Succeeds Act (P.L. 114-95).

File Attachments

- Existing NUSD BP 6164.41 Children With Disabilities Enrolled By Their Parents In Private School 11-17-2022.pdf (108 KB)
Existing NUSD AR 6164.41 Children With Disabilities Enrolled By Their Parents In Private School 11-17-2022.pdf (117 KB)
Recommended CSBA BP 6164.41 Children With Disabilities Enrolled By Their Parents In Private School 11-17-2022.pdf (151 KB)
Recommended CSBA AR 6164.41 Children With Disabilities Enrolled By Their Parents In Private School 11-17-2022.pdf (251 KB)

POLICY UPDATE: Board Policy 7120: Participation in Planning

Type Action, Procedural
Recommended Action The recommendation is that the Board of Education rescinds Board Policy 7120: Participation in Planning.

Purpose:

The purpose is for the Board of Education to review the recommendation to rescind the board policy.

Background:

This is the first reading of the attached policy. The California School Board Association has recommended the removal of this policy/administrative regulation. The administration has reviewed the recommended rescission and agrees with the recommendation. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a second reading.

In February 1999 the CSBA recommended rescinding Board Policy 7120: Participation in Planning as this material has been incorporated into the updated policy 7131 Relations with Local Agencies. Board Policy 7131 is presented for updates at this meeting.

File Attachments

- Existing NUSD BP 7120 ^Participation In Planning 11-17-2022.pdf (140 KB)

POLICY UPDATE: Board Policy 7131: Relations With Local Agencies

Type Action, Procedural
Recommended Action The recommendation is that the Board of Education approves the adoption of the updated Board Policy 7131: Relations With Local Agencies.

Purpose:

The purpose is for the Board of Education to review and approve the recommended adoption of the board policy.

Background:

This is the first reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration has reviewed the recommended updates for accuracy and made

revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a second reading.

Board Policy 7131: Relations With Local Agencies

In February 1999 CSBA made a policy revision to delete the unnecessary regulation and revise the policy to reflect NEW LAW which repeals the ability of cities/counties to deny development projects based on the adequacy of school facilities. CSBA also recommended deleting Board Policy 7120: Participation in Planning as this material has been incorporated into the updated policy 7131 Relations with Local Agencies. The recommendation to remove Board Policy 7120 is presented at this meeting.

File Attachments

Recommended CSBA BP 7131 Relations With Local Agencies 11-17-2022.pdf (181 KB)

POLICY UPDATE: Board Policy 7151: Relations With The City/County Regarding Land Development

Type Action, Procedural

Recommended The recommendation is that the Board of Education rescinds Board Policy 7151: Relations With The City/County Regarding Land Development.

Purpose:

The purpose is for the Board of Education to review the policy and the CSBA recommendation to rescind the board policy.

Background:

This is the first reading of the attached policy. The California School Board Association has recommended the removal of this policy/administrative regulation. The administration has reviewed the recommended rescission and agrees with the recommendation. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a second reading.

Board Policy 7151: Relations With the City/County Regarding Land Development

In February 1999 CSBA made a policy revision to Board Policy 7131: Relations With Local Agencies that reflect a NEW LAW that repeals the ability of cities/counties to deny development projects based on the adequacy of school facilities.

Policy 7151 is unique to the district; CSBA does not have a sample policy. The material in this policy has been incorporated into the updated policy 7131, Relations with Local Agencies, which is presented for updates at this meeting.

File Attachments

Existing NUSD BP 7151 ^Relations With The CityCounty Regarding Land Development.pdf (102 KB)

Warrant Report for October 2022

Type Action

Fiscal Impact No

Recommended The recommendation is that the Board of Education approves the Warrant Report as presented.

Purpose:

The purpose of this item is to present warrants for the total amount of \$3,131,813.70, made from District funds for October 2022.

Background:

The warrant registers represent a complete listing of all payments made from District funds for a month. Because Newark Unified School District is a fiscally dependent District, each warrant must pass through two separate audits; first by the District's Fiscal Services department, and second by the County Office of Education. No warrant can be paid until such time as it is examined and approved by the County Office of Education.

File Attachments

Warrant Report October 2022.pdf (448 KB)

Minutes of the November 3, 2022, Regular Meeting of the Board of Education

Type Action, Minutes

Recommended The recommendation is that the Board of Education approveS the minutes of the November 3, 2022, Regular Meeting of the Board of Education.

Purpose:

For the board to review and approve the minutes of the November 3, 2022, Regular Meeting of the Board of Education

Background:

The attached minutes are reflective of the November 3, 2022, Regular Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel HERE

13 SUPERINTENDENT REPORT

Superintendent Report

Type Information

Purpose:

The superintendent will provide the Board of Education with district information, updates, news, or anything in the jurisdiction of the board or the superintendent.

Background:

The presentation and information will be provided by the Superintendent

File Attachments

[Superintendent's Report 11.17.22.pdf](#) (2,220 KB)

14 STAFF REPORT

Connectivity and Internet Speeds

Type Information

Purpose:

To inform the board and public about internet issues reported since last spring and the actions taken to address connectivity.

Background:

Last Spring NMHS started reporting poor connectivity and internet speeds across the campus. After investigation, it was discovered that the fiber connection between NMHS and the District Office was failing. The issue was resolved by having AT&T replace the failing circuit with a more robust one. This school year, reports of sporadic Wi-Fi throughout the day have surfaced again. A consequent investigation found that the previous issue was not occurring again, and after exhausting all "in-house" troubleshooting ability, the District has hired a wireless consultant to help continue the troubleshooting process. Findings will be shared in this presentation.

File Attachments

[Staff Report Connectivity and Wi-Fi.pdf](#) (1,089 KB)

15 NEW BUSINESS

Arts, Music, and Instructional Materials Discretionary Block Grant Expenditure Plan

Type Action

Recommended Action The recommendation is that the Board of Education approves the Arts, Music, and Instructional Materials Discretionary Block Grant Expenditure Plan.

Purpose:

To review and approve the Arts, Music, and Instructional Materials Discretionary Block Grant Expenditure Plan

Background:

The Arts, Music, and Instructional Materials Discretionary Block Grant funds are available to county offices of education, school districts, charter schools, and state special schools. School districts are encouraged, but not required, to use the funds to obtain standards-aligned professional development and instructional materials in specified areas, obtain professional development on improving school culture, and develop diverse and culturally relevant book collections, operational costs, and COVID personal protective equipment.

The governing board or body of each school district, county office of education, or charter school receiving funds is required to discuss and approve a plan for the expenditure of funds received at a regularly scheduled public meeting.

Funds were allocated based on a per-unit basis (approximately \$666.08) using average daily attendance (ADA) as reported for the 2021-22 second principal apportionment. NUSD was allocated \$3,143,753. School districts may expend or encumber funds through the 2025-26 fiscal year.

File Attachments

[NUSD AM_IM Block Grant Expenditure Plan.pdf](#) (113 KB)

[2022-2026 Arts, Music and Instructional Materials Block Grant - BOARD PRESENTATION.pdf](#) (772 KB)

Motion & Voting

The recommendation is that the Board of Education approves the Arts, Music, and Instructional Materials Discretionary Block Grant Expenditure Plan.

Motion by Phuong Nguyen, second by Terrence Grindall.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Bowen Zhang

RESOLUTION 2022.23.14 - California Schools Healthy Air, Plumbing, and Efficiency (CalSHAPE) Program

Type Action

Recommended Action The recommendation is that the Board of Education approves Resolution 2022.23.14 - California Schools Healthy Air, Plumbing and Efficiency (CalSHAPE) Program Governing Body Resolution to complete the grant award process from the California Energy Commission.

Purpose:

To review and approve the Resolution 2022.23.14, California Schools Healthy Air, Plumbing and Efficiency (CalSHAPE) Program,

to receive grant funding from the California Energy Commission (CEC) up to the amount of \$1,132,596 for ten school sites.

Background:

The CEC was authorized by Assembly Bill 841 to design, administer and implement the CalSHAPE Program which provides grants to local educational agencies (LEA) to fund the assessment, maintenance, and repair of ventilation systems, installation of carbon dioxide monitors, and replacement of non-compliant plumbing fixtures and appliances.

An application for HVAC Assessment and Maintenance Grant was filed with the CEC on October 27, 2022. The District received a Notice of Proposed Award on November 7, 2022, for the Grant of \$1,132,596 for ten sites. The District is required to submit documents to complete the grant process and to receive funding including this Resolution. If funded, this grant will recapture certain costs spent on HVAC projects, and provide funds for current and future HVAC maintenance needs (such as filters) and installation of carbon dioxide monitors.

(Please note the CEC still has Graham Elementary in their system so the Grant Agreement shows Coyote Hills as Graham. We indicated in the application that Graham is now known as Coyote Hills but they have not changed it officially in their system.)

File Attachments

- Resolution 2022.23.14_California Schools Healthy Air, Plumbing, and Efficiency (CalSHAPE) Program.pdf (124 KB)
CalSHAPE Grant Agreement_NUSD_22R3VA1510_to BofE 11.17.2022.pdf (386 KB)

Motion & Voting

The recommendation is that the Board of Education approves Resolution 2022.23.14 - California Schools Healthy Air, Plumbing and Efficiency (CalSHAPE) Program Governing Body Resolution to complete the grant award process from the California Energy Commission.

Motion by Terrence Grindall, second by Bowen Zhang.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Bowen Zhang

Board Meeting Schedule Change

Table with 2 columns: Type, Action. Row 1: Recommended, The recommendation is that the Board of Education reschedule the December 1, 2022 Board meeting to December 5, and cancel the January 5, 2023 Board meeting.

Purpose: For the Board to consider rescheduling the December 1, 2022, Regular Board of Education meeting to December 5, 2022, and to consider canceling the January 5, 2022, Regular Board of Education meeting.

Background: The Board approved the Board of Education's regular meetings in December 2021. The district and school calendars were approved at a later date. Subsequently, the California School Board Association scheduled its Annual Education Conference, which conflicts with the currently scheduled Regular Board of Education meeting on December 1, 2022. It was later discovered that the January 5, Regular Board of Education meeting was scheduled to be held during the time of the winter break for Newark Unified School District.

Motion & Voting

The recommendation is that the Board of Education reschedule the December 1, 2022 Board meeting to December 5, and cancel the January 5, 2023 Board meeting.
Motion by Terrence Grindall, second by Bowen Zhang.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Terrence Grindall, Bowen Zhang
Nay: Aiden Hill

16 CONSENT AGENDA: PULLED AGENDA ITEMS

PLACEHOLDER - Pulled Consent Agenda Items

Table with 2 columns: Type, Action. Row 1: Placeholder, Placeholder

Purpose: This is specifically a placeholder, and will only be used if agenda items from the consent categories are pulled for additional discussion.

Background: Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately. Those items pulled will be discussed and voted on here.

17 BOARD OF EDUCATION: COMMITTEE REPORTS, REQUESTS, AND ANNOUNCEMENTS

Board of Education Recognitions and Announcements

Table with 2 columns: Type, Information. Row 1: Information, Information

Purpose: The Trustees may acknowledge or recognize specific programs, activities, or personnel at this time.

Board of Education Committee Reports

Type Information

Purpose:

The Trustees will provide an update, if available, on the committees of which they are members.

Background:

Each year the Board of Education members liaise with schools and committees in order to build relationships, hear from staff, students, and families, and act as a conduit for information to and from the schools.

Board Committees 2022-23

Board Adopted on 12/16/21	Representative	Alternate
Mission Valley Regional Occupational Center/Program (ROC/P)	1. Terrence Grindall	1. Bowen Zhang
Executive Board		
Regional Policy Board of Special Education Local Plan Area (SELPA)	1. Bowen Zhang	1. Alicia Marquez
Newark Teacher Induction Advisory Council (Formally EBIC)	1. Aiden Hill	1.
Audit Committee	1. Terrence Grindall	2. Aiden Hill
Bond/Parcel Tax Committee	1. Terrence Grindall	2. Phuong Nguyen
	1. Phuong Nguyen	1. Bowen Zhang
City of Newark NUSD Liaison Committee	2. Terrence Grindall	1. Bowen Zhang

Board of Education Requests

Type Action, Discussion, Information

Purpose:

This is an opportunity for the Board of Education to suggest items for placement on future agendas and to review Board requests. Approval from the majority of the Board will be required for direction to be provided to the Superintendent.

Background:

The following derives directly from the Board approved "Governance Team Handbook"

Authority is Collective, Not Individual:

The only authority to direct action rests with the Board as a whole when seated at a regular or special board meeting. Outside of this meeting, there is no authority.

A majority Board vote provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction.

Bringing New Ideas Forward

The Board will be open to having "brainstorming" discussions, or study sessions, around any idea that a Trustee may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Trustee, at their initiative or at the request of a constituent, which was previously discussed during a board meeting.

Trustees will first notify the Board President and Superintendent of their interest in bringing forward a new idea at a board meeting. When initially agendized, the preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.

Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea. The Superintendent will decide on the delegation of assignments to District staff.

The new idea may be agendized for discussion only. The Board majority will decide if the new idea should be further developed and studied by staff. The Board majority will decide if staff time should be invested in the "fleshing out" of new ideas.

Individual Trustees, in the course of interactions with constituents, will be careful not to make or imply the commitment of the full Board to explore or proceed with implementing new ideas.

18 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

Superintendent's Concluding Comments, Updates, and Future Agenda Items

AGENDA REQUESTS

Type Information

Purpose:

This is an opportunity for the Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

19 ADJOURNMENT

PLACEHOLDER - Extend Meeting

Type Action

Recommended The recommendation is that the Board of Education extends the meeting to ____ P.M.
Action

Purpose:

This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

Adjournment

Type Action
Recommended The recommendation is that the Board of Education adjourns this meeting.
Action

Purpose:
No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time.
This action will conclude the meeting.

Motion & Voting
The recommendation is that the Board of Education adjourns this meeting at 9:21 pm. (****motion by Member Torres)***
Motion by Phuong Nguyen, second by Bowen Zhang.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Bowen Zhang

1 CALL TO ORDER

Meeting Practices and Information

Type Procedural

In-person Meeting Information:
NUSD has opened its boardroom for in-person meetings and will follow the State's and Alameda County's safety guidelines for public gatherings. Please refrain from attending in-person meetings if you have any of the following symptoms:

- Loss of taste/smell
Difficulty breathing
Vomiting
Diarrhea
Fever
Cough
Headache
Sore Throat
Runny Nose

For additional COVID-19 information please go to https://www.newarkunified.org/covid-19 or https://www.acoe.org/guidance

Observe The Board Of Education Meeting:
Members of the public 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.

Public Comment:
The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

Roll Call

Type Procedural

Trustees:
President Phuong Nguyen
Vice President/Clerk Terrence Grindall
Member Aiden Hill
Member Alicia Marquez
Member Bowen Zhang

Student Board Member:
Member Estaina Resendiz Ortiz

2 APPROVAL OF AGENDA

Approval of the Agenda

Type Action
Recommended The recommendation is that the Board of Education approve the agenda for this meeting.
Action

Purpose:
Members of the Governance Team may request that the agenda be amended or approved as presented.

Motion & Voting

The recommendation is that the Board of Education approve the agenda for this meeting.

Motion by Terrence Grindall, second by Aiden Hill.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill

3 CLOSED SESSION

Public Comment on Closed Session Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board. If a constituent wishes to address the Board on any agenda item, please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org.

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE (Gov. Code, 54957, subd. (b)(1))

Type Action, Information, Procedural

Purpose:

Information will be provided by the Superintendent and Executive Director of Human Resources.

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a): Employee Organizations - NTA and CSEA

Type Action, Information, Procedural

Purpose:

Information may be provided by the agency negotiator, Executive Director of Human Resources. Assistance from the legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided. The employee organizations include NTA & CSEA.

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a)): Employee Group - NEWMA, Unrepresented Supervisors, and Contracted Management

Type Action, Discussion, Procedural

Purpose:

Information may be provided by the agency negotiator, the Executive Director of Human Resources, and the Superintendent. Assistance from legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided. The employee organizations include NEWMA, Unrepresented Supervisors, and Contracted Management

CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION Significant exposure to litigation pursuant to Gov. Code, 54956.9, subd. (d)[(2) or (3)]

Type Action, Discussion, Procedural

Purpose:

Information may be provided regarding significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: One case

CONFERENCE WITH LEGAL COUNSEL EXISTING LITIGATION (Gov. Code, 54956.9, subd. (d)(1))

Type Action, Information, Procedural

Purpose:

To discuss the following case(s): Name of case: [Specify by reference to claimant's name, names of parties, case, or claim numbers]

Recess to Closed Session

Type Procedural

Purpose:

The Board will recess to Closed Session, and reconvene to Open Session on or about 7:00 p.m.

4 REPORT OF CLOSED SESSION ACTIONS

Report of Closed Session Actions

Type Action, Procedural

Purpose:

If available, a report of the closed session will be provided by the Board President.

5 RECONVENE TO OPEN SESSION

Pledge of Allegiance

Type Procedural

Purpose:

The Governance Team will recite the Pledge of Allegiance

6 STUDENT REPORT

Student Reports from Newark Junior High School, Alternative Education, and Newark Memorial High School

Type Information

Purpose:

At regular Board of Education meetings, a spokesperson of each secondary school may make a brief presentation. Discussion items may include updates, celebrations, and upcoming events.

1. Newark Junior High School - NAMES
2. Alternative Education - NAMES
3. Newark Memorial High School - NAMES

7 RECOGNITIONS AND CELEBRATIONS

Staff Spotlight

Type Information

Purpose:

To recognize the wonderful accomplishments of our NUSD Team.

Background:

The presentation will be provided by the Superintendent.

School Spotlight: Newark Memorial High School

Type Information

Purpose:

The School Spotlight gives the Board of Education and the public an opportunity to hear the highlights, achievements, and initiatives at each school from the principals.

Background:

The presentation and information will be provided by the Newark Memorial High School Principal, Dr. Richard Rundhaug

File Attachments

[NMHS School Spotlight 11_3_22.pdf](#) (5,757 KB)

Promotores de Salud Recognition

Type Information

Purpose:

To recognize the community group Promotoras de Salud.

Background:

On October 27, 2022, the city of Newark proclaimed October 2022 as Promotores Month due to its valuable work with the community and playing an invaluable role in making the City of Newark a more welcoming place to live. Promotores de Salud is a community group of Spanish-speaking members of our community who are trained to be advocates and to identify solutions needed within our community. In addition, Promotores de Salud was also recognized by Supervisor Richard Valle that same night.

Tonight, we recognize the partnership and all the hard work Promotores de Salud has dedicated to our NUSD families and students.

8 EMPLOYEE ORGANIZATIONS

Employee Organizations

Type Information

Purpose:

At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Background:

Discussion items are limited to updates, celebrations, and upcoming events.

1. NTA: Sean Abruzzi
2. CSEA: Maria Huffer
3. NEWMA: Vicenta Ditto

9 PUBLIC COMMENT ON NON-AGENDA ITEMS

Public Comment on Non-Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.

<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

10 PUBLIC COMMENT ON AGENDA ITEMS

Public Comment on Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.

<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

11 CONSENT AGENDA: PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type Action

Recommended Action It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent-Personnel, except for agenda items:

Purpose:

This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:

Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Motion & Voting

It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent-Personnel.

Motion by Terrence Grindall, second by Aiden Hill.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill

MOU Between NUSD and NTA for the Crossroads Independent Studies Program (CISP)

Type Action

Absolute Date Nov 03, 2022

Recommended Action The recommendation is that the Board of Education approves the MOU between NUSD and NTA for the Crossroads Independent Studies Program (CISP).

Purpose:

The purpose is to approve the MOU between NUSD and NTA setting forth legal requirements and negotiable working conditions for the Crossroads Independent Studies Program (CISP) that vary from and/or are not covered by the current Collective Bargaining Agreement with NTA.

Background:

There are legal requirements and negotiable working conditions for the Crossroads Independent Studies Program (CISP) that vary from and/or are not covered by the current Collective Bargaining Agreement with NTA. This MOU addresses the following negotiable working conditions not covered by the Collective Bargaining Agreement with NTA:
Class Size/Grade Spans/Compensation
Educator Resources
Priority Placement

File Attachments

[Signed NTA CISP 2022-2023.pdf](#) (1,207 KB)

Bilingual Aide at Newark Junior High

Type	Action
Absolute Date	Nov 03, 2022
Fiscal Impact	Yes
Dollar Amount	\$38,000.00
Budget Source	LCAP/SPSA
Recommended Action	The recommendation is that the Board of Education approves a new bilingual aide position at Newark Junior High.

Purpose:

The purpose of this item is to approve a new 0.875 FTE bilingual aide position to support students at Newark Junior High School.

Background:

With the incoming class of 6th-grade students, Newark Junior High needs an additional bilingual aide to provide push-in classroom support for their newcomer students during content classes. Push-in classroom support is when the aide joins the actual math, language arts, social studies, or science class and supports the student during their class time.

Temporary Food Service Assistant

Type	Action
Absolute Date	Nov 03, 2022
Fiscal Impact	Yes
Dollar Amount	\$8,000.00
Budget Source	Funded by contract with Newark Library
Recommended Action	The recommendation is that the Board of Education approves a new food service assistant position.

Purpose:

The purpose of this item is to approve a new temporary 0.2 FTE food service assistant position.

Background:

This is a temporary position funded by a new contract with Newark Library to serve the Newark community with our after school supper program for the 2022-2023 school year.

Personnel Report

Type	Action
Absolute Date	Nov 03, 2022
Recommended Action	The recommendation is that the Board of Education ratifies the personnel report as presented.

Purpose:

The purpose is for the Board of Education to ratify the Personnel Report as presented.

Background:

All personnel activities including new hires, changes in status, resignation, leaves, and retirements are routinely submitted to the Board for ratification.

File Attachments

[HR PAL 11-03-2022.pdf](#) (349 KB)

12 CONSENT AGENDA: NON-PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type Action
Recommended Action It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent Non-Personnel, except for agenda items:

Purpose: This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background: Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Motion & Voting It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent Non-Personnel. (****student board member seconded the motion) Motion by Terrence Grindall, second by Phuong Nguyen. Final Resolution: Motion Carries Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill

CONTRACT AMENDMENT: Sobrato Early Academic Literacy Agreement

Type Action
Budget Source LCAP 1.13
Recommended Action The recommendation is that the Board of Education approves the amended contract for Sobrato Early Academic Literacy (SEAL) program training for 2022-2024.

Purpose: The agreement has been adjusted to reflect a change in planned scope of services for 2022-24. The recommendation is for the Board of Education to approve this amendment.

Background: The Board of Education approved an initial contract agreement between the District and SEAL on June 16, 2022. Given the program delivery model and current conditions for implementation, it has been decided to focus the training and implementation on the 4th and 5th grade teachers at the previously identified elementary schools: Schilling and Coyote Hills. Highlighted sections show contract changes. There will be no change to the number of training sessions that SEAL provides and no fiscal impact to this amendment.

File Attachments
NUSD_June16Agreement_2022-24.docx.pdf (136 KB)
NUSD 4th_5th Agmt_UNSIGNED_2022-24_Highlighted.pdf (328 KB)

RESOLUTION 2022.23.13 - Declaring Surplus Equipment

Type Action
Recommended Action The recommendation is that the Board of Education approves Resolution 2022.23.13 - Declaring Surplus Equipment.

Purpose: The purpose of this item is to obtain Board approval of Resolution 2022.23.13 - Declaring Surplus Equipment, which lists items to be declared as surplus equipment as recommended.

Background: Surplus materials will be disposed of per Board Policy and Administrative Regulation 3270 Sale And Disposal Of Books, Equipment and Supplies. Education Code, Section 17546 states that if the Governing Board, by a unanimous vote of those members present, finds that the property, whether one or more items, does not exceed the value of \$2,500, it may be sold at private sale without advertising, by a District employee empowered for that purpose by the Board; the property may be donated to a charitable organization, or it may be disposed of in a public disposal facility. The property as described in Resolution 2022.23.13 includes equipment used in the Maintenance, Operations and Transportation Department, Print Shop, and at Birch Grove Primary. Staff determined that the items are at the end of life.

File Attachments
Resolution 2022.23.13 Declaring Surplus Equipment.pdf (14 KB)

POLICY UPDATE: Board Policy 0100 - Philosophy

Type Action, Procedural
Recommended Action The recommendation is that the Board of Education approves the updated Board Policy 0100 - Philosophy.

Purpose: The purpose is for the Board of Education to review the recommended changes and approve the updated board policy.

Background:

This is the first reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a second reading.

Board Policy 0100 - Philosophy

The NUSD board policy has not been revised since October 3, 1995. The language has been replaced to match the sample board policy provided by the California School Board Association.

File Attachments

[Existing NUSD BP 0100 Philosophy \(2\).pdf](#) (97 KB)

[Recommended CSBA BP 0100 Philosophy \(1\).pdf](#) (55 KB)

POLICY UPDATE: Board Policy 1100 - Communication With the Public

Type Action, Procedural

Recommended The recommendation is that the Board of Education approves the updated Board Policy 1100 -

Action Communication With the Public

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated board policy.

Background:

This is the first reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a second reading.

Board Policy 1100: Communication With the Public

The NUSD board policy has not been revised since October 17, 1995. The language has been replaced to match the sample board policy provided by the California School Board Association.

File Attachments

[Existing NUSD BP 1100 Communication With The Public.pdf](#) (171 KB)

[Recommended CSBA BP 1100 Communication With The Public \(2\).pdf](#) (127 KB)

POLICY UPDATE: Board Policy 3300: Expenditures and Purchases

Type Action, Procedural

Recommended The recommendation is that the Board of Education approves the updated Board Policy 3300 -

Action Expenditures and Purchases.

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated board policy.

Background:

This is the first reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a second reading.

Board Policy 3300: Expenditures and Purchases

The NUSD board policy has not been revised since June 5, 2018. The language has been replaced to match the sample board policy provided by the California School Board Association.

File Attachments

[Existing NUSD Policy 3300 Expenditures And Purchases.pdf](#) (236 KB)

[Recommended CSBA Policy 3300 Expenditures And Purchases 11-3-2022.pdf](#) (124 KB)

POLICY UPDATE: Board Policy 3310: Purchasing Procedures

Type Action, Procedural

Recommended The recommendation is that the Board of Education rescinds Board Policy 3310 - Purchasing

Action Procedures.

Purpose:

The purpose is for the Board of Education to review the policy and rescind the board policy per the CSBA recommendations.

Background:

The rescission of this policy is sanctioned by the California School Board Association. The administration has reviewed the recommended update to rescind this policy as the purchasing procedures have been incorporated into Board Policy 3300: Expenditures and Purchasing. The policy update of Board Policy 3300 is recommended at this meeting.

Board Policy 3310: Purchasing Procedures

In July 2006, the CSBA recommended the rescission of this unnecessary policy and regulation.

Material regarding purchasing

procedures has been incorporated into BP 3300: Expenditures and Purchasing.

File Attachments

[Existing NUSD Policy 3310 Purchasing Procedures.pdf](#) (298 KB)

POLICY UPDATE: Board Policy 4112.2 and Administrative Regulation 4112.2 - Certification

Type	Action, Procedural
Preferred Date	Nov 03, 2022
Recommended	The recommendation is that the Board approves the updated Board Policy 4112.2 and
Action	Administrative Regulation 4112.2 - Certification

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation.

Background:

This is the first reading of the attached policy and regulation. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policy and regulation. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy and/or regulation will be brought back to the Board of Education for a second reading.

The policy and regulation have not been updated by the district since 2012. Since then, CSBA has made the revisions listed below.

AR revised 6/22:

Regulation updated to expand the section on "Basic Skills Proficiency" to include a list of the ways a person may demonstrate basic skills proficiency, and reflect NEW LAW (AB 130, 2021) which exempts a person from the basic skills proficiency test requirement by earning at least a letter grade of B in qualifying coursework and, in conjunction with NEW LAW (AB 167, 2021), exempts a person from the basic skills proficiency test requirement if it is determined that a person has demonstrated proficiency through a combination of coursework, passage of a component(s) of the basic skills proficiency test, and other specified exams. The section also updated to reflect NEW LAW (AB 320, 2021) which impacts what is "qualifying coursework" by defining a "regionally accredited institution" to include an institution of higher education that held pre-accreditation status at the time the degree of an applicant for a credential was conferred if the institution achieved full accreditation status within five years of earning pre-accreditation status, in addition to an institution of higher education that has already been designated as regionally accredited at the time the degree of an applicant for a credential was conferred. Additionally, the regulation was updated to provide more detail for when an out-of-state prepared teacher is not required to meet the basic skills requirement within one year of being issued a California preliminary credential by the California Commission on Teacher Credentialing.

BP revised 3/20:

Policy updated to clarify the hiring hierarchy if the district is unable to hire a person who possesses a clear or preliminary credential, including one who is approved for a limited assignment option. The policy reflects the Commission on Teacher Credentialing (CTC) Coded Correspondence stating that, if the district needs to hire a person who has been granted a credential waiver by CTC, that person must qualify for a "variable term waiver." The policy also expands the section on "National Board for Professional Teaching Standards Certification" to add examples of incentives that may encourage teacher participation.

AR revised 7/17:

Regulation updated to (1) add verification of temporary certificates for employees whose credential applications are being processed by the Commission on Teacher Credentialing; (2) add section reflecting requirements for the Teaching Permit for Statutory Leave, as added by NEW STATE REGULATIONS (Register 2016, No. 34); and (3) add authorization for the holder of the Teaching Permit for Statutory Leave, Provisional Internship Permit, or Short-Term Staff Permit to provide substitute teaching services as specified.

BP revised 7/16:

Policy updated to add requirement, as amended by the Every Student Succeeds Act (P.L. 114-95), to notify parents/guardians of each student attending a school receiving Title I funds that they may request certain information regarding the qualifications of their child's teacher.

BP/AR revised 8/14:

Policy updated to add and clarify the material, formerly in AR, on priorities for hiring when a teacher with a preliminary or clear credential is unavailable. The policy also reflects NEW TITLE 5 REGULATIONS (Register 2013, No. 28) which provides that the provisional internship permit is not renewable and changes the timelines for the re-issuance of emergency permits. Material on advanced certification through the National Board for Professional Teaching Standards (NBPTS) updated to reflect NEW LAW (AB 97, 2013) which eliminated categorical funding for incentive awards to NBPTS-certificated teachers. Regulation updated to delete material on visiting faculty permits pursuant to the sunset date in Education Code 44300.1. The regulation also reflects NEW TITLE 5 REGULATIONS (Register 2013, No. 28) which provides that the provisional internship permit is not renewable and changes the timelines for the re-issuance of emergency permits.

File Attachments

[Existing NUSD BP 4112.2 Certification 11-03-2022.pdf](#) (99 KB)

[Existing NUSD AR 4112.2 Certification 11-03-2022.pdf](#) (170 KB)

[Recommended CSBA BP 4112.2 Certification 11-03-2022.pdf](#) (347 KB)

[Recommended CSBA AR 4112.2 Certification 11-03-2022.pdf](#) (582 KB)

POLICY UPDATE: Board Policy 4200 and Administrative Regulation 4200 - Classified Personnel

Type	Action, Procedural
Recommended	The recommendation is that the Board approves the updated Board Policy 4200 and
Action	Administrative Regulation 4200 - Classified Personnel.

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation.

Background:

This is the first reading of the attached policy and regulation. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policy and regulation. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy and/or regulation will be brought back to the Board of Education for a second reading. The policy and regulation have not been updated by the district since 2010. In 2018, CSBA updated the policy to add material formerly in AR regarding the employment of substitute or short-term employees and to clarify that the length of service of a short-term employee must be no longer than 195 days per year.

File Attachments

- [Existing NUSD BP 4200 Classified Personnel 11-03-2022.pdf](#) (48 KB)
- [Existing NUSD AR 4200 Classified Personnel 11-03-2022.pdf](#) (47 KB)
- [Recommended CSBA BP 4200 Classified Personnel 11-03-2022.pdf](#) (181 KB)
- [Recommended CSBA AR 4200 Classified Personnel 11-03-2022.pdf](#) (202 KB)

Contracts and Purchase Orders Authorized under Resolution 2020.21-025 (Delegate Authority to Procure Necessary Materials, Equipment and Services to Provide Distance and/or In-Person Learning for Staff, Teachers, and Students to Mitigate the Effects of Covid-19)

Type	Action
Recommended	The recommendation is that the Board of Education accepts the update on costs associated
Action	with the implementation of Resolution 2020.21-025 (Resolution of the Board of Education of the Newark Unified School District to Delegate Authority to Procure Necessary Materials, Equipment and Services to Provide Distance and/or In-Person Learning for Staff, Teachers, and Students to Mitigate the Effects of Covid-19)

Purpose:
To update the Board on costs associated with the implementation of Resolution 2020.21-025 (Resolution of the Board of Education of the Newark Unified School District to Delegate Authority to Procure Necessary Materials, Equipment and Services to Provide Distance and/or In-Person Learning for Staff, Teachers, and Students to Mitigate the Effects of Covid-19) from October 1, 2022, through October 31, 2022.

Background:
On April 1, 2021, the Newark Unified School District Board approved Resolution 2020.21-025 delegating authority to the Superintendent or designee to procure necessary materials, equipment, and services that are needed to provide distance and/or in-person learning to mitigate the effects of Covid-19. Language in the resolution states "the Superintendent/Designee shall make periodic reports to the Board of Education and the public regarding implementation of this resolution and the costs associated therewith"; requiring the update provided here.

On June 16, 2022, Amended Resolution 2020.21-025 was approved. The amendment extends it to on or around June 30, 2023, and states that updates will be presented at the first Board meeting of each month.

VENDOR	DATE	PO	NUMBER	DESCRIPTION	AMOUNT
N/A *					

*There are no contracts or purchase orders to report for the period of October 1, 2022, through October 31, 2022.

Monthly Purchase Order Report

Type	Action
Recommended	The recommendation is that the Board of Education approves the Monthly Purchase Order
Action	Report as presented.

Purpose:
The purpose of this item is to present a monthly report on Purchase Order transactions per Board Policy 3300, Expenditures and Purchases.

Background:
Based on the discussion at the Board's Study Session on January 6, 2022, staff is providing a monthly report on Purchase Order transactions per Board Policy 3300, Expenditures and Purchases. The policy states that "The Board shall review all transactions entered into by the Superintendent or designee on behalf of the Board every 60 days."

File Attachments

- [Monthly Purchase Order Report 11-03-2022.pdf](#) (185 KB)
- [FORMAT CORRECTED - Monthly Purchase Order Report 11-03-2022-a.pdf](#) (117 KB)

Minutes of the October 20, 2022 Regular Meeting of the Board of Education

Type	Action, Minutes
Recommended	The recommendation is that the Board of Education approved the minutes of the October 20,
Action	2022, Regular Meeting of the Board of Education

Purpose:

For the board to review and approve the minutes of the October 20, 2022, Regular Meeting of the Board of Education

Background:

The attached minutes are reflective of the October 20, 2022, Regular Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel [HERE](#)

13 SUPERINTENDENT REPORT

Superintendent Report

Type Information

Purpose:

The superintendent will provide the Board of Education with district information, updates, news, or anything in the jurisdiction of the board or the superintendent.

Background:

The presentation and information will be provided by the Superintendent

File Attachments

[Superintendent's Report 11.3.22.pdf](#) (4,894 KB)

14 STAFF REPORT

Parent Engagement

Type Information

Purpose:

To inform the board and public about parent leadership and engagement opportunities as well as the support that Parent Partners provide in NUSD.

Background:

At the request of the Board, staff will provide information about parent workshops and other opportunities available to NUSD families. These include leadership roles both at the site and district levels, workshops for our families to learn about how they can best support their students' success, resources provided by NUSD and community partners, and more.

File Attachments

[Parent Engagement Spotlight - 11.3.2022.pdf](#) (2,415 KB)

Introduction to Induction

Type Information

Purpose:

To describe how the Newark Teacher Induction program supports NUSD teachers to earn their clear credential. Staff will overview the program structure and define the roles and responsibilities of the candidates, mentors, site administrators, and district administrator to ensure that this program maintains its accredited status.

Background:

Newark Teacher Induction is a commission-approved Induction program. It is accredited by the Commission on Teacher Credentialing to provide a two-year individualized, job-embedded system of mentoring, support, and professional learning that begins in the teacher's first year of teaching. Upon completion of the program requirements, candidates earn a recommendation for a clear professional teaching credential. For more information, visit the NTIP website.

The vision of the Newark Teacher Induction (formerly known as East Bay Induction Consortium or EBIC) program is as follows: Newark Teacher Induction is a collaborative network of professional educators who support and mentor teachers with a preliminary teaching credential through the requirements of Induction that lead to a professional clear credential. Through a structured system of formative assessment, research-based inquiry, and data analysis, it is committed to empowering teachers ...

1. To be reflective practitioners and lifelong learners
2. To be prepared to meet the needs of their diverse teaching population and,
3. To strive for student success in academics, character development, and civic participation

File Attachments

[Final.Intro to Induction 11.03.22 BOE Staff Report.pdf](#) (1,149 KB)

District Goals and Objectives: 2022-23 Measurable Outcomes

Type Discussion

Purpose:

The superintendent, Dr. Mark Triplett, will share the metrics related to the Board-approved 2022-23 District Goals and Objectives for the Newark Unified School District for Board approval.

Background:

The 2022-23 District Goals and Objectives for the Newark Unified School District were presented to the Board during a study session at the September 15, 2022, Regular Board of Education meeting, and a revised draft was presented at the October 6, 2022, Regular Board of Education meeting for additional input. The Board approved the 2022-23 District Goals and Objectives for the Newark Unified School District on October 20, 2022. Tonight the Superintendent will present the measurable outcomes for Board input.

BP 0200 - "As part of the Governing Board's responsibility to set the direction for the school district, the Board shall adopt long-term goals focused on the achievement of all district students. The district's goals shall be aligned with the district's vision, mission, philosophy, and priorities."

I. Review the Purpose of the Creation and Adoption of District Goals and Objectives

1. To provide clear direction, coherence, and accountability regarding area(s) of focus for the District.

II. Underlying Assumptions

- 1. The governance team and staff need clear goals and objectives to prioritize resources and effectively measure progress toward goals.
- 2. Consistency of goals over time is necessary to deepen the work throughout the district, realize desired outcomes, and make course corrections based on lessons learned.
- 3. Corresponding outcomes need to be SMARTER (Specific, Measurable, Achievable, Realistic, Time Sensitive, and Equitable)

III. Timeline for Board Approval

- 1. Superintendent recommended 2022-23 Goals and Objectives for community and Board input on Thursday, September 15, 2022.
- 2. Superintendent made revisions based on community and Board input and present them to the Board for additional input on October 6, 2022.
- 3. The updated 22-23 Goals and Objectives will be presented to the Board for approval on October 20, 2022.
- 4. Superintendent and Team will generate measurable outcomes for each articulated goal/objective to be presented at the November 3, 2022 Board meeting for Board input.

File Attachments

Approved District Goals & Objectives w_Draft Measurable Outcomes 11.3.22(2).pdf (1,422 KB)

15 NEW BUSINESS

Ratify Collective Bargaining Agreement with California School Employees Association (CSEA)

Type Action

Preferred Date Nov 03, 2022

Recommended Action The recommendation is that the Board of Education ratifies the Collective Bargaining Agreement with California School Employees Association (CSEA).

Purpose:

The District and the California School Employees Association (CSEA) reached a tentative agreement for 2022-2030, 2023-2024, and 2024-2025. The CSEA membership voted to approve the agreement on October 11, 2022, and it now comes before the Board of Education for ratification.

Background:

The current Collective Bargaining Agreement with CSEA sunset on June 30, 2022, resulting in both sides sunshining their reopeners for a successor agreement. Formal negotiations began on May 11, 2022. After several rounds of negotiations, we were able to reach a Tentative Agreement on September 27, 2022, for a three-year agreement. The District submitted documentation to the Alameda County Office of Education (ACOE) indicating that the District can afford this agreement. ACOE has reviewed the documentation and agreed to our findings. CSEA membership voted to approve the agreement on October 11, 2022. With the approval of the Tentative Agreement, the District was able to submit the AB1200 documents to ACOE.

For 2023-2024, the parties may reopen negotiations on up to one article of each party's choice as well as Article 10. For 2024-2025, the parties may reopen negotiations on up to one article of each party's choice as well as Article 9 and Article 10.

The Articles that were updated are:

- Article 2: Recognition
- Article 4: Organizational Rights
- Article 7: Evaluation and Classified Performance Report Form
- Article 8: Duty Hours
- Article 9: Pay and Allowances
- Article 10: Health and Welfare
- Article 11: Holidays
- Article 12: Leaves
- Article 13: Transfer and Layoff
- Article 27: Negotiations
- Article 30: Term

Effective July 1, 2022, the CSEA bargaining unit salary schedule shall be increased ongoing by 6.5%. All retroactive amounts shall be paid by the second pay cycle following Board ratification. Effective July 1, 2023, the CSEA bargaining unit salary schedule shall be increased ongoing by 3.5%.

In addition, CSEA members will receive a one-time off-schedule payment as follows:

- 2022-2023 - 3% paid August 31, 2023. To be eligible a bargaining unit member must be in paid status as of June 1, 2023
- 2023-2024 - 3% paid August 30, 2024. To be eligible a bargaining unit member must be in paid status as of June 3, 2024.

Attached are the AB1200 documents outlining the financial impact of the agreement.

File Attachments

NUSD CSEA All Tentative Agreements 9_2022.pdf (4,465 KB)

AB1200 form_CSEA for 22-23-24 settlement_Final 10-14-22_Signed.pdf (218 KB)

[ACOE 2022-23 to 2023-24 CSEA AB1200 Collective Bargaining Board Letter \(1\).pdf](#) (150 KB)

Motion & Voting

The recommendation is that the Board of Education ratifies the Collective Bargaining Agreement with California School Employees Association (CSEA). (***** second by Diego torres)

Motion by Terrence Grindall, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill

16 CONSENT AGENDA: PULLED AGENDA ITEMS

PLACEHOLDER - Pulled Consent Agenda Items

Type Action

Purpose:

This is specifically a placeholder, and will only be used if agenda items from the consent categories are pulled for additional discussion.

Background:

Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately. Those items pulled will be discussed and voted on here.

17 ORGANIZATION OF THE BOARD

Board Committees and Assignments

Type Discussion

Purpose:

For the Board to review the committee assignments and alternates.

Background:

Upon Member Marquez's departure from the NUSD Board of Education, a vacancy was created in the following committees: Newark Teacher Induction Advisory Council and Audit Committee. The alternate for the Newark Teacher Induction Advisory Council is Member Aiden Hill and the alternate for the Audit Committee is Vice President Terrence Grindall. The Board will review the committee assignments. This item will be revisited in December at the Organizational Review meeting.

File Attachments

[Board Committees - Approved 21-1216.docx.pdf](#) (47 KB)

18 BOARD OF EDUCATION: COMMITTEE REPORTS, REQUESTS, AND ANNOUNCEMENTS

Board of Education Recognitions and Announcements

Type Information

Purpose:

The Trustees may acknowledge or recognize specific programs, activities, or personnel at this time.

Board of Education Committee Reports

Type Information

Purpose:

The Trustees will provide an update, if available, on the committees of which they are members.

Background:

Each year the Board of Education members liaise with schools and committees in order to build relationships, hear from staff, students, and families, and act as a conduit for information to and from the schools.

Board Committees 2022-23

Board Adopted on 12/16/21

	Representative	Alternate
Mission Valley Regional Occupational Center/Program (ROC/P)	1. Terrence Grindall	1. Bowen Zhang

Executive Board

Regional Policy Board of Special Education Local Plan Area (SELPA)	1. Bowen Zhang	1. Alicia Marquez
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Newark Teacher Induction Advisory Council (Formally EBIC)	1. Alicia Marquez	1. Aiden Hill
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Audit Committee	1. Alicia Marquez	2. Aiden Hill	1. Terrence Grindall
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Bond/Parcel Tax Committee	1. Terrence Grindall	2. Phuong Nguyen	1. Bowen Zhang
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City of Newark	1. Phuong Nguyen
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NUSD Liaison Committee	2. Terrence Grindall	1. Bowen Zhang
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Board of Education Requests

Type Action, Discussion, Information

Purpose:

This is an opportunity for the Board of Education to suggest items for placement on future agendas and to review Board requests. Approval from the majority of the Board will be required for direction to be provided to the Superintendent.

Background:

The following derives directly from the Board approved "Governance Team Handbook"

Authority is Collective, Not Individual:

The only authority to direct action rests with the Board as a whole when seated at a regular or special board meeting. Outside of this meeting, there is no authority.

A majority Board vote provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction.

Bringing New Ideas Forward

The Board will be open to having "brainstorming" discussions, or study sessions, around any idea that a Trustee may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Trustee, at their initiative or at the request of a constituent, which was previously discussed during a board meeting.

Trustees will first notify the Board President and Superintendent of their interest in bringing forward a new idea at a board meeting.

When initially agendized, the preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.

Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea. The Superintendent will decide on the delegation of assignments to District staff.

The new idea may be agendized for discussion only. The Board majority will decide if the new idea should be further developed and studied by staff. The Board majority will decide if staff time should be invested in the "fleshing out" of new ideas.

Individual Trustees, in the course of interactions with constituents, will be careful not to make or imply the commitment of the full Board to explore or proceed with implementing new ideas.

19 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

Superintendent's Concluding Comments, Updates, and Future Agenda Items

AGENDA REQUESTS

Type Information

Purpose:

This is an opportunity for the Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

20 ADJOURNMENT

PLACEHOLDER - Extend Meeting

Type Action

Recommended The recommendation is that the Board of Education extends the meeting to ____ P.M.
Action

Purpose:

This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

Adjournment

Type Action

Recommended The recommendation is that the Board of Education adjourns this meeting.
Action

Purpose:

No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time. This action will conclude the meeting.

Motion & Voting

The recommendation is that the Board of Education adjourns this meeting. (**Diego torres seconded) - 8:58pm

Motion by Terrence Grindall, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill

1 CALL TO ORDER

Meeting Practices and Information

Type Procedural

In-person Meeting Information:

NUSD has opened its boardroom for in-person meetings and will follow the State's and Alameda County's safety guidelines for public gatherings. Please refrain from attending in-person meetings if you have any of the following symptoms:

- Loss of taste/smell
- Difficulty breathing
- Vomiting
- Diarrhea
- Fever
- Cough
- Headache
- Sore Throat
- Runny Nose

For additional COVID-19 information please go to <https://www.newarkunified.org/covid-19> or <https://www.acoe.org/guidance>

Observe The Board Of Education Meeting:

Members of the public 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.

Public Comment:

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLI COMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLI COMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

Roll Call

Type Procedural

Trustees:

- President Phuong Nguyen
- Vice President/Clerk Terrence Grindall
- Member Aiden Hill
- Member Alicia Marquez
- Member Bowen Zhang

Student Board Member:

- Diego Torres

2 APPROVAL OF AGENDA

Approval of the Agenda

Type Action

Recommended Action The recommendation is that the Board of Education approve the agenda for this meeting.

Purpose:

Members of the Governance Team may request that the agenda be amended or approved as presented.

Motion & Voting

The recommendation is that the Board of Education approve the agenda for this meeting.

- Motion by Bowen Zhang, second by Terrence Grindall.
- Final Resolution: Motion Carries
- Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Bowen Zhang

3 CLOSED SESSION

Public Comment on Closed Session Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board. If a constituent wishes to address the Board on any agenda item, please fill out a virtual speaker card via email at PUBLI COMMENT@newarkunified.org.

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE (Gov. Code, 54957, subd. (b)(1))

Type Action, Information, Procedural

Purpose:
Information will be provided by the Superintendent and Executive Director of Human Resources.

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a): Employee Organizations - NTA and CSEA

Type Action, Information, Procedural

Purpose:
Information may be provided by the agency negotiator, Executive Director of Human Resources. Assistance from the legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided.
The employee organizations include NTA & CSEA.

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a)): Employee Group - NEWMA, Unrepresented Supervisors, and Contracted Management [Human Resources Executive Director]

Type Action, Discussion, Procedural

Purpose:
Information may be provided by the agency negotiator, the Executive Director of Human Resources, and the Superintendent. Assistance from legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided.
The employee organizations include NEWMA, Unrepresented Supervisors, and Contracted Management

CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION Significant exposure to litigation pursuant to Gov. Code, 54956.9, subd. (d)[(2) or (3)]

Type Action, Discussion, Procedural

Purpose:
Information may be provided regarding significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9:
Three cases

Recess to Closed Session

Type Procedural

Purpose:
The Board will recess to Closed Session, and reconvene to Open Session on or about 7:00 p.m.

4 REPORT OF CLOSED SESSION ACTIONS

Report of Closed Session Actions

Type Action, Procedural

Purpose:
If available, a report of the closed session will be provided by the Board President.

5 RECONVENE TO OPEN SESSION

Pledge of Allegiance

Type Procedural

Purpose:
The Governance Team will recite the Pledge of Allegiance

6 RECOGNITIONS AND CELEBRATIONS

School Spotlight: Crossroads Independent Studies

Type Information

Purpose:
The School Spotlight gives the Board of Education and the public an opportunity to hear the highlights, achievements, and initiatives at each school from the principals.

Background:

The presentation and information will be provided by the Crossroads Independent Studies' Principal, Julie Calderon

File Attachments

Crossroads 2022 School Spotlight.pdf (3,145 KB)

7 EMPLOYEE ORGANIZATIONS

Employee Organizations

Type Information

Purpose:

At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Background:

Discussion items are limited to updates, celebrations, and upcoming events.

1. NTA: Sean Abruzzi
2. CSEA: Maria Huffer
3. NEWMA: Vicenta Ditto

8 PUBLIC COMMENT ON NON-AGENDA ITEMS

Public Comment on Non-Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.

<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

9 PUBLIC COMMENT ON AGENDA ITEMS

Public Comment on Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.

<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

10 CONSENT AGENDA: PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type Action

Recommended Action It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent-Personnel, except for agenda items:

Purpose:

This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:

Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Personnel Report

Type Action

Absolute Date Oct 20, 2022
Recommended The recommendation is that the Board of Education ratify the personnel report as presented.
Action

Purpose:
The purpose is for the Board of Education to ratify the Personnel Report as presented.

Background:
All personnel activities including new hires, changes in status, resignations, leaves, and retirements are routinely submitted to the Board for ratification.

File Attachments
[HR PAL 10-20-2022.pdf](#) (370 KB)

Motion & Voting
The recommendation is that the Board of Education ratify the personnel report as presented.
Motion by Aiden Hill, second by Terrence Grindall.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Bowen Zhang

11 CONSENT AGENDA: NON-PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type Action
Recommended It is recommended that the Board of Education approve, under one consented vote, the
Action agenda items under Consent Non-Personnel, except for agenda items:

Purpose:
This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:
Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Motion & Voting
It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent Non-Personnel, except for agenda items: 11.4, 11.16
Motion by Terrence Grindall, second by Bowen Zhang.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Bowen Zhang

FIELD TRIP: Curricular, Overnight Trip for Coyote Hills fifth grade class to travel to Pigeon Point, Pescadero, CA

Type Action
Absolute Date Oct 20, 2022
Fiscal Impact Yes
Dollar Amount \$8,580.00
Budgeted Yes
Budget Source Student Fundraising & Donations, ASB, & LCAP 3.6
Recommended The recommendation is that the Board of Education approves the overnight trip for Coyote
Action Hills fifth grade class to travel to Pigeon Point, Pescadero, CA.

Purpose:
The Coyote Hills Elementary community requests permission to take fifth grade students on a curricular, overnight field trip. Students will travel to Pigeon Point, Pescadero, CA. for an outdoor science education camp. Transportation will be by chartered bus. Students will investigate and observe environmental phenomenon in an outdoor science school. Students will be taught concepts from NGSS standards with hands-on experiences. Students will build community through cabin group activities.

School: Coyote Hills Elementary
Dates: October 31 - November 2, 2022
Location: Pigeon Point, Pescadero, CA.

Chaperones for Science Camp:
The ratio of adults to students on school-sponsored trips shall be based on the following formula:
K-3 1 adult for every 5-8 students
4-9 1 adult for every 10 students
10-12 1 adult for every 10 students where strict supervision is required (tours, theaters, etc.)

Overnight trip supervision must be gender appropriate. However, in the event that the supervisors, who stay overnight in proximity to students, are of a gender other than that group of campers, adequate planning, and preparation of campers and the physical arrangements of the camp shall be made to ensure optimal safety and privacy of students (AR 6153).
No student will be denied due to a lack of funds.

Background:
According to Board Policy, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. The site principal and sixth grade teachers request permission to take students on an overnight curricular trip to attend an outdoor education/science camp

program that is articulated with grade level curriculum. The programs are taught by credentialed staff members and camp staff and are viewed by the sites as a valuable part of the students' educational experience.

FIELD TRIP: Athletic Trip, Overnight, Round Trip Distance Over 125 Miles Field Trip: Newark Memorial HS Boys Basketball Team to Clovis CA.

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$2,600.00
Budgeted	Yes
Budget Source	Athletics 103, Athletic ASB, NM Boosters
Recommended	The recommendation is that the Board of Education approves Newark Memorial High School
Action	Varsity Boys' Basketball Team's trip to Clovis, CA.

Purpose:
The NMHS Principal and Athletic Director request permission to take students on an athletic and overnight trip to Clovis, CA for the 2022 Children's Hospital Tip-Off Invitational Basketball Tournament.

Background:
The Newark Memorial High School Varsity Basketball Team has been invited to return to the 2022 Children's Hospital Tip-Off Invitational Basketball Tournament. This is a highly competitive tournament, which provides athletes with an opportunity to compete at a high in a well recognized positive environment and gives them the opportunity to serve Children's Hospital.

Date: December 1-3

Location: Clovis North High School

According to Board Policy 6153, all trips in excess of 125 miles, athletic trips, and overnight trips require Board approval. Newark Memorial High School Principal and Athletic Director request permission to take the Newark Memorial High School Varsity Basketball team on an athletic trip to Clovis, CA.

Requirements met:

- Grade K-3, one adult for every 5-8 students; Grades 4-12, one adult for every 10 students; Board Policy requires at least two adults on every trip regardless of the number of students (BP 6153 and AR 6153)
- Overnight trip supervision must be gender appropriate
- No student will be denied due to a lack of funds

CONTRACT: Meyers Nave

Type	Action
Recommended	The recommendation is that the Board of Education approves the agreement with Meyers
Action	Nave.

Purpose:
To approve the legal service agreement with Meyers Nave.

Background:
Meyers Nave will provide legal and, upon request, non-legal consultant services on the Board's and/or District's behalf.

File Attachments
[Signed 2002.10.06 NUSD Engagement Letter \(2\).pdf](#) (2,717 KB)

Motion & Voting
The recommendation is that the Board of Education approves the agreement with Mayers Nave.
Motion by Terrence Grindall, second by Bowen Zhang.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Terrence Grindall, Bowen Zhang
Nay: Aiden Hill

RESOLUTION 2022.23.11 - Notice of Completion for HVAC Units Replacement Phase 1, Increment 1 Project: Birch Grove Primary, Kennedy, Coyote Hills and Schilling

Type	Action
Recommended	The recommendation is that the Board of Education approves Resolution 2022.23.11 and
Action	authorize the filing of a Notice of Completion (NOC) with the County Recorder of Alameda County for HVAC Units Replacement at Birch Grove Primary, Kennedy, Coyote Hills, and Schilling by S&H Construction Inc.

Purpose:
To authorize the filing of a Notice of Completion (NOC) with the County Recorder of Alameda County.

Background:
On August 5, 2021, the Board of Trustees awarded a contract to S&H Construction Inc. for HVAC Units Replacement at Birch Grove Primary, Kennedy, Coyote Hills, and Schilling Project in the amount of \$2,993,000.
On March 17, 2022, the Board of Trustees approved Change Order #1 in the credit amount of \$(2,777.76) for a total contract amount and final expenditure of \$2,990,222.24.
All contract items, Punchlist, and project closeout items have been satisfied. Accordingly, Staff requests acceptance of the project which will allow filing a Notice of Completion with the County and permit the release of retention thirty-five (35) days after approval.

[File Attachments](#)

- [Resolution 2022.23.11 NOC HVAC Phase 1 Increment 1_BGP Kennedy Coyote Hills Schilling.pdf](#) (11 KB)
- [Birch Grove Notice of Completion-HVAC.pdf](#) (73 KB)
- [John F Kennedy Notice of Completion-HVAC.pdf](#) (74 KB)
- [Coyote Hills Notice of Completion-HVAC.pdf](#) (73 KB)
- [Schilling Notice of Completion-HVAC.pdf](#) (73 KB)

POLICY UPDATE: Board Policy 0460 and Administrative Regulation 0460 - Local Control And Accountability Plan

Type Action, Procedural
Recommended The recommendation is that the Board of Education approves the updated Board Policy 0460
Action and Administrative Regulation 0460 - Local Control And Accountability Plan.

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation.

Background:
This is the first reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a second reading.
Board Policy 0460 - Local Control And Accountability Plan
The NUSD board policy has not been revised since 2015. The language has been replaced to match the sample board policy provided by the California School Board Association.
Administrative Regulation 0460 - Local Control And Accountability Plan
The NUSD administrative regulation has not been revised since 2015. The language has been replaced to match the sample board policy provided by the California School Board Association.

[File Attachments](#)

- [Recommended CSBA BP 0460 Local Control And Accountability Plan.pdf](#) (450 KB)
- [Recommended CSBA AR 0460 Local Control And Accountability Plan.pdf](#) (313 KB)
- [Existing NUSD AR 0460 Local Control And Accountability Plan.pdf](#) (82 KB)
- [Existing NUSD BP 0460 Local Control And Accountability Plan.pdf](#) (81 KB)

POLICY UPDATE: Board Policy 0500 - Accountability

Type Action, Procedural
Recommended The recommendation is that the Board of Education approves the updated Board Policy 0500 -
Action Accountability.

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation.

Background:
This is the first reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a second reading.
Board Policy 0500 - Accountability
The NUSD board policy has not been revised since 2014. The language has been replaced to match the sample board policy provided by the California School Board Association.

[File Attachments](#)

- [Existing NUSD BP 0500 Accountability.pdf](#) (63 KB)
- [Recommended CSBA BP 0500 Accountability.pdf](#) (283 KB)

POLICY UPDATE: Board Policy 1000 - Concepts And Roles (Community Relations)

Type Action, Procedural
Recommended The recommendation is that the Board of Education approves the updated Board Policy 1000 -
Action Concepts And Roles (Community Relations).

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated board policy.

Background:
This is the first reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration has reviewed the recommended updates for accuracy and made

revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a second reading.

Board Policy 1000 - Concepts And Roles

The NUSD board policy has not been revised since 1995. The language has been replaced to match the sample board policy provided by the California School Board Association.

[File Attachments](#)

[Existing NUSD BP 1000 Concepts And Roles.pdf](#) (47 KB)

[Recommended CSBA BP 1000 Concepts And Roles.pdf](#) (127 KB)

POLICY UPDATE: Board Policy 1312.2 and Administrative Regulation 1312.2 Complaints Concerning Instructional Materials

Type Action, Procedural

Preferred Date Oct 20, 2022

Recommended The recommendation is that the Board approves the updated Board Policy 4161.1 and

Action Administrative Regulation 4161.1 - Complaints Concerning Instructional Materials.

[Purpose:](#)

The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation.

[Background:](#)

This is the first reading of the attached policy and regulation. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policy and regulation. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy and/or regulation will be brought back to the Board of Education for a second reading. The policy and regulation have not been updated by the district since the Board of Education adopted the policy and regulation on 01/20/2004. CSBA recommended policy updates include new language encouraging parents/guardians to discuss concerns with their child's teacher and clarifies that complaints regarding the sufficiency of instructional materials will be resolved using the Williams Uniform Complaint Procedures. The regulation has been reorganized to include specific steps in the complaint investigation process including informal complaints, formal written complaints, and the Superintendent's option to create a review committee. The updated exhibit refers complainants to the Williams Uniform Complaint Procedures and deletes the requirement that complainants explain the thesis of the work and detail the opinion of literary critics.

[File Attachments](#)

[Existing NUSD BP 1312.2 Complaints Concerning Instructional Materials 10-20-2022.pdf](#) (46 KB)

[Recommended CSBA BP 1312.2 Complaints Concerning Instructional Materials 10-20-2022.pdf](#) (120 KB)

[Existing NUSD AR 1312.2 Complaints Concerning Instructional Materials 10-20-2022.pdf](#) (48 KB)

[Recommended CSBA AR 1312.2 Complaints Concerning Instructional Materials 10-20-2022.pdf](#) (112 KB)

POLICY UPDATE: Board Policy and Administrative Regulation 3110: Transfer of Funds

Type Action, Procedural

Recommended The recommendation is that the Board of Education adopt Board Policy 3110 and remove

Action Administrative Regulation 3110: Transfer of Funds.

[Purpose:](#)

The purpose is for the Board of Education to review the recommendation from the California School Board Association, approve the adoption of the board policy and remove the administrative regulation.

[Background:](#)

This is the first reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final Board approved policies. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a second reading.

Board Policy 3110: Transfer of Funds

This will be the first adoption of this board policy. The language reflects the sample board policy provided by the California School Board Association.

Administrative Regulation 3110: Transfer of Funds

(Delete AR; Add BP 7/09)

Material formerly in this regulation is now incorporated into the new policy. The new policy reflects NEW LAWS (SBX3 4 and ABX4 2) which grant districts flexibility to transfer funds for "Tier 3" categorical programs and requires, as a condition of receipt of the funds, that the Board first hold a public hearing in order to hear testimony from the public, approve or disapprove the proposed use of the funding, and make explicit the purposes for which the funds will be used. The policy also contains language directing the Board to discuss the district's goals for student learning during the hearing and requiring the Superintendent to regularly report to the Board about the district's exercise of flexibility. Material formerly in regulation re: temporary transfers and loans and permanent transfers between funds, will be shortened to reference law and incorporated into policy.

[File Attachments](#)

[Existing NUSD Regulation 3110 Transfer Of Funds.pdf](#) (160 KB)

[Recommended CSBA Policy 3110 Transfer Of Funds 10-20-2022.pdf](#) (207 KB)

POLICY UPDATE: Board Policy and Administrative Regulation 3515.4: Recovery for Property Loss or Damage

Type Action, Procedural
Recommended The recommendation is that the Board of Education approve the updated Board Policy 3515.4
Action and adopt the Administrative Regulation 3515.4: Recovery For Property Loss Or Damage.

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and adopt the administrative regulation.

Background:
This is the first reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a second reading.
Board Policy 3515.4 - Recovery For Property Loss Or Damage
The NUSD board policy has not been revised since 1996. The language has been replaced to match the sample board policy provided by the California School Board Association.
Administrative Regulation 3515.4 - Recovery For Property Loss Or Damage
The NUSD administrative regulation has not been adopted. The language is from the sample board policy provided by the California School Board Association.

- File Attachments**
[Existing NUSD BP 3515.4 Recovery For Property Loss Or Damage 10-20-2022.pdf](#) (103 KB)
[Recommended CSBA BP 3515.4 Recovery For Property Loss Or Damage 10-20-2022.pdf](#) (180 KB)
[Recommended CSBA AR 3515.4 Recovery For Property Loss Or Damage 10-20-2022.pdf](#) (154 KB)

POLICY UPDATE: Board Policy 4000 - Concepts and Roles (Personnel)

Type Action, Procedural
Recommended The recommendation is that the Board approves the updated Board Policy 4000 - Concepts
Action and Roles (Personnel).

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated board policy.

Background:
This is the first reading of the attached policy. The language is sanctioned by the California School Board Association. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a second reading. The Board of Education adopted this policy on 04/16/1996, shortly before CSBA came out with a recommended update on 10/01/1996. There have been no new recommended updates from CSBA since then.

- File Attachments**
[Existing NUSD BP 4000 Concepts And Roles 10-20-2022.pdf](#) (49 KB)
[Recommended CSBA BP 4000 Concepts And Roles 10-20-2022.pdf](#) (110 KB)

POLICY UPDATE: Board Policy 4113 and Administrative Regulation 4113- Assignment

Type Action, Procedural
Recommended The recommendation is that the Board of Education approves the updated Board Policy 4113
Action and Administrative Regulation 4113- Assignment.

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation

Background:
This is the first reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a second reading.
Board Policy 4113- Assignment
The NUSD board policy has not been revised since 1996. The language has been replaced to match the sample board policy provided by the California School Board Association.
Administrative Regulation 4113- Assignment
The NUSD administrative regulation has not been revised since 1996. The language has been replaced to match the sample board policy provided by the California School Board Association.

- File Attachments**
[Existing NUSD BP 4113 Assignment.pdf](#) (48 KB)
[Existing NUSD AR 4113 Assignment.pdf](#) (62 KB)
[Recommended CSBA AR 4113 Assignment.pdf](#) (261 KB)

[Recommended CSBA BP 4113 Assignment.pdf](#) (269 KB)

POLICY UPDATE: Board Policy 7000: Concepts and Roles (Facilities)

Type Action, Procedural
Recommended Action The recommendation is that the Board of Education approve the updated Board Policy 7000: Concepts and Roles (Facilities).

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated board policy.

Background:
This is the first reading of the attached policy. The language is sanctioned by the California School Board Association. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a second reading.
Board Policy 7000: Concepts and Roles
The NUSD board policy has not been revised since 1996. The language has been replaced to match the sample board policy provided by the California School Board Association.
Administrative Regulation
There is no regulation.

File Attachments
[Existing NUSD BP 7000 Concepts and Roles 10-20-2022.pdf](#) (116 KB)
[Recommended CSBA BP 7000 Concepts And Roles 10-20-2022.pdf](#) (70 KB)

Warrant Report for September 2022

Type Action
Fiscal Impact No
Recommended Action The recommendation is that the Board of Education approves the Warrant Report as presented.

Purpose:
The purpose of this item is to present warrants, for the total amount of \$2,359,574.64, made from District funds for September 2022.

Background:
The warrant registers represent a complete listing of all payments made from District funds for a month. Because Newark Unified School District is a fiscally dependent District, each warrant must pass through two separate audits; first by the District's Fiscal Services department, and second by the County Office of Education. No warrant can be paid until such time as it is examined and approved by the County Office of Education.

File Attachments
[Warrant Report September 2022.pdf](#) (374 KB)

Quarterly Report on Contracts - FY 2022-23

Type Action
Fiscal Impact Budgeted Yes
Budget Source General Fund
Recommended Action The recommendation is that the Board of Education ratifies the contracts on the Quarterly Report.

Purpose:
These quarterly reports on contracts are submitted to the Board for review.

Background:
The Board has requested a report of all contracts for services over \$10,000 be reviewed by the Board on a quarterly basis. This report only includes contracts that have not been previously approved by the Board.
Contracts are on file in the Business Office.

File Attachments
[Quarterly Contract Report Q1 22-23_10-20-2022.pdf](#) (12 KB)
[SCHOOL~2.PDF](#) (8,192 KB)
[Sunbelt_22-23_Hard of Hearing_fully executed.pdf](#) (357 KB)
[JR Consulting_Jeff Rios_2022-23_fully executed.pdf](#) (123 KB)
[Alameda County Behavioral Health Care Services_2017-07-01 to 2020-06-30_and ongoing_fully executed.pdf](#) (837 KB)
[Autism Partnership_22-23_fully executed.pdf](#) (394 KB)
[One Access Medical Transportation Contract 22-23_fully executed.pdf](#) (273 KB)
[UpFront Interpreting_2022-23_fully executed.pdf](#) (435 KB)
[ACTS_Newark Contract 22-23 SIGNED.pdf](#) (4,046 KB)
[School Services of California \(SSC\) Business & HR Organizational Review Agreement_fully executed.pdf](#) (756 KB)

Motion & Voting

The recommendation is that the Board of Education ratifies the contracts on the Quarterly Report.

Motion by Phuong Nguyen, second by Bowen Zhang.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Bowen Zhang

Nay: Aiden Hill

Minutes of the October 6, 2022 Regular Meeting of the Board of Education

Type Action, Minutes

Recommended The recommendation is that the Board of Education approves the minutes of the October 6, 2022 Regular Meeting of the Board of Education

Purpose:

For the board to review and approve the minutes of the October 6, 2022, Regular Meeting of the Board of Education

Background:

The attached minutes are reflective of the October 6, 2022, Regular Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel [HERE](#)

Minutes of the October 3, 2022 Special Meeting of the Board of Education

Type Action, Minutes

Recommended The recommendation is that the Board of Education approved the minutes of the October 3, 2022, Special Meeting of the Board of Education

Purpose:

For the board to review and approve the minutes of the October 3, 2022, Special Meeting of the Board of Education

Background:

The attached minutes are reflective of the October 3, 2022, Special Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel [HERE](#)

12 SUPERINTENDENT REPORT

Superintendent Report

Type Information

Purpose:

The superintendent will provide the Board of Education with district information, updates, news, or anything in the jurisdiction of the board or the superintendent.

Background:

The presentation and information will be provided by the Superintendent

File Attachments

[Superintendent's Report 10.20.22.pdf](#) (4,532 KB)

13 STAFF REPORT

Staffing Challenges and Strategies

Type Discussion, Information

Purpose:

To provide the Board with information regarding Staffing Challenges and Strategies.

Background:

At the request of the Board, this staff report will provide the District's staffing vacancies and strategies that have been implemented to mitigate the impact on our classrooms and staff. The Executive Director of Human Resources, Cathreene Ingham-Watters, will present.

File Attachments

[Staff Report. Staffing. 10.20.22.pdf](#) (849 KB)

14 OLD BUSINESS

District Goals and Objectives

Type Action

Recommended Action The recommendation is that the Board of Education approves the 2022-23 District Goals and Objectives. and

Purpose:

The superintendent, Dr. Triplett, will share with the Board the updated 2022-23 District Goals and Objectives for the Newark Unified School District for Board approval.

Background:

The 2022-23 District Goals and Objectives for the Newark Unified School District were presented to the Board during a study session at the September 15, 2022, regular Board of Education meeting, and a revised draft was presented at the October 6, 2022, regular Board of Education meeting for additional input. A recommended approval from the Board will be requested tonight. After approval and at a later meeting, the superintendent will present a draft of the measurable outcomes for Board input.

BP 0200 - "As part of the Governing Board's responsibility to set the direction for the school district, the Board shall adopt long-term goals focused on the achievement of all district students. The district's goals shall be aligned with the district's vision, mission, philosophy, and priorities."

I. Review the Purpose of the Creation and Adoption of District Goals and Objectives

1. To provide clear direction, coherence, and accountability regarding area(s) of focus for the District.

II. Underlying Assumptions

- 1. The governance team and staff need clear goals and objectives to prioritize resources and effectively measure progress toward goals.
2. Consistency of goals over time is necessary to deepen the work throughout the district, realize desired outcomes, and make course corrections based on lessons learned.
3. Corresponding outcomes need to be SMARTER (Specific, Measurable, Achievable, Realistic, Time Sensitive, and Equitable)

III. Timeline for Board Approval

- 1. Superintendent recommended 2022-23 Goals and Objectives for community and Board input on Thursday, September 15, 2022.
2. Superintendent made revisions based on community and Board input and present them to the Board for additional input on October 6, 2022.
3. The updated 22-23 Goals and Objectives will be presented to the Board for approval on October 20, 2022.
4. Superintendent and Team will generate measurable outcomes for each articulated goal/objective to be presented at a subsequent Board meeting.

File Attachments

District Goals & Objectives Board Presentation 10.20.22.pdf (1,385 KB)

Motion & Voting

The recommendation is that the Board of Education approves the 2022-23 District Goals and Objectives.

Motion by Terrence Grindall, second by Bowen Zhang.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Bowen Zhang

Nay: Aiden Hill

15 NEW BUSINESS

Organizational Review- Human Resources and Business Departments

Type Action
Preferred Date Oct 20, 2022
Recommended Action The recommendation is that the Board of Education accepts the report.

Purpose:

To provide the Board with a presentation of the School Services of California Organizational Review and for the Board to accept the report.

Background:

School Services of California Inc. (SSC) conducted an Organizational Review of the Human Resources (HR) and Business Services Departments specific to the District's operations in the following areas: employee health and welfare benefits programs; employee recruitment, selection, hiring, and onboarding; HR general policies and procedures; and position control. The objective of the review was to assess the existing organizational structure and the described functions within the departments. Throughout the review and evaluation, SSC offered findings and recommendations, where appropriate, for organizational changes to improve communication and operational efficiencies.

File Attachments

FINAL - SSC Org Review Board Presentation - Newark USD 10-20-22.pdf (260 KB)

Motion & Voting

The recommendation is that the Board of Education accepts the report.

Motion by Terrence Grindall, second by Bowen Zhang.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Bowen Zhang

Nay: Aiden Hill

Resolution 2022.23.12 Certifying Course-based Independent Study Curriculum

Type Action, Procedural

Recommended Action The recommendation is that the Board of Education approves Resolution 2022.23.12 - Certifying Course-based Independent Study Curriculum (8th Grade Geometry).

Purpose: School districts are required annually to certify their course-based independent study curriculum through a board resolution as certified by the LEA to be of the same rigor, educational quality, and intellectual challenge substantially equivalent to in-person instruction and classroom-based courses.

Background: The LEA's governing board must adopt a policy at a public meeting that complies with the requirements of Ed. Code 51749.5. CSBA released recommended language for Independent Study Board Policy and Administrative Regulation in late September. Shortly thereafter, on October 6, 2022, NUSD updated language to reflect these recommendations. Per adopted Independent Study BP/AR, the course-based independent study must be annually certified by a resolution from the LEA's governing board to be of the same rigor, educational quality, and intellectual challenge substantially equivalent to in-person instruction and equivalent classroom-based courses, and are aligned to all relevant local and state content standards. Newark Unified School District adopted a new mathematics course progression for grades 6-12 during the 2021-2022 academic school year based on current mathematics instructional research and stakeholder input. However, 5 (five) eighth-grade students enrolled in Algebra I during their 7th-grade year in 2021-2022 have requested access to the subsequent Geometry course during their eighth-grade year in 2022-2023. These 5 students will take 8th-grade Geometry using the same platform that we offer traditional independent study students attending the Crossroads secondary program (Imagine Learning, Edgenuity Geometry Course). Given BP/AR updates, as attached, we request certification on behalf of staff and students to complete their 8th-grade Geometry coursework using the curriculum provided by Imagine Learning, Edgenuity Geometry Coursework. In addition, students will receive additional independent study support as outlined by the newly adopted BP/AR 6158 (Independent Study).

File Attachments
[Updated AR 6158 Independent Study \(1\).pdf](#) (197 KB)
[Updated BP 6158 Independent Study.pdf](#) (339 KB)
[Resolution No. 2022.23.06 - Certifying Course-Based Independent Study Curriculum \(1\).pdf](#) (202 KB)

Motion & Voting
 The recommendation is that the Board of Education approves Resolution 2022.23.12 - Certifying Course-based Independent Study Curriculum (8th Grade Geometry).
 Motion by Bowen Zhang, second by Terrence Grindall.
 Final Resolution: Motion Carries
 Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Bowen Zhang

16 CONSENT AGENDA: PULLED AGENDA ITEMS

PLACEHOLDER - Pulled Consent Agenda Items

Type Action

Purpose: This is specifically a placeholder, and will only be used if agenda items from the consent categories are pulled for additional discussion.

Background: Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately. Those items pulled will be discussed and voted on here.

17 BOARD OF EDUCATION: COMMITTEE REPORTS, REQUESTS, AND ANNOUNCEMENTS

Board of Education Recognitions and Announcements

Type Information

Purpose: The Trustees may acknowledge or recognize specific programs, activities, or personnel at this time.

Board of Education Committee Reports

Type Information

Purpose: The Trustees will provide an update, if available, on the committees of which they are members.

Background: Each year the Board of Education members liaise with schools and committees in order to build relationships, hear from staff, students, and families, and act as a conduit for information to and from the schools.

Board Committees 2022-23		
Board Adopted on 12/16/21	Representative	Alternate
Mission Valley Regional Occupational Center/Program (ROC/P)	1. Terrence Grindall	1. Bowen Zhang

Executive Board

Regional Policy Board of Special Education Local Plan Area (SELPA) 1. Bowen Zhang 1. Alicia Marquez
 Newark Teacher Induction Advisory Council (Formally EBIC) 1. Alicia Marquez 1. Aiden Hill
 Audit Committee 1. Alicia Marquez 2. Aiden Hill 1. Terrence Grindall
 Bond/Parcel Tax Committee 1. Terrence Grindall 2. Phuong Nguyen 1. Bowen Zhang
 1. Phuong Nguyen
 City of Newark NUSD Liaison Committee 2. Terrence Grindall 1. Bowen Zhang

Board of Education Requests

Type Action, Discussion, Information

Purpose:

This is an opportunity for the Board of Education to suggest items for placement on future agendas and to review Board requests. Approval from the majority of the Board will be required for direction to be provided to the Superintendent.

Background:

The following derives directly from the Board approved "Governance Team Handbook"

Authority is Collective, Not Individual:

The only authority to direct action rests with the Board as a whole when seated at a regular or special board meeting. Outside of this meeting, there is no authority.

A majority Board vote provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction.

Bringing New Ideas Forward

The Board will be open to having "brainstorming" discussions, or study sessions, around any idea that a Trustee may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Trustee, at their initiative or at the request of a constituent, which was previously discussed during a board meeting.

Trustees will first notify the Board President and Superintendent of their interest in bringing forward a new idea at a board meeting.

When initially agendized, the preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.

Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea. The Superintendent will decide on the delegation of assignments to District staff.

The new idea may be agendized for discussion only. The Board majority will decide if the new idea should be further developed and studied by staff. The Board majority will decide if staff time should be invested in the "fleshing out" of new ideas.

Individual Trustees, in the course of interactions with constituents, will be careful not to make or imply the commitment of the full Board to explore or proceed with implementing new ideas.

18 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

Superintendent's Concluding Comments, Updates, and Future Agenda Items

AGENDA REQUESTS

Type Information

Purpose:

This is an opportunity for the Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

19 ADJOURNMENT

PLACEHOLDER - Extend Meeting

Type Action

Recommended The recommendation is that the Board of Education extends the meeting to ____ P.M.
Action

Purpose:

This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

Motion & Voting

The recommendation is that the Board of Education extends the meeting to 11:00 P.M.

Motion by Aiden Hill, second by Bowen Zhang.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Bowen Zhang

Adjournment

Type Action, Procedural

Recommended The recommendation is that the Board of Education adjourns this meeting.
Action

Purpose:

No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time.

This action will conclude the meeting.

Motion & Voting

The recommendation is that the Board of Education adjourns this meeting at 10:17pm.
(motion was made by member TORRES)

Motion by Phuong Nguyen, second by Bowen Zhang.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Bowen Zhang

1 CALL TO ORDER

Meeting Practices and Information

Type Procedural

In-person Meeting Information:

NUSD has opened its boardroom for in-person meetings and will follow the State's and Alameda County's safety guidelines for public gatherings. Please refrain from attending in-person meetings if you have any of the following symptoms:

- Loss of taste/smell
- Difficulty breathing
- Vomiting
- Diarrhea
- Fever
- Cough
- Headache
- Sore Throat
- Runny Nose

For additional COVID-19 information please go to <https://www.newarkunified.org/covid-19> or <https://www.acoe.org/guidance>

Observe The Board Of Education Meeting:

Members of the public 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.

Public Comment:

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

Roll Call

Type Procedural

Trustees:

- President Phuong Nguyen
- Vice President/Clerk Terrence Grindall
- Member Aiden Hill
- Member Alicia Marquez
- Member Bowen Zhang

Student Board Member:

- Diego Torres

2 APPROVAL OF AGENDA

Approval of the Agenda

Type Action

Recommended Action The recommendation is that the Board of Education approve the agenda for this meeting.

Purpose:

Members of the Governance Team may request that the agenda be amended or approved as presented.

Motion & Voting

The recommendation is that the Board of Education approve the agenda for this meeting.

Motion by Alicia Marquez, second by Terrence Grindall.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang

3 CLOSED SESSION

Public Comment on Closed Session Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board. If a constituent wishes to address the Board on any agenda item, please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org.

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE (Gov. Code, 54957, subd. (b)(1))

Type Action, Information, Procedural

Purpose:

Information will be provided by the Superintendent and Executive Director of Human Resources.

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a): Employee Organizations - NTA and CSEA

Type Action, Information, Procedural

Purpose:

Information may be provided by the agency negotiator, Executive Director of Human Resources. Assistance from the legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided. The employee organizations include NTA & CSEA.

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a)): Employee Group - NEWMA, Unrepresented Supervisors, and Contracted Management

Type Action, Discussion, Procedural

Purpose:

Information may be provided by the agency negotiator, the Executive Director of Human Resources, and the Superintendent. Assistance from legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided. The employee organizations include NEWMA, Unrepresented Supervisors, and Contracted Management

CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION Significant exposure to litigation pursuant to Gov. Code, 54956.9, subd. (d)[(2) or (3)]

Type Action, Discussion, Procedural

Purpose:

Information may be provided regarding significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: One case

CONFERENCE WITH LEGAL COUNSEL EXISTING LITIGATION (Gov. Code, 54956.9, subd. (d)(1))

Type Action, Information, Procedural

Purpose:

To discuss the following case(s): Bretz vs Newark Unified School District Keenan Claim # 569505

Recess to Closed Session

Type Procedural

Purpose:

The Board will recess to Closed Session, and reconvene to Open Session on or about 7:00 p.m.

4 REPORT OF CLOSED SESSION ACTIONS

Report of Closed Session Actions

Type Action, Procedural

Purpose:

If available, a report of the closed session will be provided by the Board President.

5 RECONVENE TO OPEN SESSION

Pledge of Allegiance

Type Procedural

Purpose:

The Governance Team will recite the Pledge of Allegiance

6 STUDENT REPORT

Student Reports from Newark Junior High School, Alternative Education, and Newark Memorial High School

Type Information

Purpose:

At regular Board of Education meetings, a spokesperson of each secondary school may make a brief presentation. Discussion items may include updates, celebrations, and upcoming events.

1. Newark Junior High School
2. Alternative Education
3. Newark Memorial High School

7 RECOGNITIONS AND CELEBRATIONS

Staff Spotlight

Type Information

Purpose:

To recognize the wonderful accomplishments of our NUSD Team.

Background:

The presentation will be provided by the Superintendent.

School Spotlight: Birch Grove Primary

Type Information

Purpose:

The School Spotlight gives the Board of Education and the public an opportunity to hear the highlights, achievements, and initiatives at each school from the principals.

Background:

The presentation and information will be provided by the Birch Grove Primary principal, Ms. Vicenta Ditto.

File Attachments

[BGP 2022 School Spotlight .pdf](#) (9,144 KB)

8 EMPLOYEE ORGANIZATIONS

Employee Organizations

Type Information

Purpose:

At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Background:

Discussion items are limited to updates, celebrations, and upcoming events.

1. NTA: Sean Abruzzi
2. CSEA: Maria Huffer
3. NEWMA: Vicenta Ditto

9 PUBLIC COMMENT ON NON-AGENDA ITEMS

Public Comment on Non-Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their

views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

10 PUBLIC COMMENT ON AGENDA ITEMS

New Agenda Item

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

11 CONSENT AGENDA: PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type Action

Recommended It is recommended that the Board of Education approve, under one consented vote, the
Action agenda items under Consent-Personnel, except for agenda items:

Purpose:

This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:

Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Expanded Learning Program and Childcare Coordinator Position & Job Description

Type Action

Absolute Date Oct 06, 2022
Dollar Amount \$131,000.00
Budgeted Yes
Budget Source Child Development Fund and Expanded Learning Opportunities Program (ELOP)
Recommended The recommendation is that the Board of Education approve the position and job description
Action for the Expanded Learning Program and Childcare Coordinator.

Purpose:

To approve the position and job description of the Expanded Learning Program and Childcare Coordinator.

Background:

The District provides childcare services at all six elementary sites; it also has partnerships with multiple organizations that support extended learning and extended day programs. This new position will replace the previous classified management position of Coordinator, Childcare, a 244 days per year position. This new classified management position, Expanded Learning Program and Childcare Coordinator, will oversee both fee-based and grant-based programs that occur before and after school and during the summer. This is a full-time, 260 days per year position, given the emphasis on supporting summer school programs. Funding for this position will include both Child Development Funds and ELOP grant monies.

File Attachments

[Coordinator, Extended Learning Program Job Description.docx.pdf](#) (99 KB)

Motion & Voting

The recommendation is that the Board of Education approve the position and job description for the Expanded Learning Program and Childcare Coordinator.

Motion by Bowen Zhang, second by Alicia Marquez.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang

Personnel Report

Type Action

Absolute Date Oct 06, 2022
Recommended The recommendation is that the Board of Education ratifies the personnel report as presented.
Action

Purpose:

The purpose is for the Board of Education to ratify the Personnel Report as presented.

Background:

All personnel activities including new hires, changes in status, resignations, leaves, and retirements are routinely submitted to the Board for ratification.

File Attachments

[HR PAL 10-06-2022.pdf](#) (362 KB)

Motion & Voting

The recommendation is that the Board of Education ratifies the personnel report as presented.

Motion by Bowen Zhang, second by Terrence Grindall.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Alicia Marquez, Bowen Zhang

Nay: Aiden Hill

12 CONSENT AGENDA: NON-PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type Action

Recommended It is recommended that the Board of Education approve, under one consented vote, the
 Action agenda items under Consent Non-Personnel, except for agenda items:

Purpose:

This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:

Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Motion & Voting

It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent Non-Personnel, except for agenda items: 12.10.

Motion by Terrence Grindall, second by Bowen Zhang.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang

FIELD TRIP: NMHS Puente Southern California College Visit

Type Action

Fiscal Impact Yes
 Dollar Amount \$12,000.00
 Budget Source Trip will be paid for by Puente ASB funds and students
 Recommended The recommendation is that the Board of Education approves the NMHS Puente Southern
 Action California College Visit curricular and overnight field trip.

Purpose:

The Newark Memorial High School Principal and Puente Advisor request approval of a curriculum and overnight field trip to be taken by the Newark Memorial High School Puente students to visit colleges in Southern California.

Background:

The Puente Project is a national award-winning program that has improved the college-going rate of tens of thousands of California's educationally underrepresented students since 1981. Its mission is to increase the number of educationally disadvantaged students who enroll in four-year colleges and universities, earn college degrees, and return to the community as mentors and leaders to future generations. The program is interdisciplinary in approach, with writing, counseling, and mentoring components.

According to Board Policy 6153, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. Newark Memorial High School Principal and Puente Advisor request permission to take Newark Memorial High School Puente students on a trip to visit colleges in Southern California. Transportation will be by chartered bus.

School: Newark Memorial High School (Puente Program)

Dates: October 19 - October 21, 2022

Location: Various College Campuses in Southern California

CONTRACT: Addendum to the Contract with Seneca, Non-Public School (NPS)

Type Action, Action (Consent)

Absolute Date Oct 06, 2022
 Fiscal Impact Yes
 Dollar Amount \$81,480.00
 Budgeted No
 Budget Source Resource 6500 - Special Education, Resource 6546 - Special Education Mental Health
 Recommended The recommendation is that the Board of Education approves the Addendum to the Contract

Action and the Individual Service Agreement (ISA) with Seneca Family of Agencies.

Purpose:

To ratify the Addendum to the Contract and the Individual Service Agreement (ISA) with Seneca Family of Agencies for day treatment services for the 2022-2023 school year.

Background:

NUSD student's least restrictive environment per IDEA was determined to be placed in a Non-Public School (NPS) setting due to a significant disability, behavioral, or programmatic need that has impacted their current ability to be successful within the general education setting.

File Attachments

- [Addendum to Seneca Contract 10.6.22.pdf](#) (47 KB)
- [Seneca ISA 23-03b redacted.pdf](#) (261 KB)
- [Seneca Master Contract 22-23_executed.pdf](#) (4,647 KB)

LCAP Committee Membership

Type Action

Recommended The recommendation is that the Board of Education approves the proposed membership of
Action the 2022-23 Local Control and Accountability Plan (LCAP) Parent Advisory Committee (PAC).

Purpose:

For the Board to approve the proposed membership of the 2022-23 Local Control and Accountability Plan (LCAP) Parent Advisory Committee (PAC).

Background:

At its first meeting, the Advisory will review its bylaws, which will include rules regarding processes and procedures. The Director of Special Projects, Abbey Kerins, will facilitate meetings. LCAP PAC meetings are open to the public; all agendas and minutes will be posted for interested parties to track progress towards the final draft of the LCAP.

The meetings will be held in person and online and child care, light refreshments, and translation will be provided to support member participation. All meetings will be held from 6:00 pm to 7:30 pm in the Board of Education Training Room: 5715 Musick Ave., Newark.

The meetings are scheduled as follows:

- October 18, 2022
- December 20, 2022
- January 17, 2023
- February 21, 2023
- March 21, 2023
- April 18, 2023
- May 16, 2023

The attachment lists the names of parent/guardian representatives and additional members. Visit our LCAP webpage to learn more about the development of the LCAP and read previous years' meeting agendas and minutes, and view presentations made to the Committee: <https://www.newarkunified.org/departments/educational-services/lcap/>.

File Attachments

- [LCAP PAC Membership 2022-23.pdf](#) (185 KB)

RESOLUTION 2022.23.09 - Declaring Surplus Equipment

Type Action

Recommended The recommendation is that the Board of Education approves Resolution 2022.23.09 -
Action Declaring Surplus Equipment.

Purpose:

The purpose of this item is to obtain Board approval of Resolution 2022.23.09- Declaring Surplus Equipment, which lists items to be declared as surplus equipment as recommended.

Background:

Surplus materials will be disposed of per Board Policy and Administrative Regulation 3270 Sale And Disposal Of Books, Equipment And Supplies. Education Code, Section 17546 states that if the Governing Board, by a unanimous vote of those members present, finds that the property, whether one or more items, does not exceed the value of \$2,500, it may be sold at private sale without advertising, by a District employee empowered for that purpose by the Board; the property may be donated to a charitable organization, or it may be disposed of in a public disposal facility.

The property as described in Resolution 2022.23.09 includes equipment used in the Maintenance, Operations and Transportation (MOT) department. Staff determined that items are obsolete, at the end of life and/or beyond economical repair.

File Attachments

- [Resolution 2022.23.09 Declaring Surplus Equipment.pdf](#) (11 KB)

RESOLUTION 2022.23.10 - Week of the School Administrator

Type Action

Absolute Date	Oct 06, 2022
Recommended	The recommendation is that the Board of Education approves Resolution No. 2022.23.10 -
Action	Week of the School Administrator, to honor Newark Unified School District administrators during the second full week in October (October 10 to October 14, 2022).

Purpose:
The purpose is for the Board of Education to approve Resolution No. 2022.23.10 to honor Newark Unified School District administrators during the second full week in October 2022.

Background:
California Education Code Section 44015.1 designates the second full week in October as Week of the School Administrator in all schools, districts, and counties. Highlighting and acknowledging this week is one way the Association of California School Administrators, the Newark Management Association and Newark Unified School District collaborate to celebrate the educational leaders that work to make our schools succeed and enable students to achieve at their highest levels. The recommendation is that the Board of Education approves this resolution to honor Newark Unified School District administrators during the second full week in October 2022.

File Attachments
[Week of the Administrator Resolution.pdf](#) (18 KB)

Consolidated Application and Reporting System 2022-23 Data Collection

Type	Action
Recommended	The recommendation is that the Board of Education approves the Consolidated Application
Action	and Reporting System 2022-23 Data Collection Forms.

Purpose:
The purpose of this item is to provide the California Department of Education with the information needed to fund a wide variety of federal and state programs that bring supplementary funding into the school district.

Background:
The Consolidated Application and Reporting System (CARS) is a state data collection system to apply for Categorical Program Funding and to report on the use of those funds. Each year, the programs included in the CARS change based on federal/state mandates and different methods of gaining or disseminating information. This is the 2022-23 Data Collection. CARS brings funds into the school district for a variety of programs including Title I, Title II, Title III, and Title IV. Each of the identified programs has specified guidelines or requirements for their expenditure. All titled programs are federally funded. Title I, Part A funds are used to support the increased achievement of at-risk students, primarily in reading and math. (We currently have six schools receiving these funds.) Title II, Part A (Teacher Quality) funds are used to support teacher evaluation, as well as teacher professional development. Title III English Learner funds are used to support our English language learners. Title IV funds are used to improve students' academic achievement.

File Attachments
[Con App 2022-23 Data Collection.pdf](#) (1,045 KB)

POLICY UPDATE: Board Policy 0410 - Nondiscrimination In District Programs And Activities

Type	Action, Procedural
Recommended	The recommendation is that the Board of Education approves the updated Board Policy 0410 -
Action	Nondiscrimination In District Programs And Activities

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated board policy.

Background:
This is the first reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a second reading.
Board Policy 0410 - Nondiscrimination In District Programs And Activities
The NUSD board policy has not been revised since 2018. The language has been replaced to match the sample board policy provided by the California School Board Association.

File Attachments
[Existing NUSD BP 0410 Nondiscrimination In District Programs And Activities.pdf](#) (134 KB)
[Recommended CSBA BP 0410 Nondiscrimination In District Programs And Activities.pdf](#) (389 KB)

POLICY UPDATE: Board Policy and Administrative Regulation 0420 - School Plans/Site Councils

Type	Action, Procedural
Recommended	The recommendation is that the Board of Education approves the updated Board Policy and
Action	Administrative Regulation 0420 - School Plans/Site Councils

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation.

Background:

This is the first reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a second reading.

Board Policy 0420 - School Plans/Site Councils

Board Policy has not been revised since 2013. The language has been replaced to match the sample board policy provided by the California School Board Association.

Administrative Regulation 0420 - Evaluation/Supervision

The NUSD administrative regulation has not been revised since 2013. The language has been replaced to match the sample board policy provided by the California School Board Association.

File Attachments

[Existing NUSD AR 0420 School PlansSite Councils.pdf](#) (133 KB)

[Existing NUSD BP 0420 School PlansSite Councils.pdf](#) (98 KB)

[Recommended CSBA BP 0420 School PlansSite Councils.pdf](#) (235 KB)

[Recommended CSBA AR 0420 School Plans Site Councils.pdf](#) (344 KB)

POLICY UPDATE: Board Policy and Administrative Regulation 0450 - Comprehensive Safety Plan

Type Action, Procedural

Recommended The recommendation is that the Board of Education approves the updated Board Policy and

Action Administrative Regulation 0450 - Comprehensive Safety Plan.

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation.

Background:

This is the first reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a second reading.

Board Policy 0450 - Comprehensive Safety Plan.

The NUSD board policy has not been revised since 2012. The language has been replaced to match the sample board policy provided by the California School Board Association.

Administrative Regulation 0450 - Comprehensive Safety Plan.

The NUSD administrative regulation has not been revised since 2012. The language has been replaced to match the sample board policy provided by the California School Board Association.

File Attachments

[Recommended CSBA BP 0450 Comprehensive Safety Plan \(1\).pdf](#) (141 KB)

[Existing NUSD BP 0450 Comprehensive Safety Plan.pdf](#) (98 KB)

[Recommended CSBA AR 0450 Comprehensive Safety Plan.pdf](#) (450 KB)

[Existing NUSD AR 0450 Comprehensive Safety Plan.pdf](#) (201 KB)

Motion & Voting

The recommendation is that the Board of Education approves the updated Board Policy and Administrative Regulation 0450 - Comprehensive Safety Plan.

Motion by Bowen Zhang, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang

POLICY UPDATE: Board Policy 1260: Educational Foundation

Type Action, Procedural

Recommended The recommendation is that the Board of Education approve the updated Board Policy 1260:

Action Educational Foundation.

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation.

Background:

This is the first reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a second reading.

Board Policy 1260: Educational Foundation

Policy revised to clarify that an educational foundation is a separate legal entity from the district and to encourage the foundation to provide reports to the Board on the status of the group's work and the ways the district can help support the group's activities.

[File Attachments](#)

- [Existing NUSD Policy 1260 Educational Foundation 10-06-2022.pdf](#) (97 KB)
- [Recommended CSBA Policy Update BP 1260 Educational Foundation 10-06-2022.pdf](#) (120 KB)

POLICY UPDATE: Board Policy and Administrative Regulation 3250 - Transportation Fees

Type Action, Procedural
Recommended The recommendation is that the Board of Education approves the updated administrative
Action regulation and adopts the board policy 3250 - Transportation Fees.

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated administrative regulation and adopt the board policy.

Background:
This is the first reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a second reading.
Board Policy 3250: Transportation Fees
This will be the first adoption of this board policy. The language reflects the sample board policy provided by the California School Board Association.
Administrative Regulation 3250: Transportation Fees
The NUSD administrative regulation has not been revised since 5/1/2019. The language has been replaced to match the sample regulation as provided by the California School Board Association.

[File Attachments](#)

- [Recommended CSBA Policy Update 3250 Transportation Fees 10-06-2022.pdf](#) (100 KB)
- [Existing NUSD Regulation 3250 Transportation Fees 10-06-2022.pdf](#) (98 KB)
- [Recommended CSBA Regulation Update 3250 Transportation Fees 10-06-2022.pdf](#) (104 KB)

POLICY UPDATE: Board Policy and Administrative Regulation 3260: Fees and Charges

Type Action, Procedural
Recommended The recommendation is that the Board of Education approves the updated Board Policy and
Action Administrative Regulation 3260: Fees and Charges

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation.

Background:
This is the first reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a second reading.
Board Policy and Administrative Regulation 3260: Fees and Charges
The Board Policy and Administrative Regulation (BP/AR) have been revised by CSBA four (4) times since NUSD's last update on 2/6/1996.
BP/AR revised 3/19:
Policy and regulation updated to add a new section on "Collection of Debt," reflecting NEW LAW (AB 1974) which prohibits negative action against a student or former student for a debt owed to the school and requires districts to provide parents/guardians with an itemized invoice that references applicable district policies. The regulation was also revised to more directly reflect the most recent CDE fiscal advisory regarding student fees.
BP/AR revised 3/17:
Policy reorganized and updated to reflect a California Department of Education (CDE) management advisory regarding the prohibition against requiring parent/guardian volunteer hours or payment as a condition of the student's enrollment or participation in educational activities. Regulation updated to reflect NEW LAW (AB 2615, 2016) which permits districts to charge a fee for participation in After School Education and Safety (ASES) programs, 21st Century Community Learning Center (21st CCLC) programs, and 21st Century High School After School Safety and Enrichment for Teens (ASSETs) program, as long as the fee is waived or reduced for low-income families and, effective July 1, 2017, the fee is not charged for homeless or foster youth. The regulation also clarifies the permissibility of charging a fee for in-state field trips in accordance with CDE's interpretation of the law, provided that no student is prevented from participating based on a lack of funds.
BP/AR revised 4/14:
MANDATED policy updated to reflect NEW TITLE 5 REGULATION (Register 2013, No. 38) which addresses remedies to be provided to all affected students and parents/guardians if the district is found in violation of the prohibition against unauthorized student fees. The policy also clarifies that the prohibition against student fees does not restrict districts from soliciting voluntary donations, participating in fundraising activities, or providing prizes or other recognition for participants in such fundraising events. Regulation updated to expand and clarify the list of permissible fees and align material with California Department of Education Fiscal Management Advisories.

BP/AR revised 4/14:

MANDATED policy updated to reflect NEW LAW (AB 1575) which clarifies the prohibition against the charging of student fees, prescribes the use of uniform complaint procedures for filing a complaint when the charging of an impermissible fee is alleged, and requires information about student fees to be included in the annual notification regarding uniform complaint procedures. Regulation updated to reflect NEW LAW (SB 1016) which requires the district to charge a fee to families enrolled in part-day preschool programs and/or wraparound child care services in accordance with the fee schedule established by the Superintendent of Public Instruction.

File Attachments

[Existing NUSD Policy 3260 Fees And Charges 10-06-2022.pdf](#) (147 KB)
[Recommended CSBA Policy 3260 Fees And Charges 10-06-2022.pdf](#) (109 KB)
[Existing NUSD Regulation 3260 Fees And Charges 10-06-2022.pdf](#) (145 KB)
[Recommended CSBA Regulation Update 3260 Fees And Charges 10-06-2022.pdf](#) (115 KB)

POLICY UPDATE: Administrative Regulation 4112.23 - Special Education Staff

Type Action, Procedural

Recommended Action The recommendation is that the Board of Education approves the updated Administrative Regulation 4112.23 - Special Education Staff.

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated administrative regulation.

Background:

This is the first reading of the attached regulation. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the administrative regulation will be brought back to the Board of Education for a second reading.

Administrative Regulation 4112.23 - Special Education Staff

The Administrative Regulation has not been revised since 2011. The administrative regulation is being updated to delete the outdated section on "Teachers of Students with Autism" and to update the credentials and added authorizations available from the Commission on Teacher Credentialing which authorize instruction in special education and related services. The regulation also adds material related to the emergency permit for resource specialists, the provisional internship permit and short-term staff permit, credential waivers, qualifications of employees providing related services, professional development, and induction programs.

File Attachments

[Existing NUSD AR 4112.23 Special Education Staff 10-06-2022.pdf](#) (102 KB)
[Recommended CSBA AR 4112.23 Special Education Staff 10-06-2022.pdf](#) (381 KB)

POLICY UPDATE: Board Policy and Administrative Regulation 4115 - Evaluation/Supervision

Type Action, Procedural

Recommended Action The recommendation is that the Board of Education approves the updated Board Policy and Administrative Regulation 4115 - Evaluation/Supervision.

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation.

Background:

This is the first reading of the attached policy regulation. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a second reading.

Board Policy 4115 - Evaluation/Supervision

Board Policy has not been revised since 2010. Policy updated to include evaluation criteria formerly in AR since establishing criteria is a responsibility of the board. The policy was also revised to clarify that evaluation procedures are subject to negotiation.

Administrative Regulation 4115 - Evaluation/Supervision

Administrative Regulation has not been revised since 2010. Regulation updated to reflect AB 97, which eliminated the Peer Assistance and Review (PAR) program. The regulation also adds a section on qualifications of evaluators based on material formerly in BP 4315.1 - Staff Evaluating Teachers. Minor revision made in regulation to delete the requirement that a teacher, in order to be evaluated on a five-year schedule, must meet the qualifications of a "highly qualified" teacher if applicable for the position, as the highly qualified teacher requirements were repealed by the Every Student Succeeds Act (P.L. 114-95).

File Attachments

[Recommended CSBA BP 4115 Evaluation Supervision 10-06-2022.pdf](#) (177 KB)
[Existing NUSD BP 4115 Evaluation Supervision 10-06-2022.pdf](#) (65 KB)
[Recommended CSBA AR 4115 Evaluation Supervision 10-06-2022.pdf](#) (194 KB)
[Existing NUSD AR 4115 Evaluation Supervision 10-06-2022.pdf](#) (98 KB)

POLICY UPDATE: Board Policy and Administrative Regulation 6158 - Independent Study

Type Action, Procedural
Recommended The recommendation is that the Board of Education approves the updated Board Policy and
Action Administrative Regulation 6158 - Independent Study

Purpose:
 The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation.

Background:
 This is the first reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a second reading.
 Governor Gavin Newsom signed the Education Omnibus Budget Trailer Bill (AB) 181 into law on June 30, 2022, effective immediately. This bill makes changes to Independent Study (IS) programs. AB 181 confirms that the IS requirement for the 2021-2022 school year ended, however, the option to offer IS remains for the 2022-2023 academic school year and beyond. If offered, changes to IS programming include, but are not limited to the following: procedures for tiered re-engagement strategies to address chronic absenteeism, master contract timelines, etc.
 NUSD is currently offering independent study to all TK-12 families through our Crossroads Independent Study school.
 Board Policy 6158 - Independent Study.
 The NUSD board policy has not been revised since 2021. The language has been replaced to match the sample board policy provided by the California School Board Association.
 Administrative Regulation 6158 - Independent Study
 The NUSD administrative regulation has not been revised since 2021. The language has been replaced to match the sample board policy provided by the California School Board Association.

- File Attachments**
[Existing NUSD BP 6158 Independent Study.pdf](#) (460 KB)
[Recommended CSBA BP 6158 Independent Study.pdf](#) (910 KB)
[Existing NUSD AR 6158 Independent Study - Board Policy.pdf](#) (266 KB)
[Recommended CSBA AR 6158 Independent Study.pdf](#) (400 KB)

Williams Uniform Complaint Quarterly Report July 1, 2022 to September 30, 2022

Type Action
Absolute Date Oct 06, 2022
Recommended The recommendation is that the Board of Education approves the Williams Uniform Complaint
Action Quarterly Report for the period of July 1, 2022, to September 30, 2022

Purpose:
 The purpose is for the Board of Education to receive and approve the Williams Uniform Complaint Quarterly Report for the period of July 1, 2022, to September 30, 2022.

Background:
 Education Code 35186 requires that the Superintendent of a school district report summarized data on the nature and resolution of all complaints filed under the Williams Uniform Complaint Procedures to the local Board of Education and the County Superintendent of Schools on a quarterly basis. The report must include the number of complaints by general area, the number of resolved and unresolved complaints, and be publicly presented at a regularly scheduled Board meeting. The attached report is presented to the Board for the period of July 1, 2022, to September 30, 2022.

- File Attachments**
[Q223 UCP Report.pdf](#) (230 KB)

Contracts and Purchase Orders Authorized under Resolution 2020.21-025 (Delegate Authority to Procure Necessary Materials, Equipment and Services to Provide Distance and/or In-Person Learning for Staff, Teachers, and Students to Mitigate the Effects of Covid-19)

Type Action
Fiscal Impact Yes
Budgeted Yes
Recommended The recommendation is that the Board of Education accept the update on costs associated
Action with the implementation of Resolution 2020.21-025 (Resolution of the Board of Education of the Newark Unified School District to Delegate Authority to Procure Necessary Materials, Equipment and Services to Provide Distance and/or In-Person Learning for Staff, Teachers, and Students to Mitigate the Effects of Covid-19)

Purpose:
 To update the Board on costs associated with the implementation of Resolution 2020.21-025 (Resolution of the Board of Education of the Newark Unified School District to Delegate Authority to Procure Necessary Materials, Equipment, and Services to Provide Distance and/or In-Person Learning for Staff, Teachers, and Students to Mitigate the Effects of Covid-19) from September 1, 2022, through September 30, 2022.

Background:

On April 1, 2021, the Newark Unified School District Board approved Resolution 2020.21-025 delegating authority to the Superintendent or designee to procure necessary materials, equipment, and services that are needed to provide distance and/or in-person learning to mitigate the effects of Covid-19. Language in the resolution states "the Superintendent/Designee shall make periodic reports to the Board of Education and the public regarding implementation of this resolution and the costs associated therewith"; requiring the update provided here.

On June 16, 2022, Amended Resolution 2020.21-025 was approved. The amendment extends it to on or around June 30, 2023, and states that updates will be presented at the first Board meeting of each month.

VENDOR DATE PO NUMBER DESCRIPTION AMOUNT

N/A *

*There are no contracts or purchase orders to report for the period of September 1, 2022, through September 30, 2022.

Monthly Purchase Order Report

Type	Action
Recommended	The recommendation is that the Board of Education approves the Monthly Purchase Order
Action	Report as presented.

Purpose: The purpose of this item is to present a monthly report on Purchase Order transactions per Board Policy 3300, Expenditures and Purchases.

Background: Based on the discussion at the Board's Study Session on January 6, 2022, staff is providing a monthly report on Purchase Order transactions per Board Policy 3300, Expenditures and Purchases. The policy states that "The Board shall review all transactions entered into by the Superintendent or designee on behalf of the Board every 60 days."

File Attachments Monthly Purchase Order Report 10-06-2022.pdf (212 KB)

Minutes of the September 15, 2022 Regular Meeting of the Board of Education

Type	Action, Minutes
Recommended	The recommendation is that the Board of Education approves the minutes of the September
Action	15, 2022, Regular Meeting of the Board of Education

Purpose: For the board to review and approve the minutes of the September 15, 2022, Regular Meeting of the Board of Education

Background: The attached minutes are reflective of the September 15, 2022, Regular Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel HERE

Minutes of the September 22, 2022, Special Meeting of the Board of Education

Type	Action, Minutes
Recommended	The recommendation is that the Board of Education approves the minutes of the September
Action	22, 2022, Special Meeting of the Board of Education

Purpose: For the board to review and approve the minutes of the September 22, 2022, Special Meeting of the Board of Education

Background: The attached minutes are reflective of the September 22, 2022, Special Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel HERE

13 SUPERINTENDENT REPORT

Superintendent Report

Type	Information
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Purpose: The superintendent will provide the Board of Education with district information, updates, news, or anything in the jurisdiction of the board or the superintendent.

Background: The presentation and information will be provided by the Superintendent

File Attachments Superintendent's Report 10.6.22.pdf (3,382 KB)

14 STAFF REPORT

ACOE Approval of NUSD 2022-23 Local Control and Accountability Plan and Adopted Budget

Type Information

Purpose:

To inform the Board of the approval of NUSD's 2022-23 Local Control Accountability Plan (LCAP) and Adopted Budget by the Alameda County Office of Education (ACOE).

Background:

A Public Hearing was held on June 7, 2022, on the 2022-23 LCAP and Proposed Budget. At the Board meeting on June 16, 2022, the Board approved both the 2022-23 LCAP and Adopted Budget. The 2022-23 LCAP and Adopted Budget were subsequently submitted to ACOE for review. Based on ACOE's review, both the District's 2022-23 LCAP and Adopted Budget have been approved (see attached letter).

File Attachments

[NUSD 2022-23 Budget Board Letter - final.pdf](#) (293 KB)

Crossroads Independent Study Program Update

Type Information

Purpose:

The purpose of this agenda item is to provide an update on the Crossroads Independent Study Program.

Background:

Governor Gavin Newsom signed the Education Omnibus Budget Trailer Bill (AB) 181 into law on June 30, 2022, effective immediately. This bill makes changes to Independent Study (IS) programs. AB 181 confirms that the IS requirement for the 2021-2022 school year ended, however the option to offer IS remains for the 2022-2023 academic school year and beyond. If offered, changes to IS programming include, but are not limited to the following: procedures for tiered re-engagement strategies to address chronic absenteeism, master contract timelines, etc. NUSD is currently offering independent study to all TK-12 families through our Crossroads Independent Study school. California School Board Association (CSBA) recently provided updates that reflect AB 181 state requirements. These suggested changes have been reviewed by the Educational Services Team and will be brought forth for board approval as a separate agenda item this evening.

File Attachments

[Staff Report_ Crossroads Independent Study Program Update 2022-2023.pdf](#) (872 KB)

District Goals and Objectives

Type Discussion

Purpose:

The superintendent, Dr. Triplett, will share with the Board an updated draft of the 2022-23 District Goals and Objectives for the Newark Unified School District in order to get input from the Board.

Background:

The 2022-23 District Goals and Objectives for the Newark Unified School District were presented to the Board during a study session at the September 15, 2022, regular Board of Education meeting. Dr. Triplett will follow up with an updated draft of the 2022-23 District Goals and Objectives based on the Board's feedback provided during the study session. BP 0200 - "As part of the Governing Board's responsibility to set the direction for the school district, the Board shall adopt long-term goals focused on the achievement of all district students. The district's goals shall be aligned with the district's vision, mission, philosophy, and priorities."
I. Review Purpose of the Creation and Adoption of District Goals and Objectives
1. To provide clear direction, coherence, and accountability regarding area(s) of focus for the District.
II. Underlying Assumptions
1. The governance team and staff need clear goals and objectives to prioritize resources and effectively measure progress toward goals.
2. Consistency of goals over time is necessary to deepen the work throughout the district, realize desired outcomes, and make course corrections based on lessons learned.
3. Corresponding objectives need to be SMARTER (Specific, Measurable, Achievable, Realistic, Time Sensitive, and Equitable)
III. Timeline for Board Approval
1. Superintendent recommended 2022-23 Goals and Objectives for community and Board input on Thursday, September 15, 2022.
2. Superintendent will make revisions based on community and Board input and present them to the Board for approval on October 6, 2022.
3. Superintendent and Team will generate measurable outcomes for each articulated goal/objective to be subsequently presented at the second Board meeting in October.

15 CONSENT AGENDA: PULLED AGENDA ITEMS

PLACEHOLDER - Pulled Consent Agenda Items

Type Action

Purpose:

This is specifically a placeholder, and will only be used if agenda items from the consent categories are pulled for additional discussion.

Background:

Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately. Those items pulled will be discussed and voted on here.

16 BOARD OF EDUCATION: COMMITTEE REPORTS, REQUESTS, AND ANNOUNCEMENTS

Board of Education Recognitions and Announcements

Type Information

Purpose:

The Trustees may acknowledge or recognize specific programs, activities, or personnel at this time.

Board of Education Committee Reports

Type Information

Purpose:

The Trustees will provide an update, if available, on the committees of which they are members.

Background:

Each year the Board of Education members liaise with schools and committees in order to build relationships, hear from staff, students, and families, and act as a conduit for information to and from the schools.

Board Committees 2022-23

Board Adopted on 12/16/21

	Representative	Alternate
Mission Valley Regional Occupational Center/Program (ROC/P) Executive Board	1. Terrence Grindall	1. Bowen Zhang
Regional Policy Board of Special Education Local Plan Area (SELPA)	1. Bowen Zhang	1. Alicia Marquez
Newark Teacher Induction Advisory Council (Formally EBIC)	1. Alicia Marquez	1. Aiden Hill
Audit Committee	1. Alicia Marquez	2. Aiden Hill
Bond/Parcel Tax Committee	1. Terrence Grindall	2. Phuong Nguyen
City of Newark NUSD Liaison Committee	1. Phuong Nguyen	1. Bowen Zhang
	2. Terrence Grindall	1. Bowen Zhang

Board of Education Requests

Type Action, Discussion, Information

Purpose:

This is an opportunity for the Board of Education to suggest items for placement on future agendas and to review Board requests. Approval from the majority of the Board will be required for direction to be provided to the Superintendent.

Background:

The following derives directly from the Board approved "Governance Team Handbook"

Authority is Collective, Not Individual:

The only authority to direct action rests with the Board as a whole when seated at a regular or special board meeting. Outside of this meeting, there is no authority.

A majority Board vote provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction.

Bringing New Ideas Forward

The Board will be open to having "brainstorming" discussions, or study sessions, around any idea that a Trustee may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Trustee, at their initiative or at the request of a constituent, which was previously discussed during a board meeting.

Trustees will first notify the Board President and Superintendent of their interest in bringing forward a new idea at a board meeting.

When initially agendized, the preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.

Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea. The Superintendent will decide on the delegation of assignments to District staff.

The new idea may be agendized for discussion only. The Board majority will decide if the new idea should be further developed and studied by staff. The Board majority will decide if staff time should be invested in the "fleshing out" of new ideas.

Individual Trustees, in the course of interactions with constituents, will be careful not to make or imply the commitment of the full Board to explore or proceed with implementing new ideas.

17 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

Superintendent's Concluding Comments, Updates, and Future Agenda Items

AGENDA REQUESTS

Type Information

Purpose:

This is an opportunity for the Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

18 ADJOURNMENT

PLACEHOLDER - Extend Meeting

Type Action

Recommended The recommendation is that the Board of Education extends the meeting to ____ P.M.
Action

Purpose:

This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

Adjournment

Type Action, Procedural

Recommended The recommendation is that the Board of Education adjourns this meeting.
Action

Purpose:

No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time. This action will conclude the meeting.

Motion & Voting

The recommendation is that the Board of Education adjourns this meeting at 9:19pm.

Motion by Alicia Marquez, second by Bowen Zhang.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang

1 CALL TO ORDER

Meeting Practices and Information

Type Procedural

In-person Meeting Information:

NUSD has opened its boardroom for in-person meetings and will follow the State's and Alameda County's safety guidelines for public gatherings. Please refrain from attending in-person meetings if you have any of the following symptoms:

- Loss of taste/smell
- Difficulty breathing
- Vomiting
- Diarrhea
- Fever
- Cough
- Headache
- Sore Throat
- Runny Nose

For additional COVID-19 information please go to <https://www.newarkunified.org/covid-19> or <https://www.acoe.org/guidance>

Observe The Board Of Education Meeting:

Members of the public 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.

Public Comment:

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

Roll Call

Type Procedural

Trustees:

President Phuong Nguyen

Vice President/Clerk Terrence Grindall
Member Aiden Hill
Member Alicia Marquez
Member Bowen Zhang

Student Board Member:
Diego Torres

2 APPROVAL OF AGENDA

Approval of the Agenda

Type Action
Recommended The recommendation is that the Board of Education approve the agenda for this meeting.
Action

Purpose:
Members of the Governance Team may request that the agenda be amended or approved as presented.

Motion & Voting
The recommendation is that the Board of Education approve the agenda for this meeting.
Motion by Alicia Marquez, second by Bowen Zhang.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang

3 CLOSED SESSION

Public Comment on Closed Session Items

Type Procedural

Purpose:
The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board. If a constituent wishes to address the Board on any agenda item, please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org.

CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION Significant exposure to litigation pursuant to Gov. Code, 54956.9, subd. (d)[(2) or (3)]

Type Action, Discussion, Procedural

Purpose:
Information may be provided regarding significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: One case

Recess to Closed Session

Type Procedural

Purpose:
The Board will recess to Closed Session.

4 ADJOURNMENT

PLACEHOLDER - Extend Meeting

Type Action
Recommended The recommendation is that the Board of Education extends the meeting to ____ P.M.
Action

Purpose:
This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

Adjournment

Type Action, Procedural
Recommended The recommendation is that the Board of Education adjourns this meeting.
Action

Purpose:
No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time.

This action will conclude the meeting.

1 CALL TO ORDER

Meeting Practices and Information

Type Procedural

In-person Meeting Information:

NUSD has opened its boardroom for in-person meetings and will follow the State's and Alameda County's safety guidelines for public gatherings. Please refrain from attending in-person meetings if you have any of the following symptoms:

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- Vomiting
- Diarrhea
- Fever
- Cough
- Headache
- Sore Throat
- Runny Nose

For additional COVID-19 information please go to <https://www.newarkunified.org/covid-19> or <https://www.acoe.org/guidance>

Observe The Board Of Education Meeting:

Members of the public 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.

Public Comment:

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLI COMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLI COMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

Roll Call

Type Procedural

Trustees:

- President Phuong Nguyen
- Vice President/Clerk Terrence Grindall
- Member Aiden Hill
- Member Alicia Marquez
- Member Bowen Zhang

Student Board Member:

- Diego Torres

2 APPROVAL OF AGENDA

Approval of the Agenda

Type Action

Recommended The recommendation is that the Board of Education approve the agenda for this meeting.
Action

Purpose:

Members of the Governance Team may request that the agenda be amended or approved as presented.

Motion & Voting

The recommendation is that the Board of Education approve the agenda for this meeting.

Motion by Bowen Zhang, second by Terrence Grindall.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang

3 CLOSED SESSION

Public Comment on Closed Session Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board. If a constituent wishes to address the Board on any agenda item, please fill out a virtual speaker card via email

at PUBLICCOMMENT@newarkunified.org.

CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION Significant exposure to litigation pursuant to Gov. Code, 54956.9, subd. (d)[(2) or (3)]

Type Action, Discussion, Procedural

Purpose:

Information may be provided regarding significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: One case

Recess to Closed Session

Type Procedural

Purpose:

The Board will recess to Closed Session.

4 ADJOURNMENT

PLACEHOLDER - Extend Meeting

Type Action

Recommended Action The recommendation is that the Board of Education extends the meeting to ____ P.M.

Purpose:

This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

Adjournment

Type Action, Procedural

Recommended Action The recommendation is that the Board of Education adjourns this meeting.

Purpose:

No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time. This action will conclude the meeting.

1 CALL TO ORDER

Meeting Practices and Information

Type Procedural

In-person Meeting Information:

NUSD has opened its boardroom for in-person meetings and will follow the State's and Alameda County's safety guidelines for public gatherings. Please refrain from attending in-person meetings if you have any of the following symptoms:

- Loss of taste/smell
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- Vomiting
- Diarrhea
- Fever
- Cough
- Headache
- Sore Throat
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Public Comment:

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

Roll Call

Type Procedural

Trustees:

President Phuong Nguyen
Vice President/Clerk Terrence Grindall
Member Aiden Hill
Member Alicia Marquez
Member Bowen Zhang

Student Board Member:

Member Diego Torres

2 APPROVAL OF AGENDA

Approval of the Agenda

Type Action

Recommended The recommendation is that the Board of Education approve the agenda for this meeting.

Action

Purpose:

Members of the Governance Team may request that the agenda be amended or approved as presented.

Motion & Voting

The recommendation is that the Board of Education approve the agenda for this meeting.

Motion by Bowen Zhang, second by Terrence Grindall.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Bowen Zhang

Not Present at Vote: Aiden Hill, Alicia Marquez

3 STUDY SESSION

2022-23 District Goals and Objectives

Type Discussion

Purpose:

The superintendent, Dr. Triplett, will share with the Board a draft of the 2022-23 District Goals and Objectives for the Newark Unified School District in order to get input from the Board.

Background:

BP 0200 - "As part of the Governing Board's responsibility to set the direction for the school district, the Board shall adopt long-term goals focused on the achievement of all district students. The district's goals shall be aligned with the district's vision, mission, philosophy, and priorities."

I. Review Purpose of the Creation and Adoption of District Goals and Objectives

1. To provide clear direction, coherence, and accountability regarding area(s) of focus for the District.

II. Underlying Assumptions

1. The governance team and staff need clear goals and objectives to prioritize resources and effectively measure progress toward goals.

2. Consistency of goals over time is necessary to deepen the work throughout the district, realize desired outcomes, and make course corrections based on lessons learned.

3. Corresponding objectives need to be SMARTER (Specific, Measurable, Achievable, Realistic, Time Sensitive, and Equitable)

III. Timeline for Board Approval

1. Superintendent will recommend 2022-23 Goals and Objectives for community and Board input on Thursday, September 15, 2022.

2. Superintendent will make revisions based on community and Board input and present them to the Board for approval on October 6, 2022.

File Attachments

Copy of Board Study Session 9.15.22.pdf (3,011 KB)

4 CLOSED SESSION

Public Comment on Closed Session Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board. If a constituent wishes to address the Board on any agenda item, please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org.

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE (Gov. Code, 54957, subd. (b)(1))

Type Action, Information, Procedural

Purpose:
Information will be provided by the Superintendent and Executive Director of Human Resources.

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a): Employee Organizations - NTA and CSEA

Type Action, Information, Procedural

Purpose:
Information may be provided by the agency negotiator, Executive Director of Human Resources. Assistance from the legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided.
The employee organizations include NTA & CSEA.

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a)): Employee Group - NEWMA, Unrepresented Supervisors, and Contracted Management

Type Action, Discussion, Procedural

Purpose:
Information may be provided by the agency negotiator, the Executive Director of Human Resources, and the Superintendent. Assistance from legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided.
The employee organizations include NEWMA, Unrepresented Supervisors, and Contracted Management

CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION Significant exposure to litigation pursuant to Gov. Code, 54956.9, subd. (d)[(2) or (3)]

Type Action, Discussion, Procedural

Purpose:
Information may be provided regarding significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9:
One case

Recess to Closed Session

Type Procedural

Purpose:
The Board will recess to Closed Session, and reconvene to Open Session on or about 7:00 p.m.

5 REPORT OF CLOSED SESSION ACTIONS

Report of Closed Session Actions

Type Action, Procedural

Purpose:
If available, a report of the closed session will be provided by the Board President.

6 RECONVENE TO OPEN SESSION

Pledge of Allegiance

Type Procedural

Purpose:
The Governance Team will recite the Pledge of Allegiance

7 RECOGNITIONS AND CELEBRATIONS

Latinx Heritage Month Celebration

Type Information

Purpose:
The Schilling Elementary Ballet Folklorico will perform for the Board and community in celebration of Latinx Heritage Month commencing on September 15, 2022, through October 15, 2022.

Background:
Latinx (Hispanic) Heritage Month heritage began as Hispanic Heritage Week. Hispanic Week was established by legislation

sponsored by Rep. Edward R. Roybal of Los Angeles and was signed into law by President Lyndon Johnson in 1968. In 1988, the commemorative week was expanded to a month (September 15 to October 15) by President Ronald Reagan. September 15 was chosen as the starting point for the commemoration because it is the anniversary of the Cry of Dolores (early morning, 16 September 1810), which marked the start of the Mexican War of Independence and thus resulted (in 1821) in independence for the New Spain Colony (now Mexico and the Central American nations of Guatemala, El Salvador, Costa Rica, Honduras, and Nicaragua) which became the Federal Republic of Central America. Mexico, most Central American countries, and Chile commemorate their independence from Spain on September 15, September 16, and September 18, respectively.

Hispanic Heritage Week was first proclaimed by President Johnson in 1968 in Presidential Proclamation 3869. Presidents Nixon, Ford, Carter, and Reagan gave annual proclamations for Hispanic Heritage Week between 1969 and 1988. National Hispanic Heritage Month was first proclaimed by President George H. W. Bush on September 14, 1989, in Presidential Proclamation 6021. Since 1989, all Presidents have given a Presidential Proclamation to mark Hispanic Heritage Month.

ROP Teacher of the Year Recognition

Type Information

Purpose:

The purpose of this agenda item is to recognize and celebrate Mr. Jonathan Sabangan, ROP teacher at NMHS, for receiving the Teacher of the Year award.

Background:

Mr. Jonathan Sabangan has been working with the Newark Memorial High School community since 2014. He currently teaches a variety of ROP business classes, including Sports & Entertainment Marketing, Entrepreneurship, and Business and Professional Development.

As a business instructor, Mr. Sabangan supports students to make a smooth transition from the classroom into the working world by utilizing the core keys of 21st-century learning. His curriculum includes classroom presentations, weekly speech and debate exercises, and bi-annual "employee professional" finals. Mr. Sabangan was nominated and selected as the ROP Teacher of the Year and will be celebrated at the County level in October 2022.

8 PUBLIC COMMENT ON NON-AGENDA ITEMS

Public Comment on Non-Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

9 PUBLIC COMMENT ON AGENDA ITEMS

Public Comment on Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

10 EMPLOYEE ORGANIZATIONS

Employee Organizations

Type Information

Purpose:

At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Background:

Discussion items are limited to updates, celebrations, and upcoming events.

1. NTA: Sean Abruzzi

- 2. CSEA: Maria Huffer
- 3. NEWMA: Vicenta Ditto

11 CONSENT AGENDA: PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type Action
 Recommended The recommendation is that the Board of Education approve, under one consented vote, the
 Action agenda items under Consent-Personnel, except for agenda items:

Purpose:
 This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:
 Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

K12 Workforce Pathway Coordinator (OCCD) Position & Job Description

Type Action
 Preferred Date Sep 15, 2022
 Fiscal Impact Yes
 Dollar Amount \$130,000.00
 Budgeted Yes
 Budget Source K12 Strong Workforce Program Grant
 Recommended The recommendation is that the Board of Education approves the K12 Workforce Pathway
 Action Coordinator position and job description as presented.

Purpose:
 To approve the Strong Workforce Program K12 Pathway Coordinator position and job description.

Background:
 The Board approved the K12 Workforce Pathway Coordinator LEA Host Contract (Ohlone CCD) at the September 1, 2022 board meeting. This allows NUSD to serve as the employer of record for the K12 Pathway Coordinator (PC) position for the Ohlone Community College District, funded through the K12 Strong Workforce Program (SWP). The SWP legislation created the K12 PC positions to support connections between the K12 LEAs and local community colleges to strengthen CTE programs and pathways that align with regional workforce needs. More specifically, the K12 PCs are assigned to each community college district's service area, to work with the community colleges and the K12 LEAs to provide technical assistance to strengthen and expand CTE programs and be the go-to resource for K12 SWP and Career Technical Education Incentive Grants. The Bay Region has 18 K12 PCs on board, and the LEA host for the Ohlone Community College District's K12 PC is Newark Unified School District as of September 1, 2022.
 This position will serve Mission Valley ROP, Fremont, Newark, and New Haven school districts, in providing technical assistance to implement and improve career technical education courses, programs, and pathways. This partnership is an opportunity to further our own Educational Services' work on improving college and career readiness data at our secondary schools.

File Attachments
[K12 Pathway Coordinator \(Ohlone CCD\) - Job Description.pdf](#) (115 KB)

Motion & Voting
 The recommendation is that the Board of Education approves the K12 Workforce Pathway Coordinator position and job description as presented.
 Motion by Alicia Marquez, second by Bowen Zhang.
 Final Resolution: Motion Carries
 Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang

Personnel Report

Type Action
 Absolute Date Sep 15, 2022
 Recommended The recommendation is that the Board of Education ratify the personnel report as presented.
 Action

Purpose:
 The purpose is for the Board of Education to ratify the Personnel Report as presented.

Background:
 All personnel activities including new hires, changes in status, resignation, leaves, and retirements are routinely submitted to the Board for ratification.

File Attachments
[HR PAL 09-15-2022 \(2\).pdf](#) (218 KB)

Motion & Voting

The recommendation is that the Board of Education ratify the personnel report as presented.

Motion by Bowen Zhang, second by Terrence Grindall.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang

12 CONSENT AGENDA: NON-PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type Action

Recommended The recommendation is that the Board of Education approves, under one consented vote, the
Action agenda items under Consent Non-Personnel, except for agenda items:

Purpose:

This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:

Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Motion & Voting

The recommendation is that the Board of Education approves, under one consented vote, the agenda items under Consent Non-Personnel, except for agenda items: 12.2, 12.3, 12.5

Motion by Terrence Grindall, second by Bowen Zhang.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang

Newark Junior High School 2022-2023 School Site Plan for Student Achievement (SPSA)

Type Action

Fiscal Impact Yes

Budgeted Yes

Recommended The recommendation is that the Board of Education approve the Newark Junior High School
Action 2022-2023 School Plan for Student Achievement.

Purpose:

This 2022-23 School Plan for Student Achievement (SPSA) is coming forward for Board approval. The SPSA serves as the organizer for an individual school's improvement process. The plan is developed with a deep understanding of the root causes of student academic challenges and identifies and implements research-based instructional strategies to raise the achievement of students who are not yet proficient by state standards.

The plan:

- Builds on a premise that students are capable of learning with effective instruction.
Includes school goals aligned with activities and goals included in the LCAP to maximize school reform efforts.
Is based on verifiable data analysis.
Focuses on student achievement and academic interventions.
Implements high leverage school improvement actions.
Directs resources where they will most directly improve student academic achievement.
Ensures all resources are aligned to serve identified students' needs.
Uses research-based strategies.
Implements strategic coordination of resources.

Background:

The School Plan for Student Achievement (SPSA) is a plan of action to improve student academic performance by coordinating all educational services and resources. Pursuant to California Education Code Section 64001, schools that receive state and federal funds are required to consolidate all school plans into an SPSA.

It is the goal of the Newark Unified School District (NUSD) to provide equitable opportunities to each of our students and school sites. Each site-specific SPSA and the district-wide Local Control and Accountability Plan (LCAP) is a roadmap created in partnership with all district stakeholders to achieve our vision and mission:

NUSD Vision: The Newark Unified School District, in partnership with the community, will be a model of world-class education that develops the unique abilities of every student.

NUSD Mission: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens.

Each school site aligns its SPSA action items to our 3 LCAP goals:

- Goal 1: Promote a culture of instructional excellence and continuous improvement that results in students achieving their full potential and graduating college and career-ready.
Goal 2: Promote a culture of community and partnership among the parents, students, staff, and NUSD community as a whole that results in an increase in parent involvement, student participation, and a positive school climate.
Goal 3: Establish exceptional learning conditions and an environment that promotes trust, respect, and acceptance, and results in students and families feeling safe, welcomed, and valued members of NUSD.

Data Analysis: School-level goals are informed by data. Each goal area includes data analysis on current measures across student subgroups, and on outcome measures to determine progress. Local and State data are used to develop each goal.

Evaluating Progress: The SSC agendized a meeting to review Dashboard data and measure the impact of actions on student achievement. The principal and staff evaluate academic progress a minimum of three times a year through an academic Professional

Learning Community (PLC) model with benchmark data.

Role of School Advisory Committees: California Education Code Section 64001 requires that the School Site Council (SSC) develop the SPSA. The SSC's responsibilities include approving the plan, recommending it to the local governing board for approval, monitoring its implementation, and evaluating the effectiveness of the plan at least annually. The SSC must seek the review, advice, and certification of applicable advisory committees, including the English Learner Advisory Committee (ELAC).

[File Attachments](#)

[2022_School_Plan_for_Student_Achievement_Newark_Junior_High_School_20220829.pdf](#) (984 KB)

[Motion & Voting](#)

The recommendation is that the Board of Education approve the Newark Junior High School 2022-2023 School Plan for Student Achievement.

Motion by Bowen Zhang, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang

[Reach Institute for School Leadership Partner School MOU and Intern Teacher Credential Program MOU](#)

Type Action

Absolute Date Sep 15, 2022

Recommended The recommendation is that the Board of Education approve the Reach Institute for School Leadership Partner School MOU and Intern Teacher Credential Program MOU.

[Purpose:](#)

The purpose of this item is for the Board of Education to approve the Reach Institute for School Leadership Partner School MOU and Intern Teacher Credential Program MOU.

[Background:](#)

The District works closely with institutions of higher education (IHE) to create pipelines for qualified teaching staff.

Memorandums of Understanding must be in place in order for an intern from the Reach Institute for School Leadership to be employed.

These MOUs will support the District with the employment of one confirmed intern, Timothy Leonard, as a Social Science Teacher with Newark Junior High School. They will also open the pipeline to other qualified teaching candidates currently enrolled with the Reach Institute. Interns are able to learn, practice teaching, and fine-tune their craft under the direct supervision of a master teacher. The opportunity to intern in the District benefits both the student and the District.

There is no financial impact for the approval of these MOUs.

[File Attachments](#)

[2022-23 Reach MOU INSTITUTION WIDE POLICES & AGREEMENT_Newark.pdf](#) (207 KB)

[2022-23 Reach MOU - Intern Program_Newark.pdf](#) (421 KB)

[Motion & Voting](#)

The recommendation is that the Board of Education approve the Reach Institute for School Leadership Partner School MOU and Intern Teacher Credential Program MOU.

Motion by Alicia Marquez, second by Bowen Zhang.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang

[Resolution 2022.23.05 - Adopting the 2021-22 and 2022-23 Gann Limit](#)

Type Action

Recommended The recommendation is that the Board adopt Resolution No. 2022.23.05 - Adopting the 2021-22 and 2022-23 Gann Limit.

[Purpose:](#)

The purpose of this item is for the Board to approve Resolution No. 2022.23.05, Adopting the 2021-22 and 2022-23 Gann Limit.

[Background:](#)

The Gann limit was established by Proposition 4 in 1979. Simply put, the purpose of the limit is to keep per-person government spending under 197879 levels, adjusted for changes in population and inflation. For school districts, ADA is used to determine population. The limit is based on local property tax revenues and state aid received. If a school district's Gann limit is reduced, they do not lose funding.

School districts are required to adopt a resolution and file a Form GANN every year. Form GANN is part of the Unaudited Actuals SACS report submitted to the Alameda County Office of Education every year.

For reference, a School Services of California article and information from the California Department of Education (CDE), including FAQs, are attached.

[File Attachments](#)

[Calculating Your Annual Gann Limit _ SSC.pdf](#) (75 KB)

[CDE What is the Gann Limit 9-15-2021.pdf](#) (115 KB)

[Gann Limit_Resolution No. 2022.23.05.pdf](#) (217 KB)

[Resolution 2022.23.06 - Sufficiency of Instructional Materials](#)

Type Action, Procedural

Recommended Action The recommendation is that the Board of Education approves Resolution 2022.23.06 - Sufficiency of Instructional Materials.

Purpose: For the Board of Education to approve Resolution 2022.23.06 - Sufficiency of Instructional Materials.

Background: To certify compliance with Education Code Section 60119 (as revised by Chapter 704, Statutes of 2006 and California Code of Regulations (CCR), Title 5, Section 9531). In order to be eligible to receive instructional materials funds, the governing board of each district and county office of education is required to hold an annual public hearing and adopt a resolution stating whether each pupil in the district has sufficient textbooks or instructional materials in specified subjects that are aligned to the academic content standards and consistent with the content and cycles of the curriculum frameworks adopted by the state board. The public hearing was held on Sept. 1, 2022. Under EC Section 60119, the governing board of every local educational agency that receives state instructional materials funds must hold an annual public hearing before the end of the eighth week from the first-day pupils attend school for that year. At the public hearing, the governing board must make a determination as to whether each pupil in each school has sufficient textbooks or instructional materials, or both, that are aligned to the content standards and are consistent with the content and cycles of the curriculum framework adopted by the State Board of Education in reading/language arts, mathematics, science, and history-social science. Site principals reviewed the site's sufficiency of materials and affirmed. Governing boards that have met the requirements of Education Code Section 60119 and have also certified compliance with the Instructional Materials Funding Realignment Program (IMFRP) requirements regarding the provision of adopted standards-aligned instructional materials for all students (Education Code Section 60422) may spend 100% of any remaining IMFRP funds from that year's allocation for other approved purposes.

File Attachments 2022-23 Sufficiency of Material Resolutions 2022.23.06.pdf (96 KB)

Motion & Voting The recommendation is that the Board of Education approves Resolution 2022.23.06 - Sufficiency of Instructional Materials. Motion by Alicia Marquez, second by Bowen Zhang. Final Resolution: Motion Carries Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang

Resolution 2022.23.07 - Designating Certain General Funds as Committed Fund Balance for 2022-23

Type Action, Procedural Recommended Action The recommendation is that the Board of Education adopt Resolution 2022.23.07 Designating Certain General Funds as Committed Fund Balance for 2022-23

Purpose: To approve the designations to the fund balance as presented in Resolution 2022.23.07 Designating Certain General Funds as Committed Fund Balance for 2022-23

Background: As a result of the balance in the Public School System Stabilization Account, the statutory limitation on school district reserves has been triggered for the 2022-23 budget period, pursuant to Education Code (EC) section 42127.01(e). Beginning with the 2022-23 fiscal year, the district reserve cap requires that a school district's adopted or revised budget shall not contain a combined assigned or unassigned ending general fund balance of more than 10 percent of those funds. Assigned and unassigned balances within Fund 17 Special Reserve Fund for Emergency Purposes are included within the 10% reserve cap. Components of the fund balance designated as committed funds are not included in the 10% reserve cap. On June 16, 2022, the Board adopted Resolution 2021.22.49 designating \$5,869,876 in general funds as committed fund balance. Since the ending fund balance in the 2021-22 Unaudited Actuals resulted in an increase of about \$6 million, the committed fund balance designations for 2022-23 need to be modified in order to maintain the 10% reserve cap required for the 2022-23 fiscal year.

File Attachments Resolution 2022.23.07 Committed Fund Balance for 2022-23 Fiscal Year.pdf (17 KB)

Warrant Report for August 2022

Type Action Fiscal Impact No Recommended Action The recommendation is that the Board of Education approve the Warrant Report as presented.

Purpose: The purpose of this item is to present warrants, for the total amount of \$1,727,644.32, made from District funds for August 2022.

Background: The warrant registers represent a complete listing of all payments made from District funds for a month. Because Newark Unified School District is a fiscally dependent District, each warrant must pass through two separate audits; first by the District's Fiscal Services department, and second by the County Office of Education. No warrant can be paid until such time as it is examined and approved by the County Office of Education.

File Attachments

[Warrant Report August 2022.pdf](#) (370 KB)

Minutes of the September 1, 2022 Regular Meeting of the Board of Education

Type Action, Minutes

Recommended The recommendation is that the Board of Education approves the minutes of the September
Action 1, 2022, Regular Meeting of the Board of Education

Purpose:

For the board to review and approve the minutes of the September 1, 2022, Regular Meeting of the Board of Education

Background:

The attached minutes are reflective of the September 1, 2022, Regular Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel [HERE](#)

Minutes of the June 7, 2022 Regular Meeting of the Board of Education

Type Action, Minutes

Recommended The recommendation is that the Board of Education approves the minutes of the June 7,
Action 2022, Regular Meeting of the Board of Education

Purpose:

For the board to review and approve the minutes of the June 7, 2022, Regular Meeting of the Board of Education

Background:

The attached minutes are reflective of the June 7, 2022, Regular Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel [HERE](#)

Minutes of the December 14, 2021, Special Meeting of the Board of Education

Type Action, Minutes

Recommended The recommendation is that the Board of Education approves the minutes of the December
Action 14, 2021, Special Meeting of the Board of Education

Purpose:

For the board to review and approve the minutes of the December 14, 2021, Special Meeting of the Board of Education

Background:

The attached minutes are reflective of the December 14, 2021, Special Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel [HERE](#)

13 SUPERINTENDENT REPORT

Superintendent Report

Type Information

Purpose:

The superintendent will provide the Board of Education with district information, updates, news, or anything in the jurisdiction of the board or the superintendent.

Background:

The presentation and information will be provided by the Superintendent

File Attachments

[Superintendent's Report 9.15.22.pdf](#) (2,653 KB)

14 OLD BUSINESS

Local Control Accountability Plan (LCAP) Clarifying Questions

Type Action

Recommended The recommendation is that the Board of Education ratify the Newark Unified School District
Action Clarifying Questions 2022-23 LCAP document submitted to the Alameda County Office of
Education.

Purpose:

After the annual review by the Alameda County Office of Education (ACOE) of our proposed 22-23 Local Control and Accountability Plan (LCAP), NUSD received LCAP Clarifying Questions on August 15, 2022, with the expectation to respond to ACOE on or before August 30, 2022, and bring forth to the Board of Education shortly after that.

Background:

This document and the revised LCAP template have been provided to ACOE and will be posted on our district website so that our stakeholders can access this information.

Ed Code 52070:

(a) Not later than five days after adoption of a local control and accountability plan or annual update to a local control and accountability plan, the governing board of a school district shall file the local control and accountability plan or annual update to the local control and accountability plan with the county superintendent of schools.

(b) On or before August 15 of each year, the county superintendent of schools may seek clarification, in writing, from the governing board of a school district about the contents of the local control and accountability plan or annual update to the local control and accountability plan. Within 15 days the governing board of a school district shall respond, in writing, to requests for clarification.

[File Attachments](#)

[2022_Local_Control_and_Accountability_Plan_Newark_Unified_School_District_20220830 \(1\).pdf](#) (1,269 KB)

[Newark USD Clarifying Questions 22-23 LCAP BoE091522 \(1\).pdf](#) (188 KB)

[Motion & Voting](#)

The recommendation is that the Board of Education ratify the Newark Unified School District Clarifying Questions 2022-23 LCAP document submitted to the Alameda County Office of Education.

Motion by Terrence Grindall, second by Bowen Zhang.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang

15 NEW BUSINESS

Resolution 2022.23.08 - Latinx Heritage Month

Type	Action
Recommended	The recommendation is that the Board of Education reaffirm Resolution 2022.23.08 - Latinx
Action	Heritage Month.

[Purpose:](#)

To reaffirm Resolution 2022.23.08 - Latinx Heritage Month, recognizing Latinx Heritage Month at NUSD from September 15 - October 15.

[Background:](#)

At the October 7, 2021, regular Board of Education meeting, the Board approved Resolution 2021.22.08 recognizing Latinx Heritage Month at NUSD.

The proposed NUSD resolution is intended to recognize and celebrate the contributions of our Latinx, Hispanic, and Chicano community members, as well as draw attention to areas of improvement for Newark Unified School District with respect to its service to this community.

The resolution was originally drafted in partnership with the following community representatives:

- Newark Memorial High School Students
- Bridgepoint High School Students
- Newark Unified School District Educational Services Team
- Newark Unified School District Staff (Open Invitation)
- Community Organizations: Promotores, Avanzando, and Parent Focus Groups, including City Council Representative Sucsy Collazo

[File Attachments](#)

[National Latinx Heritage Month Resolution 2022.23.08.pdf](#) (445 KB)

[Motion & Voting](#)

The recommendation is that the Board of Education reaffirm Resolution 2022.23.08 - Latinx Heritage Month.

Motion by Bowen Zhang, second by Terrence Grindall.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang

Assignment of Yasmeen Sears as an English Teacher at Newark Junior High School on the Basis of a Credential Waiver, Effective August 8, 2022.

Type	Action
Absolute Date	Sep 15, 2022
Recommended	The recommendation is that the Board of Education approve the assignment of Yasmeen
Action	Sears as an English Teacher at Newark Junior High School on the Basis of a Credential Waiver, Effective August 8, 2022.

[Purpose:](#)

The purpose of this item is for the Board of Education to approve the assignment of Yasmeen Sears as an English Teacher at Newark Junior High School on the Basis of a Credential Waiver, Effective August 8, 2022.

[Background:](#)

The California Commission on Teacher Credentialing requires employee assignments on the basis of a credential waiver to be presented to the governing board of the school district in a public meeting showing the name of the applicant, the specific assignment, and the fact that the assignment will be on the basis of a credential waiver.

Variable Term Waivers give the employer the ability to cover assignments when a fully qualified credentialed employee cannot be

found. Waivers allow employers to meet staffing needs while searching for an individual who either holds an appropriate credential or qualifies for one of the available assignment options for the assignment. It also allows the individuals holding waivers to complete their credential requirements while serving in the classroom. Yasmeeen Sears successfully served as an English Teacher at Newark Junior High School during the 2021-2022 school year under a short-term staff permit. Since then, Yasmeeen has completed her teaching program with Cal State East Bay. This waiver will allow Yasmeeen to serve as an English Teacher while she works to complete the edTPA, a performance-based, subject-specific assessment. Upon completion of the edTPA, Cal State East Bay will submit the formal recommendation for a Single Subject Teaching Credential in English for Yasmeeen Sears. There is no financial impact on the approval of this waiver.

Motion & Voting

The recommendation is that the Board of Education approve the assignment of Yasmeeen Sears as an English Teacher at Newark Junior High School on the Basis of a Credential Waiver, Effective August 8, 2022.

Motion by Terrence Grindall, second by Bowen Zhang.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang

Contract for Marketing Services

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$170,600.00
Budgeted	Yes
Budget Source	General Fund
Recommended Action	The recommendation is that the Board of Education award the contract for marketing services to Presidio Communications.

Purpose:
The purpose is to award a marketing services contract to Presidio Communications.

Background:
On July 6, 2022, staff initiated an RFP (Request for Proposal) process for marketing services with three main objectives: increase enrollment, recruitment and retention of highly qualified staff, and improve community awareness of the greatness of our district, schools, and programs. The RFP (RFP #01-2022-23) was posted on the district's website and advertised in The Argus on July 15 and 22, 2022. Fourteen (14) RFP documents were mailed out and the district received eight (8) proposals which were due on July 28, 2022, at 2:00 PM. Proposals were received from:
Twenty Fifth Hour Communications
CESO Communications
G&D Associates, LLC
Geoffvu Media
Holdsworth Communications
Presidio Communications Inc
Rhodes Branding
Sounding Board Marketing & Communications
Proposals were reviewed and potential firms were interviewed.

File Attachments
[Presidio Communications, Inc_ICA Sept 2022-15.pdf](#) (713 KB)

Motion & Voting

The recommendation is that the Board of Education award the contract for marketing services to Presidio Communications.
Motion by Terrence Grindall, second by Alicia Marquez.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Terrence Grindall, Alicia Marquez
Nay: Aiden Hill, Bowen Zhang

2021-22 Unaudited Actuals Financial Report

Type	Action
Recommended Action	The recommendation is that the Board approve the 2021-22 Unaudited Actuals Financial Report.

Purpose:
The purpose of this item is for the Board to review and approve the 2021-22 Unaudited Actuals Financial Report.

Background:
Assembly Bill 1200 requires that the prior year's unaudited actuals of revenues and expenditures be approved by the Board of Trustees (EC 42100). The unaudited actuals will be reviewed by independent auditors and presented in an annual independent audit report. The report includes the actual results of 2021-22 operations for all funds of the District and includes various supplemental schedules used to convert the District's fund-level statements into entity-wide statements in compliance with Governmental Accounting Standards Board Statement #34 (GASB 34). The District must close its books for the 2021-22 fiscal year by September 15, 2022, and submit the financial statement to the Alameda County Office of Education which will review the information and forward it to the state. This report is prepared using the state software in a format approved by the California Department of Education (Standardized Account Code Structure, known

as SACS). Individual SACS report forms are prepared for each of the District's funds. The financials present the 2021-22 revenues, expenses, assets, liabilities, and fund balances by the fund.

File Attachments

[21-22 UA Full Book.pdf](#) (3,710 KB)

[Unaudited Actuals Board Presentation 2021_22.pdf](#) (1,664 KB)

Motion & Voting

The recommendation is that the Board approve the 2021-22 Unaudited Actuals Financial Report.

Motion by Bowen Zhang, second by Alicia Marquez.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang

16 CONSENT AGENDA: PULLED AGENDA ITEMS

PLACEHOLDER - Pulled Consent Agenda Items

Type Action

Purpose:

This is specifically a placeholder, and will only be used if agenda items from the consent categories are pulled for additional discussion.

Background:

Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately. Those items pulled will be discussed and voted on here.

17 BOARD MEMBER REQUESTS

Audit Committee Charter Review

Type Action, Discussion, Information

Purpose:

For the Board to review the Audit Committee Charter, provide updates where needed, and approve a charter.

Background:

The Board requested to bring the Audit Committee Charter to the Board for review and to provide updates if needed. On September 1, 2022, Member Marquez provided suggested edits and the Board requested to bring this item back. The Board will have the opportunity to review the current charter, request updates, and approve a revised charter.

File Attachments

[Marquez Proposed Changes - Audit-Committee_Charter-Matrix_Board-of-Ed - 09012022.pdf](#) (132 KB)

Motion & Voting

The recommendation is that the Board of Education accept and approve the recommended edits to the Audit Committee Charter.

Motion by Terrence Grindall, second by Alicia Marquez.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Alicia Marquez

Nay: Aiden Hill, Bowen Zhang

Temporary Renaming of the Newark Junior High School

Type Discussion

Purpose:

For the Board to discuss the possibility of renaming the Newark Junior High School for the 2022-23 school year.

Background:

Member Grindall requested to agendized a Board discussion to have the Board temporarily change the name of the Newark Junior High School for the 2022-23 school year or until such time as a full community process can be concluded per Board policy.

18 BOARD OF EDUCATION: COMMITTEE REPORTS, REQUESTS, AND ANNOUNCEMENTS

Board of Education Recognitions and Announcements

Type Information

Purpose:

The Trustees may acknowledge or recognize specific programs, activities, or personnel at this time.

Board of Education Committee Reports

Type Information

Purpose:

The Trustees will provide an update, if available, on the committees of which they are members.

Background:

Each year the Board of Education members liaise with schools and committees in order to build relationships, hear from staff, students, and families, and act as a conduit for information to and from the schools.

Board Committees 2022-23

	Representative	Alternate
Board Adopted on 12/16/21		
Mission Valley Regional Occupational Center/Program (ROC/P)	1. Terrence Grindall	1. Bowen Zhang
Executive Board		
Regional Policy Board of Special Education Local Plan Area (SELPA)	1. Bowen Zhang	1. Alicia Marquez
Newark Teacher Induction Advisory Council (Formally EBIC)	1. Alicia Marquez	1. Aiden Hill
Audit Committee	1. Alicia Marquez	2. Aiden Hill
Bond/Parcel Tax Committee	1. Terrence Grindall	2. Phuong Nguyen
City of Newark NUSD Liaison Committee	1. Phuong Nguyen	2. Terrence Grindall
		1. Bowen Zhang

Board of Education Requests

Type Action, Discussion, Information

Purpose:

This is an opportunity for the Board of Education to suggest items for placement on future agendas and to review Board requests. Approval from the majority of the Board will be required for direction to be provided to the Superintendent.

Background:

The following derives directly from the Board approved "Governance Team Handbook"

Authority is Collective, Not Individual:

The only authority to direct action rests with the Board as a whole when seated at a regular or special board meeting. Outside of this meeting, there is no authority.

A majority Board vote provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction.

Bringing New Ideas Forward

The Board will be open to having "brainstorming" discussions, or study sessions, around any idea that a Trustee may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Trustee, at their initiative or at the request of a constituent, which was previously discussed during a board meeting.

Trustees will first notify the Board President and Superintendent of their interest in bringing forward a new idea at a board meeting. When initially agendized, the preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.

Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea. The Superintendent will decide on the delegation of assignments to District staff.

The new idea may be agendized for discussion only. The Board majority will decide if the new idea should be further developed and studied by staff. The Board majority will decide if staff time should be invested in the "fleshing out" of new ideas.

Individual Trustees, in the course of interactions with constituents, will be careful not to make or imply the commitment of the full Board to explore or proceed with implementing new ideas.

19 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

Superintendent's Concluding Comments, Updates, and Future Agenda Items

AGENDA REQUESTS

Type Information

Purpose:

This is an opportunity for the Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

20 ADJOURNMENT

PLACEHOLDER - Extend Meeting

Type Action

Recommended The recommendation is that the Board of Education extends the meeting to ____ P.M.
Action

Purpose:

This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

Motion & Voting

The recommendation is that the Board of Education extends the meeting to 10:30 P.M.

Motion by Aiden Hill, second by Bowen Zhang.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang

Adjournment

Type Action, Procedural

Recommended The recommendation is that the Board of Education adjourns this meeting.

Action

Purpose:

No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time.

This action will conclude the meeting.

Motion & Voting

The recommendation is that the Board of Education adjourns this meeting at 10:05 P.M.

Motion by Terrence Grindall, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang

1 CALL TO ORDER

Meeting Practices and Information

Type Procedural

In-person Meeting Information:

NUSD has opened its boardroom for in-person meetings and will follow the State's and Alameda County's safety guidelines for public gatherings. Please refrain from attending in-person meetings if you have any of the following symptoms:

- Loss of taste/smell
- Difficulty breathing
- Vomiting
- Diarrhea
- Fever
- Cough
- Headache
- Sore Throat
- Runny Nose

For additional COVID-19 information please go to <https://www.newarkunified.org/covid-19> or <https://www.acoe.org/guidance>

Observe The Board Of Education Meeting:

Members of the public 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.

Public Comment:

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

Roll Call

Type Procedural

Trustees:

- President Phuong Nguyen
- Vice President/Clerk Terrence Grindall
- Member Aiden Hill
- Member Alicia Marquez
- Member Bowen Zhang

Student Board Member:

Diego Torres

2 APPROVAL OF AGENDA

Approval of the Agenda

Type Action

Recommended The recommendation is that the Board of Education approve the agenda for this meeting.

Action

Purpose:

Members of the Governance Team may request that the agenda be amended or approved as presented.

Motion & Voting

The recommendation is that the Board of Education approve the agenda for this meeting.

Motion by Bowen Zhang, second by Terrence Grindall.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang

3 CLOSED SESSION

Public Comment on Closed Session Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board. If a constituent wishes to address the Board on any agenda item, please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org.

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE (Gov. Code, 54957, subd. (b)(1))

Type Action, Information, Procedural

Purpose:

Information will be provided by the Superintendent and Executive Director of Human Resources.

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a): Employee Organizations - NTA and CSEA

Type Action, Information, Procedural

Purpose:

Information may be provided by the agency negotiator, Executive Director of Human Resources. Assistance from the legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided. The employee organizations include NTA & CSEA.

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a)): Employee Group - NEWMA, Unrepresented Supervisors, and Contracted Management

Type Action, Discussion, Procedural

Purpose:

Information may be provided by the agency negotiator, the Executive Director of Human Resources, and the Superintendent. Assistance from legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided. The employee organizations include NEWMA, Unrepresented Supervisors, and Contracted Management

CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION Significant exposure to litigation pursuant to Gov. Code, 54956.9, subd. (d)[(2) or (3)]

Type Action, Discussion, Procedural

Purpose:

Information may be provided regarding significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: One case

RATIFICATION AND APPROVAL OF TK ENROLLMENT: (Ed. Code, 48000 & 35146)

Type Action, Discussion, Information

Preferred Date Sep 01, 2022

Recommended To approve newly registered Transitional Kindergarten students who shall reach age 5 after

Action February 2, 2023.

Purpose:

The Board will review student information for approval of newly registered Transitional Kindergarten students who shall reach age 5 after February 2, 2023. This process will continue on a case by case basis for students who register within the extended window.

Background:

Education Code sections 48000 and 48010, and District Administrative Regulation (AR) 5111, requires the District to enroll any otherwise eligible student who turns age five or six on or before September 1 of a given school year into kindergarten or first grade, as applicable. In addition, if a student turns age five between September 2 and December 2 (extended to February 2 for the 2022-2023 school year) of a

school year, then that student shall be offered an opportunity to enroll in TK. The District may additionally admit younger children to TK "on a case by case basis."

Education Code section 48000 specifically provides as follows:

(c)(1) As a condition of receipt of apportionment for pupils in a transitional kindergarten program... a school district shall ensure the following:

(c)(1)(D) In the 2022-23 school year, a child who will have their fifth birthday between September 2 and February 2 shall be admitted to a transitional kindergarten program maintained by the school district.

(c)(2)(A) In a school year, a school district may, at any time during a school year, admit a child to a transitional kindergarten program who will have their fifth birthday after the date specified... with the approval of the parent or guardian, subject to the following conditions:

(c)(2)(A)(i) The governing board of the school district determines that admittance is in the best interest of the child.

(c)(2)(A)(ii) The parent/guardian is given information regarding the advantages and disadvantages and any other explanatory information about the effect of this early admittance.

(c)(2)(B) Notwithstanding any other law, a pupil admitted to a transitional kindergarten program pursuant to subparagraph (A) shall not generate average daily attendance... until the pupil has attained the pupil's fifth birthday, regardless of when the pupil was admitted during the school year.

Consistent with the Education Code, the District's AR 5111 provides:

On a case-by-case basis, a child who will turn five years old in a given school year may be enrolled in kindergarten or TK at any time during that school year with the approval of the child's parent/guardian, provided that: (Education Code 48000)

1. The parent/guardian is given information regarding the advantages and disadvantages and any other explanatory information about the effect of this early admittance.

2. The Governing Board determines that admittance is in the best interest of the child.

For the 2022-2023 school year, the birthday for admittance has been extended to February 2, and will continue being extended by two months each school year, until the 2025-2026 school year, when any student with a birthday after September 1 must be admitted to TK.

Recess to Closed Session

Type Procedural

Purpose:

The Board will recess to Closed Session, and reconvene to Open Session on or about 7:00 p.m.

4 REPORT OF CLOSED SESSION ACTIONS

Report of Closed Session Actions

Type Action, Procedural

Purpose:

If available, a report of the closed session will be provided by the Board President.

5 RECONVENE TO OPEN SESSION

Pledge of Allegiance

Type Procedural

Purpose:

The Governance Team will recite the Pledge of Allegiance

6 STUDENT REPORT

Student Reports from Newark Junior High School, Alternative Education, and Newark Memorial High School

Type Information

Purpose:

At regular Board of Education meetings, a spokesperson of each secondary school may make a brief presentation.

Discussion items may include updates, celebrations, and upcoming events.

1. Newark Junior High School
2. Alternative Education
3. Newark Memorial High School

7 RECOGNITIONS AND CELEBRATIONS

Staff Spotlight

Type Information

Purpose:

To recognize the wonderful accomplishments of our NUSD Team.

Background:

The presentation will be provided by the Superintendent.

8 PUBLIC COMMENT ON NON-AGENDA ITEMS

Public Comment on Non-Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

9 PUBLIC COMMENT ON AGENDA ITEMS

Public Comment on Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

10 PUBLIC HEARINGS

Public Hearing: Sufficiency of Instructional Materials

Type Procedural

Purpose:

For the Board of Education to provide an opportunity for the public to speak on the Sufficiency of Instructional Materials Resolution.

Background:

To certify compliance with Education Code Section 60119 (as revised by Chapter 704, Statutes of 2006 and California Code of Regulations (CCR), Title 5, Section 9531). In order to be eligible to receive instructional materials funds, the governing board of each district and county office of education is required to hold an annual public hearing and adopt a resolution stating whether each pupil in the district has sufficient textbooks or instructional materials in specified subjects that are aligned to the academic content standards and consistent with the content and cycles of the curriculum frameworks adopted by the state board. This is an annual process.

Under EC Section 60119, the governing board of every local educational agency that receives state instructional materials funds must hold an annual public hearing before the end of the eighth week from the first-day pupils attend school for that year. At the public hearing, the governing board must make a determination as to whether each pupil in each school has sufficient textbooks or instructional materials, or both, that are aligned to the content standards and are consistent with the content and cycles of the curriculum framework adopted by the State Board of Education in reading/language arts, mathematics, science, and history-social science.

Site principals reviewed the site's sufficiency of materials and affirmed.

Governing boards that have met the requirements of Education Code Section 60119 and have also certified compliance with the Instructional Materials Funding Realignment Program (IMFRP) requirements regarding the provision of adopted standards-aligned instructional materials for all students (Education Code Section 60422) may spend 100% of any remaining IMFRP funds from that year's allocation for other approved purposes.

The Board will later have the opportunity to approve Resolution 2022.23.06 - Sufficiency of Instructional Materials

File Attachments

[Sufficiency of Materials Public Hearing 22-23.docx.pdf](#) (405 KB)

11 EMPLOYEE ORGANIZATIONS

Employee Organizations

Type Information

Purpose:

At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Background:

Discussion items are limited to updates, celebrations, and upcoming events.

- 1. NTA: Sean Abruzzi
- 2. CSEA: Maria Huffer
- 3. NEWMA: Vicenta Ditto

12 CONSENT AGENDA: PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type Action

Recommended It is recommended that the Board of Education approve, under one consented vote, the
Action agenda items under Consent-Personnel, except for agenda items:

Purpose:

This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:

Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Motion & Voting

It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent-Personnel, except for agenda items: 12.3 and 12.4.

Motion by Bowen Zhang, second by Terrence Grindall.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang

Crossroads Independent Study Program Classroom Aide

Type Action

Absolute Date Sep 01, 2022

Dollar Amount \$22,000.00

Budget Source SPSA

Recommended The recommendation is that the Board of Education approve a new classroom aide position at
Action Crossroads Independent Study.

Purpose:

The purpose of this item is to approve a classroom aide position to support Crossroads Independent Study.

Background:

This year, Crossroads Independent Study Program has one elementary teacher serving students virtually. This new classified aide position, funded from the site's Single Plan for Student Achievement (SPSA), will provide additional small group and individual support to students in the virtual setting.

District-Wide Special Education Aides

Type Action

Absolute Date Sep 01, 2022

Recommended The recommendation is that the Board of Education approves two additional district-wide
Action special education aides.

Purpose:

The purpose of this item is to approve two additional district-wide special education aides.

Background:

As part of the U.S. Individuals with Disabilities Education Act (IDEA), the least restrictive environment is identified as one of the six (6) principles that govern the education of students with disabilities and other special needs. By law, schools are required to provide a Free Appropriate Public Education (FAPE) in the least restrictive environment appropriate to the individual student's needs.

Motion & Voting

The recommendation is that the Board of Education approves two additional district-wide special education aides.

Motion by Bowen Zhang, second by Terrence Grindall.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang

Addendum to Assistant Superintendent's Employment Agreement

Type	Action
Recommended	The recommendation is that the Board of Education ratifies the addendum to the Assistant Superintendent of Educational Services' employment agreement.
Action	

Purpose:
For the Board of Education to ratify the addendum to the Assistant Superintendent of Educational Services' employment agreement following the Assistant Superintendent's evaluation.

Background:
This agreement was brought to the Board for approval on August 18, 2022, and the Board unanimously approved the agreement, however, the summary was not provided to the public. In order to adhere to the Brown Act requirements, the agreement is brought to the Board, once more, for ratification.
The Assistant Superintendent of Educational Services' current employment agreement states that if the Assistant Superintendent receives a satisfactory annual written evaluation for the 2021-22 school year, with Board approval, she shall receive a 2% salary increase effective July 1, 2022. Following the Assistant Superintendent's receipt of a satisfactory annual written evaluation, through this item, the Board will consider approval of the 2% salary increase effective July 1, 2022 pursuant to the employment agreement.

File Attachments
[Assistant Superintendent Contract 03.2021-signed.pdf](#) (269 KB)
[\(CORRECTED\) Addendum and Amendment #1 to Assistant Superintendent Agreement 8.18.2022.pdf](#) (15 KB)

Motion & Voting
 The recommendation is that the Board of Education ratifies the addendum to the Assistant Superintendent of Educational Services' employment agreement.
 Motion by Bowen Zhang, second by Terrence Grindall.
 Final Resolution: Motion Carries
 Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang

Personnel Report

Type	Action
Absolute Date	Sep 01, 2022
Recommended	The recommendation is that the Board of Education ratify the personnel report as presented.
Action	

Purpose:
The purpose is for the Board of Education to ratify the Personnel Report as presented.

Background:
All personnel activities including new hires, changes in status, resignations, leaves, and retirements are routinely submitted to the Board for ratification.

File Attachments
[HR PAL 09-01-2022.pdf](#) (357 KB)

13 CONSENT AGENDA: NON-PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type	Action
Recommended	It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent Non-Personnel, except for agenda items:
Action	

Purpose:
This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:
Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Motion & Voting
 It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent Non-Personnel, except for agenda items: 13.8, 13.9
 Motion by Terrence Grindall, second by Bowen Zhang.
 Final Resolution: Motion Carries
 Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang

Contract with Esther B. Clark, Non-Public School (NPS)

Type	Action
Absolute Date	Sep 01, 2022
Fiscal Impact	Yes

Dollar Amount \$110,572.00
 Budgeted Yes
 Budget Source Resource 6500 - Special Education, Resource 6546 - Special Education Mental Health
 Recommended The recommendation is that the Board of Education approve the contract and the individual
 Action service agreement with Esther B. Clark.

Purpose:
 For the Board to ratify the contract and the individual service agreement with Esther B. Clark for day treatment services for the 2022-2023 school year.

Background:
 NUSD students' least restrictive environment per IDEA was determined to be placed in a Non-Public School (NPS) setting due to a significant disability, behavioral, or programmatic need that has impacted their current ability to be successful within the general education setting.

File Attachments
[Esther B. Clark Contract 22-23.pdf](#) (448 KB)
[Esther B. Clark ISA 23-11a redacted.pdf](#) (261 KB)

Wellness Together Contract Extension

Type Action
 Preferred Date Sep 01, 2022
 Fiscal Impact Yes
 Dollar Amount \$225,560.00
 Budgeted Yes
 Budget Source LCAP 2.8
 Recommended The recommendation is that the Board of Education approve the Wellness Together and
 Action HearYou.org Contract for 22-23.

Purpose:
 Staff is seeking the approval of Wellness Together contracts in alignment with the LCAP Goals and Actions (LCAP 2.8).

Background:
 As a result of engagement with numerous educational partners, LCAP PAC and District identified mental health and wellness as a priority for continued support in our LCAP for the 22-23 school year. The Community identified the following in their feedback:
 1. Ensure that ALL students in need have access to mental health services (vacancies, health insurance barriers, etc.) and increase the frequency of support from academic counselors.
 2. Continue to fund (increase and/or address vacancy issues that we experienced this year) in order to provide mental health services for ALL.
 3. Increase frequency of counselor-student conferences.

As a result of ESSER III funds in 2021-22, we developed a partnership with Wellness Together, a non-profit that places qualified Mental Health Clinicians in schools to provide 1:1, group, and classroom support for students. Schools, with Wellness Together clinicians, have reported positive impacts resulting from these services, and we hope to continue and expand this service in our schools.

The following contract provides details about the contracts for Wellness Together and HearYou.org (a division of Wellness Together) for the 2022-23 school year.

File Attachments
[Wellness Together - NUSD HearYou.org Agreement 2022-2023.pdf](#) (293 KB)
[NUSD Wellness Together Contract Extension 22-23 \(2\).pdf](#) (123 KB)

Contract with Asif Khan for Special Education Services

Type Action
 Absolute Date Sep 01, 2022
 Fiscal Impact Yes
 Dollar Amount \$200,000.00
 Budgeted Yes
 Budget Source Resource 6500 - Special Education
 Recommended The recommendation is that the Board of Education approve the contract with Asif Khan for
 Action Special Education services.

Purpose:
 To ratify the contract with Asif Khan for psycho-educational assessments as needed by Special Education in the amount of \$200,000.00

Background:
 The services provided by Asif Khan are essential services for ensuring compliance requirements are met for students with disabilities, that includes assessment timelines provided per the students' Individualized Education Programs (IEPs). The contracted position provides services for unfilled district positions. Assessments are legally mandated per Individual Disability Education Act (IDEA).

File Attachments
[Asif Khan Contract 22-23.pdf](#) (112 KB)

Contract with Maxim Healthcare Services Inc., Nursing Services for Special Education

Type	Action
Absolute Date	Sep 01, 2022
Fiscal Impact	Yes
Dollar Amount	\$78,975.00
Budgeted	Yes
Budget Source	Resource 6500 - Special Education
Recommended	The recommendation is that the Board of Education approves the renewal of the contract with
Action	Maxim Healthcare Services Inc.

Purpose:

To ratify the renewal of the contract with Maxim Healthcare Services Inc., for nursing services for the 2022-2023 school year.

Background:

The attached contract was approved by the Board of Education on December 16, 2021. Section 1.1 of this contract states that this contract will automatically renew each year unless terminated. The rates remain the same.

File Attachments

[Maxim Contract 12.16.21 Fully Executed.pdf](#) (963 KB)

Addendum to the Contract with Ed Sped Solutions Inc.

Type	Action
Absolute Date	Sep 01, 2022
Fiscal Impact	Yes
Dollar Amount	\$302,875.00
Budgeted	Yes
Budget Source	Resource 6500 - Special Education, Resource 3311 - IDEA
Recommended	The recommendation is that the Board of Education approves the addendum to the contract
Action	with Ed Sped Solutions Inc.

Purpose:

For the Board to ratify the addendum to the contract with Ed Sped Solutions Inc., in the amount of \$302,875.00.

Background:

Ed Sped Solutions Inc. will provide Augmentative Alternative Communication (AAC) and Assistive Technology (AT) assessments and consultation services for students with disabilities. A service provider will assess the needs of the students with disabilities, assist in the selection of appropriate assistive technology for the student, and provide training in the use of the selected device(s). The services to be provided by Ed Sped Solutions, Inc. are essential services for ensuring compliance requirements are met for students with disabilities, which includes assessment timelines, and related services are provided per the students' Individualized Education Programs (IEPs). Assessments and related services are legally mandated per Individual Disability Education Act (IDEA).

In addition, Ed Sped will provide 5 Aides as needed by Special Education for unfilled positions. Without Ed Sped Solutions, Inc. services, Newark Unified School District would be out of compliance for providing classroom aide support and 1:1 services. While the original contract was approved by the Board of Education on 8/4/22, this addendum will bring the total contract amount to \$2,152,473.00.

File Attachments

[Ed Sped Contract 22-23 Fully Executed.pdf](#) (570 KB)

[Ed Sped Addendum 9.1.22.pdf](#) (80 KB)

Addendum with Curriculum Associates, LLC for i-Ready Services

Type	Action
Preferred Date	Sep 01, 2022
Fiscal Impact	Yes
Dollar Amount	\$20,575.50
Budgeted	Yes
Budget Source	LCAP 1.14
Recommended	The recommendation is that the Board of Education approves the addendum with Curriculum
Action	Associates, LLC.

Purpose:

This addendum for the 2022-23 school year is specifically to support and provide licenses for all grade 6 students at Newark Junior High School, as requested by 6th grade teachers. This addendum will provide diagnostics and student licenses in English Language Arts (ELA) and Mathematics for 6th grade students. The previously approved agreement provided licenses for students grades K-5 and for English Language Learners at the secondary level, grades 6-12, only.

Background:

This is a part of the district-wide assessment program. This is the seventh year of implementation of i-Ready; this continuity allows staff the ability to identify trends in student data results and adjust instructional planning accordingly at the site level. The original K-5 contract was for \$94,123.10, with this addendum of \$20,575.50, the total amount equals \$114,698.60.

[File Attachments](#)

[Newark JHS IR API MR SL Updated RepQuote292687.4.pdf](#) (723 KB)

Resolution 2022.23.06 - Sufficiency of Instructional Materials

Type Action, Procedural

Recommended The recommendation is that the Board of Education approves Resolution 2022.23.06 -
Action Sufficiency of Instructional Materials.

Purpose:

For the Board of Education to approve Resolution 2022.23.06 - Sufficiency of Instructional Materials.

Background:

To certify compliance with Education Code Section 60119 (as revised by Chapter 704, Statutes of 2006 and California Code of Regulations (CCR), Title 5, Section 9531). In order to be eligible to receive instructional materials funds, the governing board of each district and county office of education is required to hold an annual public hearing and adopt a resolution stating whether each pupil in the district has sufficient textbooks or instructional materials in specified subjects that are aligned to the academic content standards and consistent with the content and cycles of the curriculum frameworks adopted by the state board. This is an annual process.

Under EC Section 60119, the governing board of every local educational agency that receives state instructional materials funds must hold an annual public hearing before the end of the eighth week from the first-day pupils attend school for that year. At the public hearing, the governing board must make a determination as to whether each pupil in each school has sufficient textbooks or instructional materials, or both, that are aligned to the content standards and are consistent with the content and cycles of the curriculum framework adopted by the State Board of Education in reading/language arts, mathematics, science, and history-social science.

Site principals reviewed the site's sufficiency of materials and affirmed.

Governing boards that have met the requirements of Education Code Section 60119 and have also certified compliance with the Instructional Materials Funding Realignment Program (IMFRP) requirements regarding the provision of adopted standards-aligned instructional materials for all students (Education Code Section 60422) may spend 100% of any remaining IMFRP funds from that year's allocation for other approved purposes.

[File Attachments](#)

[Sufficiency of Materials Public Hearing 22-23.docx.pdf](#) (405 KB)

[Resolution No. 2022.23.06 - Sufficiency of Instructional Materials.pdf](#) (200 KB)

Monthly Purchase Order Report

Type Action

Recommended The recommendation is that the Board of Education approve the Monthly Purchase Order
Action Report as presented.

Purpose:

The purpose of this item is to present a monthly report on Purchase Order transactions per Board Policy 3300, Expenditures and Purchases.

Background:

Based on the discussion at the Board's Study Session on January 6, 2022, staff is providing a monthly report on Purchase Order transactions per Board Policy 3300, Expenditures and Purchases. The policy states that "The Board shall review all transactions entered into by the Superintendent or designee on behalf of the Board every 60 days."

This report covers the period from July 1, 2022 to August 28, 2022.

[File Attachments](#)

[Monthly Purchase Order Report 09-01-2022.pdf](#) (293 KB)

Motion & Voting

The recommendation is that the Board of Education approve the Monthly Purchase Order Report as presented.

Motion by Bowen Zhang, second by Alicia Marquez.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang

Contracts and Purchase Orders Authorized under Resolution 2020.21-025 (Delegate Authority to Procure Necessary Materials, Equipment and Services to Provide Distance and/or In-Person Learning for Staff, Teachers, and Students to Mitigate the Effects of Covid-19)

Type Action

Fiscal Impact Yes
Budgeted Yes

Recommended The recommendation is that the Board of Education accept the update on costs associated
Action with the implementation of Resolution 2020.21-025 (Resolution of the Board of Education of the Newark Unified School District to Delegate Authority to Procure Necessary Materials, Equipment and Services to Provide Distance and/or In-Person Learning for Staff, Teachers, and Students to Mitigate the Effects of Covid-19).

Purpose:

To update the Board on costs associated with the implementation of Resolution 2020.21-025 (Resolution of the Board of Education of the Newark Unified School District to Delegate Authority to Procure Necessary Materials, Equipment, and Services to

Provide Distance and/or In-Person Learning for Staff, Teachers, and Students to Mitigate the Effects of Covid-19) from August 1, 2022, through August 31, 2022.

Background:

On April 1, 2021, the Newark Unified School District Board approved Resolution 2020.21-025 delegating authority to the Superintendent or designee to procure necessary materials, equipment, and services that are needed to provide distance and/or in-person learning to mitigate the effects of Covid-19. Language in the resolution states "the Superintendent/Designee shall make periodic reports to the Board of Education and the public regarding implementation of this resolution and the costs associated therewith"; requiring the update provided here.

On June 16, 2022, Amended Resolution 2020.21-025 was approved. The amendment extends it to on or around June 30, 2023, and states that updates will be presented at the first Board meeting of each month.

VENDOR	DATE	PO NUMBER	DESCRIPTION	AMOUNT
N/A	*			

N/A *

*There are no contracts or purchase orders to report for the period of August 1, 2022, through August 31, 2022.

Minutes of the August 18, 2022 Regular Meeting of the Board of Education

Type Action, Minutes

Recommended The recommendation is that the Board of Education approves the minutes of the August 18, 2022, Regular Meeting of the Board of Education

Purpose:

For the board to review and approve the minutes of the August 18, 2022, Regular Meeting of the Board of Education

Background:

The attached minutes are reflective of the August 4, 2022, Regular Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel [HERE](#)

14 SUPERINTENDENT REPORT

Superintendent Report

Type Information

Purpose:

The superintendent will provide the Board of Education with district information, updates, news, or anything in the jurisdiction of the board or the superintendent.

Background:

The presentation and information will be provided by the Superintendent

File Attachments

[Superintendent's Report 9.1.22.pdf](#) (4,466 KB)

15 OLD BUSINESS

CSBA Online Learning Center

Type Action

Fiscal Impact	Yes
Dollar Amount	\$1,500.00
Budget Source	General Fund

Recommended The recommendation is that the Board of Education approves the increase to the budget for Board training and the subscription purchase of the supplemental CSBA Online Learning Center.

Purpose:

For the Board to approve the subscription purchase of the supplemental CSBA Online Learning Center platform.

Background:

At the August 4, 2022, Regular Board of Education meeting, Member Hill requested to agendize a discussion of the various training options made available by the CSBA. The request was agreed upon by Members Grindall and Zhang.

On August 18, 2022, the Board was presented with information regarding the various CSBA training options. The Board discussed and agreed to purchase a subscription to access the supplemental CSBA Online Learning Center. The CSBA Online Learning Center will provide additional training options to supplement the required training that Board members already participate in.

Today the Board will have the opportunity to approve the increase of the Board's training budget in order to purchase the supplemental subscription to the CSBA Learning Center.

Motion & Voting

The recommendation is that the Board of Education approves the increase to the budget for Board training and the subscription purchase of the supplemental CSBA Online Learning Center.

Motion by Bowen Zhang, second by Aiden Hill.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang

POLICY UPDATE - Board Policy 7310: Naming of Facility

Type Action
Recommended Action The recommendation is that the Board of Education approves the updated Board Policy 7310: Naming of Facility.

Purpose: The purpose is for the Board of Education to approve the recommended changes to the updated board policy.

Background: The suggested updates to this policy were provided by the Board at the June 16, 2022 meeting. If any additional revisions are recommended by the Board, the policy will be brought back to the Board of Education for a third reading. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice.

File Attachments
EXISTING NUSD Policy 7310_ Naming Of Facility - 2022.09.01.pdf (41 KB)
RECOMMENDED NUSD Policy 7310_ Naming Of Facility - 2022.09.01.pdf (53 KB)

Motion & Voting
The recommendation is that the Board of Education approves the updated Board Policy 7310: Naming of Facility.
Motion by Alicia Marquez, second by Terrence Grindall.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Terrence Grindall, Alicia Marquez
Nay: Aiden Hill, Bowen Zhang

16 NEW BUSINESS

K12 Workforce Pathway Coordinator LEA Host Contract - Ohlone CCD

Type Action
Preferred Date Sep 01, 2022
Fiscal Impact No
Recommended Action The recommendation is that the Board of Education approves the K12 Workforce Pathway Coordinator LEA Host Contract (Ohlone CCD) as presented.

Purpose: To approve Strong Workforce Program K12 Pathway Coordinator LEA Host Contract (Ohlone CCD). Newark Unified School District was selected to serve as the employer of record for career technical education funding that supports the establishment of Strong Workforce Program K12 Pathway Coordinators from the California Community Colleges Chancellor's Office, Workforce and Economic Development Division.

Background: This contract allows NUSD to serve as the employer of record for the K12 Pathway Coordinator (PC) position for the Ohlone Community College District, funded through the K12 Strong Workforce Program (SWP). The SWP legislation created the K12 PC positions to support connections between the K12 LEAs and local community colleges to strengthen CTE programs and pathways that align with regional workforce needs. More specifically, the K12 PCs are assigned to each community college district's service area, to work with the community colleges and the K12 LEAs to provide technical assistance to strengthen and expand CTE programs and be the go-to resource for K12 SWP and Career Technical Education Incentive Grants. The Bay Region has 18 K12 PCs on board, and the LEA host for the Ohlone Community College District's K12 PC has been Alameda County COE for years 1 and 2 of this position. Due to structural changes at the COE, the position will no longer be hosted through them. The Bay Area Community College Consortium (BACCC) and Ohlone College have partnered with NUSD to be the new LEA host for this K12 PC position. This PC position will serve MVROP, Fremont, Newark, and New Haven, in providing technical assistance to implement and improve career technical education courses, programs, and pathways. This partnership is an opportunity to further Educational Services' work on improving college and career readiness data in our secondary schools.

File Attachments
K12 PC R4 Contract Ohlone CCD.pdf (132 KB)

Motion & Voting
The recommendation is that the Board of Education approves the K12 Workforce Pathway Coordinator LEA Host Contract (Ohlone CCD) as presented.
Motion by Alicia Marquez, second by Bowen Zhang.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang

17 BOARD MEMBER REQUESTS

Audit Committee Charter Review

Type Discussion, Information

Purpose:

For the Board to review the Audit Committee Charter and provide updates where needed.

Background:

The Board requested to bring the Audit Committee Charter to the Board for review and to provide updates if needed. The Board will have the opportunity to review the current charter and provide staff with updates to bring back to another meeting and approve the updates.

File Attachments

[Audit-Committee_Charter-Matrix_Board-of-Ed-approved-May-16-2017.pdf](#) (76 KB)

18 CONSENT AGENDA: PULLED AGENDA ITEMS

PLACEHOLDER - Pulled Consent Agenda Items

Type Action

Purpose:

This is specifically a placeholder, and will only be used if agenda items from the consent categories are pulled for additional discussion.

Background:

Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately. Those items pulled will be discussed and voted on here.

19 BOARD OF EDUCATION: COMMITTEE REPORTS, REQUESTS, AND ANNOUNCEMENTS

Board of Education Recognitions and Announcements

Type Information

Purpose:

The Trustees may acknowledge or recognize specific programs, activities, or personnel at this time.

Board of Education Committee Reports

Type Information

Purpose:

The Trustees will provide an update, if available, on the committees of which they are members.

Background:

Each year the Board of Education members liaise with schools and committees in order to build relationships, hear from staff, students, and families, and act as a conduit for information to and from the schools.

Board Committees 2022-23

Board Adopted on 12/16/21	Representative	Alternate
Mission Valley Regional Occupational Center/Program (ROC/P)	1. Terrence Grindall	1. Bowen Zhang
Executive Board		
Regional Policy Board of Special Education Local Plan Area (SELPA)	1. Bowen Zhang	1. Alicia Marquez
Newark Teacher Induction Advisory Council (Formally EBIC)	1. Alicia Marquez	1. Aiden Hill
Audit Committee	1. Alicia Marquez	2. Aiden Hill
Bond/Parcel Tax Committee	1. Terrence Grindall	2. Aiden Hill
City of Newark NUSD Liaison Committee	1. Phuong Nguyen	2. Terrence Grindall
		1. Bowen Zhang

Board of Education Requests

Type Action, Discussion, Information

Purpose:

This is an opportunity for the Board of Education to suggest items for placement on future agendas and to review Board requests. Approval from the majority of the Board will be required for direction to be provided to the Superintendent.

Background:

The following derives directly from the Board approved "Governance Team Handbook"

Authority is Collective, Not Individual:

The only authority to direct action rests with the Board as a whole when seated at a regular or special board meeting. Outside of this meeting, there is no authority.

A majority Board vote provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction.

Bringing New Ideas Forward

The Board will be open to having "brainstorming" discussions, or study sessions, around any idea that a Trustee may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Trustee, at their initiative or at the request of a constituent,

which was previously discussed during a board meeting.

Trustees will first notify the Board President and Superintendent of their interest in bringing forward a new idea at a board meeting. When initially agendized, the preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.

Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea. The Superintendent will decide on the delegation of assignments to District staff.

The new idea may be agendized for discussion only. The Board majority will decide if the new idea should be further developed and studied by staff. The Board majority will decide if staff time should be invested in the "fleshing out" of new ideas.

Individual Trustees, in the course of interactions with constituents, will be careful not to make or imply the commitment of the full Board to explore or proceed with implementing new ideas.

20 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

Superintendent's Concluding Comments, Updates, and Future Agenda Items

AGENDA REQUESTS

Type Information

Purpose:

This is an opportunity for the Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

21 ADJOURNMENT

PLACEHOLDER - Extend Meeting

Type Action

Recommended The recommendation is that the Board of Education extends the meeting to ____ P.M.

Action

Purpose:

This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

Adjournment

Type Action, Procedural

Recommended The recommendation is that the Board of Education adjourns this meeting.

Action

Purpose:

No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time. This action will conclude the meeting.

Motion & Voting

The recommendation is that the Board of Education adjourns this meeting.

Motion by Phuong Nguyen, second by Bowen Zhang.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang

1 CALL TO ORDER

Meeting Practices and Information

Type Procedural

In-person Meeting Information:

NUSD has opened its boardroom for in-person meetings and will follow the State's and Alameda County's safety guidelines for public gatherings. Please refrain from attending in-person meetings if you have any of the following symptoms:

- Loss of taste/smell
- Difficulty breathing
- Vomiting
- Diarrhea
- Fever
- Cough
- Headache
- Sore Throat
- Runny Nose

For additional COVID-19 information please go to <https://www.newarkunified.org/covid-19> or <https://www.acoe.org/guidance>

Observe The Board Of Education Meeting:

Members of the public 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.

Public Comment:

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

2 APPROVAL OF AGENDA

Approval of the Agenda

Type Action

Recommended Action The recommendation is that the Board of Education approve the agenda for this meeting.

Purpose:

Members of the Governance Team may request that the agenda be amended or approved as presented.

Motion & Voting

The recommendation is that the Board of Education approve the agenda for this meeting, except for 12.3.

Motion by Terrence Grindall, second by Aiden Hill.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang

Roll Call

Type Procedural

Trustees:

- President Phuong Nguyen
Vice President/Clerk Terrence Grindall
Member Aiden Hill
Member Alicia Marquez
Member Bowen Zhang

Student Board Member:

Member Estaina Resendiz Ortiz

3 CLOSED SESSION

Public Comment on Closed Session Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board. If a constituent wishes to address the Board on any agenda item, please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org.

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE (Gov. Code, 54957, subd. (b)(1))

Type Action, Information, Procedural

Purpose:

Information will be provided by the Superintendent and Executive Director of Human Resources.

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a): Employee Organizations - NTA and CSEA

Type Action, Information, Procedural

Purpose:

Information may be provided by the agency negotiator, Executive Director of Human Resources. Assistance from the legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided. The employee organizations include NTA & CSEA.

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a)): Employee Group - NEWMA, Unrepresented Supervisors, and Contracted Management

Type Action, Discussion, Procedural

Purpose:

Information may be provided by the agency negotiator, the Executive Director of Human Resources, and the Superintendent. Assistance from legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided.
The employee organizations include NEWMA, Unrepresented Supervisors, and Contracted Management

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a)): Employee Group - NEWMA, Contracted Management, and Unrepresented Employee(s) [Assistant Superintendent]

Type Action, Discussion, Procedural

Purpose:

Information may be provided by the agency negotiator, the Executive Director of Human Resources, and the Superintendent. Assistance from legal firm Dannis, Woliver, Kelley: Attorneys at Law may be provided.
The employee organizations include NEWMA, Unrepresented Supervisors, and Contracted Management
Information may be provided by the agency designated representative: Superintendent
Unrepresented employee(s): Assistant Superintendent of Education Services

RATIFICATION AND APPROVAL OF TK ENROLLMENT: (Ed. Code, 48000 & 35146)

Type Action, Discussion, Information

Purpose:

The Board will review student information for approval of newly registered Transitional Kindergarten students who shall reach age 5 after February 2, 2023. This process will continue on a case by case basis for students who register within the extended window.

Background:

Education Code sections 48000 and 48010, and District Administrative Regulation ("AR") 5111, requires the District to enroll any otherwise eligible student who turns age five or six on or before September 1 of a given school year into kindergarten or first grade, as applicable. In addition, if a student turns age five between September 2 and December 2 of a school year, then that student shall be offered an opportunity to enroll in TK. The District may additionally admit younger children to TK "on a case by case basis".

Education Code section 4800 specifically provides as follows:

(c)(1)(C) [A] child who will have their fifth birthday between September 2 and February 2 shall be admitted to a transitional kindergarten program maintained by the school district or charter school.

(c)(2)(A) In any school year, a school district ... may, at any time during a school year, admit a child to a transitional kindergarten program who will have their fifth birthday after the date specified for the applicable year ... but during that same school year, with the approval of the parent or guardian, subject to the following conditions:

(i) The governing board of the school district or the governing body of the charter school determines that the admittance is in the best interests of the child.

(ii) The parent or guardian is given information regarding the advantages and disadvantages and any other explanatory information about the effect of this early admittance.

Consistent with the Education Code, the District's AR 5111 provides:

On a case-by-case basis, a child who will turn five years old in a given school year may be enrolled in kindergarten or TK at any time during that school year with the approval of the child's parent/guardian, provided that: (Education Code 48000)

1. The parent/guardian is given information regarding the advantages and disadvantages and any other explanatory information about the effect of this early admittance.

2. The Governing Board determines that admittance is in the best interest of the child.

Beginning in the 2022-2023 school year, the birthday cut off will be extended to February 2, and will continue being extended by two months each school year, until the 2025-2026 school year, when any student with a birthday after September 1 must be admitted to TK

CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION Significant exposure to litigation pursuant to Gov. Code, 54956.9, subd. (d)[(2) or (3)]

Type Action, Discussion, Procedural

Purpose:

Information may be provided regarding significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: One case

CONFERENCE WITH LEGAL COUNSEL EXISTING LITIGATION (Gov. Code, 54956.9, subd. (d)(1))

Type Action, Information, Procedural

Purpose:

To discuss the following case(s):
Bretz vs Newark Unified School District Keenan Claim # 569505
Burkhead vs Newark Unified School District Keenan Claim # 609447

Recess to Closed Session

Type Procedural

Purpose:

The Board will recess to Closed Session, and reconvene to Open Session on or about 7:00 p.m.

4 REPORT OF CLOSED SESSION ACTIONS

Report of Closed Session Actions

Type Action, Procedural

Purpose:

If available, a report of the closed session will be provided by the Board President.

5 RECONVENE TO OPEN SESSION

Pledge of Allegiance

Type Procedural

Purpose:

The Governance Team will recite the Pledge of Allegiance

6 STUDENT REPORT

Student Reports from Newark Junior High School, Alternative Education, and Newark Memorial High School

Type Information

Purpose:

At regular Board of Education meetings, a spokesperson of each secondary school may make a brief presentation. Discussion items may include updates, celebrations, and upcoming events.

1. Newark Memorial High School - Diego Torres

7 RECOGNITIONS AND CELEBRATIONS

Staff Spotlight

Type Information

Purpose:

To recognize the wonderful accomplishments of our NUSD Team.

Background:

The presentation will be provided by the Superintendent.

8 PUBLIC COMMENT ON NON-AGENDA ITEMS

Public Comment on Non-Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.

<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

9 PUBLIC COMMENT ON AGENDA ITEMS

Public Comment on Agenda Items

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.

<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

10 EMPLOYEE ORGANIZATIONS

Employee Organizations

Type Information

Purpose:

At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Background:

Discussion items are limited to updates, celebrations, and upcoming events.

1. NTA: Sean Abruzzi
2. CSEA: Maria Huffer
3. NEWMA: Vicenta Ditto

11 CONSENT AGENDA: PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type Action

Recommended Action It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent-Personnel, except for agenda items:

Purpose:

This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:

Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Personnel Report

Type Action

Absolute Date	Aug 18, 2022
Recommended Action	The recommendation is that the Board of Education ratify the personnel report as presented.

Purpose:

The purpose is for the Board of Education to ratify the Personnel Report as presented.

Background:

All personnel activities including new hires, changes in status, resignation, leaves, and retirements are routinely submitted to the Board for ratification.

File Attachments

[HR PAL 08-18-2022.pdf](#) (360 KB)

Motion & Voting

The recommendation is that the Board of Education ratify the personnel report as presented.

Motion by Alicia Marquez, second by Terrence Grindall.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang

12 CONSENT AGENDA: NON-PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type Action

Recommended Action It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent Non-Personnel, except for agenda items:

Purpose:

This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:

Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Motion & Voting

It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent Non-Personnel, except for agenda items:

Motion by Alicia Marquez, second by Aiden Hill.
 Final Resolution: Motion Carries
 Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang

Revision of the Reclassification Criteria for English Learners

Type	Action
Fiscal Impact	Yes
Budgeted	Yes
Recommended	The recommendation is that the Board of Education approves the revision to NUSD
Action	Reclassification criteria for K-12th graders.

Purpose:

This item is being presented to the Board for approval of the NUSD Reclassification Criteria for the current school year (2022-23).

Background:

Reclassification is the process by which a student is reclassified from English Learner (EL) to fluent English proficient (RFEP). Per California Education Code (EC) Section 313 and Title 5 California Code of Regulations (5 CCR) section 11303, LEAs must use the following four criteria to establish their own reclassification policies:

1. Assessment of English language proficiency (ELP), using an objective assessment instrument, including, but not limited to, the state test of English Language Performance Assessment of California (ELPAC) or Alternative ELPAC;
2. Teacher evaluation, including, but not limited to, a review of the student's curriculum mastery;
3. Parent opinion and consultation; and
4. Comparison of student performance in basic skills against an empirically established range of performance in basic skills of English proficient students of the same age.

For criteria 1 above, the statewide standardized ELP is an Overall Performance Level (PL) 4 in the ELPAC. LEAs are to use the Overall PL 4 to determine whether a student has met that criteria. The other three criteria are for the LEAs to determine and establish local measurements. NUSD's approved reclassification criteria align with the state's first three criteria. For criteria 4, NUSD determined to use the following, which were revised in 2/18/21 due to interruptions in state testing:

Elementary (K-5th):

District Benchmark Assessment in ELA: I-Ready score On or Above grade level, or SBAC ELA score within 5% of English Proficient average

Secondary (6th - 12th):

CAASPP: Most recent SBAC ELA score within 5% of English Proficient average, or PSAT Scores in Illuminate in Yellow or Green (only applies to 10th and 11th graders)
 District Benchmark Assessment in ELA: I-Ready score On or Above grade level

We proposed the following change to the last criteria to ensure that all students have access to an empirical assessment at every grade level. The PSAT and SBAC assessments are not given at each grade level and the grade level writing assessments cannot be validated empirically.

Additionally we would like to add the following language to support the reclassification of students that are dual identified as English Learner and requiring special education services.

RECLASSIFICATION OF ENGLISH LEARNERS WITH DISABILITIES

Considering all guidelines, criteria, resources, and the individual needs of each dual-identified English learner, the IEP team will determine the following:

- Appropriate measures of English language proficiency (ELP)
- Appropriate measures of performance in basic skills
- Minimum levels of proficiency that would be equivalent to an English proficient peer with similar disabilities in accordance with district reclassification policies

In accordance with federal and state law, the IEP team may address the individual needs of each English learner with a disability using multiple criteria in concert with district reclassification criteria:

1. Assessment of English language proficiency (ELP), using an objective assessment instrument, including, but not limited to, the state test of English Language Performance Assessment of California (ELPAC) or Alternative ELPAC;
2. Teacher evaluation, including, but not limited to, the student's classroom performance information based on his or her IEP goals for academics and ELD
3. Parent opinion and consultation; and
4. Comparison of student performance in basic skills
 - a. The IEP team should specify in the student's IEP an assessment of basic skills to meet the guidelines for reclassification (e.g., the California Alternate Assessment)
 - b. Other assessments may be considered that are valid and reliable and designed to compare basic skills of dual-identified ELs to native speakers of English with similar disability

Using this information the IEP team, including the parent and EL Site Contact, will decide whether or not to reclassify a student with disabilities. Other criteria may be used to supplement the four required criteria listed above to ensure the most appropriate decision is made for each student.

File Attachments

[Reclassification Criteria 2022-23 Proposal.pdf](#) (218 KB)

Motion & Voting

The recommendation is that the Board of Education approves the revision to NUSD Reclassification criteria for K-12th graders.

Motion by Aiden Hill, second by Alicia Marquez.
 Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez
 Not Present at Vote: Bowen Zhang

Newark Jr. High 2022-2023 School Site Plan for Student Achievement (SPSA)

Type	Action
Fiscal Impact	Yes
Budgeted	Yes
Recommended	The recommendation is that the Board of Education approves the Newark Jr. High 2022-2023
Action	School Plan for Student Achievement.

Purpose:
 This 2022-23 School Plan for Student Achievement (SPSA) is coming forward for Board approval. The SPSA serves as the organizer for an individual school's improvement process. The plan is developed with a deep understanding of the root causes of student academic challenges and identifies and implements research-based instructional strategies to raise the achievement of students who are not yet proficient by state standards.

- The plan:
- Builds on a premise that students are capable of learning with effective instruction.
 - Includes school goals aligned with activities and goals included in the LCAP to maximize school reform efforts.
 - Is based on verifiable data analysis.
 - Focuses on student achievement and academic interventions.
 - Implements high leverage school improvement actions.
 - Directs resources where they will most directly improve student academic achievement.
 - Ensures all resources are aligned to serve identified students' needs.
 - Uses research-based strategies.
 - Implements strategic coordination of resources.

Background:
 The School Plan for Student Achievement (SPSA) is a plan of action to improve student academic performance by coordinating all educational services and resources. Pursuant to California Education Code Section 64001, schools that receive state and federal funds are required to consolidate all school plans into an SPSA.

It is the goal of the Newark Unified School District (NUSD) to provide equitable opportunities to each of our students and school sites. Each site-specific SPSA and the district-wide Local Control and Accountability Plan (LCAP) is a roadmap created in partnership with all district stakeholders to achieve our vision and mission:

NUSD Vision: The Newark Unified School District, in partnership with the community, will be a model of world-class education that develops the unique abilities of every student.

NUSD Mission: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens.

Each school site aligns its SPSA action items to our 3 LCAP goals:

- Goal 1: Promote a culture of instructional excellence and continuous improvement that results in students achieving their full potential and graduating college and career-ready.
- Goal 2: Promote a culture of community and partnership among the parents, students, staff, and NUSD community as a whole that results in an increase in parent involvement, student participation, and a positive school climate.
- Goal 3: Establish exceptional learning conditions and an environment that promotes trust, respect, and acceptance, and results in students and families feeling safe, welcomed, and valued members of NUSD.

Data Analysis: School-level goals are informed by data. Each goal area includes data analysis on current measures across student subgroups, and on outcome measures to determine progress. Local and State data are used to develop each goal.
 Evaluating Progress: The SSC agendized a meeting to review Dashboard data and measure the impact of actions on student achievement. The principal and staff evaluate academic progress a minimum of three times a year through an academic Professional Learning Community (PLC) model with benchmark data.

Role of School Advisory Committees: California Education Code Section 64001 requires that the School Site Council (SSC) develop the SPSA. The SSC's responsibilities include approving the plan, recommending it to the local governing board for approval, monitoring its implementation, and evaluating the effectiveness of the plan at least annually. The SSC must seek the review, advice, and certification of applicable advisory committees, including the English Learner Advisory Committee (ELAC).

File Attachments
[2022_School_Plan_for_Student_Achievement_Newark_Junior_High_School_20220814.pdf](#) (837 KB)

John F. Kennedy Elementary 2022-2023 School Site Plan for Student Achievement (SPSA)

Type	Action
Fiscal Impact	Yes
Budgeted	Yes
Recommended	The recommendation is that the Board of Education approves the John F. Kennedy Elementary
Action	2022-2023 School Plan for Student Achievement.

Purpose:
 This 2022-23 School Plan for Student Achievement (SPSA) is coming forward for Board approval. The SPSA serves as the organizer for an individual school's improvement process. The plan is developed with a deep understanding of the root causes of student academic challenges and identifies and implements research-based instructional strategies to raise the achievement of students who are not yet proficient by state standards.

- The plan:
- Builds on a premise that students are capable of learning with effective instruction.
 - Includes school goals aligned with activities and goals included in the LCAP to maximize school reform efforts.
 - Is based on verifiable data analysis.

- Focuses on student achievement and academic interventions.
- Implements high leverage school improvement actions.
- Directs resources where they will most directly improve student academic achievement.
- Ensures all resources are aligned to serve identified students' needs.
- Uses research-based strategies.
- Implements strategic coordination of resources.

Background:

The School Plan for Student Achievement (SPSA) is a plan of action to improve student academic performance by coordinating all educational services and resources. Pursuant to California Education Code Section 64001, schools that receive state and federal funds are required to consolidate all school plans into an SPSA.

It is the goal of the Newark Unified School District (NUSD) to provide equitable opportunities to each of our students and school sites. Each site-specific SPSA and the district-wide Local Control and Accountability Plan (LCAP) is a roadmap created in partnership with all district stakeholders to achieve our vision and mission:

NUSD Vision: The Newark Unified School District, in partnership with the community, will be a model of world-class education that develops the unique abilities of every student.

NUSD Mission: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens.

Each school site aligns its SPSA action items to our 3 LCAP goals:

Goal 1: Promote a culture of instructional excellence and continuous improvement that results in students achieving their full potential and graduating college and career-ready.

Goal 2: Promote a culture of community and partnership among the parents, students, staff, and NUSD community as a whole that results in an increase in parent involvement, student participation, and a positive school climate.

Goal 3: Establish exceptional learning conditions and an environment that promotes trust, respect, and acceptance, and results in students and families feeling safe, welcomed, and valued members of NUSD.

Data Analysis: School-level goals are informed by data. Each goal area includes data analysis on current measures across student subgroups, and on outcome measures to determine progress. Local and State data are used to develop each goal.

Evaluating Progress: The SSC agendaized a meeting to review Dashboard data and measure the impact of actions on student achievement. The principal and staff evaluate academic progress a minimum of three times a year through an academic Professional Learning Community (PLC) model with benchmark data.

Role of School Advisory Committees: California Education Code Section 64001 requires that the School Site Council (SSC) develop the SPSA. The SSC's responsibilities include approving the plan, recommending it to the local governing board for approval, monitoring its implementation, and evaluating the effectiveness of the plan at least annually. The SSC must seek the review, advice, and certification of applicable advisory committees, including the English Learner Advisory Committee (ELAC).

File Attachments

[2022_School_Plan_for_Student_Achievement_John_F._Kennedy_Elementary_School_20220814.pdf](#) (681 KB)

Motion & Voting

The recommendation is that the Board of Education approves the John F. Kennedy Elementary 2022-2023 School Plan for Student Achievement.

Motion by Terrence Grindall, second by Alicia Marquez.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez

Not Present at Vote: Bowen Zhang

Contract with Solstice Residential Treatment Center (RTC)

Type	Action
Absolute Date	Aug 18, 2022
Fiscal Impact	Yes
Dollar Amount	\$218,875.96
Budgeted	Yes
Budget Source	Resource 6500 - Special Education, Resource 6546 - Special Education Mental Health
Recommended Action	The recommendation is that the Board of Education approve the contract and individual service agreement with Solstice Residential Treatment Center (RTC).

Purpose:

To ratify the contract and the individual service agreement with Solstice Residential Treatment Center (RTC) for residential treatment services for the 2022-2023 school year.

Background:

Newark Unified School District requires a highly intensive individualized residential program in order to meet this student's unique needs per the consented Individualized Education Program (IEP).

As part of the U.S. Individuals with Disabilities Education Act (IDEA), the least restrictive environment is identified as one of the six (6) principles that govern the education of students with disabilities and other special needs. By law, schools are required to provide a Free Appropriate Public Education (FAPE) in the least restrictive environment that is appropriate to the individual student's needs.

To determine what an appropriate setting is for a student, an IEP (Individualized Education Program) team reviews the student's needs and interests. The types of educational settings for students with disabilities will vary. With the differences in needs and interests among students with disabilities, there is no single definition of what an LRE will be for all students.

File Attachments

[Solstice Contract 22-23.pdf](#) (447 KB)

[Solstice ISA 23-10a redacted.pdf](#) (279 KB)

Contract with Ed Sped Solutions for Special Education Services

Type	Action
Absolute Date	Aug 18, 2022
Fiscal Impact	Yes
Dollar Amount	\$1,849,598.00
Budgeted	Yes
Budget Source	Resource 6500 - Special Education, Resource 6546 - Special Education Mental Health
Recommended	The recommendation is that the Board of Education approves the contract with Ed Sped
Action	Solutions.

Purpose:
To ratify the contract with Ed Sped Solutions for Special Education services for the 2022-2023 school year in the amount of \$1,849,598.00

Background:
The District contracts with nonpublic agencies when necessary to provide related services to students with Individual Education Programs (IEPs). Ed Sped Solutions will provide the following personnel to support related services to Students With Disabilities (SWDs) needed for unfilled positions for the 2022-2023 school year including the Extended School Year (ESY):
6 FTE Behavioral Aides
7.5 FTE Instructional Aides
1 FTE Assessment Teacher
0.5 FTE Case Manager
3 FTE Mental Health Counselors
Psychologist (60 Psycho-Educational Assessments as needed)

File Attachments
[Ed Sped Contract 22-23.pdf](#) (447 KB)

Contract with Ascend Rehab Services Inc. for Special Education Services

Type	Action
Absolute Date	Aug 18, 2022
Fiscal Impact	Yes
Dollar Amount	\$1,809,322.00
Budgeted	Yes
Budget Source	Resource 6500 - Special Education
Recommended	The recommendation is that the Board of Education approves the contract with Ascend Rehab
Action	Services Inc.

Purpose:
To ratify the contract with Ascend Rehab Service Inc. for Special Education services for the 2022-2023 school year in the amount of \$1,809,322.00

Background:
The District contracts with nonpublic agencies when necessary to provide related services to students with Individual Education Programs (IEPs). Ascend Rehab Services, Inc. will provide the following personnel to support related services to Students With Disabilities (SWDs) needed for unfilled positions for the 2022-2023 school year including the Extended School Year (ESY):
8.4 FTE Speech Therapists
0.6 FTE Occupational Therapists
3.75 FTE Instructional Aides
1 FTE Special Education Teacher

File Attachments
[ASCEND_NUSD Contract 22-23.pdf](#) (490 KB)

Contract with AchieveKids, Non-Public School (NPS)

Type	Action
Absolute Date	Aug 18, 2022
Fiscal Impact	Yes
Dollar Amount	\$105,380.00
Budgeted	Yes
Budget Source	Resource 6500 - Special Education
Recommended	The recommendation is that the Board of Education approves the contract and the individual
Action	service agreement with AchieveKids.

Purpose:
To ratify the contract and the individual service agreement with AchieveKids for day treatment services for the 2022-2023 school year.

Background:
NUSD student's least restrictive environment per IDEA was determined to be placed in a Non-Public School (NPS) setting due to a significant disability, behavioral or programmatic need that has impacted their current ability to be successful within the general education setting.

[File Attachments](#)

- [AchieveKids Contract 22-23.pdf](#) (447 KB)
- [AchieveKids ISA 23-06a redacted.pdf](#) (287 KB)

Contract with Anova Center for Education, Non-Public School (NPS)

Type	Action
Absolute Date	Aug 18, 2022
Fiscal Impact	Yes
Dollar Amount	\$60,690.00
Budgeted	Yes
Budget Source	Resource 6500 - Special Education
Recommended	The recommendation is that the Board of Education approves the contract and the individual
Action	service agreement with Anova Center for Education.

Purpose:

To ratify the contract and the individual service agreement with Anova Center for Education for day treatment services for the 2022-2023 school year.

Background:

NUSD student's least restrictive environment per IDEA was determined to be placed in a Non-Public School (NPS) setting due to a significant disability, behavioral or programmatic need that has impacted their current ability to be successful within the general education setting.

[File Attachments](#)

- [Anova Contract 22-23.pdf](#) (447 KB)
- [Anova ISA 23-05a redacted.pdf](#) (258 KB)

Contract with Seneca, Non-Public School (NPS)

Type	Action
Absolute Date	Aug 18, 2022
Fiscal Impact	Yes
Dollar Amount	\$103,790.00
Budgeted	Yes
Budget Source	Resource 6500 - Special Education, Resource 6546 - Special Education Mental Health
Recommended	The recommendation is that the Board of Education approves the contract and the individual
Action	service agreement with Seneca Family of Agencies.

Purpose:

To ratify the contract and the individual service agreement with Seneca Family of Agencies for day treatment services for the 2022-2023 school year.

Background:

NUSD student's least restrictive environment per IDEA was determined to be placed in a Non-Public School (NPS) setting due to a significant disability, behavioral or programmatic need that has impacted their current ability to be successful within the general education setting.

[File Attachments](#)

- [Seneca Contract 22-23.pdf](#) (586 KB)
- [Seneca ISA 23-03a redacted.pdf](#) (236 KB)

Contract with Welldom Inc. for Special Education Services

Type	Action
Absolute Date	Aug 18, 2022
Fiscal Impact	Yes
Dollar Amount	\$109,688.00
Budgeted	Yes
Budget Source	Resource 6500 - Special Education
Recommended	The recommendation is that the Board of Education approves the contract with Welldom Inc.
Action	

Purpose:

To ratify the contract with Welldom Inc. for physical therapy services and assessments for the 2022-2023 school year in the amount of \$109,688.00.

Background:

Welldom Inc. provides physical therapy services and assessments to ensure compliant practices in supporting students' Individual Education Programs (IEPs). Physical therapy services and assessments are legally mandated per the Individual Disability Education Act (IDEA). Without Welldom Inc.'s services, Newark Unified School District would be out of compliance.

[File Attachments](#)

- [Welldom Inc. Contract 22-23.pdf](#) (483 KB)

Contract with Cinnamon Hills Youth Crisis Center

Type	Action
Absolute Date	Aug 18, 2022
Fiscal Impact	Yes
Dollar Amount	\$204,474.44
Budgeted	Yes
Budget Source	Resource 6500 - Special Education, Resource 6546 - Special Education Mental Health
Recommended	The recommendation is that the Board of Education approves the contract and the individual
Action	service agreement with Cinnamon Hills Youth Crisis Center.

Purpose:
To ratify the contract and the individual service agreement with Cinnamon Hills Youth Crisis Center for residential treatment services for the 2022-2023 school year.

Background:
Newark Unified School District requires a highly intensive individualized residential program in order to meet this student's unique needs per the consented Individualized Education Program (IEP). As part of the U.S. Individuals with Disabilities Education Act (IDEA), the least restrictive environment is identified as one of the six (6) principles that govern the education of students with disabilities and other special needs. By law, schools are required to provide a Free Appropriate Public Education (FAPE) in the least restrictive environment that is appropriate to the individual student's needs. To determine what an appropriate setting is for a student, an IEP (Individualized Education Program) team reviews the student's needs and interests. The types of educational settings for students with disabilities will vary. With the differences in needs and interests among students with disabilities, there is no single definition of what an LRE will be for all students.

- File Attachments**
[Cinnamon Hills Youth Crisis Center Contract 22-23.pdf](#) (623 KB)
[Cinnamon Hills ISA 22-07a redacted.pdf](#) (220 KB)

Amendment to the contract with Ed Theory

Type	Action
Absolute Date	Aug 18, 2022
Fiscal Impact	Yes
Dollar Amount	\$5,490.00
Budgeted	Yes
Budget Source	Resource 6500 - Special Education
Recommended	The recommendation is that the Board of Education approves the amendment to the contract
Action	with Ed Theory.

Purpose:
To increase the daily work hours and the total compensation to the contract with Ed Theory, previously approved by the Board on August 4, 2022.

Background:
This is an amendment to the contract with Ed Theory. The original contract is attached. The amendment to the contract increases the daily work hours from 7.5 to 8 hours per day, increasing the total compensation amount for the 2022-2023 school year to \$131,040.00.

- File Attachments**
[Ed Theory_NUSD Contract 22-23 fully executed.pdf](#) (487 KB)
[Ed Theory Contract Amendment 8.18.22.pdf](#) (31 KB)

Motion & Voting
 The recommendation is that the Board of Education approves the amendment to the contract with Ed Theory.
 Motion by Terrence Grindall, second by Alicia Marquez.
 Final Resolution: Motion Carries
 Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez
 Not Present at Vote: Bowen Zhang

Amendment to the contract with Shalom Staffing

Type	Action
Absolute Date	Aug 18, 2022
Fiscal Impact	Yes
Dollar Amount	\$5,185.00
Budgeted	Yes
Budget Source	Resource 6500 - Special Education
Recommended	The recommendation is that the Board of Education approves the amendment to the contract
Action	with Shalom Staffing.

Purpose:
To increase the daily work hours and the total compensation to the contract with Shalom Staffing, previously approved by the Board on

August 4, 2022.

Background:

This is an amendment to the contract with Shalom Staffing. The original contract is attached. The amendment to the contract increases the daily work hours from 7.5 to 8 hours per day, increasing the total compensation amount for the 2022-2023 school year to \$123,760.00.

File Attachments

- [Shalom Staffing_NUSD Contract 22-23 fully executed.pdf](#) (292 KB)
- [Shalom Staffing Contract Amendment 8.18.22.pdf](#) (54 KB)

Motion & Voting

The recommendation is that the Board of Education approves the amendment to the contract with Shalom Staffing.

Motion by Alicia Marquez, second by Terrence Grindall.
 Final Resolution: Motion Carries
 Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez
 Not Present at Vote: Bowen Zhang

Amendment to 2022-23 MOU with Mark Bishop, Mental Health Clinician

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$12,400.00
Budgeted	Yes
Budget Source	General Fund
Recommended	The recommendation is that the Board of Education approves the amendment to the 2022-23
Action	Memorandum of Understanding with Mark Bishop, Mental Health Clinician for Newark Memorial High School.

Purpose:
 To amend the Memorandum of Understanding (MOU) with Mark Bishop, Mental Health Clinician.

Background:
 This is an amendment to the MOU for Mental Health Clinician, Mark Bishop, at Newark Memorial High School. The original MOU was approved by the Board on August 4, 2022. The amendment increases the total compensation and hourly rate. The hourly rate has not changed since 2020-21. It also updates the contact information for Newark Memorial High School.

- File Attachments
- [Mark Bishop-NUSD Agreement 2022-23_fully executed.pdf](#) (406 KB)
 - [Mark Bishop_Amendment 1.pdf](#) (18 KB)

Motion & Voting
 The recommendation is that the Board of Education approves the amendment to the 2022-23 Memorandum of Understanding with Mark Bishop, Mental Health Clinician for Newark Memorial High School.

Motion by Aiden Hill, second by Alicia Marquez.
 Final Resolution: Motion Carries
 Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez
 Not Present at Vote: Bowen Zhang

Resolution 2022.23.04 Declaring Surplus Equipment

Type	Action
Recommended	The recommendation is that the Board of Education approves Resolution 2022.23.04 -
Action	Declaring Surplus Equipment.

Purpose:
 The purpose of this item is to obtain Board approval of Resolution 2022.23.04 - Declaring Surplus Equipment, which lists items to be declared as surplus equipment as recommended.

Background:
 Surplus materials will be disposed of per Board Policy and Administrative Regulation 3270 Sale And Disposal Of Books, Equipment And Supplies. Education Code, Section 17546 states that if the Governing Board, by a unanimous vote of those members present, finds that the property, whether one or more items, does not exceed the value of \$2,500, it may be sold at private sale without advertising, by a District employee empowered for that purpose by the Board; the property may be donated to a charitable organization, or it may be disposed of in a public disposal facility.
 The property as described in Resolution 2022.23.04 includes equipment used at Newark Adult School. Staff determined that items are obsolete and/or beyond economical repair.

- File Attachments
- [Resolution 2022.23.04 Declaring Surplus Equipment-1.pdf](#) (18 KB)

S&H Construction Change Order No. 1 HVAC Replacement Project

Type	Action
Fiscal Impact	Yes

Budgeted	Yes
Budget Source	Bond Measure G
Recommended Action	The recommendation is that the Board of Education approves Change Order No. 1 for S&H Construction for the HVAC replacement project.

Purpose:
To approve Change Order No. 1 for S&H Construction for the HVAC Replacement Project. This will result in a \$2,777.76 credit for contract allowance not used.

Background:
On August 5, 2021 the Board approved the S&H Construction contract for the HVAC Units Replacement Project at Birch Grove Primary, Kennedy Elementary, Coyote Hills Elementary, and Schilling Elementary. The HVAC replacement project was part of the Board approved list of projects for the balance of the Measure G Bond funds.
The original contracted amount was for \$2,993,000.00. This change order decreases the amount to \$2,990,222.24.

File Attachments
[S&H Construction, Inc Agreement HVAC_CO 1_fully executed-1.pdf](#) (177 KB)

Warrant Report for July 2022

Type	Action
Fiscal Impact	No
Recommended Action	The recommendation is that the Board of Education approves the Warrant Report for July 2022 as presented.

Purpose:
The purpose of this item is to present warrants, for the total amount of \$4,592,364.79, made from District funds for July 2022.

Background:
The warrant registers represent a complete listing of all payments made from District funds for a month. Because Newark Unified School District is a fiscally dependent District, each warrant must pass through two separate audits; first by the District's Fiscal Services department, and second by the County Office of Education. No warrant can be paid until such time as it is examined and approved by the County Office of Education.

File Attachments
[Warrant Report_July 2022.pdf](#) (594 KB)

Motion & Voting
The recommendation is that the Board of Education approves the Warrant Report for July 2022 as presented.
Motion by Terrence Grindall, second by Alicia Marquez.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Terrence Grindall, Alicia Marquez
Nay: Aiden Hill
Not Present at Vote: Bowen Zhang

Donations Report

Type	Action
Fiscal Impact	Yes
Budgeted	Yes
Budget Source	General Fund (Fund 010) Donations
Recommended Action	The recommendation is that the Board of Education accepts the Donations Report as presented.

Purpose:
The purpose is to acknowledge receipt of donations to the District.

Background:
Throughout the year community members, groups, parents and other individuals make monetary and in-kind (supplies and equipment) donations to NUSD. The exact nature of the source of the donation is submitted to the Business Office on a standard form. It is critical that any restrictions on the funding be indicated and the budget developed based on the donor restrictions. If there is no indication of the school or use of the funding, any proceeds or cash donations received are placed in the NUSD local revenue in the unrestricted general fund. It is recommended that the donations be processed through the Business Office and ultimately approved by the Board so that the funding can be publicly acknowledged and budgeted properly according to donor restrictions. There is acknowledged and budgeted properly according to donor restrictions. There is acknowledgement at the public Board meeting and a letter of thanks is sent to the donor by the Business Office for NUSD.

File Attachments
[Donations Report 8-18-2022-1.pdf](#) (34 KB)

Minutes of the August 4, 2022 Regular Meeting of the Board of Education

Type	Action, Minutes
Recommended Action	The recommendation is that the Board of Education approves the minutes of the August 4, 2022 Regular Meeting of the Board of Education

Purpose:

For the board to review and approve the minutes of the August 4, 2022 Regular Meeting of the Board of Education

Background:

The attached minutes are reflective of the August 4, 2022, Regular Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel [HERE](#)

13 SUPERINTENDENT REPORT

Superintendent Report

Type Information

Purpose:

The superintendent will provide the Board of Education with district information, updates, news, or anything in the jurisdiction of the board or the superintendent.

Background:

The presentation and information will be provided by the Superintendent

File Attachments

[Superintendent's Report 8.18.22.pdf](#) (2,183 KB)

14 STAFF REPORT

Newark Jr High School and Newark Memorial High School Swimming Pool Reports

Type Discussion, Information

Purpose:

Dennis Berkshire of Aquatic Design Group will present assessment reports of the Newark Junior High School and Newark Memorial High School swimming pools.

Background:

The Newark Junior High School Pool has not been used for several years. It is a six lane x 25 yard swimming pool. The existing pool is in poor condition with several code violations and needed maintenance repairs. The following are preliminary costs which do not include all soft costs or costs for accessibility and locker room upgrades which may be required by the Division of the State Architect.

Eliminate Pool with Asphalt	\$375,000
Eliminate Pool for New Construction	\$475,000
Modernize Pool	\$1,785,063
New Replacement Pool	\$2,528,925

The Newark Memorial High School Pool is a 13 lane x 25 yard swimming pool that is currently in use. The existing pool has several code violations and needed maintenance repairs. The following are preliminary costs which do not include all soft costs or costs for accessibility and locker room upgrades which may be required by the Division of the State Architect.

Modernize Pool	\$2,222,527
New Replacement Pool	\$4,939,837

File Attachments

[Newark Junior High School Needs Assessment_Final Rev2 07.12.22.pdf](#) (826 KB)

[Newark Memorial HS Needs Assessment Rev.1 07.12.22.pdf](#) (480 KB)

Preliminary 2021-2022 CAASPP & CAST Data Overview

Type Information

Purpose:

To share an overview of the preliminary 2021-2022 CAASPP & CAST results and implications.

Background:

Districts have been granted preliminary California Assessment of Student Performance and Progress (CAASPP) data for the 2021-2022 academic school year. This data includes preliminary data from the following state assessments: Smarter Balanced English Language Arts/Literacy (ELA) assessment, Smarter Balanced Mathematics assessment, and California Science Test (CAST).

Due to distance learning and the pandemic, the California State Board of Education provided school districts the flexibility to administer alternative assessments to the CAASPP as a way to measure student progress. Consequently, CAASPP assessments were not conducted in the 2019-2020 and 2020-2021 academic school years in lieu of more localized, formative assessment tools. This presentation provides a brief overview of the last five years of NUSD CAASPP results, comparing our preliminary 2021-2022 CAASPP results to previous 2017-2018 and 2018-2019 results, as well as the implications for the 2022-2023 academic school year.

File Attachments

15 NEW BUSINESS

Citizens' Bond Oversight Committee (CBOC) 2020-21 Annual Report

Type Action
Recommended The recommendation is that the Board of Education accepts the 2020-21 Citizens' Bond
Action Oversight Committee Annual Report as presented.

Purpose:
The Citizens' Bond Oversight Committee (CBOC) Chair, Richard Watters will present the Annual Report for the 2020-21 school year.

Background:
Measure G requires an annual report from the Citizens' Bond Oversight Committee.

File Attachments
2020-2021 - CBOC Annual Report.pdf (461 KB)

Motion & Voting
The recommendation is that the Board of Education accepts the 2020-21 Citizens' Bond Oversight Committee Annual Report as presented.
Motion by Terrence Grindall, second by Alicia Marquez.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez
Not Present at Vote: Bowen Zhang

Increase Daily Rate for Substitute Teachers

Type Action
Absolute Date Aug 18, 2022
Recommended The recommendation is that the Board of Education approves the increase in the daily rate for
Action substitute teachers.

Purpose:
To consider increasing the daily and long-term substitute (guest) teacher rates for the 2022-2023 school year to \$220 per day (day-to-day assignments) and \$250 per day for long-term positions (beginning on Day 6 of the assignment).

Background:
Newark Unified's current substitute (guest) teacher rates are \$180 daily rate and \$200 per day for long-term positions (beginning on Day 6 of the assignment). Neighboring districts currently offer \$200-215 daily and up to \$250 for long-term assignments (beginning on Day 11 of the assignment).
Due to the nationwide teacher and substitute teacher shortages, Newark Unified's goal is to stay competitive within our area.

Motion & Voting
The recommendation is that the Board of Education approves the increase in the daily rate for substitute teachers.
Motion by Alicia Marquez, second by Aiden Hill.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez
Not Present at Vote: Bowen Zhang

Approval of Addendum to Assistant Superintendent's Employment Agreement

Type Action
Recommended The recommendation is that the Board of Education approves the addendum to the Assistant
Action Superintendent of Educational Services' employment agreement.

Purpose:
For the Board of Education to approve the addendum to the Assistant Superintendent of Educational Services' employment agreement following the Assistant Superintendent's evaluation.

Background:
The Assistant Superintendent of Educational Services' current employment agreement states that if the Assistant Superintendent receives a satisfactory annual written evaluation for the 2021-22 school year, with Board approval, she shall receive a 2% salary increase effective July 1, 2022. Following the Assistant Superintendent's receipt of a satisfactory annual written evaluation, through this item, the Board will consider approval of the 2% salary increase effective July 1, 2022 pursuant to the employment agreement.
NOTE: An incorrect addendum was attached and will not be acted upon by the Board. A corrected addendum is attached for the Board to consider when taking action.

File Attachments
Assistant Superintendent Contract 03.2021-signed.pdf (269 KB)
(CORRECTED) Addendum and Amendment #1 to Assistant Superintendent Agreement 8.18.2022.pdf (15 KB)

[\(INCORRECT\) Addendum #1 to Assistant Superintendent Agreement \(Newark USD\) 8.18.22.pdf \(13 KB\)](#)

Motion & Voting

The recommendation is that the Board of Education approves the addendum to the Assistant Superintendent of Educational Services' employment agreement.

Motion by Terrence Grindall, second by Alicia Marquez.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez
Not Present at Vote: Bowen Zhang

Approval of Executive Cabinet Salary Schedule

Type Action
Recommended The recommendation is that the Board of Education approve the 2022-23 Executive Cabinet
Action Salary Schedule.

Purpose:
For the Board of Education to approve the 2022-23 Executive Cabinet Salary Schedule to be consistent with the compensation provided for in the contracts with members of Executive Cabinet.

Background:
The District's Executive Cabinet includes the Superintendent, Assistant Superintendent of Educational Services, and Chief Business Official. Individuals serving in those positions are employed with the District by way of individual employment contracts which establish their compensation. The District also maintains a salary schedule for these positions. On February 23, 2022, the Board of Education approved an amended employment agreement with the Chief Business Official. On August 4, 2022, the Board of Education approved an amended employment agreement with the Superintendent. At this meeting (August 18, 2022), the Board of Education will consider an addendum to the employment agreement with the Assistant Superintendent. This item would revise the Executive Cabinet Salary Schedule to be consistent with the compensation provided for in the addendums to these contracts.

File Attachments
[NUSD Salary Schedule of Contracted Employees 8.14.2022.pdf \(15 KB\)](#)

Motion & Voting
The recommendation is that the Board of Education approve the 2022-23 Executive Cabinet Salary Schedule.
Motion by Alicia Marquez, second by Terrence Grindall.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez
Not Present at Vote: Bowen Zhang

16 BOARD MEMBER REQUESTS

CSBA Training

Type Discussion, Information

Purpose:
For the Board to review the various training options offered by the California School Boards Association.

Background:
At the August 4, 2022, Regular Board of Education meeting, Member Hill requested to agendize a discussion of the various training options made available by the CSBA. The request was agreed upon by Members Grindall and Zhang.

File Attachments
[CSBA Training Board Presentation 2022.08.16.pdf \(682 KB\)](#)

Public Release of Legal Memos

Type Discussion

Purpose:
For the Board to discuss the possible public release of legal opinions regarding independent contractor agreements and a conflict of interest claim.

Background:
At the August 4, 2022, Regular Board of Education meeting, Member Hill requested to agendize a discussion regarding the possible release of two specific legal memos . The request was agreed upon by Members Grindall and Zhang.

17 CONSENT AGENDA: PULLED AGENDA ITEMS

PLACEHOLDER - Pulled Consent Agenda Items

Type Action

Purpose:

This is specifically a placeholder, and will only be used if agenda items from the consent categories are pulled for additional discussion.

Background:

Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately. Those items pulled will be discussed and voted on here.

Motion & Voting

18 BOARD OF EDUCATION: COMMITTEE REPORTS, REQUESTS, AND ANNOUNCEMENTS

Board of Education Recognitions and Announcements

Type Information

Purpose:

The Trustees may acknowledge or recognize specific programs, activities, or personnel at this time.

Board of Education Committee Reports

Type Information

Purpose:

The Trustees will provide an update, if available, on the committees of which they are members.

Background:

Each year the Board of Education members liaise with schools and committees in order to build relationships, hear from staff, students, and families, and act as a conduit for information to and from the schools.

Board Committees 2022-23
Board Adopted on 12/16/21

	Representative	Alternate
Mission Valley Regional Occupational Center/Program (ROC/P)	1. Terrence Grindall	1. Bowen Zhang
Executive Board		
Regional Policy Board of Special Education Local Plan Area (SELPA)	1. Bowen Zhang	1. Alicia Marquez
Newark Teacher Induction Advisory Council (Formally EBIC)	1. Alicia Marquez	1. Aiden Hill
Audit Committee	1. Alicia Marquez	2. Aiden Hill
Bond/Parcel Tax Committee	1. Terrence Grindall	2. Phuong Nguyen
City of Newark NUSD Liaison Committee	1. Phuong Nguyen	2. Terrence Grindall
		1. Bowen Zhang

Board of Education Requests

Type Action, Discussion, Information

Purpose:

This is an opportunity for the Board of Education to suggest items for placement on future agendas and to review Board requests. Approval from the majority of the Board will be required for direction to be provided to the Superintendent.

Background:

The following derives directly from the Board approved "Governance Team Handbook"

Authority is Collective, Not Individual:

The only authority to direct action rests with the Board as a whole when seated at a regular or special board meeting. Outside of this meeting, there is no authority.

A majority Board vote provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction.

Bringing New Ideas Forward

The Board will be open to having "brainstorming" discussions, or study sessions, around any idea that a Trustee may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Trustee, at their initiative or at the request of a constituent, which was previously discussed during a board meeting.

Trustees will first notify the Board President and Superintendent of their interest in bringing forward a new idea at a board meeting. When initially agendized, the preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.

Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea. The Superintendent will decide on the delegation of assignments to District staff.

The new idea may be agendized for discussion only. The Board majority will decide if the new idea should be further developed and studied by staff. The Board majority will decide if staff time should be invested in the "fleshing out" of new ideas.

Individual Trustees, in the course of interactions with constituents, will be careful not to make or imply the commitment of the full Board to explore or proceed with implementing new ideas.

19 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

Superintendent's Concluding Comments, Updates, and Future Agenda Items

AGENDA REQUESTS

Type Information

Purpose:

This is an opportunity for the Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

20 ADJOURNMENT

PLACEHOLDER - Extend Meeting

Type Action

Recommended The recommendation is that the Board of Education extends the meeting to ____ P.M.

Action

Purpose:

This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

Motion & Voting

The recommendation is that the Board of Education extends the meeting to 12:00 am.

Motion by Aiden Hill, second by Terrence Grindall.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang

1 CALL TO ORDER

Meeting Practices and Information

Type Procedural

In-person Meeting Information:

NUSD has opened its boardroom for in-person meetings and will follow the State's and Alameda County's safety guidelines for public gatherings. Please refrain from attending in-person meetings if you have any of the following symptoms:

- Loss of taste/smell
- Difficulty breathing
- Vomiting
- Diarrhea
- Fever
- Cough
- Headache
- Sore Throat
- Runny Nose

For additional COVID-19 information please go to <https://www.newarkunified.org/covid-19> or <https://www.acoe.org/guidance>

Observe The Board Of Education Meeting:

Members of the public 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.

Public Comment:

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

Roll Call

Type Procedural

Trustees:

- President Phuong Nguyen
- Vice President/Clerk Terrence Grindall
- Member Aiden Hill
- Member Alicia Marquez
- Member Bowen Zhang

Student Board Member:

Diego Torres

3 CLOSED SESSION

Public Comment on Closed Session Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board. If a constituent wishes to address the Board on any agenda item, please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org.

Approval of the Agenda

Type Action

Recommended Action The recommendation is that the Board of Education approve the agenda for this meeting.

Purpose:

Members of the Governance Team may request that the agenda be amended or approved as presented.

Motion & Voting

The recommendation is that the Board of Education approve the agenda for this meeting.

Motion by Terrence Grindall, second by Alicia Marquez.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE (Gov. Code, 54957, subd. (b)(1))

Type Action, Information, Procedural

Purpose:

Information will be provided by the Superintendent and Executive Director of Human Resources.

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a): Employee Organizations - NTA and CSEA

Type Action, Information, Procedural

Purpose:

Information may be provided by the agency negotiator, Executive Director of Human Resources. Assistance from the legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided. The employee organizations include NTA & CSEA.

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a)): Employee Group - NEWMA, Contracted Management, and Unrepresented Employee(s) [Superintendent]

Type Action, Discussion, Procedural

Purpose:

Information may be provided by the agency negotiator, the Executive Director of Human Resources, and the Superintendent. Assistance from legal firm Dannis, Woliver, Kelley: Attorneys at Law may be provided. The employee organizations include NEWMA, Unrepresented Supervisors, and Contracted Management. Information may be provided by the agency designated representative: Board President. Unrepresented employee(s): Superintendent

PUBLIC EMPLOYMENT (Gov. Code, 54957, subd. (b)(1)) Title: Superintendent

Type Action, Discussion, Information

Purpose:

Information may be provided by the agency designated representative: Board President. Unrepresented employee(s): Superintendent

CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION Significant exposure to litigation pursuant to Gov. Code, 54956.9, subd. (d)[(2) or (3)]

Type Action, Discussion, Procedural

Purpose:

Information may be provided regarding significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: One case

Recess to Closed Session

Type Procedural

Purpose:

The Board will recess to Closed Session, and reconvene to Open Session on or about 7:00 p.m.

4 REPORT OF CLOSED SESSION ACTIONS

Report of Closed Session Actions

Type Action, Procedural

Purpose:

If available, a report of the closed session will be provided by the Board President.

5 RECONVENE TO OPEN SESSION

Pledge of Allegiance

Type Procedural

Purpose:

The Governance Team will recite the Pledge of Allegiance

6 RECOGNITIONS AND CELEBRATIONS

Staff Spotlight

Type Information

Purpose:

To recognize the wonderful accomplishments of our NUSD Team.

Background:

The presentation will be provided by the Superintendent.

7 EMPLOYEE ORGANIZATIONS

Employee Organizations

Type Information

Purpose:

At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Background:

Discussion items are limited to updates, celebrations, and upcoming events.

1. NTA: Sean Abruzzi
2. CSEA: Maria Huffer
3. NEWMA: Vicenta Ditto

8 PUBLIC COMMENT ON NON-AGENDA ITEMS

Public Comment on Non-Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

9 PUBLIC HEARINGS

Sunshine District Proposal to Newark Teachers Association (NTA)

Type Procedural

Purpose:

The purpose is to publicly disclose or "sunshine" the proposals for reopeners at which time the public has an opportunity to provide input on the proposals prior to the commencement of negotiations between the Newark Unified School District (NUSD) and the Newark Teachers Association (NTA).

Background:

Effective June 30, 2022, the current Collective Bargaining Agreement between the Newark Unified School District (NUSD) and the Newark Teachers Association (NTA) is set to expire. The California Education Code requires parties to publicly disclose or "sunshine" their proposals for reopeners at which time the public has an opportunity to provide input on the proposals prior to the commencement of negotiations. NTA sunshined their proposal at the May 19 and June 7 Board meetings. NUSD is sunshining their proposal to NTA at the June 16 and August 4 Board meetings. Copies of the proposal are made available to the public. This is the public's second opportunity to express itself regarding the proposal. Following the public hearing, the Board of Education must adopt the NUSD initial proposal to NTA for reopeners for the 2022-2023 school year.

File Attachments

- [District Proposal to NTA.pdf](#) (36 KB)
- [Public Hearing Notice.pdf](#) (202 KB)

10 SUPERINTENDENT REPORT

Superintendent Report

Type Information

Purpose:

The superintendent will provide the Board of Education with district information, updates, news, or anything in the jurisdiction of the board or the superintendent.

Background:

The presentation and information will be provided by the Superintendent

File Attachments

- [Superintendent's Report 8.4.22.pdf](#) (3,372 KB)

11 NEW BUSINESS

45-Day Budget Revision 2022-23

Type Action, Information

Recommended The recommendation is that the Board of Education accept and approve the report on the
Action revised budget as presented.

Purpose:

The purpose is to advise the Board and the public concerning the impact of the State Enacted Budget on the District's Adopted Budget.

Background:

The Board approved and adopted the District's 2022-23 budget on June 16, 2022, which was prior to the Governor signing the 2022-23 State Budget. The 2022-23 State Budget was signed by the Governor on June 27, 2022. Not later than 45 days after the Governor signs the Budget Act, school districts must make available to the public any budget revisions made as a result of that Budget Act [E.C. 42127].

File Attachments

- [45-day Budget Revision 22-23.pdf](#) (1,005 KB)

Motion & Voting

The recommendation is that the Board of Education accept and approve the report on the revised budget as presented.

Motion by Bowen Zhang, second by Terrence Grindall.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang

Approval of Addendum to Superintendent's Employment Agreement

Type Action

Recommended The recommendation is that the Board of Education approve the addendum to the
Action Superintendent's employment agreement.

Purpose:

For the Board of Education to approve the addendum to the Superintendent's employment agreement following the Superintendent's evaluation.

Background:

The Superintendent's current employment agreement states that if the Superintendent receives a satisfactory annual written evaluation for the 2021-22 school year, with Board approval, they shall receive a 2% salary increase effective July 1, 2022. The current employment agreement also states that the Board may extend the employment agreement by one year following receipt of a satisfactory overall evaluation.

Following the Superintendent's receipt of a satisfactory annual written evaluation, through this item, the Board will consider approval of the 2% salary increase effective July 1, 2022, and extension of the employment agreement by one year, through June 30, 2024.

File Attachments

Addendum #2 to Superintendent Agreement (Newark USD) - 2022.0804.pdf (15 KB)

Motion & Voting

The recommendation is that the Board of Education approve the addendum to the Superintendent's employment agreement.

Motion by Bowen Zhang, second by Alicia Marquez.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Alicia Marquez, Bowen Zhang

Nay: Aiden Hill

12 CONSENT AGENDA: PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type Action

Recommended Action It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent-Personnel, except for agenda items:

Purpose:

This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:

Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Motion & Voting

It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent-Personnel, except for agenda items 12.4 and 12.5:

Motion by Bowen Zhang, second by Terrence Grindall.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang

Adopt the NUSD Initial Proposal to NTA for Reopeners for the 2022-2023 School Year

Type Action

Absolute Date Aug 04, 2022

Recommended Action The recommendation is that the Board of Education adopt the NUSD Initial Proposal to NTA

for reopeners for the 2022-2023 school year.

Purpose:

The purpose is to publicly disclose or "sunshine" the proposals for reopeners at which time the public has an opportunity to provide input on the proposals prior to the commencement of negotiations between the Newark Unified School District (NUSD) and the Newark Teachers Association (NTA).

Background:

Effective June 30, 2022, the current Collective Bargaining Agreement between the Newark Unified School District (NUSD) and the Newark Teachers Association (NTA) is set to expire. The California Education Code requires parties to publicly disclose or "sunshine" their proposals for reopeners at which time the public has an opportunity to provide input on the proposals prior to the commencement of negotiations. NTA sunshined their proposal at the May 19 and June 7 Board meetings. NUSD is sunshining their proposal to NTA at the June 16 and August 4 Board meetings. Copies of the proposal are made available to the public. This is the public's second opportunity to express itself regarding the proposal. Following the public hearing, the Board of Education must adopt the NUSD initial proposal to NTA for reopeners for the 2022-2023 school year.

File Attachments

District Proposal to NTA.pdf (36 KB)

New Software Support Specialist Position

Type Action

Fiscal Impact Yes

Dollar Amount	\$103,305.00
Budgeted	Yes
Budget Source	LCFF
Recommended Action	The recommendation is that the Board of Education approve the position of Software Support Specialist.

Purpose:
The purpose of this item is to approve a 1.0 additional district-wide Software Support Specialist position for 2022-2023.

Background:
The California IT in Education (CITE) evaluation report, presented to the Board on February 17, 2022, indicated the review team believes the Information Technology Department is understaffed. They identified an immediate need for additional Student Information System Support, which is responsible for California Longitudinal Pupil Achievement Data System (CALPADS) reporting. As student data and state reporting have become more crucial and more complex, the need for adequate staffing has become required to meet these needs.
In the 2022-23 LCAP, as part of Goal 2, and based on feedback and data collected, a 1.0 Technology Tech Position (Software Specialist), to assist the IT Department, was added.

New Newark Memorial High School Assistant Principal Position

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$170,000.00
Budgeted	Yes
Budget Source	LCFF and SPSA
Recommended Action	The recommendation is that the Board of Education approve the position of Assistant Principal.

Purpose:
The purpose of this item is to approve an additional Assistant Principal position for Newark Memorial High School for 2022-2023.

Background:
In the 2022-23 LCAP, as part of Goal 2, and based on feedback and data collected, an increase of .5 for an Assistant Principal at Newark Memorial High School was added. The remaining .5 is supported in the Student Plan for Student Achievement (SPSA) plan.

Motion & Voting
The recommendation is that the Board of Education approve the position of Assistant Principal.
Motion by Bowen Zhang, second by Phuong Nguyen.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Terrence Grindall, Alicia Marquez, Bowen Zhang
Nay: Aiden Hill

Personnel Report

Type	Action
Absolute Date	Aug 04, 2022
Recommended Action	The recommendation is that the Board of Education ratify the personnel report as presented.

Purpose:
The purpose is for the Board of Education to ratify the Personnel Report as presented.

Background:
All personnel activities including new hires, changes in status, resignation, leaves, and retirements are routinely submitted to the Board for ratification.

File Attachments
[HR PAL 08-04-2022.pdf](#) (1,210 KB)

Motion & Voting
The recommendation is that the Board of Education ratify the personnel report as presented.
Motion by Terrence Grindall, second by Phuong Nguyen.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Terrence Grindall, Alicia Marquez, Bowen Zhang
Nay: Aiden Hill

13 CONSENT AGENDA: NON-PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type	Action
Recommended Action	It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent Non-Personnel, except for agenda items:

Purpose:

This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:

Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Motion & Voting

It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent Non-Personnel, except for agenda items 13.7, 13.16, 13.21, 13.22, 13.24, 13.25:

Motion by Bowen Zhang, second by Terrence Grindall.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang

Contract with Shalom Staffing for a Special Education Teacher

Type	Action
Absolute Date	Aug 04, 2022
Fiscal Impact	Yes
Dollar Amount	\$118,575.00
Budgeted	Yes
Budget Source	Resource 6500 - Special Education

Purpose:

Shalom Staffing to provide 1.0 FTE Mild/Moderate Special Education Teacher required for an unfilled position for the 2022/2023 school year.

Background:

Despite intensive efforts, the District has not been able to hire for this unfilled position. This contracted teacher is intended to fill the Mild/Moderate position for the 2022/2023 school year only.

File Attachments

[Shalom Staffing_NUSD Contract 22-23.pdf](#) (110 KB)

Contract with Ed Theory for a Special Education Teacher

Type	Action
Preferred Date	Aug 04, 2022
Absolute Date	Aug 04, 2022
Fiscal Impact	Yes
Dollar Amount	\$125,550.00
Budgeted	Yes
Budget Source	Resource 6500 - Special Education
Recommended	The recommendation is that the Board of Education ratify the contract with Ed Theory.
Action	

Purpose:

Ed Theory to provide 1.0 FTE RSP Special Education Teacher required for an unfilled position for the 2022/2023 school year.

Background:

Despite intensive efforts, the District has not been able to hire for this unfilled position. This contracted teacher is intended to fill the RSP position for the 2022/2023 school year only.

File Attachments

[Ed Theory_NUSD Contract 22-23.pdf](#) (110 KB)

Contract with Pacific Autism Center for Education (PACE)

Type	Action
Preferred Date	Aug 04, 2022
Absolute Date	Aug 18, 2022
Fiscal Impact	Yes
Dollar Amount	\$133,920.00
Budgeted	Yes
Budget Source	Resource 6500 - Special Education
Recommended	The recommendation is that the Board of Education approve the contract with Pacific Autism
Action	Center for Education.

Purpose:

To ratify the Master Contract and Individual Service Agreement with Pacific Autism Center for Education (PACE) for day treatment services for the 2022/2023 school year.

Background:

NUSD student requires a lower student-to-staff ratio in a highly intensive individualized program in order to meet the students' unique needs, per the consented Individualized Education Programs (IEP).

File Attachments

- [PACE_NUSD Contract 22-23.pdf](#) (447 KB)
- [PACE ISA 23-02a.pdf](#) (242 KB)

2022-23 MOU with Mark Bishop, Mental Health Clinician

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$74,000.00
Budgeted	Yes
Budget Source	General Fund
Recommended	The recommendation is that the Board of Education approve the 2022-23 Memorandum of
Action	Understanding with Mark Bishop, Mental Health Clinician for Newark Memorial High School.

Purpose:

Mr. Mark Bishop serves as a Mental Health Clinician supporting the students at Newark Memorial High School. This Memorandum of Understanding (MOU) is for his continued service and work for the 2022-2023 school year.

Background:

Newark Memorial High School (NMHS) will provide individual therapy to students as part of the school's Coordination of Services Team (COST) referral process. Mr. Mark Bishop, a Mental Health Clinician, will provide individual therapy with a caseload of 20-25 students and will also support the school with crisis mental health support for the whole student body along with supporting the referrals from the COST. This work will be accomplished under the direction of the Principal.

File Attachments

- [Mark Bishop-NUSD Agreement 2022-23.pdf](#) (336 KB)

Athletic Trip, Overnight, Round Trip Distance Over 125 Miles Field Trip: Newark Memorial HS Varsity Volleyball Team to

Type	Action
Preferred Date	Dec 30, 1899
Fiscal Impact	Yes
Dollar Amount	\$2,075.00
Budgeted	Yes
Budget Source	Athletics 103, NM Boosters
Recommended	The recommendation is that the Board of Education approve Newark Memorial High School
Action	Varsity Volleyball Team's trip to Stockton CA.

Purpose:

The NMHS Principal and Athletic Director request permission to take students on an athletic and overnight trip to Stockton, CA for the 2022 Girls Stockton Classic Volleyball Tournament.

Background:

Our Varsity Volleyball Team has been invited to return to the 2022 Girls Stockton Classic Volleyball Tournament. This is a highly competitive, invitation only, tournament which will provide exposure to college recruiting for our student-athletes.

Date: October 7-8

Location: Edison High School, Stockton, CA

According to Board Policy 6153, all trips in excess of 125 miles, athletic trips, and overnight trips require Board approval. Newark Memorial High School Principal and Athletic Director request permission to take the Newark Memorial High School Varsity Volleyball team on an athletic trip to Stockton, CA.

Requirements met:

- Grade K-3, one adult for every 5-8 students; Grades 4-12, one adult for every 10 students; Board Policy requires at least two adults on every trip regardless of the number of students (BP 6153 and AR 6153)
- Overnight trip supervision must be gender appropriate
- No student will be denied due to a lack of funds

Newark Memorial High School 2022-2023 School Plan for Student Achievement (SPSA)

Type	Action
Fiscal Impact	Yes
Budgeted	Yes
Recommended	The recommendation is that the Board of Education approve the Newark Memorial High
Action	School 2022-2023 School Plan for Student Achievement.

Purpose:

This 2022-23 School Plan for Student Achievement (SPSA) is coming forward for Board approval. The SPSA serves as the organizer for an individual school's improvement process. The plan is developed with a deep understanding of the root causes of student academic challenges and identifies and implements research-based instructional strategies to raise the achievement of students who are not yet proficient by state standards.

The plan:

- Builds on a premise that students are capable of learning with effective instruction.
- Includes school goals aligned with activities and goals included in the LCAP to maximize school reform efforts.

- Is based on verifiable data analysis.
- Focuses on student achievement and academic interventions.
- Implements high leverage school improvement actions.
- Directs resources where they will most directly improve student academic achievement.
- Ensures all resources are aligned to serve identified students' needs.
- Uses research-based strategies.
- Implements strategic coordination of resources.

Background:

The School Plan for Student Achievement (SPSA) is a plan of action to improve student academic performance by coordinating all educational services and resources. Pursuant to California Education Code Section 64001, schools that receive state and federal funds are required to consolidate all school plans into an SPSA.

It is the goal of the Newark Unified School District (NUSD) to provide equitable opportunities to each of our students and school sites. Each site-specific SPSA and the district-wide Local Control and Accountability Plan (LCAP) is a roadmap created in partnership with all district stakeholders to achieve our vision and mission:

NUSD Vision: The Newark Unified School District, in partnership with the community, will be a model of world-class education that develops the unique abilities of every student.

NUSD Mission: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens.

Each school site aligns its SPSA action items to our 3 LCAP goals:

Goal 1: Promote a culture of instructional excellence and continuous improvement that results in students achieving their full potential and graduating college and career-ready.

Goal 2: Promote a culture of community and partnership among the parents, students, staff, and NUSD community as a whole that results in an increase in parent involvement, student participation, and a positive school climate.

Goal 3: Establish exceptional learning conditions and an environment that promotes trust, respect, and acceptance, and results in students and families feeling safe, welcomed, and valued members of NUSD.

Data Analysis: School-level goals are informed by data. Each goal area includes data analysis on current measures across student subgroups, and on outcome measures to determine progress. Local and State data are used to develop each goal.

Evaluating Progress: The SSC agendaized a meeting to review Dashboard data and measure the impact of actions on student achievement. The principal and staff evaluate academic progress a minimum of three times a year through an academic Professional Learning Community (PLC) model with benchmark data.

Role of School Advisory Committees: California Education Code Section 64001 requires that the School Site Council (SSC) develop the SPSA. The SSC's responsibilities include approving the plan, recommending it to the local governing board for approval, monitoring its implementation, and evaluating the effectiveness of the plan at least annually. The SSC must seek the review, advice, and certification of applicable advisory committees, including the English Learner Advisory Committee (ELAC).

File Attachments

[2022_School_Plan_for_Student_Achievement_Newark_Memorial_High_School_20220727.pdf](#) (785 KB)

Motion & Voting

The recommendation is that the Board of Education approve the Newark Memorial High School 2022-2023 School Plan for Student Achievement.

Motion by Terrence Grindall, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Alicia Marquez, Bowen Zhang

Nay: Aiden Hill

2022-23 Agreement with Illuminate Education

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$40,029.61
Budgeted	Yes
Recommended Action	The recommendation is that the Board of Education approves the agreement with Illuminate Education.

Purpose:

The agreement with Illuminate is for the 2022-23 school year only and will provide K-12 staff access to diagnostics, standards-based assessments, instant scoring, and targeted activities for students. Staff will also receive licenses for students and will be able to use results from assessments for instructional planning purposes to meet student needs to drive school improvement efforts.

Background:

Illuminate is Newark Unified's comprehensive assessment and data management tool for housing, monitoring, and measuring student academic progress with data from multiple platforms. Illuminate has been utilized by grade-level and department teams to conduct formative and summative assessments and assess student learning and inform planning instruction.

File Attachments

[Illuminate - AN-12002629 - Newark Unified School District.pdf](#) (523 KB)

2022-23 Agreement with Curriculum Associates, LLC for I-Ready Services

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$94,123.10

Budgeted	Yes
Recommended	The recommendation is that the Board of Education approve the agreement with Curriculum Associates, LLC. Goals.
Action	

Purpose:

This 2022-23 school year agreement will provide diagnostics and student licenses in English Language Arts (ELA) and Mathematics for Kindergarten to 5th-grade students, as well as licenses for English Language Learners to use at the secondary level, grades 6-12.

Background:

This is a part of the district-wide assessment program. This is the seventh year of implementation of I-Ready; this continuity allows staff the ability to identify trends in student data results and adjust instructional planning accordingly at the site level. The cost for the district will be \$94,123.10.

File Attachments

[iReady.pdf](#) (724 KB)

Dannis Woliver Kelley Attorneys at Law - Agreement for Legal Services 2022- 2024

Type	Action
Fiscal Impact	Yes
Budgeted	Yes
Budget Source	General Fund
Recommended	The recommendation is that the Board of Education approve the Agreement for Legal Services
Action	for Dannis Wolliver Kelley Attorneys at Law for 2022-2024.

Purpose:

To approve a two-year legal service agreement with Dannis Woliver Kelley Attorneys at Law for legal services in the 2022-2024 fiscal years.

Background:

Dannis Woliver Kelley Attorneys at Law has been providing legal services to the District since 2010. They have provided NUSD with legal counsel in a wide variety of areas, including general legal services, business and contract services, construction advice and litigation, developer fees, litigation, procurement, and governance. In light of economic uncertainty over the past few years, fees have remained the same since 2019. For the 2022-2024 agreement, hourly rate ranges for different attorney groups are \$130-\$450 which is an increase of \$5 to \$25 dollars per group compared to last year. The two-year agreement means there will be no changes to the billing ranges for the next two years. They have added the category of "Shareholder Emeritus" so that attorneys with decades of experience, who have stepped back from active firm management, can continue to offer the district the highest level of legal expertise.

File Attachments

[Dannis Woliver Kelley \(DWK\) 2022-24.pdf](#) (178 KB)

Lozano Smith Attorneys at Law - Agreement for Legal Services 2022-2023

Type	Action
Fiscal Impact	Yes
Budgeted	Yes
Budget Source	General Fund
Recommended	The recommendation is that the Board of Education approve the Agreement for Legal Services
Action	for Lozano Smith Attorneys at Law for 2022-2023.

Purpose:

To renew the legal services agreement with Lozano Smith Attorneys at Law for legal services in the 2022-2023 fiscal year.

Background:

Lozano Smith has served as the District's legal counsel for 22 years. They have provided NUSD with legal counsel in a wide variety of areas, including general legal services, business and contract services, construction advice, developer fees, litigation, procurement, and governance. The hourly rate schedule has been in place since 2020, and there are no changes to the rate schedule for the 2022-23 agreement. They have added a new rates for Sale or Lease of Sale Property Work.

File Attachments

[Lozano Smith 22-23 Agreement.pdf](#) (314 KB)

POLICY UPDATE: Board Policy 1312.3 and Administrative Regulation 1312.3 - Uniform Complaint Procedures

Type	Action, Procedural
Absolute Date	Aug 04, 2022
Recommended	The recommendation is that the Board of Education adopt the updated Board Policy 1312.3
Action	and Administrative Regulation 1312.3 - Uniform Complaint Procedures

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation.

Background:

This is the first reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a second reading.

Board Policy 1312.3 - Uniform Complaint Procedures

Policy updated to reflect NEW LAW (AB 131, 2021) which renumbers the license-exempt California State Preschool Program code sections, ensures consistency with the California Department of Education's 2021- 22 federal program monitoring instrument, clarifies that districts may not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student, add Item #3 to the section regarding "Non-UCP Complaints" that any complaint alleging that a student, while in an education program or activity as specified, was subjected to sexual harassment as defined in 34 CFR 106.30 be addressed through federal Title IX complaint procedures, and clarify in Item #5 that complaints alleging a physical safety concern that interferes with a free appropriate public education is a non-UCP complaint.

Administrative Regulation 1312.3 - Uniform Complaint Procedures

Regulation updated to delete outdated and/or repealed U.S. Department of Education's Office for Civil Rights (OCR) references and where appropriate add current OCR material, ensure consistency with the California Department of Education's 2021-22 federal program monitoring instrument, clarify posting requirements for the annual notification, compliance officer contact information and information related to Title IX, add material regarding the requirement for an administrator who is not designated as a compliance officer who receives a complaint to notify the compliance officer, clarify that districts may not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student, add descriptions to the OPTION headings for districts that do or do not allow complainants to appeal to the governing board, delete material regarding respondent being sent the investigation report at the same time it is provided to complainant as this simultaneous exchange is not required by law, amend language in regard to pursuing civil law remedies in the notice to complainants included in investigation reports for allegations of unlawful discrimination, harassment, intimidation, and bullying based on state law, clarify when either party may request reconsideration of an appeal by the Superintendent of Public Instruction, and reflect NEW LAW (AB 131, 2021) which renumbers the license-exempt California State Preschool Program code sections.

File Attachments

- [Existing NUSD AR 1312.3 Uniform Complaint Procedures 08.04.2022.pdf](#) (147 KB)
- [Existing NUSD BP 1312.3 Uniform Complaint Procedures 08.04.2022.pdf](#) (127 KB)
- [Recommended CSBA AR 1312.3 Uniform Complaint Procedures 08.04.2022.pdf](#) (140 KB)
- [Recommended CSBA BP 1312.3 Uniform Complaint Procedures 08.04.2022.pdf](#) (85 KB)

POLICY UPDATE: Administrative Regulation 1312.4 - Williams Uniform Complaint Procedures

Type	Action, Procedural
Absolute Date	Aug 04, 2022
Recommended	The recommendation is that the Board adopt the updated Administrative Regulation 1312.4 -
Action	Williams Uniform Complaint Procedures

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the administrative regulation.

Background:

This is the first reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a second reading.

Administrative Regulation 1312.4 - Williams Uniform Complaint Procedures

Regulation updated to reflect NEW STATE REGULATIONS (Register 2020, No. 21) which amends the definition of "beginning of the year or semester" and NEW LAW (AB 367, 2021) which requires any school serving any of grades 6-12 to, at all times, stock and make available and accessible free of cost an adequate supply of menstrual products in specified restrooms beginning with the 2022-23 school year. The regulation was also updated to clarify that the principal or Superintendent's designee is required to send a written resolution of the complaint to the mailing address of the complainant when the complainant has indicated on the complaint form a desire to receive a response to the complaint.

File Attachments

- [Existing NUSD AR 1312.4 Williams Uniform Complaint Procedures 08.04.2022.pdf](#) (138 KB)
- [Recommended CSBA AR 1312.4 Williams Uniform Complaint Procedures 08.04.2022.pdf](#) (92 KB)

POLICY UPDATE: Board Policy 3270 and Administrative Regulation 3270 - Sale and Disposal of Books, Equipment and

Type	Action, Procedural
Recommended	The recommendation is that the Board of Education approve the updated Board Policy 3270
Action	and Administrative Regulation 3270 - Sale and Disposal of Books, Equipment and Supplies

Purpose:
The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation.

Background:

This is the first reading of the attached policy. The language is sanctioned by the California School Board Association. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. California

School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a second reading.

Board Policy 3270 - Sale and Disposal of Books, Equipment, and Supplies

Board policy has not been revised since 2012. The language has been replaced to match the recommended board policy provided by the California School Board Association.

Administrative Regulation - 3270 Sale and Disposal of Books, Equipment, and Supplies

Administrative Regulation has not been revised since 2012. The language has been replaced to match the recommended administrative regulation provided by the California School Board Association.

File Attachments

[Existing NUSD AR 3270 Sale and Disposal of Books, Equipment and Supplies 08.04.2022.pdf](#) (153 KB)

[Existing NUSD BP 3270 Sale and Disposal of Books, Equipment and Supplies 08.04.2022.pdf](#) (117 KB)

[Recommended CSBA AR 3270 Sale and Disposal of Books, Equipment and Supplies 08.04.2022.pdf](#) (156 KB)

[Recommended CSBA BP 3270 Sale and Disposal of Books, Equipment and Supplies 08.04.2022.pdf](#) (258 KB)

POLICY UPDATE: Board Policy 4030 and Administrative Regulation 4030 - Nondiscrimination in Employment

Type Action, Procedural

Absolute Date Aug 04, 2022

Recommended The recommendation is that the Board of Education adopt the updated Board Policy 4030 and

Action Administrative Regulation 4030 - Nondiscrimination in Employment.

Purpose:

The purpose is for the Board of Education to review the recommended changes and approve the updated board policy and administrative regulation.

Background:

This is the first reading of the attached policy. The language is sanctioned by the California School Board Association. California School Board Association notations can be seen in the documents for the benefit of the Board. These notations will be removed from the final, Board approved policies. The administration has reviewed the recommended updates for accuracy and made revisions to reflect district practice. If any revisions are recommended by the Board, the policy will be brought back to the Board of Education for a second reading.

Board Policy 4030 - Nondiscrimination in Employment

Policy updated to reflect NEW LAW (SB 331, 2021) which makes unlawful a district's use of a nondisparagement agreement or other document that would deny an employee the right to disclose information about unlawful acts in the workplace, in exchange for a raise or bonus, with respect to any complaint or claim that involves workplace harassment or discrimination, not just those relating to sexual harassment or sexual assault. The policy was also updated to reflect NEW LAW (SB 807, 2021) that makes it an unlawful employment practice for an employer to fail to maintain certain records in accordance with the law, particularly when a workplace discrimination or harassment complaint has been filed with the California Department of Fair Employment and Housing.

Administrative Regulation 4030 - Nondiscrimination in Employment

Administrative Regulation has not been revised since 2012. The language has been replaced to match the sample administrative regulation provided by the California School Board Association.

File Attachments

[Existing NUSD AR 4030 Nondiscrimination in Employment 08.04.2022.pdf](#) (211 KB)

[Existing NUSD BP 4030 Nondiscrimination In Employment 08.04.2022.pdf](#) (113 KB)

[Recommended CSBA AR 4030 Nondiscrimination in Employment 08.04.2022.pdf](#) (86 KB)

[Recommended CSBA BP 4030 Nondiscrimination in Employment 08.04.2022.pdf](#) (74 KB)

Resolution 2022.23.01 - Temporary Borrowing Between Funds

Type Action, Procedural

Fiscal Impact No

Recommended The recommendation is that the Board of Education adopt Resolution No. 2022.23.01 -

Action Temporary Borrowing Between Funds.

Purpose:

To adopt this Resolution No. 2022.23.01, allowing temporary borrowing between funds for cashflow purposes.

Background:

In accordance with Education Code Section 42603, the governing board of any school district may direct that moneys held in any fund or account may be temporarily transferred to another fund or account of the district for payment of obligations. This temporary transfer of funds will be accounted for as temporary borrowing between funds and will not be available for appropriation or be considered revenue to the borrowing fund or account. Amounts transferred must be repaid either in the same fiscal year or in the following fiscal year if the transfer occurs within the final 120 calendar days of a fiscal year. Borrowing will occur only when the fund or account receiving the money will earn sufficient revenue, during the current fiscal year, to repay the amount transferred. No more than 75% of the maximum of moneys held in any fund or account during a fiscal year may be transferred.

File Attachments

[Resolution No. 2022.23.01_Temporary Borrowing Between Funds.pdf](#) (10 KB)

Motion & Voting

The recommendation is that the Board of Education adopt Resolution No. 2022.23.01 - Temporary Borrowing Between

Funds.

Motion by Alicia Marquez, second by Terrence Grindall.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Terrence Grindall, Alicia Marquez, Bowen Zhang
Nay: Aiden Hill

Resolution 2022.23.02 - Declaring Surplus Equipment

Type Action
Recommended The recommendation is that the Board of Education adopt Resolution 2022.23.02 - Declaring
Action Surplus Equipment.

Purpose:
The purpose of this item is for the Board to adopt Resolution 2022.23.02, to declare the listed equipment as surplus.

Background:
Surplus materials will be disposed of per Board Policy and Administrative Regulation 3270 Sale And Disposal Of Books, Equipment, and Supplies. Education Code, Section 17546 states that if the Governing Board, by a unanimous vote of those members present, finds that the property, whether one or more items, does not exceed the value of \$2,500, it may be sold at private sale without advertising, by a District employee empowered for that purpose by the Board; the property may be donated to a charitable organization, or it may be disposed of in a public disposal facility.
The property as described in Resolution 2022.23.02 includes equipment used at the Maintenance, Operation, and Transportation Department. Staff determined that items are at the end of life and/or beyond economical repair.

File Attachments
[Resolution 2021.22.39 Declaring Surplus Equipment.pdf](#) (47 KB)

Resolution No. 2022.23.03 - Specifications of the Election Order

Type Action
Recommended The recommendation is that the Board of Education adopt Resolution No. 2022.23.03 -
Action Specifications of the Election Order

Purpose:
For the Board to adopt Resolution No. 2022.23.03 - Notice of School Board Election Consolidation with General Election, November 8, 2020

Background:
The terms of two Board of Education Trustees expire on December 9, 2022. Pursuant to Education Code Section 5322, notice is to be given that the School Board election will be consolidated with the November 8, 2020, General Election. To fulfill the requirements of Education Code 5322, each district's governing board, or an authorized officer thereof, must deliver specifications of the election order in the form of a resolution to the County Superintendent of Schools. Conforms with Board Policy 9220.

File Attachments
[Resolution No 2022.23.03 - Specifications of the Election Order, November 8, 2022.pdf](#) (246 KB)

Resolution No. 709 - Tie Vote Resolution

Type Action
Recommended The recommendation is that the Board of Education reaffirm the Notice to County
Action Superintendent of Schools that Resolution No. 709 remains in effect.

Purpose:
For the Board of Education to reaffirm Resolution No. 709 - Tie Vote Resolution

Background:
On July 2, 1985, the Board of Education adopted Resolution No. 709 regarding the manner of resolution of a tie vote in compliance with Education Section 1118, as amended by Chapter 401 of the Statues of 1976. Routinely at election time, the decision must be made by the Board of Education to reaffirm the resolution for a tie vote. Conforms with Board Policy 9220, Governing Board Elections.

File Attachments
[Reolution No 709 - Tie Vote Resolution.pdf](#) (36 KB)

Resolution No. 710 - Candidates' Statement of Qualifications

Type Action
Recommended The recommendation is that the Board of Education reaffirm the Notice to the County
Action Superintendent of Schools that Resolution No. 710 - Candidates' Statement of Qualifications
remains in effect.

Purpose:
For the Board of Education to reaffirm Resolution No. 710 - Candidates' Statement of Qualifications
BACKGROUND

On July 2, 1985, the Board of Education adopted Resolution No. 710 regarding Candidates' Statement of Qualifications in compliance with Section 10012 of the Elections Code of the State of California.

The candidate is required to pay the costs to the district in advance, pursuant to Elections Code 13307 toward the costs of printing, handling, and mailing a candidate's statement of qualifications in English only (except where otherwise required by law) the district will incur the remaining cost. This conforms with current Board Policy 9220

[File Attachments](#)

[Resolution No 710 - Statement of Qualifications.pdf](#) (60 KB)

[Williams Uniform Complaint Quarterly Report April 1, 2022 to June 30, 2022](#)

Type	Action
Absolute Date	Aug 04, 2022
Recommended	The recommendation is that the Board of Education approve the Williams Uniform Complaint
Action	Quarterly Report for the period of April 1, 2022 to June 30, 2022.

Purpose:
The purpose is for the Board of Education to receive and approve the Williams Uniform Complaint Quarterly Report for the period of April 1, 2022, to June 30, 2022.

Background:
Education Code 35186 requires that the Superintendent of a school district report summarized data on the nature and resolution of all complaints filed under the Williams Uniform Complaint Procedures to the local Board of Education and the County Superintendent of Schools on a quarterly basis. The report must include the number of complaints by general area, the number of resolved and unresolved complaints, and be publicly presented at a regularly scheduled Board meeting. The attached report is presented to the Board for the period of April 1, 2022, to June 30, 2022.

[File Attachments](#)
[Q123 UCP Report.pdf](#) (215 KB)

Motion & Voting
The recommendation is that the Board of Education approve the Williams Uniform Complaint Quarterly Report for the period of April 1, 2022 to June 30, 2022.
Motion by Bowen Zhang, second by Alicia Marquez.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang

[Monthly Purchase Order Report](#)

Type	Action
Recommended	The recommendation is that the Board of Education approve the Monthly Purchase Order
Action	Report as presented.

Purpose:
The purpose of this item is to present a monthly report on Purchase Order transactions per Board Policy 3300, Expenditures and Purchases.

Background:
Based on the discussion at the Board's Study Session on January 6, 2022, the staff is providing a monthly report on Purchase Order transactions per Board Policy 3300, Expenditures and Purchases. The policy states that "The Board shall review all transactions entered into by the Superintendent or designee on behalf of the Board every 60 days."

[File Attachments](#)
[Monthly Purchase Order Report 08-04-2022.pdf](#) (99 KB)

Motion & Voting
The recommendation is that the Board of Education approve the Monthly Purchase Order Report as presented.
Motion by Terrence Grindall, second by Bowen Zhang.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Terrence Grindall, Alicia Marquez, Bowen Zhang
Nay: Aiden Hill

[Contracts and Purchase Orders Authorized under Resolution 2020.21-025 \(Delegate Authority to Procure Necessary Materials, Equipment and Services to Provide Distance and/or In-Person Learning for Staff, Teachers, and Students to Mitigate the Effects of Covid-19\)](#)

Type	Action
Fiscal Impact	Yes
Budgeted	Yes
Recommended	The recommendation is that the Board of Education accept the update on costs associated
Action	with the implementation of Resolution 2020.21-025 (Resolution of the Board of Education of the Newark Unified School District to Delegate Authority to Procure Necessary Materials, Equipment and Services to Provide Distance and/or In-Person Learning for Staff, Teachers, and Students to Mitigate the Effects of Covid-19)

Purpose:

To update the Board on costs associated with the implementation of Resolution 2020.21-025 (Resolution of the Board of Education of the Newark Unified School District to Delegate Authority to Procure Necessary Materials, Equipment, and Services to Provide Distance and/or In-Person Learning for Staff, Teachers, and Students to Mitigate the Effects of Covid-19) from June 1, 2022, through July 31, 2022.

Background:

On April 1, 2021, the Newark Unified School District Board approved Resolution 2020.21-025 delegating authority to the Superintendent or designee to procure necessary materials, equipment, and services needed to provide distance and/or in-person learning to mitigate the effects of Covid-19. Language in the resolution states "the Superintendent/Designee shall make periodic reports to the Board of Education and the public regarding implementation of this resolution and the costs associated therewith"; requiring the update provided here. On September 16, 2021, Amended Resolution 2020.21-025 was approved. The amendment extends it to on or around June 30, 2022, and states that updates will be presented at the first Board meeting of each month. On June 16, 2022, Amended Resolution 2020.21-025 was approved. The amendment extends it to on or around June 30, 2023, and states that updates will continue to be presented at the first Board meeting of each month.

VENDOR	DATE	PO NUMBER	DESCRIPTION	AMOUNT
N/A *				

*There were no contracts or purchase orders to report for the period of June 1, 2022, through July 31, 2022.

Warrant Report for June 2022

Type	Action
Fiscal Impact	No
Recommended	The recommendation is that the Board of Education approve the Warrant Report as presented.
Action	

Purpose:

The purpose of this item is to present warrants, for the total amount of \$1,917,484.98, made from District funds for June 2022.

Background:

The warrant registers represent a complete listing of all payments made from District funds for a month. Because Newark Unified School District is a fiscally dependent District, each warrant must pass through two separate audits; first by the District's Fiscal Services department, and second by the County Office of Education. No warrant can be paid until such time as it is examined and approved by the County Office of Education.

File Attachments

Warrant Report June 2022.pdf (421 KB)

Motion & Voting

The recommendation is that the Board of Education approve the Warrant Report as presented.

Motion by Terrence Grindall, second by Alicia Marquez.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Terrence Grindall, Alicia Marquez, Bowen Zhang
Nay: Aiden Hill

Quarterly Report on Contracts - FY 2021-22

Type	Action
Fiscal Impact	Yes
Budgeted	Yes
Budget Source	General Fund
Recommended	The recommendation is that the Board of Education receive the Quarterly Report on
Action	Contracts.

Purpose:

These quarterly reports on contracts are submitted to the Board for review.

Background:

The Board has requested a report of all contracts for services over \$10,000 be reviewed by the Board on a quarterly basis. This report only includes contracts that have not been previously approved by the Board. Contracts are on file in the Business Office.

File Attachments

FY 21-22_Q3 Contracts over \$10K.pdf (9 KB)
Geoff Vu_2021-22_fully executed_redacted.pdf (115 KB)
SENECA~1.PDF (499 KB)
SENECA~2.PDF (414 KB)
RGMKRA~1.PDF (1,625 KB)
ProCare Therapy_2021-22_fully executed.pdf (3,800 KB)

Motion & Voting

The recommendation is that the Board of Education receive the Quarterly Report on Contracts.
Motion by Bowen Zhang, second by Phuong Nguyen.
Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Alicia Marquez, Bowen Zhang
Nay: Aiden Hill

Minutes of the June 14, 2022, Special Meeting of the Board of Education

Type Action, Minutes
Recommended The recommendation is that the Board of Education approve the minutes of the June 14,
Action 2022, Special Meeting of the Board of Education.

Purpose:
For the board to review and approve the minutes

Background:
The attached minutes are reflective of the June 14, 2022, Special Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel HERE

Minutes of the June 16, 2022 Regular Meeting of the Board of Education

Type Action, Minutes
Recommended The recommendation is that the Board of Education approve the minutes of the June 16,
Action 2022, Regular Meeting of the Board of Education.

Purpose:
For the board to review and approve the minutes

Background:
The attached minutes are reflective of the June 16, 2022, Regular Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel HERE

14 BOARD OF EDUCATION: COMMITTEE REPORTS, REQUESTS, AND ANNOUNCEMENTS

Board of Education Recognitions and Announcements

Type Information

Purpose:
The Trustees may acknowledge or recognize specific programs, activities, or personnel at this time.

Board of Education Committee Reports

Type Information

Purpose:
The Trustees will provide an update, if available, on the committees of which they are members.

Background:
Each year the Board of Education members liaise with schools and committees in order to build relationships, hear from staff, students, and families, and act as a conduit for information to and from the schools.

Board Committees 2022-23		
Board Adopted on 12/16/21	Representative	Alternate
Mission Valley Regional Occupational Center/Program (ROC/P)	1. Terrence Grindall	1. Bowen Zhang
Executive Board		
Regional Policy Board of Special Education Local Plan Area (SELPA)	1. Bowen Zhang	1. Alicia Marquez
Newark Teacher Induction Advisory Council (Formally EBIC)	1. Alicia Marquez	1. Aiden Hill
Audit Committee	1. Alicia Marquez	2. Aiden Hill
Bond/Parcel Tax Committee	1. Terrence Grindall	2. Phuong Nguyen
City of Newark NUSD Liaison Committee	2. Terrence Grindall	1. Bowen Zhang

Board of Education Requests

Type Action, Discussion, Information

Purpose:
This is an opportunity for the Board of Education to suggest items for placement on future agendas and to review Board requests. Approval from the majority of the Board will be required for direction to be provided to the Superintendent.

Background:
The following derives directly from the Board approved "Governance Team Handbook"
Authority is Collective, Not Individual:
The only authority to direct action rests with the Board as a whole when seated at a regular or special board meeting. Outside of this meeting, there is no authority.
A majority Board vote provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out

Board direction.

Bringing New Ideas Forward

The Board will be open to having "brainstorming" discussions, or study sessions, around any idea that a Trustee may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Trustee, at their initiative or at the request of a constituent, which was previously discussed during a board meeting.

Trustees will first notify the Board President and Superintendent of their interest in bringing forward a new idea at a board meeting. When initially agendized, the preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.

Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea. The Superintendent will decide on the delegation of assignments to District staff.

The new idea may be agendized for discussion only. The Board majority will decide if the new idea should be further developed and studied by staff. The Board majority will decide if staff time should be invested in the "fleshing out" of new ideas.

Individual Trustees, in the course of interactions with constituents, will be careful not to make or imply the commitment of the full Board to explore or proceed with implementing new ideas.

15 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

Superintendent's Concluding Comments, Updates, and Future Agenda Items

AGENDA REQUESTS

Type Information

Purpose:

This is an opportunity for the Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

16 ADJOURNMENT

PLACEHOLDER - Extend Meeting

Type Action

Recommended The recommendation is that the Board of Education extends the meeting to ____ P.M.
Action

Purpose:

This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

Motion & Voting

The recommendation is that the Board of Education adjourn the meeting to 9:07 P.M.

Motion by Terrence Grindall, second by Phuong Nguyen.

Final Resolution: Motion Fails

Abstain: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang

1 CALL TO ORDER

Meeting Practices and Information

Type Information, Procedural

IN-PERSON MEETING INFORMATION

NUSD has opened its boardroom for in-person meetings and will follow the State's and Alameda County's safety guidelines for public gatherings. Please refrain from attending in-person meetings if you have any of the following symptoms:

- Loss of taste/smell
- Difficulty breathing
- Vomiting
- Diarrhea
- Fever
- Cough
- Headache
- Sore Throat
- Runny Nose

For additional COVID-19 information please go to <https://www.newarkunified.org/covid-19> or <https://www.acoe.org/guidance>

OBSERVE THE BOARD OF EDUCATION MEETING

Members of the public 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.

PUBLIC COMMENT

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

Roll Call

Type Procedural

Trustees:

President Phuong Nguyen
Vice President/Clerk Terrence Grindall
Member Aiden Hill
Member Alicia Marquez
Member Bowen Zhang

Student Board Member:

Member Estaina Resendiz Ortiz

2 APPROVAL OF AGENDA

Approval of the Agenda

Type Action

Recommended The recommendation is that the Board of Education approve the agenda for this meeting.

Action

Purpose:

Members of the Governance Team may request that the agenda be amended or approved as presented.

Motion & Voting

The recommendation is that the Board of Education approve the agenda for this meeting, with the amendment to move agenda item 14.2 to .

Motion by Terrence Grindall, second by Alicia Marquez.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang

3 STUDY SESSION

Surplus School Properties

Type Discussion, Information

Purpose:

To review the process and options for disposal of surplus school properties.

Background:

A representative from DWK will present to the Board the process and options for disposing of surplus school properties.

File Attachments

[Board Overview of Options for Surplus Property.pdf](#) (253 KB)

4 CLOSED SESSION

Public Comment on Closed Session Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board. If a constituent wishes to address the Board on any agenda item, please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org.

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE (Gov. Code, 54957, subd. (b)(1))

Type Action, Information, Procedural

Purpose:

Information will be provided by the Superintendent and Executive Director of Human Resources.

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a): Employee Organizations - NTA and CSEA

Type Action, Information, Procedural

Purpose:

Information may be provided by the agency negotiator, Executive Director of Human Resources. Assistance from the legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided. The employee organizations include NTA & CSEA.

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a)): Employee Group - NEWMA, Unrepresented Supervisors, and Contracted Management

Type Action, Information, Procedural

Purpose:

Information may be provided by the agency negotiator, the Executive Director of Human Resources, and the Superintendent. Assistance from the legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided. The employee organizations include NEWMA, Unrepresented Supervisors, and Contracted Management

CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION Significant exposure to litigation pursuant to Gov. Code, 54956.9, subd. (d)[(2) or (3)]

Type Action, Information, Procedural

Purpose:

Information may be provided regarding significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: One case

STUDENT EXPULSION (Ed. Code, 48918)

Type Discussion, Information, Procedural

Purpose:

For the Board to review the Stipulation Expulsion Agreement and Expulsion.

Background:

A Stipulation Expulsion Agreement meeting was held on June 10, 2022. A Stipulation Expulsion Meeting was conducted in accordance with Board Policy and Administrative Regulation 5144.1 and, if applicable, 5144.2 for students with disabilities. The administration asks for approval of the recommendation for Case# e2122-19 (Ed Code. 48918). An Expulsion Panel Hearing was held on June 13, 2022. An Expulsion Panel Hearing was conducted in accordance with Board Policy and Administrative Regulation 5144.1 and, if applicable, 5144.2 for students with disabilities. The administration asks for approval of the recommendation for Case# e2122-20. (Ed Code. 48918)

Recess to Closed Session

Type Procedural

Purpose:

The Board will recess to Closed Session, and reconvene to Open Session on or about 7:00 p.m.

5 REPORT OF CLOSED SESSION ACTIONS

Report of Closed Session Actions

Type Action, Procedural

Purpose:

If available, a report of the closed session will be provided by the Board President.

6 RECONVENE TO OPEN SESSION

Pledge of Allegiance

Type Procedural

Purpose:

The Governance Team will recite the Pledge of Allegiance

Middle School Design Team Presentation

Type Action

Recommended Action The recommendation is that the Board of Education accept the Middle School Design Team's 6th Grade Transition Plan.

Purpose:

For the Board to accept the Middle School Design Team's 6th Grade Transition Plan.

Background:

On November 17, 2020, the Newark Unified School Board of Education, acting on the recommendation of the School Consolidation Advisory Committee, voted to transition all 6th graders from respective elementary schools to the junior high

school campus to create a new 6th-8th grade middle school for the 2022-23 school year and beyond. Newark Unified community members were invited to join a design team. The process was an important opportunity for staff, students, family, and community stakeholders to re-imagine the middle school experience. The role of the design team was to:

- Design and develop a middle school mission, vision, and portrait of a graduate
- Clarify the student population needs the redesigned middle school seeks to serve
- Assess current school structures, respective cultures, site programs, and systems in place that can be applied and/or adapted to the middle school community
- Identify our NUSD priorities for ensuring all students that we seek to serve at the middle school have the programs and supports they need to thrive as learners and leaders
- Building consensus on a plan for our community to take collective responsibility for a successful revisioning of the middle school experience

The 6th-grade transition plan was created by a design team of diverse community members dedicated to supporting the transition of students from elementary to middle school. The design team utilized research, best practices, and expertise from other educators in order to support the developmental needs of adolescents. The plan was purposely crafted to take into account the academic and social-emotional development of the young people of the Newark Unified School District. This plan is a living document with critical information that will continue to evolve and be refined during the implementation, beginning in the 2022-23 school year.

File Attachments

- [Transition Plan for 6th Grade.pdf](#) (26,086 KB)
- [Middle School Design Team Board Presentation 6.12.22.pdf](#) (3,336 KB)

Motion & Voting

The recommendation is that the Board of Education accept the Middle School Design Team's 6th Grade Transition Plan.

- Motion by Alicia Marquez, second by Bowen Zhang.
- Final Resolution: Motion Carries
- Yea: Phuong Nguyen, Terrence Grindall, Alicia Marquez, Bowen Zhang
- Nay: Aiden Hill

7 EMPLOYEE ORGANIZATIONS

Employee Organizations

Type Information

Purpose:

At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Background:

Discussion items are limited to updates, celebrations, and upcoming events.

1. NTA: Sean Abruzzi
2. CSEA: Sue Eustice
3. NEWMA: Vicenta Ditto

8 PUBLIC COMMENT ON NON-AGENDA ITEMS

Public Comment on Non-Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

9 PUBLIC HEARINGS

Sunshine District Proposal to Newark Teachers Association (NTA)

Type Procedural

Purpose:

The purpose is to publicly disclose or "sunshine" the proposals for reopeners at which time the public has an opportunity to provide input on the proposals prior to the commencement of negotiations between the Newark Unified School District (NUSD) and the Newark Teachers Association (NTA).

Background:

Effective June 30, 2022, the current Collective Bargaining Agreement between the Newark Unified School District (NUSD) and the Newark Teachers Association (NTA) is set to expire. The California Education Code requires parties to publicly disclose or

"sunshine" their proposals for reopeners at which time the public has an opportunity to provide input on the proposals prior to the commencement of negotiations. NTA sunshined their proposal at the May 19 and June 7 Board meetings. NUSD is sunshining their proposal to NTA at the June 16 and August 4 Board meetings. Copies of the proposal are made available to the public. This is the public's first opportunity to express itself regarding the proposal.

[File Attachments](#)

[District Proposal to NTA 06.17.22.docx.pdf](#) (36 KB)

[Public Hearing Cover.pdf](#) (78 KB)

10 SUPERINTENDENT REPORT

Superintendent Report

Type Information

[Purpose:](#)

The superintendent will provide the Board of Education with district information, updates, news, or anything in the jurisdiction of the board or the superintendent.

[Background:](#)

The presentation and information will be provided by the Superintendent

11 STAFF REPORT

STAR Initiative Update

Type Discussion, Information

[Purpose:](#)

To provide an update on the plan to launch the STAR Initiative in 2022-23.

[Background:](#)

The Newark Unified STAR Initiative (Science, Technology, Aerospace, and Robotics) is a K-12 computer science pathway to prepare students with 21st-century skills and competencies to excel in a career in the computer science and technology industry. The goal of the STAR Initiative is to vertically align across grade levels in order for students to develop as computer scientists in ways that are appropriate at each grade level. The STAR Initiative seeks to address the traditional underrepresentation of females and people of color in the computer science and tech industry through targeted support and intervention.

In 2021-22, the District Science Leadership, the STAR Academy Design Team, and the Elementary MakerEd Team met regularly to plan, organize, and implement activities with specific goals and objectives.

The District Science Leadership Team (DSLTL) seminars, facilitated by BaySci, met four times in 2021-22. At each session, the team of district administrators, principals, and teachers allocated time to the two components of the STEM Initiative (Environmental Literacy and Computer Science). It was at these sessions that the alignment of the K-12 pathways of the STAR Initiative was carefully assessed and monitored by the participating secondary and elementary teachers and administrators.

The MakerEd Team, a sub-group of the Science Leadership Team, is composed of the Program Administrator for Science, an elementary principal, and five classroom teachers. This group met regularly from December to May. Its main objective was to redesign MakerSpaces in every elementary school and collaboratively explore, design, and promote activities to promote design thinking and computational skills.

The purpose of the STAR Academy Design Team is to collaboratively develop a K-12 vertically aligned computer science pathway which prepares students with 21st-century skills and competencies to excel in a career in the computer science and technology industry. This team was composed of the Superintendent, Assistant Superintendent, NMHS Principal, Executive Director of Human Resources, NMHS Assistant Principal, Director of Teaching & Learning, Program Administrator for Science, Math Department Chair, Computer Science Teacher, Science Department Chair, an HS Counselor, and select HS students. For 21-22 the STAR Academy Design Team was focused on the following goals:

1. Establish two leadership roles for the STAR Academy: Materials and Partnerships (MAP) and Curriculum and Programming (CAP)
2. Redesign of the STAR Lab space.
3. Initiate outreach to industry partners and other educational institutions.
4. Regularly monitor the alignment of the secondary and elementary components of the STAR Initiative.
5. Prepare for the launch of the STAR Academy in the 2022-23 school year.

[File Attachments](#)

[NUSD STAR Initiative BOE 061622.pdf](#) (13,646 KB)

2022-23 California Dashboard Local Indicators

Type Discussion, Information

[Purpose:](#)

The administration presents California Dashboard Local Indicators for Newark Unified School District.

[Background:](#)

Each year the California Department of Education prepares and releases the California Accountability Dashboard, consisting of state and local indicators of status and growth for California schools and districts. The State Board of Education (SBE) has

approved standards for the local indicators that support school districts in measuring and reporting their progress within the appropriate priority area. For each local indicator, the performance standards are as follows:

- Annually measure its progress in meeting the requirements of the specific LCFF priority
- Report the results as part of a non-consent item at a regularly scheduled public meeting of the local governing board/body in conjunction with the adoption of the LCAP
- Report results to the public through the Dashboard utilizing the SBE-adopted self-reflection tools for each local indicator

Five indicators based on information collected by school districts, county offices of education, and charter schools regarding LCFF priorities:

- Priority 1: Appropriately Assigned Teachers, Access to Curriculum-Aligned Instructional Materials, and Safe, Clean, and Functional School Facilities
- Priority 2: Implementation of State Academic Standards
- Priority 3: Parent Engagement
- Priority 6: School Climate
- Priority 7: Access to a Broad Course of Study

The collection and reflection on locally available information relevant to progress regarding local priority areas will support districts in completing the self-reflection tools, reporting in the Dashboard, and in local planning and improvement efforts.

[File Attachments](#)
[2022 California Dashboard and Local Indicator Results.pdf](#) (474 KB)

12 STUDENT EXPULSION

Student Expulsion (Ed Code. 48918) Case# e2122-19

Type	Action
Absolute Date	Jun 16, 2022
Recommended	The recommendation is that the Board of Education approve the stipulation agreement
Action	regarding the expulsion case number e2122-19.

Purpose:
 For the Board to take action on expulsion case e2122-19.

Background:
 A Stipulation Expulsion Agreement meeting was held on June 9 & 10, 2022. A Stipulation Expulsion Meeting was conducted in accordance with Board Policy and Administrative Regulation 5144.1 and, if applicable, 5144.2 for students with disabilities. The administration asks for approval of this agreement for Case# e2122-19. (Ed Code. 48918).

Motion & Voting
 The recommendation is that the Board of Education approve the stipulation agreement regarding the expulsion case number e2122-19.

Motion by Bowen Zhang, second by Terrence Grindall.
 Final Resolution: Motion Carries
 Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang

Student Expulsion (Ed Code. 48918) Case# e2122-20

Type	Action
Absolute Date	Jun 16, 2022
Recommended	The recommendation is that the Board of Education approve the panel hearing's
Action	recommendation regarding the expulsion case number e2122-20.

Purpose:
 For the Board to take action on expulsion case e2122-20

Background:
 An Expulsion Panel Hearing was held on June 13, 2022. An Expulsion Panel Hearing was conducted in accordance with Board Policy and Administrative Regulation 5144.1 and, if applicable, 5144.2 for students with disabilities. The administration asks for approval of the recommendation for Case# e2122-20. (Ed Code. 48918).

Motion & Voting
 The recommendation is that the Board of Education approve the panel hearing's recommendation regarding the expulsion case number e2122-20.

Motion by Bowen Zhang, second by Terrence Grindall.
 Final Resolution: Motion Carries
 Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang

13 OLD BUSINESS

Approval of the 2022-23 Local Control and Accountability Plan (LCAP)

Type	Action
Recommended	The recommendation is that the Board of Education approve the 2022-23 Local Control and
Action	Accountability Plan as presented.

Purpose:

The administration presents the 2022-23 Local Control and Accountability Plan (LCAP) for approval.

Background:

Education Code 52062(b)(2) A governing board of a school district shall adopt an LCAP or annual update to the LCAP in a public meeting. This meeting shall be held after, but not on the same day as, the public hearing held pursuant to paragraph (1). This meeting shall be the same meeting as that during which the governing board of the school district adopts a budget pursuant to Education Code 42127 (a)(2).

File Attachments

- [2022_Local_Control_and_Accountability_Plan_Newark_Unified_School_District_20220609 \(2\).pdf](#) (1,264 KB)
- [2022_Local_Control_and_Accountability_Plan_\(Spanish\)_Newark_Unified_School_District_20220609.pdf](#) (1,397 KB)

Motion & Voting

The recommendation is that the Board of Education approve the 2022-23 Local Control and Accountability Plan as presented.

Motion by Terrence Grindall, second by Bowen Zhang.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang

2022-23 Budget Adoption - Resolution 2021.22.43

Type	Action
Recommended	The recommendation is that the Board of Education adopt the 2022-23 Budget, Resolution
Action	2021.22.43, and the Public Hearing Reserve Disclosure Certificate, and certify that the budget was developed using the State-adopted Criteria and Standards.

Purpose:

The purpose of this item is for the Board of Education to adopt the 2022-23 Proposed Budget prior to July 1, 2022.

Background:

Following a mandated public hearing, held June 7, 2022, on the 2022-23 Proposed Budget, the Board will consider adopting the District budget. The most significant items that will impact this budget are the final enacted State budget, the actual closing of the books for the 2021-22 fiscal year, and the actual 2022-23 enrollment and attendance in the Newark Unified School District. Education Code 42127 requires the governing board of each school district to adopt a budget on or before July 1 of each year for the upcoming fiscal year. Staff recommends the Board adopt the 2022-23 budgets for the following funds: General Fund; Adult Education Fund; Child Development Fund; Cafeteria Fund; Special Reserve for Other Than Capital Outlay Fund; Building Fund; Capital Facilities Fund; Special Reserve Fund for Capital Outlay Projects; Bond Interest and Redemption Fund; and Self-Insurance Fund. Once the Legislature reaches a compromise on the 202223 State Budget Act, each house will need to approve the budget bill by June 15. The Governor will then have 12 days to sign the budget bill as presented, approve the budget bill with line-item reductions, or veto the budget bill and send it back to the Legislature. The District will have 45 days from the date the Governor signs the budget to make public any significant revisions it decides to make to the Adopted Budget based upon the State's enacted budget.

File Attachments

- [Resolution 2021.22.43_Budget Adoption for 2022-23.pdf](#) (146 KB)
- [22-23 A7 Public Hearing Reserve Disclosure Certificate.pdf](#) (67 KB)
- [Full Book 22-23 Adopted Budget-a.pdf](#) (3,004 KB)

Motion & Voting

The recommendation is that the Board of Education adopt the 2022-23 Budget, Resolution 2021.22.43, and the Public Hearing Reserve Disclosure Certificate, and certify that the budget was developed using the State-adopted Criteria and Standards.

Motion by Phuong Nguyen, second by Bowen Zhang.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang

Amend Resolution 2020.21-025 To Delegate Authority to Procure Necessary Materials, Equipment and Services to Provide Distance and/or In-Person Learning

for Staff, Teachers, and Students to Mitigate the Effects of COVID-19

Type	Action
Recommended	The recommendation is that the Board adopt Amended Resolution 2020.21-025 To Delegate
Action	Authority to Procure Necessary Materials, Equipment and Services to Provide Distance and/or In-Person Learning for Staff, Teachers, and Students to Mitigate the Effects of COVID-19.

Purpose:

To review Resolution 2020.21-025 To Delegate Authority to Procure Necessary Materials, Equipment, and Services to Provide Distance and/or In-Person Learning for Staff, Teachers, and Students to Mitigate the Effects of COVID-19 and approve Amended Resolution 2020.21-025 extending it through June 30, 2023.

Background:

Resolution 2020.21-025 was approved by the Board on April 1, 2021. Section 5 of the resolution reads, "The Board of Education will review this resolution on or around September 16, 2021, to determine if it shall be terminated or extended." On September 16, 2021, the Board

approved the amendment to extend the resolution to be reviewed on or around June 30, 2022. On March 4, 2020, the Governor of California declared a state of emergency due to the outbreak and spread of COVID-19. The state of emergency continues to this date. The safety of students, staff, and the community against the continued COVID-19 pandemic and emerging variants remain a top priority. According to the Center for Disease Control and Prevention (CDC) website, "The Delta variant causes more infections and spreads faster than early forms of SARS-CoV-2, the virus that causes COVID-19". Amended Resolution 2020.21-025 allows the district to continue to plan for anticipated needs, adapt to ever-changing needs, and provide equipment, goods, materials, and products needed to continue to combat the spread of COVID-19, the Delta and Omicron variants, and any future variants.

[File Attachments](#)

[Amended Resolution 2020.21-025 Emergency Resolution Re COVID 19_ Resolution Signed 4-1-2021_rev 6-2022.pdf](#) (230 KB)

[Motion & Voting](#)

The recommendation is that the Board adopt Amended Resolution 2020.21-025 To Delegate Authority to Procure Necessary Materials, Equipment and Services to Provide Distance and/or In-Person Learning for Staff, Teachers, and Students to Mitigate the Effects of COVID-19.

Motion by Phuong Nguyen, second by Bowen Zhang.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Terrence Grindall, Alicia Marquez, Bowen Zhang
Nay: Aiden Hill

Newark Jr High School Paving Project Update

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$59,704.00
Budget Source	Fund 40 Special Reserve for Capital Outlay Projects
Recommended Action	The recommendation is that the Board of Education approve the parking lot and main drive loop seal coat, restriping and pothole repairs at Newark Junior High School as presented.

[Purpose:](#)
To provide an update on the paving and striping project at Newark Junior High School (NJHS).

[Background:](#)
The Board approved the NJHS Paving and Striping Project and preliminary budget at their May 19, 2022 meeting. The scope of work included asphalt overlay, patching repairs, seal coat, and restriping of the parking lot and main drive loop. The Board highly recommended that staff consider replacing the entire asphalt paving in the parking lot rather than doing the patch repairs. After further review and consultation with a civil engineer and our Project Manager, it was determined that the asphalt replacement would need DSA (Division of the State Architect) approval. This is a new requirement that recently became effective in February 2022. The timeline for DSA approval is normally 6-8 weeks. The goal was to have this project completed before the beginning of the new school year in August 2022. With the added requirement we would not be able to make this timeline. In the meantime, the parking lot is in desperate need of striping. Therefore, staff recommended that we seal-coat and restripe the parking lot now while we go through the process of DSA approval and develop the plans and specifications to replace the asphalt. The estimated cost to seal and restripe would be about \$40,000. We anticipate the asphalt replacement project could be completed next summer or possibly in the Spring (2023) during the Spring Break. At their June 7, 2022 meeting, the Board requested staff to consider repairing the potholes along the main drive loop and in the parking lot at NJHS. To repair the potholes, the cost would be an additional \$19K.

[File Attachments](#)

[Proposal - NJHS paving seal restripe and pothole repairs.pdf](#) (114 KB)
[NJHS Drive Loop Photos.pdf](#) (4,699 KB)

[Motion & Voting](#)

The recommendation is that the Board of Education approve the parking lot and main drive loop seal coat, restriping and pothole repairs at Newark Junior High School as presented.
Motion by Terrence Grindall, second by Bowen Zhang.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Terrence Grindall, Alicia Marquez, Bowen Zhang
Nay: Aiden Hill

Board Member Request: Board Policy 7310 - Naming of Facility

Type	Discussion, Information
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[Purpose:](#)
For the Board to review Board Policy 7310 and the suggested edits requested by Member Zhang.

[Background:](#)
Board Member Zhang made a request. that received approval from the majority of the Board members, to review Board Policy 7310. Board reviewed and discussed this agenda item at the June 7th board meeting and asked to bring this item back at the June 16th board meeting for more discussion.
The following derives directly from the Board approved "Governance Team Handbook"
Authority is Collective, Not Individual:
The only authority to direct action rests with the Board as a whole when seated at a regular or special board meeting. Outside of this

meeting, there is no authority.

A majority Board vote provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction.

Bringing New Ideas Forward

The Board will be open to having "brainstorming" discussions, or study sessions, around any idea that a Trustee may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Trustee, at their initiative or at the request of a constituent, which was previously discussed during a board meeting.

Trustees will first notify the Board President and Superintendent of their interest in bringing forward a new idea at a board meeting. When initially agendized, the preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.

Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea. The Superintendent will decide on the delegation of assignments to District staff.

The new idea may be agendized for discussion only. The Board majority will decide if the new idea should be further developed and studied by staff. The Board majority will decide if staff time should be invested in the "fleshing out" of new ideas.

Individual Trustees, in the course of interactions with constituents, will be careful not to make or imply the commitment of the full Board to explore or proceed with implementing new ideas.

File Attachments

DRAFT - Policy 7310_Naming Of Facility - 20220307.pdf (43 KB)

Policy 7310_Naming Of Facility.pdf (41 KB)

14 NEW BUSINESS

Resolution 2021.22.49 Commit to Budget Balance Reserves for 2022-2023

Type	Action
Recommended	The recommendation is that the Board of Education adopt Resolution 2021.22.49 to Commit
Action	to Budget Balance Reserves for 2022-2023.

Purpose: To approve the commitments to fund balance as presented in the resolution.

Background: As a result of the balance in the Public School System Stabilization Account, the statutory limitation on school district reserves has been triggered for the 2022-23 budget period, pursuant to Education Code (EC) section 42127.01(e). Beginning with the 2022-23 fiscal year, the district reserve cap requires that a school district's adopted or revised budget shall not contain a combined assigned or unassigned ending general fund balance of more than 10 percent of those funds. Assigned and unassigned balances within the Special Reserve Fund for Other than Capital Outlay (Fund 17) are included within the 10 percent reserve cap. Committed funds are not included in the 10 percent reserve cap.

File Attachments

Resolution 2021.22.49 Commit to Budget Balance Reserves for 2022-23 Fiscal Year.pdf (15 KB)

Motion & Voting

The recommendation is that the Board of Education adopt Resolution 2021.22.49 to Commit to Budget Balance Reserves for 2022-2023.

Motion by Phuong Nguyen, second by Alicia Marquez. Final Resolution: Motion Carries Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang

Request for Proposals Draft: NUSD Marketing Strategy

Type	Discussion, Information
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Purpose: To share with the Board a draft Request for Proposals (RFP) regarding the marketing goals for the District.

Background: As part of the District's goals to increase enrollment, staff has prepared an RFP for marketing our district as a destination. This item will allow the Board to review the draft RFP and provide their input, feedback, and recommendations.

File Attachments

NUSD Marketing Request for Proposals (RFP).pdf (88 KB)

15 CONSENT AGENDA: PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type	Action
Recommended	It is recommended that the Board of Education approve, under one consented vote, the
Action	agenda items under Consent-Personnel, except for agenda items:

Purpose:

This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:

Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Personnel Report

Type Action

Absolute Date Jun 16, 2022

Recommended The recommendation is that the Board of Education ratify the personnel report as presented.

Action

Purpose:

The purpose is for the Board of Education to ratify the Personnel Report as presented.

Background:

All personnel activities including new hires, changes in status, resignation, leaves, and retirements are routinely submitted to the Board for ratification.

File Attachments

[HR PAL 06-16-2022.pdf](#) (363 KB)

Motion & Voting

The recommendation is that the Board of Education ratify the personnel report as presented.

Motion by Bowen Zhang, second by Alicia Marquez.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang

MOU between CSEA and NUSD Concerning Summer Work Opportunities

Type Action

Fiscal Impact Yes

Budgeted Yes

Recommended The recommendation is that the Board of Education approve the MOU between CSEA and NTA

Action concerning summer work opportunities.

Purpose:

The purpose is for the Board of Education to approve the MOU between CSEA and NUSD concerning summer work opportunities in ELA/Math Enrichment Grades TK-6, High School Credit Recovery, and Special Education Extended School Year (ESY).

Background:

The Memorandum of Understanding is to provide a \$500 stipend to classified employees for 2022 summer programs. It is a shared goal of CSEA and NUSD that our current classified staff is placed in these vital positions, such as paraprofessionals, office managers, campus monitors, etc. as this best supports the growth of our students.

File Attachments

[MOU CSEA summer stipend FINAL 6.13.22.pdf](#) (245 KB)

Motion & Voting

The recommendation is that the Board of Education approve the MOU between CSEA and NTA concerning summer work opportunities.

Motion by Bowen Zhang, second by Terrence Grindall.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang

16 CONSENT AGENDA: NON-PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type Action

Recommended It is recommended that the Board of Education approve, under one consented vote, the

Action agenda items under Consent Non-Personnel, except for agenda items:

Purpose:

This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:

Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Motion & Voting

It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent Non-Personnel, except for agenda items: 16.12, 16.13, 16.17

Motion by Terrence Grindall, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang

Coyote Hills Elementary 2022-2023 School Plan for Student Achievement (SPSA)

Type	Action
Fiscal Impact	Yes
Budgeted	Yes
Recommended	The recommendation is that the Board of Education approve the Coyote Hills Elementary
Action	2022-2023 School Plan for Student Achievement

Purpose:
 This 2022-23 School Plan for Student Achievement (SPSA) is coming forward for Board approval. The SPSA serves as the organizer for an individual school's improvement process. The plan is developed with a deep understanding of the root causes of student academic challenges and identifies and implements research-based instructional strategies to raise the achievement of students who are not yet proficient by state standards.

- The plan:
- Builds on a premise that students are capable of learning with effective instruction.
 - Includes school goals aligned with activities and goals included in the LCAP to maximize school reform efforts.
 - Is based on verifiable data analysis.
 - Focuses on student achievement and academic interventions.
 - Implements high leverage school improvement actions.
 - Directs resources where they will most directly improve student academic achievement.
 - Ensures all resources are aligned to serve identified students' needs.
 - Uses research-based strategies.
 - Implements strategic coordination of resources.

Background:
 The School Plan for Student Achievement (SPSA) is a plan of action to improve student academic performance by coordinating all educational services and resources. Pursuant to California Education Code Section 64001, schools that receive state and federal funds are required to consolidate all school plans into an SPSA.

It is the goal of the Newark Unified School District (NUSD) to provide equitable opportunities to each of our students and school sites. Each site-specific SPSA and the district-wide Local Control and Accountability Plan (LCAP) is a roadmap created in partnership with all district stakeholders to achieve our vision and mission:

NUSD Vision: The Newark Unified School District, in partnership with the community, will be a model of world-class education that develops the unique abilities of every student.

NUSD Mission: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens.

Each school site aligns its SPSA action items to our 3 LCAP goals:

- Goal 1: Promote a culture of instructional excellence and continuous improvement that results in students achieving their full potential and graduating college and career-ready.
- Goal 2: Promote a culture of community and partnership among the parents, students, staff, and NUSD community as a whole that results in an increase in parent involvement, student participation, and a positive school climate.
- Goal 3: Establish exceptional learning conditions and an environment that promotes trust, respect, and acceptance, and results in students and families feeling safe, welcomed, and valued members of NUSD.

Data Analysis: School-level goals are informed by data. Each goal area includes data analysis on current measures across student subgroups, and on outcome measures to determine progress. Local and State data are used to develop each goal.

Evaluating Progress: The SSC agendized a meeting to review Dashboard data and measure the impact of actions on student achievement. The principal and staff evaluate academic progress a minimum of three times a year through an academic Professional Learning Community (PLC) model with benchmark data.

Role of School Advisory Committees: California Education Code Section 64001 requires that the School Site Council (SSC) develop the SPSA. The SSC's responsibilities include approving the plan, recommending it to the local governing board for approval, monitoring its implementation, and evaluating the effectiveness of the plan at least annually. The SSC must seek the review, advice, and certification of applicable advisory committees, including the English Learner Advisory Committee (ELAC).

File Attachments
[2022_School_Plan_for_Student_Achievement_Coyote_Hills_Elementary_School_20220601 \(1\).pdf](#) (756 KB)

Schilling Elementary 2022-2023 School Plan for Student Achievement (SPSA)

Type	Action
Fiscal Impact	Yes
Budgeted	Yes
Recommended	The recommendation is that the Board of Education approve the Schilling Elementary 2022-
Action	2023 School Plan for Student Achievement

Purpose:
 This 2022-23 School Plan for Student Achievement (SPSA) is coming forward for Board approval. The SPSA serves as the organizer for an individual school's improvement process. The plan is developed with a deep understanding of the root causes of student academic challenges and identifies and implements research-based instructional strategies to raise the achievement of students who are not yet proficient by state standards.

The plan:

- Builds on a premise that students are capable of learning with effective instruction.
- Includes school goals aligned with activities and goals included in the LCAP to maximize school reform efforts.
- Is based on verifiable data analysis.
- Focuses on student achievement and academic interventions.
- Implements high leverage school improvement actions.
- Directs resources where they will most directly improve student academic achievement.
- Ensures all resources are aligned to serve identified students' needs.
- Uses research-based strategies.
- Implements strategic coordination of resources.

Background:

The School Plan for Student Achievement (SPSA) is a plan of action to improve student academic performance by coordinating all educational services and resources. Pursuant to California Education Code Section 64001, schools that receive state and federal funds are required to consolidate all school plans into an SPSA.

It is the goal of the Newark Unified School District (NUSD) to provide equitable opportunities to each of our students and school sites. Each site-specific SPSA and the district-wide Local Control and Accountability Plan (LCAP) is a roadmap created in partnership with all district stakeholders to achieve our vision and mission:

NUSD Vision: The Newark Unified School District, in partnership with the community, will be a model of world-class education that develops the unique abilities of every student.

NUSD Mission: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens.

Each school site aligns its SPSA action items to our 3 LCAP goals:

Goal 1: Promote a culture of instructional excellence and continuous improvement that results in students achieving their full potential and graduating college and career-ready.

Goal 2: Promote a culture of community and partnership among the parents, students, staff, and NUSD community as a whole that results in an increase in parent involvement, student participation, and a positive school climate.

Goal 3: Establish exceptional learning conditions and an environment that promotes trust, respect, and acceptance, and results in students and families feeling safe, welcomed, and valued members of NUSD.

Data Analysis: School-level goals are informed by data. Each goal area includes data analysis on current measures across student subgroups, and on outcome measures to determine progress. Local and State data are used to develop each goal.

Evaluating Progress: The SSC agendaized a meeting to review Dashboard data and measure the impact of actions on student achievement. The principal and staff evaluate academic progress a minimum of three times a year through an academic Professional Learning Community (PLC) model with benchmark data.

Role of School Advisory Committees: California Education Code Section 64001 requires that the School Site Council (SSC) develop the SPSA. The SSC's responsibilities include approving the plan, recommending it to the local governing board for approval, monitoring its implementation, and evaluating the effectiveness of the plan at least annually. The SSC must seek the review, advice, and certification of applicable advisory committees, including the English Learner Advisory Committee (ELAC).

File Attachments

[2022_School_Plan_for_Student_Achievement_August_Schilling_Elementary_School_20220609.pdf](#) (621 KB)

2022-23 Lease Agreements between Kidango, Inc. and NUSD

Type	Action
Recommended	The recommendation is that the Board of Education approve the 2022-23 Lease Agreements
Action	for Kidango locations at Coyote Hills Elementary and Schilling Elementary Schools.

Purpose:

To enter into lease agreements for two Kidango locations at Coyote Hills Elementary and Schilling Elementary for the 2022-23 fiscal year.

Background:

Kidango is a non-profit early childhood, preschool, and childcare program for low-income families.

Kidango's current lease agreements, at both Coyote Hills and Schilling, expire on June 30, 2022. Kidango agrees to a 2% rent increase that is imposed every July 1. Kidango has been a partner with NUSD since 1993. They had a location at Ruschin Elementary for many years before Ruschin closed. The location at Coyote Hills opened in 2014 and the location at Schilling opened in 2015.

Kidango will lease two portables at both Coyote Hills and Schilling at \$1,348 per month per school.

File Attachments

[Kidango at Coyote Hills_2022-23.pdf](#) (139 KB)

[Kidango at Schilling_2022-23.pdf](#) (152 KB)

Contract with Ed Sped Solutions Inc. for Special Education Services

Type	Action
Absolute Date	Jun 16, 2022
Fiscal Impact	Yes
Dollar Amount	\$64,000.00
Budgeted	Yes
Budget Source	Resource 6500 - Special Education
Recommended	The recommendation is that the Board of Education ratify the Master Contract with Ed Sped
Action	Solutions Inc.

Purpose:

For the Board of Education to approve the Master Contract for Ed Sped Solutions Inc. in the amount of \$64,000 for the Extended School Year (ESY) Program.

Background:

Special Education related services are legally mandated per Individual Disability Education Act (IDEA). Without Ed Sped Solutions Inc. services, Newark Unified School District would be out of compliance. Ed Sped Solutions Inc. will provide a variety of related services to ensure compliant practices in supporting students' Individual Education Program (IEP). The services provided to Newark Unified School District are as follows:

Mental Health Therapist

Ed Sped Solutions Inc. will provide therapeutic support to students per their IEP. Ed Sped Solutions Inc. will provide a fully credentialed mental health therapist with a PPS Counseling license. The mental health therapist will have acquired the expertise to provide individual, group, and family therapy. These services are for the Extended School Year (ESY) Program. The total cost of these services will be in the amount of \$8,000.

Instructional Assistants

Ed Sped Solutions Inc. will provide Instructional Assistants (IA) to support students with disabilities. Instructional Assistants provide both program support within the classroom setting and one-to-one support for high-needs students per students' IEPs. These services are for the Extended School Year (ESY) Program. The total cost of these services will be in the amount of \$56,000.

File Attachments

[Ed Sped Master Contract 22-23.pdf](#) (260 KB)

Contract Sobrato Early Academic Language Program

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$75,000.00
Budgeted	Yes
Budget Source	LCFF
Recommended Action	The recommendation is that the Board of Education approve the contract for Sobrato Early Academic Language (SEAL).

Purpose:

We are seeking the approval of the SEAL contracts in order to expand the program to 4-5th grades at Schilling and Coyote Hills and 6th grade at Newark Junior High School.

Background:

The Model provides intensive professional development to 4-6th grade teachers through workshop sessions, coaching, and collaborative reflection and planning. It also provides hands-on science workshops and field trips to build background knowledge related to the standards-based thematic units, sponsors artist residencies in the classrooms, and purchases high-quality bilingual books and materials for the classrooms. The model focuses on training teachers, administrators, and staff over three years to ensure sustainability. Staff, teachers, and administrators appreciate this model as it builds on previous work with GLAD. Funds to support the SEAL model will be from the district's LCFF/LCAP and Title III funds; these Title III funds are required to be used to support English Learners. The amount in the MOU is for 2 years.

File Attachments

[NUSD 4th_6th Agmt_UNSIGNED_2022-24.docx.pdf](#) (136 KB)

Agreement with Jackie Melcher, Behavioral Health Consultant

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$103,448.00
Budgeted	Yes
Budget Source	Title I
Recommended Action	The recommendation is that the Board approve the Agreement with Jackie Melcher, Behavioral Health Consultant, for services at Schilling Elementary and Coyote Hills Elementary Schools.

Purpose:

To provide Schilling and Coyote Hills Elementary students with an onsite behavioral health consultant who will support Tier I and Tier II needs. The clinician, Ms. Jackie Melcher, will also support the implementation of Positive Behavioral Interventions and Support (PBIS) and work at the school five (5) days a week.

Background:

This support role meets the ongoing needs of students and the implementation of PBIS and their Coordination of Services Team (COST).

File Attachments

[Jackie Melcher_contract for Schilling & CHE 22-23.docx.pdf](#) (92 KB)

Edgenuity Independent Study Software

Type	Action
Preferred Date	Jun 16, 2022
Absolute Date	Aug 04, 2022
Fiscal Impact	Yes

Dollar Amount \$131,000.00
 Budgeted Yes
 Budget Source ESSER III
 Recommended Action The recommendation is that the Board of Education approve the agreement with Edgenuity for Crossroads Independent Study.

Purpose:
 To continue the use of Edgenuity for Independent Study for grades 6 - 12.

Background:
 Governor Gavin Newsom signed Assembly Bill (AB) 130 into law on July 9, 2021, which guided districts on how to implement independent study. Independent study options for all students TK-12 continue to be mandated for all LEAs. In conjunction with NTA, Edgenuity was selected as a platform to support NUSD's independent study program. Educational services seeks to renew this contract for the 2022-2023 academic school year.

File Attachments
[Newark USD - 22-23 Renewal Quote #238922 \(Instructional Services\) \(Updated 6.10.22\).pdf](#) (19 KB)

GoTo Technologies Contract Award for Voice Over IP System with Dedicated Phone Data Circuit

Type Action
 Fiscal Impact Yes
 Dollar Amount \$76,994.66
 Budgeted Yes
 Budget Source General Fund
 Recommended Action The recommendation is that the Board of Education approve the contract for GoTo Technologies for a Voice Over IP System with Dedicated Phone Data Circuit as presented.

Purpose:
 To approve the GoTo Technologies contract for a Voice Over IP (VoIP) system with a dedicated phone data circuit to replace the district's current phone system.

Background:
 As part of the CITE (California IT in Education) Jet (Joint Ed Tech) Review, it was pointed out that many sites reported issues with the current phone system that operates on an "open-source" solution with limited support. Many users also reported the "poor" quality of the current handsets. A reliable and supported communication system is essential to district operations as well as safety. Staff worked with a VoIP consulting firm, Stellar Connect, which came recommended by CITE, to evaluate multiple vendors who could provide a replacement solution. After collecting and comparing quotes, and evaluating the costs as well as functions and features, the staff is recommending GoTo Technologies as the replacement phone system for NUSD. Staff found that GoTo Technologies has a more robust call tree/ring group interface, phones are owned by the district vs renting/leasing, and comes recommended by neighboring school districts. The GoTo Technologies contracts for year one, including equipment, installation, one-time setup fees, and annual monthly fees (with discounts), is \$76,994.66 (tax estimates included in pricing, but actual taxes may vary from the quote). Beginning in year two (2), the annual cost will be \$71,670.96 which includes maintenance service and network access. Cost comparison estimates* are as follows:

	GoTo by LogMeIn	net2phone	8x8 Fortis	Global Cloud Communications	
Total Costs Year 1 Includes set up costs and monthly charges (including any first year discounts)		\$82,358.68	\$60,081.08	\$149,274.55	\$177,223.00
Total Costs Year 2	\$61,824.00	\$53,581.08	\$95,689.80	\$96,543.00	

*Estimates do not include taxes and fees

File Attachments
[GoTo Technologies_VoIP Quote Q-594177.pdf](#) (121 KB)
[GoTo Technologies_Internet Quote Q-594351.pdf](#) (105 KB)
[LMI Government-Education Addendum to TOS 2019.v1 pre-signed.pdf](#) (336 KB)

Atkinson, Andelson, Loya, Ruud & Romo Attorneys at Law Agreement for Legal Services 2022-2023

Type Action
 Fiscal Impact Yes
 Budgeted Yes
 Budget Source General Fund
 Recommended Action The recommendation is that the Board of Education approve the Agreement for Legal Services with Atkinson, Andelson, Loya, Ruud & Romo Attorneys at Law for 2022-2023.

Purpose:
 To renew the legal service agreement with Atkinson, Andelson, Loya, Ruud & Romo Attorneys at Law for legal services in the 2022-2023 fiscal year.

Background:
 Atkinson, Andelson, Loya, Ruud & Romo have provided legal and, upon request, non-legal consultant services on the District's behalf. With the exception of their non-legal consultant rate which has been increased to \$250/hour firm-wide, there is no

increase to the hourly rates.

[File Attachments](#)

[2022-2023 AALRR Legal Services Agreement - Newark USD.PDF](#) (42 KB)

[Fagen Friedman & Fulfroost, LLP Agreement for Legal Services 2022-2023](#)

Type	Action
Fiscal Impact	Yes
Budgeted	Yes
Budget Source	General Fund
Recommended Action	The recommendation is that the Board of Education approve the Agreement for Legal Services with Fagen Friedman & Fulfroost, LLP for 2022 - 2023.

Purpose:
To renew the legal service agreement with Fagen Friedman & Fulfroost, LLP for legal services in the 2022-2023 fiscal year.

Background:
The District started using Fagen Friedman & Fulfroost, LLP in 2020-2021. They have provided NUSD with legal counsel in a wide variety of areas, including general legal services, business and contract services, construction advice, developer fees, litigation, procurement, and governance. The standard hourly rates have increased by \$15.00 per hour in all categories.

[File Attachments](#)

[2022-2023 Fagen Freidman & Fulfroost Legal Services Agreement - Newark USD.pdf](#) (129 KB)

[Resolution 2021.22.41 Budget Transfers for 2021-22 \(Year End\)](#)

Type	Action
Recommended Action	The recommendation if that the Board of Education adopt Resolution 2021.22.41 Budget Transfers for 2021-22 (Year End).

Purpose:
The resolution allows the Superintendent and the Chief Business Official, or designee thereof, to authorize and make necessary budget transfers to allow for the payment of obligations incurred by the District during the end of the 2021-22 school year.

Background:
Education Code Section 42600-42602 and 42610 provide the Board the authority to request from the County Office of Education through their designee any needed transfers as may be necessary to permit the payment of obligations incurred during the school year.

[File Attachments](#)

[Resolution 2021.22.41_Budget Transfers, Year End 21-22.pdf](#) (155 KB)

[Motion & Voting](#)

The recommendation if that the Board of Education adopt Resolution 2021.22.41 Budget Transfers for 2021-22 (Year End).
Motion by Phuong Nguyen, second by Terrence Grindall.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Terrence Grindall, Alicia Marquez, Bowen Zhang
Nay: Aiden Hill

[Resolution 2021.22.42 Budget Transfers for 2022-23 \(New Fiscal Year\)](#)

Type	Action
Recommended Action	The recommendation is that the Board of Education adopt Resolution 2021.22.42 Budget Transfers for the Fiscal Year 2022-23 (New Fiscal Year).

Purpose:
The resolution allows the Superintendent and the Chief Business Official, or designee thereof, to authorize and make necessary budget transfers to allow for the payment of obligations incurred by the District during the upcoming 2022-23 school year.

Background:
Education Code Section 42600-42602 and 42610 provide the Board the authority to request from the County Office of Education through their designee any needed transfers as may be necessary to permit the payment of obligations incurred during the school year.

[File Attachments](#)

[Resolution 2021.22.42_Budget Transfers, New Year 22-23.pdf](#) (112 KB)

[Motion & Voting](#)

The recommendation is that the Board of Education adopt Resolution 2021.22.42 Budget Transfers for the Fiscal Year 2022-23 (New Fiscal Year).
Motion by Terrence Grindall, second by Alicia Marquez.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Terrence Grindall, Alicia Marquez, Bowen Zhang
Nay: Aiden Hill

Resolution 2021.22.44 Signature Card - Board Members

Type Action
Recommended Action The recommendation is that the Board of Education adopt Resolution 2021.22.44 Signature Card Board Members.

Purpose: Resolution 2021.22.44 is to provide signatures of each member presently serving on the Governing Board. It is the 2022-23 "Signature Card" to be kept on file at the Alameda County Office of Education.

Background: This resolution reflects those designated as Board Members to the Alameda County Superintendent of Schools, and it is a county requirement. The Alameda County Office of Education recommends that the governing board take necessary action for the completion of the attached resolution no later than the first board meeting of the fiscal year.

File Attachments
Resolution 2021.22.44_Signature Card_Board Members.pdf (77 KB)

Resolution 2021.22.48 Regarding the Education Protection Account (EPA) Use of Funds 2022-23

Type Action
Recommended Action The recommendation is that the Board of Education approve Resolution 2021.22.48 Regarding the Education Protection Account.

Purpose: The purpose of this item is for the Board to approve Resolution 2021.22.48 Regarding the Education Protection Account to fulfill the requirements of Propositions 30 and 55, which created and extended the Education Protection Account.

Background: Pursuant to Article XIII Section 36 of the California Constitution, School Districts, County Offices of Education, and Community College Districts are required to determine how the money received from the Education Protection Account (EPA) will be spent in the schools within its jurisdiction, provided that the governing board makes the spending determinations in an open session of a public meeting. The language in the constitutional amendment requires that funds shall not be used for the salaries and benefits of administrators or any other administrative costs. Resolution 2021.22.48 Regarding the Education Protection Account fulfills the spending determination requirement. All districts must also post on their website annually an accounting of how much money was received from the EPA and how it was spent.

File Attachments
Resolution 2021.22.48 Regarding the Education Protection Account.pdf (158 KB)
EPA_2022-23_Spending Plan.pdf (10 KB)

Donations Report

Type Action
Fiscal Impact Budgeted Yes
Budget Source General Fund (Fund 010) Donations
Recommended Action The recommendation is that the Board of Education accept the Donations Report as presented.

Purpose: The purpose is to acknowledge receipt of donations to the District.

Background: Throughout the year community members, groups, parents and other individuals make monetary and in-kind (supplies and equipment) donations to NUSD. The exact nature of the source of the donation is submitted to the Business Office on a standard form. It is critical that any restrictions on the funding be indicated and the budget developed based on the donor restrictions. If there is no indication of the school or use of the funding, any proceeds or cash donations received are placed in the NUSD local revenue in the unrestricted general fund. It is recommended that the donations be processed through the Business Office and ultimately approved by the Board so that the funding can be publicly acknowledged and budgeted properly according to donor restrictions. There is acknowledgment and budgeted properly according to donor restrictions. There is acknowledgment at the public Board meeting and a letter of thanks is sent to the donor by the Business Office for NUSD.

File Attachments
Donations Summary Report 6-16-2022.pdf (22 KB)

Warrant Report for May 2022

Type Action
Fiscal Impact Recommended Action No
The recommendation is that the Board of Education approve the Warrant Report as presented.

Purpose:

The purpose of this item is to present warrants, for the total amount of \$3,450,595.83, made from District funds for May 2022.

Background:

The warrant registers represent a complete listing of all payments made from District funds for a month. Because Newark Unified School District is a fiscally dependent District, each warrant must pass through two separate audits; first by the District's Fiscal Services department, and second by the County Office of Education. No warrant can be paid until such time as it is examined and approved by the County Office of Education.

File Attachments

[Warrant Report May 2022.pdf](#) (414 KB)

Motion & Voting

The recommendation is that the Board of Education approve the Warrant Report as presented.

Motion by Alicia Marquez, second by Bowen Zhang.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Alicia Marquez, Bowen Zhang

Nay: Aiden Hill

Minutes of the May 19, 2022 Regular Meeting of the Board of Education

Type Action, Minutes

Recommended The recommendation is that the Board of Education approve the minutes of the May 19, 2022

Action Regular Meeting of the Board of Education.

Purpose:

For the board to review and approve the minutes

Background:

The attached minutes are reflective of the May 19, 2022, Regular Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel [HERE](#)

17 BOARD OF EDUCATION: COMMITTEE REPORTS, REQUESTS, AND ANNOUNCEMENTS

Board of Education Recognitions and Announcements

Type Information

Purpose:

The Trustees may acknowledge or recognize specific programs, activities, or personnel at this time.

Board of Education Committee Reports

Type Information

Purpose:

The Trustees will provide an update, if available, on the committees of which they are members.

Background:

Each year the Board of Education members liaise with schools and committees in order to build relationships, hear from staff, students, and families, and act as a conduit for information to and from the schools.

Board Committees 2020-21

Board Adopted on 12/16/21

	Representative	Alternate
Mission Valley Regional Occupational Center/Program (ROC/P)	1. Terrence Grindall	1. Bowen Zhang

Executive Board

Regional Policy Board of Special Education Local Plan Area (SELPA)	1. Bowen Zhang	1. Alicia Marquez
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Newark Teacher Induction Advisory Council (Formally EBIC)	1. Alicia Marquez	1. Aiden Hill
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Audit Committee	1. Alicia Marquez	2. Aiden Hill	1. Terrence Grindall
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Bond/Parcel Tax Committee	1.2. Terrence Grindall	Phuong Nguyen	1. Bowen Zhang
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City of Newark NUSD Liaison Committee	1. Phuong Nguyen
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	2. Terrence Grindall	1. Bowen Zhang
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Board of Education Requests

Type Action, Discussion, Information

Purpose:

This is an opportunity for the Board of Education to suggest items for placement on future agendas and to review Board requests.

Approval from the majority of the Board will be required for direction to be provided to the Superintendent.

Background:

The following derives directly from the Board approved "Governance Team Handbook"

Authority is Collective, Not Individual:

The only authority to direct action rests with the Board as a whole when seated at a regular or special board meeting. Outside of this meeting, there is no authority.

A majority Board vote provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction.

Bringing New Ideas Forward

The Board will be open to having "brainstorming" discussions, or study sessions, around any idea that a Trustee may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Trustee, at their initiative or at the request of a constituent, which was previously discussed during a board meeting.

Trustees will first notify the Board President and Superintendent of their interest in bringing forward a new idea at a board meeting.

When initially agendized, the preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.

Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea.

The Superintendent will decide on the delegation of assignments to District staff.

The new idea may be agendized for discussion only. The Board majority will decide if the new idea should be further developed and studied by staff. The Board majority will decide if staff time should be invested in the "fleshing out" of new ideas.

Individual Trustees, in the course of interactions with constituents, will be careful not to make or imply the commitment of the full Board to explore or proceed with implementing new ideas.

18 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

Superintendent's Concluding Comments, Updates, and Future Agenda Items

AGENDA REQUESTS

Type Information

Purpose:

This is an opportunity for the Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

19 ADJOURNMENT

PLACEHOLDER - Extend Meeting

Type Action

The recommendation is that the Board of Education extends the meeting to ____ P.M.

Recommended Action

Purpose:

This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

Motion & Voting

The recommendation is that the Board of Education extends the meeting to 12:00 A.M.

Motion by Aiden Hill, second by Bowen Zhang.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang

Adjournment

Type Action, Procedural

Recommended The recommendation is that the Board of Education adjourns this meeting.

Action

Purpose:

No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time. This action will conclude the meeting.

Motion & Voting

The recommendation is that the Board of Education adjourns this meeting at 11:24 pm.

Motion by Bowen Zhang, second by Alicia Marquez.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang

1 CALL TO ORDER

Meeting Practices and Information

Type Information, Procedural
IN-PERSON MEETING INFORMATION

NUSD has opened its boardroom for in-person meetings and will follow the State's and Alameda County's safety guidelines for public gatherings. Please refrain from attending in-person meetings if you have any of the following symptoms:

- Loss of taste/smell
- Difficulty breathing
- Vomiting
- Diarrhea
- Fever
- Cough
- Headache
- Sore Throat
- Runny Nose

For additional COVID-19 information please go to <https://www.newarkunified.org/covid-19> or <https://www.acoe.org/guidance>

OBSERVE THE BOARD OF EDUCATION MEETING

Members of the public 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.

PUBLIC COMMENT

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLI COMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLI COMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

Pledge of Allegiance

Type Procedural

Purpose:

The Governance Team will recite the Pledge of Allegiance

Roll Call

Type Procedural

Trustees:

- President Phuong Nguyen
- Vice President/Clerk Terrence Grindall
- Member Aiden Hill
- Member Alicia Marquez
- Member Bowen Zhang

Student Board Member:

- Member Estaina Resendiz Ortiz

2 APPROVAL OF AGENDA

Approval of the Agenda

Type Action

Recommended Action It is recommended that the Board of Education approve the agenda for this meeting.

Purpose:

Members of the Governance Team may request that the agenda be amended or approved as presented.

Motion & Voting

It is recommended that the Board of Education approve the agenda for this meeting.

- Motion by Bowen Zhang, second by Terrence Grindall.
- Final Resolution: Motion Carries
- Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang

3 CLOSED SESSION

PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Gov. Code, 54957, subd. (b) (1)) Title: Superintendent

Type Action, Discussion, Information

Purpose:

For the Board to conduct/review the employee performance evaluation for the Superintendent.

Recess to Closed Session

Type Procedural

Purpose:
The Board will recess to Closed Session.

4 ADJOURNMENT

Adjournment

Type Action, Procedural
Recommended The recommendation is that the Board of Education adjourns this meeting.
Action

Purpose:
No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time.
This action will conclude the meeting.

1 CALL TO ORDER

Meeting Practices and Information

Type Information, Procedural
IN-PERSON MEETING INFORMATION
NUSD has opened its boardroom for in-person meetings and will follow the State's and Alameda County's safety guidelines for public gatherings. Please refrain from attending in-person meetings if you have any of the following symptoms:

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- Difficulty breathing
- Vomiting
- Diarrhea
- Fever
- Cough
- Headache
- Sore Throat
- Runny Nose

For additional COVID-19 information please go to <https://www.newarkunified.org/covid-19> or <https://www.acoe.org/guidance>
OBSERVE THE BOARD OF EDUCATION MEETING
Members of the public 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.

PUBLIC COMMENT

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

Roll Call

Type Procedural

Trustees:
President Phuong Nguyen
Vice President/Clerk Terrence Grindall
Member Aiden Hill
Member Alicia Marquez
Member Bowen Zhang

Student Board Member:
Member Estaina Resendiz Ortiz

2 APPROVAL OF AGENDA

Approval of the Agenda

Type Action
Recommended It is recommended that the Board of Education approve the agenda for this meeting.
Action

Purpose:
Members of the Governance Team may request that the agenda be amended or approved as presented.

3 CLOSED SESSION

Public Comment on Closed Session Items

Type Information

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board. If a constituent wishes to address the Board on any agenda item, please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org.

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE (Gov. Code, 54957, subd. (b)(1))

Type Action, Information, Procedural

Purpose:

Information will be provided by the Superintendent and Executive Director of Human Resources.

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a): Employee Organizations - NTA and CSEA

Type Action, Information, Procedural

Purpose:

Information may be provided by the agency negotiator, Executive Director of Human Resources. Assistance from the legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided. The employee organizations include NTA & CSEA.

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a)): Employee Group - NEWMA, Unrepresented Supervisors, and Contracted Management

Type Action, Information, Procedural

Purpose:

Information may be provided by the agency negotiator, the Executive Director of Human Resources, and the Superintendent. Assistance from legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided. The employee organizations include NEWMA, Unrepresented Supervisors, and Contracted Management

CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION Significant exposure to litigation pursuant to Gov. Code, 54956.9, subd. (d)[(2) or (3)]

Type Action, Information, Procedural

Purpose:

Information may be provided regarding significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: One case

STUDENT EXPULSION (Ed. Code, 48918)

Type Information, Procedural

Purpose:

For the Board to review expulsion cases that are eligible for readmission.

Background:

California Education Code Section 48916 requires that "an expulsion order shall remain in effect until the governing board orders a readmission of the pupil."

The following expulsions are up for termination or readmission. Staff recommends the following actions:

- e2122- 01 - Terminate Expulsion
- e2122- 02 - Continue Suspended Enforcement of Expulsion
- e2122- 04 - Continue Suspended Enforcement of Expulsion
- e2122- 12 - Continue Expulsion within NUSD
- e2122- 18 - Continue Suspended Enforcement of Expulsion

Recess to Closed Session

Type Procedural

Purpose:

The Board will recess to Closed Session, and reconvene to Open Session on or about 7:00 p.m.

4 REPORT OF CLOSED SESSION ACTIONS

Report of Closed Session Actions

Type Action, Procedural

Purpose:

If available, a report of the closed session will be provided by the Board President.

5 RECONVENE TO OPEN SESSION

Pledge of Allegiance

Type Procedural

Purpose:

The Governance Team will recite the Pledge of Allegiance

6 STUDENT REPORT

Student Reports from Newark Junior High School, Alternative Education, and Newark Memorial High School

Type Discussion, Information

Purpose:

At regular Board of Education meetings, a spokesperson of each secondary school may make a brief presentation. Discussion items may include updates, celebrations, and upcoming events.

1. Newark Junior High School - Mohammed Lulu and Poorvi Sharma
2. Alternative Education - Alexis Blanco-Barron
3. Newark Memorial High School - Estaina Resendiz-Ortiz

7 RECOGNITIONS AND CELEBRATIONS

Staff Spotlight

Type Information

Purpose:

To recognize the wonderful accomplishments of our NUSD Team.

Background:

The presentation will be provided by the Superintendent.

8 EMPLOYEE ORGANIZATIONS

Employee Organizations

Type Information

Purpose:

At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Background:

Discussion items are limited to updates, celebrations, and upcoming events.

1. NTA: Sean Abruzzi
2. CSEA: Sue Eustice
3. NEWMA: Vicenta Ditto

9 PUBLIC COMMENT ON NON-AGENDA ITEMS

Public Comment on Non-Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.

10 PUBLIC HEARINGS

Sunshine Proposal Reopener for Newark Teachers Association (NTA) Contract

Type Procedural

Purpose:

The purpose is to publicly disclose or "sunshine" the proposals for reopeners at which time the public has an opportunity to provide input on the proposals prior to the commencement of negotiations between the Newark Unified School District (NUSD) and the Newark Teachers Association (NTA).

Background:

Effective June 30, 2022, the current Collective Bargaining Agreement between the Newark Unified School District (NUSD) and the Newark Teachers Association (NTA) is set to expire. The California Education Code requires parties to publicly disclose or "sunshine" their proposals for reopeners at which time the public has an opportunity to provide input on the proposals prior to the commencement of negotiations. The Newark Teachers Association (NTA) proposal for the reopener agreement is attached and is sunshined at this meeting. Copies of the proposal are made available to the public. This is the public's second opportunity to express itself regarding the proposal. Newark Unified School District will sunshine their initial proposal at a future Board meeting.

File Attachments

[#NTASunshineProposal2022.pdf](#) (151 KB)

Public Hearing on the 2022-23 Proposed Budget

Type Procedural

Purpose:

To present the 2022-23 Proposed Budget to the public and Newark Unified School District Board of Education, and for the Board to conduct a Public Hearing. Staff will recommend the adoption of the 2022-23 Budget at the Board's meeting on June 16, 2022.

Background:

Notice of the public hearing was posted in English and Spanish at all NUSD school sites and the District Office on May 27, 2022 (see attached).

The 2022-23 Proposed Budget is available for public inspection as an attachment to this agenda and also in person at the Business Services office.

In accordance with Education Code 42103, the Governing Board of each school district shall hold a Public Hearing on the proposed budget.

Education Code 42127 requires the Board of each school district to adopt a budget on or before July 1 of each year for the upcoming fiscal year.

Staff will recommend the Board adopt the 2022-23 budget at the June 16, 2022 meeting for the following funds: General Fund; Adult Education Fund; Child Development Fund; Cafeteria Fund; Special Reserve Fund for Other Than Capital Outlay Projects; Building Fund; Capital Facilities Fund; Special Reserve Fund for Capital Outlay Projects; Bond Interest and Redemption Fund; Self Insurance Fund.

File Attachments

[2022-23 LCAP and Budget Public Hearing Notice_English & Spanish_posted 5-24-2022.pdf](#) (77 KB)

[22-23 A7 Public Hearing Reserve Disclosure Certificate.pdf](#) (56 KB)

Public Hearing on the 2022-23 Local Control and Accountability Plan (LCAP)

Type Procedural

Purpose:

To present the 2022-23 Local Control and Accountability Plan (LCAP) to the public and the Newark Unified School District Board of Education, and for the Board to conduct a Public Hearing. Staff will recommend the adoption of the 2022-23 LCAP at the Board's meeting on June 16, 2022.

Background:

Notice of the public hearing was posted in English and Spanish at all NUSD school sites and the District Office on May 27, 2022 (see attached).

The 2022-23 LCAP is available for public inspection as an attachment to this agenda and also in person at the Business Services office.

Education Code 52062(b)(1) A governing board of a school district shall hold at least one public hearing to solicit the recommendations and comments of members of the public regarding the specific actions and expenditures proposed to be included in the LCAP or annual update to the LCAP. The agenda for the public hearing shall be posted at least 72 hours before the public hearing and shall include the location where the LCAP or annual update to the LCAP will be available for public inspection. The public hearing shall be held at the same meeting as the public hearing for the budget to be adopted as required by Education Code 42127(a)(1).

Education Code 52062(b)(2) A governing board of a school district shall adopt an LCAP or annual update to the LCAP in a public meeting. This meeting shall be held after, but not on the same day as, the public hearing held pursuant to paragraph (1).

This meeting shall be the same meeting as that during which the governing board of the school district adopts a budget pursuant to Education Code 42127 (a)(2).

[File Attachments](#)

[2022-23 LCAP and Budget Public Hearing Notice_English & Spanish_posted 5-24-2022.pdf](#) (77 KB)

11 SUPERINTENDENT REPORT

Superintendent Report

Type Information

Purpose:

The superintendent will provide the Board of Education with district information, updates, news, or anything in the jurisdiction of the board or the superintendent.

Background:

The presentation and information will be provided by the Superintendent

12 STAFF REPORT

CA State UPK (Universal Pre-Kindergarten)

Type Discussion, Information

Purpose:

To present UPK Plan to the Board of Education for consideration, per California state grant requirements.

Background:

Decades of research demonstrate that an early and strong foundation for learning matters. Children who have effective learning opportunities before kindergarten have an advantage in school and in life over children who do not, especially children with adverse childhood experiences. Children who attend quality preschool programs are more prepared for school in terms of their early literacy, language, and math skills, their executive function, and social emotional development.

In some cases, preschool participants are less likely to be identified for special education services or to be held back in elementary school than children who do not attend developmentally-informed preschool programs that include strong educational components.

California is poised to realize universal prekindergarten (UPK) for all four-year-old children and to expand services for three-year-old children through bold leadership and the unprecedented investments in the Budget Act of 2021, including universal transitional kindergarten (UTK) and expansion of the California State Preschool Program (CSPP).

NUSD has already started expanding TK options for students in the city of Newark. This presentation will update our Board on elements of our ongoing UPK (including TK expansion) plan.

File Attachments

[NUSD_ UPK Plan.docx.pdf](#) (347 KB)

[Universal Pre-K Planning for BOE 22.06.7.pdf](#) (2,264 KB)

Governor's May Revise

Type Information

Purpose:

The Chief Business Official will share information with the Board regarding the 2022-23 May Revision to the Governor's Budget.

Background:

The Governor announced the revisions to the State of California 2022-23 Budget on May 13, 2022.

Key factors from the May Revise will be used to build the District's 2022-23 budget.

A few highlights of the Governor's May Revision include:

- 6.56% COLA

- One-Time Discretionary Funds

- One-Time Deferred Maintenance Funds

- Increase in LCFF Base

- TK Funding Add-on

- Declining Enrollment Protection

- COVID-19 ADA Relief

Next Steps:

Now that Governor Newsom has released the May Revision, the Legislature can begin vetting his revised proposals and highlight their own budget priorities as they prepare to build and pass the 2022-23 State Budget by the June 15 constitutional deadline.

In the next couple of weeks, each house will have to approve their own version of the State Budget and then go to Budget Conference Committee where they will reconcile their differences and also work with the Newsom Administration on a budget agreement. Once the Legislature reaches a compromise on the 2022-23 State Budget Act, each house will need to approve the budget bill by June 15. The Governor will then have 12 days to sign the budget bill as presented, approve the budget bill with line-item reductions, or veto the budget bill and send it back to the Legislature.

The District will have 45 days after the Governor signs the budget to make public any revisions made to its 2022-23 Adopted

Budget.

[File Attachments](#)

[May Revise Presentation 6-7-22 Board Mtg.pdf](#) (1,738 KB)

13 STUDENT EXPULSION

Termination Student Expulsion (Ed Code. 48918) Case# e2122-01

Type Action

Recommended The recommendation is that the Board of Education terminate student expulsion as it relates
Action to the Expulsion Case e2122-01.

Purpose:

For the Board to take action on expulsion case e2122-01.

Background:

California Education Code Section 48916 requires that "an expulsion order shall remain in effect until the governing board orders a readmission of the pupil."

Continue Suspended Enforcement of Student Expulsion (Ed Code. 48918) Case# e2122-02

Type Action

Recommended The recommendation is that the Board of Education continue suspended enforcement of
Action expulsion as it relates to the Expulsion Case e2122-02.

Purpose:

For the Board to take action on expulsion case e2122-02.

Background:

California Education Code Section 48916 requires that "an expulsion order shall remain in effect until the governing board orders a readmission of the pupil."

Continue Suspended Enforcement of Student Expulsion (Ed Code. 48918) Case# e2122-04

Type Action

Recommended The recommendation is that the Board of Education continue suspended enforcement of
Action expulsion as it relates to the Expulsion Case e2122-04.

Purpose:

For the Board to take action on expulsion case e2122-04.

Background:

California Education Code Section 48916 requires that "an expulsion order shall remain in effect until the governing board orders a readmission of the pupil."

Continue Expulsion within NUSD of Student Expulsion (Ed Code. 48918) Case# e2122-12

Type Action

Recommended The recommendation is that the Board of Education continue expulsion placement within
Action NUSD as it relates to Expulsion Case e2122-12.

Purpose:

For the Board to take action on expulsion case e2122-12.

Background:

California Education Code Section 48916 requires that "an expulsion order shall remain in effect until the governing board orders a readmission of the pupil."

Continue Suspended Enforcement of Student Expulsion (Ed Code. 48918) Case# e2122-18

Type Action

Recommended The recommendation is that the Board of Education continue suspended enforcement of
Action expulsion as it relates to the Expulsion Case e2122-18.

Purpose:

For the Board to take action on expulsion case e2122-18.

Background:

California Education Code Section 48916 requires that "an expulsion order shall remain in effect until the governing board orders a readmission of the pupil."

14 OLD BUSINESS

Environmental Literacy Plan

Type	Action
Recommended Action	The recommendation is that the Board of Education accept the 2021-2022 iteration of NUSD's Environmental Literacy Plan.

Purpose:
To present the NUSD Environmental Literacy Plan to the Board of Education. This living document will continue to evolve over time in response to student, staff, and community input as a part of the district's STEM initiative.

Background:
In 2020-2021, the NUSD Environmental Literacy Vision was developed by the Science District Leadership Team, (which consisted of Science teacher leaders, district administrators, principals, local community organizations, and our Bay Sci partners) and presented to the Board of Education. This vision is now an integral part of the growing comprehensive plan. This NUSD Environmental Literacy Plan is in alignment with district and the Superintendent's goals. This plan contains an overview of the curriculum, resources, and classroom and extra-curricular activities for students TK- 12 which will continue to be developed over time.

File Attachments
[21-22 Newark USD Environmental Literacy Plan.pdf](#) (494 KB)
[BOE Study Session 050522_ The Env Lit Plan.pdf](#) (39,445 KB)

Newark Jr High School Paving Project Update

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$40,000.00
Budget Source	Fund 40 Special Reserve for Capital Outlay Projects (Ruschin Funds)
Recommended Action	The recommendation is that the Board of Education approve the parking lot and main drive loop seal coat and restriping project at Newark Junior High School as presented.

Purpose:
To provide an update on the paving and striping project at Newark Junior High School (NJHS).

Background:
The Board approved the NJHS Paving and Striping Project and preliminary budget at their May 19, 2022 meeting. The scope of work included asphalt overlay, patching repairs, seal coat, and restriping of the parking lot and main drive loop. The Board highly recommended that staff consider replacing the entire asphalt paving in the parking lot rather than doing the patch repairs. After further review and consultation with a civil engineer and our Project Manager, it was determined that the asphalt replacement would need DSA (Division of the State Architect) approval. This is a new requirement that recently became effective in February 2022. The timeline for DSA approval is normally 6-8 weeks. The goal was to have this project completed before the beginning of the new school year in August 2022. With the added requirement we would not be able to make this timeline. In the meantime, the parking lot is in desperate need of striping. Therefore, the staff is recommending that we seal coat and restripe the parking lot now while we go through the process of DSA approval and develop the plans and specifications to replace the asphalt. The estimated cost to seal and restripe would be about \$40,000. We anticipate the asphalt replacement project could be completed next summer or possibly in the Spring (2023) during the Spring Break.

15 NEW BUSINESS

2022-2023 Proposed Budget

Type	Discussion, Information
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Purpose:
To present the 2022-23 Proposed Budget to the public and the Newark Unified School District Board of Education

Background:
The 2022-23 Proposed Budget is available for public inspection as an attachment to this agenda and also in person at the Business Services office.
In accordance with Education Code 42103, the Governing Board of each school district shall hold a Public Hearing on the proposed budget, held earlier in this meeting.
Education Code 42127 requires the Board of each school district to adopt a budget on or before July 1 of each year for the upcoming fiscal year.
Staff will recommend the Board adopt the 2022-23 budget at the June 16, 2022, meeting for the following funds: General Fund; Adult Education Fund; Child Development Fund; Cafeteria Fund; Special Reserve Fund for Other Than Capital Outlay Projects; Building Fund; Capital Facilities Fund; Special Reserve Fund for Capital Outlay Projects; Bond Interest and Redemption Fund; Self Insurance Fund.

File Attachments
[Full Book 22-23 Adopted Budget-a.pdf](#) (2,961 KB)

2022-2023 Proposed Local Control and Accountability Plan (LCAP)

Type Discussion, Information

Purpose:

To present the 2022-23 Local Control and Accountability Plan (LCAP) to the public and the Newark Unified School District Board of Education.

Background:

The 2022-23 LCAP is available for public inspection as an attachment to this agenda and also in person at the Business Services office. Education Code 52062(b)(2) A governing board of a school district shall adopt an LCAP or annual update to the LCAP in a public meeting. This meeting shall be held after, but not on the same day as, the public hearing held pursuant to paragraph (1). This meeting shall be the same meeting as that during which the governing board of the school district adopts a budget pursuant to Education Code 42127 (a)(2). The public hearing on the proposed LCAP was held earlier in this meeting. Staff will recommend the adoption of the 2022-23 LCAP at the Board's meeting on June 16, 2022.

File Attachments

- [2022_Local_Control_and_Accountability_Plan_Newark_Unified_School_District_20220602-1.pdf](#) (1,263 KB)
- [2022_Local_Control_and_Accountability_Plan_\(Spanish\)_Newark_Unified_School_District_20220602.pdf](#) (1,396 KB)
- [2022-23 LCAP Presentation BOE 060722.pdf](#) (2,827 KB)

Results of 2022 Bond Feasibility Community Survey

Type Action
Recommended Action The recommendation is that the Board of Education support staff in planning towards the 2024 Bond election.

Purpose:

To review and present the results of the 2022 bond feasibility community survey conducted by Godbe Research.

Background:

The Board approved a contract with Godbe Research, a survey consultant, to conduct a survey on the feasibility of NUSD putting a general obligation (GO) bond on the ballot in November of 2022. The survey was conducted from April 25, 2022 to May 6, 2022. Results of this survey would provide the Board of Education data from a wide base of participants with respect to support for placing a GO Bond on the 2022 ballot. The survey model is considered hybrid and includes both telephone survey and electronic email survey.

File Attachments

- [2022 Newark USD Bond Survey Board Presentation 06-07-22.pdf](#) (215 KB)

16 BOARD MEMBER REQUESTS

Board Member Request: Board Policy 7310 - Naming of Facility

Type Discussion, Information

Purpose:

Board Member Zhang made a request. that received approval from the majority of the Board members, to review Board Policy 7310.

Background:

The following derives directly from the Board approved "Governance Team Handbook"

Authority is Collective, Not Individual:

The only authority to direct action rests with the Board as a whole when seated at a regular or special board meeting. Outside of this meeting, there is no authority.

A majority Board vote provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction.

Bringing New Ideas Forward

The Board will be open to having "brainstorming" discussions, or study sessions, around any idea that a Trustee may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Trustee, at their initiative or at the request of a constituent, which was previously discussed during a board meeting.

Trustees will first notify the Board President and Superintendent of their interest in bringing forward a new idea at a board meeting. When initially agendized, the preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.

Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea. The Superintendent will decide on the delegation of assignments to District staff.

The new idea may be agendized for discussion only. The Board majority will decide if the new idea should be further developed and studied by staff. The Board majority will decide if staff time should be invested in the "fleshing out" of new ideas.

Individual Trustees, in the course of interactions with constituents, will be careful not to make or imply the commitment of the full Board to explore or proceed with implementing new ideas.

File Attachments

[DRAFT - Policy 7310_ Naming Of Facility - 20220307.pdf](#) (43 KB)
[Policy 7310_ Naming Of Facility.pdf](#) (41 KB)

17 CONSENT AGENDA: PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type Action
Recommended Action It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent-Personnel, except for agenda items:

Purpose:
(This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.)

Background:
Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Receive NTA Initial Proposal to NUSD for Reopeners for the 2022-2023 School Year

Type Action
Absolute Date Jun 02, 2022
Recommended Action The recommendation is that the Board of Education receive the NTA initial proposal to NUSD for reopeners for the 2022-2023 school year.

Purpose:
The purpose is for the Board of Education to receive the Newark Teachers Association (NTA) initial proposal to the Newark Unified School District (NUSD) for reopeners for the 2022-2023 school year.

Background:
Effective June 30, 2022, the current Collective Bargaining Agreement between the Newark Unified School District (NUSD) and the Newark Teachers Association (NTA) is set to expire. The California Education Code requires parties to publicly disclose or "sunshine" their proposals for reopeners at which time the public has an opportunity to provide input on the proposals prior to the commencement of negotiations. The Newark Teachers Association (NTA) initial proposal for reopeners is "sunshined" at this meeting. Newark Unified School District will sunshine their initial proposal at a future Board meeting. Copies of the NTA proposal are made available to the public. This is the public's second opportunity to express itself regarding the NTA proposal. Following the public hearing, the Board of Education must receive the NTA initial proposal to NUSD for reopeners for the 2022-2023 school year.

File Attachments
[#NTASunshineProposal2022.pdf](#) (151 KB)

MOU Between NTA and NUSD Concerning Summer Work Opportunities

Type Action
Absolute Date Jun 02, 2022
Fiscal Impact Yes
Dollar Amount \$23,000.00
Budget Source General Fund; ELO-P
Recommended Action The recommendation is that the Board of Education approve the MOU between NTA and NUSD concerning summer work opportunities.

Purpose:
The purpose is for the Board of Education to approve the MOU between NTA and NUSD concerning summer work opportunities in ELA/Math Enrichment Grades TK-6, SEAL Summer program, High School Credit Recovery, and Pre-school - TALL Special Education Extended School Year (ESY).

Background:
The Memorandum of Understanding is to raise the hourly compensation from \$40 an hour to \$50 an hour for 2022 summer programs. This will better align NUSD to neighboring districts' hourly compensation for summer school work. The summer programs are for approximately four weeks for four hours a day. It is the shared goal of NUSD and NTA that our current certificated staff apply for these positions, as this best supports the growth of our students.

File Attachments
[SIGNED Summer_School_MOU_NTA_5.3.22.pdf](#) (298 KB)

Personnel Report

Type Action
Absolute Date Jun 07, 2022
Recommended Action The recommendation is that the Board of Education ratify the personnel report as presented.

Action

Purpose:

The purpose is for the Board of Education to ratify the Personnel Report as presented.

Background:

All personnel activities including new hires, changes in status, resignation, leaves, and retirements are routinely submitted to the Board for ratification.

File Attachments

[HR PAL 06-07-2022.pdf](#) (393 KB)

18 CONSENT AGENDA: NON-PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type Action

Recommended It is recommended that the Board of Education approve, under one consented vote, the
Action agenda items under Consent Non-Personnel, except for agenda items:

Purpose:

This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:

Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Birch Grove Primary 2022-2023 School Plan for Student Achievement (SPSA)

Type Action

Fiscal Impact Yes

Budgeted Yes

Recommended The recommendation is that the Board of Education approve the Birch Grove Primary 2022-
Action 2023 School Plan for Student Achievement.

Purpose:

This 2022-23 School Plan for Student Achievement (SPSA) is coming forward for Board approval. The SPSA serves as the organizer for an individual school's improvement process. The plan is developed with a deep understanding of the root causes of student academic challenges and identifies and implements research-based instructional strategies to raise the achievement of students who are not yet proficient by state standards.

The plan:

- Builds on a premise that students are capable of learning with effective instruction.
- Includes school goals aligned with activities and goals included in the LCAP to maximize school reform efforts.
- Is based on verifiable data analysis.
- Focuses on student achievement and academic interventions.
- Implements high leverage school improvement actions.
- Directs resources where they will most directly improve student academic achievement.
- Ensures all resources are aligned to serve identified students' needs.
- Uses research-based strategies.
- Implements strategic coordination of resources.

Background:

The School Plan for Student Achievement (SPSA) is a plan of action to improve student academic performance by coordinating all educational services and resources. Pursuant to California Education Code Section 64001, schools that receive state and federal funds are required to consolidate all school plans into an SPSA.

It is the goal of the Newark Unified School District (NUSD) to provide equitable opportunities to each of our students and school sites. Each site-specific SPSA and the district-wide Local Control and Accountability Plan (LCAP) is a roadmap created in partnership with all district stakeholders to achieve our vision and mission:

NUSD Vision: The Newark Unified School District, in partnership with the community, will be a model of world-class education that develops the unique abilities of every student.

NUSD Mission: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens.

Each school site aligns its SPSA action items to our 3 LCAP goals:

- Goal 1: Promote a culture of instructional excellence and continuous improvement that results in students achieving their full potential and graduating college and career-ready.
- Goal 2: Promote a culture of community and partnership among the parents, students, staff, and NUSD community as a whole that results in an increase in parent involvement, student participation, and a positive school climate.
- Goal 3: Establish exceptional learning conditions and an environment that promotes trust, respect, and acceptance, and results in students and families feeling safe, welcomed, and valued members of NUSD.

Data Analysis: School-level goals are informed by data. Each goal area includes data analysis on current measures across student subgroups, and on outcome measures to determine progress. Local and State data are used to develop each goal.

Evaluating Progress: The SSC agendaized a meeting to review Dashboard data and measure the impact of actions on student achievement. The principal and staff evaluate academic progress a minimum of three times a year through an academic Professional Learning Community (PLC) model with benchmark data.

Role of School Advisory Committees: California Education Code Section 64001 requires that the School Site Council (SSC) develop the SPSA. The SSC's responsibilities include approving the plan, recommending it to the local governing board for approval, monitoring its implementation, and evaluating the effectiveness of the plan at least annually. The SSC must seek the review, advice, and certification of applicable advisory committees, including the English Learner Advisory Committee (ELAC).

[File Attachments](#)

[2022_School_Plan_for_Student_Achievement_Birch_Grove_Primary_School_20220526.pdf](#) (566 KB)

Birch Grove Intermediate 2022-2023 School Plan for Student Achievement (SPSA)

Type	Action
Fiscal Impact	Yes
Budgeted	Yes
Recommended	The recommendation is that the Board of Education approve the Birch Grove Intermediate
Action	2022-2023 School Plan for Student Achievement.

Purpose:

This 2022-23 School Plan for Student Achievement (SPSA) is coming forward for Board approval. The SPSA serves as the organizer for an individual school's improvement process. The plan is developed with a deep understanding of the root causes of student academic challenges and identifies and implements research-based instructional strategies to raise the achievement of students who are not yet proficient by state standards.

The plan:

- Builds on a premise that students are capable of learning with effective instruction.
- Includes school goals aligned with activities and goals included in the LCAP to maximize school reform efforts.
- Is based on verifiable data analysis.
- Focuses on student achievement and academic interventions.
- Implements high leverage school improvement actions.
- Directs resources where they will most directly improve student academic achievement.
- Ensures all resources are aligned to serve identified students' needs.
- Uses research-based strategies.
- Implements strategic coordination of resources.

Background:

The School Plan for Student Achievement (SPSA) is a plan of action to improve student academic performance by coordinating all educational services and resources. Pursuant to California Education Code Section 64001, schools that receive state and federal funds are required to consolidate all school plans into an SPSA.

It is the goal of the Newark Unified School District (NUSD) to provide equitable opportunities to each of our students and school sites. Each site-specific SPSA and the district-wide Local Control and Accountability Plan (LCAP) is a roadmap created in partnership with all district stakeholders to achieve our vision and mission:

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NUSD Mission: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens.

Each school site aligns its SPSA action items to our 3 LCAP goals:

- Goal 1: Promote a culture of instructional excellence and continuous improvement that results in students achieving their full potential and graduating college and career-ready.
- Goal 2: Promote a culture of community and partnership among the parents, students, staff, and NUSD community as a whole that results in an increase in parent involvement, student participation, and a positive school climate.
- Goal 3: Establish exceptional learning conditions and an environment that promotes trust, respect, and acceptance, and results in students and families feeling safe, welcomed, and valued members of NUSD.

Data Analysis: School-level goals are informed by data. Each goal area includes data analysis on current measures across student subgroups, and on outcome measures to determine progress. Local and State data are used to develop each goal. Evaluating Progress: The SSC agendaed a meeting to review Dashboard data and measure the impact of actions on student achievement. The principal and staff evaluate academic progress a minimum of three times a year through an academic Professional Learning Community (PLC) model with benchmark data.

Role of School Advisory Committees: California Education Code Section 64001 requires that the School Site Council (SSC) develop the SPSA. The SSC's responsibilities include approving the plan, recommending it to the local governing board for approval, monitoring its implementation, and evaluating the effectiveness of the plan at least annually. The SSC must seek the review, advice, and certification of applicable advisory committees, including the English Learner Advisory Committee (ELAC).

[File Attachments](#)

[2022_School_Plan_for_Student_Achievement_Birch_Grove_Intermediate_School_20220526.pdf](#) (657 KB)

Coyote Hills Elementary 2022-2023 School Plan for Student Achievement (SPSA)

Type	Action
Fiscal Impact	Yes
Budgeted	Yes
Recommended	The recommendation is that the Board of Education approve the Coyote Hills Elementary
Action	2022-2023 School Plan for Student Achievement.

Purpose:

This 2022-23 School Plan for Student Achievement (SPSA) is coming forward for Board approval. The SPSA serves as the organizer for an individual school's improvement process. The plan is developed with a deep understanding of the root causes of student academic challenges and identifies and implements research-based instructional strategies to raise the achievement of

students who are not yet proficient by state standards.

The plan:

- Builds on a premise that students are capable of learning with effective instruction.
- Includes school goals aligned with activities and goals included in the LCAP to maximize school reform efforts.
- Is based on verifiable data analysis.
- Focuses on student achievement and academic interventions.
- Implements high leverage school improvement actions.
- Directs resources where they will most directly improve student academic achievement.
- Ensures all resources are aligned to serve identified students' needs.
- Uses research-based strategies.
- Implements strategic coordination of resources.

Background:

The School Plan for Student Achievement (SPSA) is a plan of action to improve student academic performance by coordinating all educational services and resources. Pursuant to California Education Code Section 64001, schools that receive state and federal funds are required to consolidate all school plans into an SPSA.

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Data Analysis: School-level goals are informed by data. Each goal area includes data analysis on current measures across student subgroups, and on outcome measures to determine progress. Local and State data are used to develop each goal.

Evaluating Progress: The SSC agendaized a meeting to review Dashboard data and measure the impact of actions on student achievement. The principal and staff evaluate academic progress a minimum of three times a year through an academic Professional Learning Community (PLC) model with benchmark data.

Role of School Advisory Committees: California Education Code Section 64001 requires that the School Site Council (SSC) develop the SPSA. The SSC's responsibilities include approving the plan, recommending it to the local governing board for approval, monitoring its implementation, and evaluating the effectiveness of the plan at least annually. The SSC must seek the review, advice, and certification of applicable advisory committees, including the English Learner Advisory Committee (ELAC).

File Attachments

[2022_School_Plan_for_Student_Achievement_Coyote_Hills_Elementary_School_20220601.pdf](#) (732 KB)

Kennedy Elementary 2022-2023 School Plan for Student Achievement (SPSA)

Type	Action
Fiscal Impact	Yes
Budgeted	Yes
Recommended	The recommendation is that the Board of Education approve the Kennedy Elementary 2022-2023 School Plan for Student Achievement.
Action	

Purpose:

This 2022-23 School Plan for Student Achievement (SPSA) is coming forward for Board approval. The SPSA serves as the organizer for an individual school's improvement process. The plan is developed with a deep understanding of the root causes of student academic challenges and identifies and implements research-based instructional strategies to raise the achievement of students who are not yet proficient by state standards.

The plan:

- Builds on a premise that students are capable of learning with effective instruction.
- Includes school goals aligned with activities and goals included in the LCAP to maximize school reform efforts.
- Is based on verifiable data analysis.
- Focuses on student achievement and academic interventions.
- Implements high leverage school improvement actions.
- Directs resources where they will most directly improve student academic achievement.
- Ensures all resources are aligned to serve identified students' needs.
- Uses research-based strategies.
- Implements strategic coordination of resources.

Background:

The School Plan for Student Achievement (SPSA) is a plan of action to improve student academic performance by coordinating all educational services and resources. Pursuant to California Education Code Section 64001, schools that receive state and federal funds are required to consolidate all school plans into an SPSA.

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Goal 3: Establish exceptional learning conditions and an environment that promotes trust, respect, and acceptance, and results in students and families feeling safe, welcomed, and valued members of NUSD.

Data Analysis: School-level goals are informed by data. Each goal area includes data analysis on current measures across student subgroups, and on outcome measures to determine progress. Local and State data are used to develop each goal.

Evaluating Progress: The SSC agendaed a meeting to review Dashboard data and measure the impact of actions on student achievement. The principal and staff evaluate academic progress a minimum of three times a year through an academic Professional Learning Community (PLC) model with benchmark data.

Role of School Advisory Committees: California Education Code Section 64001 requires that the School Site Council (SSC) develop the SPSA. The SSC's responsibilities include approving the plan, recommending it to the local governing board for approval, monitoring its implementation, and evaluating the effectiveness of the plan at least annually. The SSC must seek the review, advice, and certification of applicable advisory committees, including the English Learner Advisory Committee (ELAC).

[File Attachments](#)

[2022_School_Plan_for_Student_Achievement_John_F._Kennedy_Elementary_School_20220527.pdf](#) (787 KB)

Lincoln Elementary 2022-2023 School Plan for Student Achievement (SPSA)

Type	Action
Fiscal Impact	Yes
Budgeted	Yes
Recommended Action	The recommendation is that the Board of Education approve the Lincoln Elementary 2022-2023 School Plan for Student Achievement.

Purpose:

This 2022-23 School Plan for Student Achievement (SPSA) is coming forward for Board approval. The SPSA serves as the organizer for an individual school's improvement process. The plan is developed with a deep understanding of the root causes of student academic challenges and identifies and implements research-based instructional strategies to raise the achievement of students who are not yet proficient by state standards.

The plan:

- Builds on a premise that students are capable of learning with effective instruction.
- Includes school goals aligned with activities and goals included in the LCAP to maximize school reform efforts.
- Is based on verifiable data analysis.
- Focuses on student achievement and academic interventions.
- Implements high leverage school improvement actions.
- Directs resources where they will most directly improve student academic achievement.
- Ensures all resources are aligned to serve identified students' needs.
- Uses research-based strategies.
- Implements strategic coordination of resources.

Background:

The School Plan for Student Achievement (SPSA) is a plan of action to improve student academic performance by coordinating all educational services and resources. Pursuant to California Education Code Section 64001, schools that receive state and federal funds are required to consolidate all school plans into an SPSA.

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[File Attachments](#)

[2022_School_Plan_for_Student_Achievement_Lincoln_Elementary_School_20220527.pdf](#) (753 KB)

Schilling Elementary 2022-2023 School Plan for Student Achievement (SPSA)

Type	Action
Fiscal Impact	Yes
Budgeted	Yes
Recommended Action	The recommendation is that the Board of Education approve the Schilling Elementary 2022-2023 School Plan for Student Achievement.

Purpose:

This 2022-23 School Plan for Student Achievement (SPSA) is coming forward for Board approval. The SPSA serves as the organizer for an individual school's improvement process. The plan is developed with a deep understanding of the root causes of student academic challenges and identifies and implements research-based instructional strategies to raise the achievement of students who are not yet proficient by state standards.

The plan:

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- Includes school goals aligned with activities and goals included in the LCAP to maximize school reform efforts.
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- Focuses on student achievement and academic interventions.
- Implements high leverage school improvement actions.
- Directs resources where they will most directly improve student academic achievement.
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- Uses research-based strategies.
- Implements strategic coordination of resources.

Background:

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Evaluating Progress: The SSC agendized a meeting to review Dashboard data and measure the impact of actions on student achievement. The principal and staff evaluate academic progress a minimum of three times a year through an academic Professional Learning Community (PLC) model with benchmark data.

Role of School Advisory Committees: California Education Code Section 64001 requires that the School Site Council (SSC) develop the SPSA. The SSC's responsibilities include approving the plan, recommending it to the local governing board for approval, monitoring its implementation, and evaluating the effectiveness of the plan at least annually. The SSC must seek the review, advice, and certification of applicable advisory committees, including the English Learner Advisory Committee (ELAC).

File Attachments

[2022_School_Plan_for_Student_Achievement_August_Schilling_Elementary_School_20220601.pdf](#) (902 KB)

Newark Jr High 2022-2023 School Plan for Student Achievement (SPSA)

Type	Action
Fiscal Impact	Yes
Budgeted	Yes
Recommended Action	The recommendation is that the Board of Education approve the Newark Junior High School 2022-2023 School Plan for Student Achievement.

Purpose:

This 2022-23 School Plan for Student Achievement (SPSA) is coming forward for Board approval. The SPSA serves as the organizer for an individual school's improvement process. The plan is developed with a deep understanding of the root causes of student academic challenges and identifies and implements research-based instructional strategies to raise the achievement of students who are not yet proficient by state standards.

The plan:

- Builds on a premise that students are capable of learning with effective instruction.
- Includes school goals aligned with activities and goals included in the LCAP to maximize school reform efforts.
- Is based on verifiable data analysis.
- Focuses on student achievement and academic interventions.
- Implements high leverage school improvement actions.
- Directs resources where they will most directly improve student academic achievement.

Ensures all resources are aligned to serve identified students' needs.
 Uses research-based strategies.
 Implements strategic coordination of resources.

Background:

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Evaluating Progress: The SSC agendaized a meeting to review Dashboard data and measure the impact of actions on student achievement. The principal and staff evaluate academic progress a minimum of three times a year through an academic Professional Learning Community (PLC) model with benchmark data.

Role of School Advisory Committees: California Education Code Section 64001 requires that the School Site Council (SSC) develop the SPSA. The SSC's responsibilities include approving the plan, recommending it to the local governing board for approval, monitoring its implementation, and evaluating the effectiveness of the plan at least annually. The SSC must seek the review, advice, and certification of applicable advisory committees, including the English Learner Advisory Committee (ELAC).

File Attachments

[2022_School_Plan_for_Student_Achievement_Newark_Junior_High_School_20220601.pdf](#) (750 KB)

Newark Memorial High School 2022-2023 School Plan for Student Achievement (SPSA)

Type	Action
Fiscal Impact	Yes
Budgeted	Yes
Recommended	The recommendation is that the Board of Education approve the Newark Memorial High
Action	School 2022-2023 School Plan for Student Achievement.

Purpose:

This 2022-23 School Plan for Student Achievement (SPSA) is coming forward for Board approval. The SPSA serves as the organizer for an individual school's improvement process. The plan is developed with a deep understanding of the root causes of student academic challenges and identifies and implements research-based instructional strategies to raise the achievement of students who are not yet proficient by state standards.

The plan:

Builds on a premise that students are capable of learning with effective instruction.

Includes school goals aligned with activities and goals included in the LCAP to maximize school reform efforts.

Is based on verifiable data analysis.

Focuses on student achievement and academic interventions.

Implements high leverage school improvement actions.

Directs resources where they will most directly improve student academic achievement.

Ensures all resources are aligned to serve identified students' needs.

Uses research-based strategies.

Implements strategic coordination of resources.

Background:

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[File Attachments](#)

[2022_School_Plan_for_Student_Achievement_Newark_Memorial_High_School_20220601.pdf](#) (786 KB)

Bridgepoint High School 2022-2023 School Plan for Student Achievement (SPSA)

Type	Action
Fiscal Impact	Yes
Budgeted	Yes
Recommended	The recommendation is that the Board of Education approve the Bridgepoint High School
Action	2022-2023 School Plan for Student Achievement.

Purpose:

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The plan:

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[File Attachments](#)

[2022_School_Plan_for_Student_Achievement_Bridgepoint_20220531.pdf](#) (1,008 KB)

Crossroads High School 2022-2023 School Plan for Student Achievement (SPSA)

Type	Action
Fiscal Impact	Yes
Budgeted	Yes
Recommended	The recommendation is that the Board of Education approve the Crossroads High School

Action 2022-2023 School Plan for Student Achievement.

Purpose:

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File Attachments

[2022_School_Plan_for_Student_Achievement_Crossroads_High_School_20220531.pdf](#) (880 KB)

Award of Agreements for District-Wide Special Ed Transportation

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$1,388,920.00
Budgeted	Yes
Budget Source	Resource 6500 - Special Education
Recommended	The recommendation is that the Board of Education award the contracts for Special Education
Action	Transportation to Zum Services, Inc and Pawar Transportation, LLC.

Purpose:

The purpose is to provide transportation to students in Special Education identified as needing transportation as a related service to access their Free Appropriate Public Education (FAPE).

Background:

For the last three years, Zum Services, Inc has provided the majority of our Special Education transportation. The contracted cost for the 2021-22 school year for Zum was \$886,202 for 199 days of education, a regular school year plus Extended School Year (ESY). Due to the lack of staffing, Zum was not able to provide all services, therefore Special Education contracted with HopSkipDrive to supplement transportation services. HopSkipDrive contracted for the amount of \$274,860 for the 2021-22 school year.

On April 4, 2022, we initiated a bidding process for a new transportation vendor. On May 9, 2022, at 2:00 PM the district opened five bids covering all routes for 180 school days and nineteen days ESY. Bids were received from:

- Zum Services, Inc
- HopSkipDrive, Inc
- Pawar Transportation, LLC
- Kango
- Adroit Advanced Technologies, Inc

The Special Education Department recommends splitting the transportation routes between two bidders. The routes will be divided between elementary and secondary routes.

The recommendation is for the elementary contract to be awarded to Zum. They had a competitive price and our experience with them has been positive. The total project cost for Zum, for 180 school days plus ESY including regular routes, Non-public school routes, and transportation for elementary students is \$782,120.

The recommendation is for the secondary contract to be awarded to Pawar Transportation, LLC. They had a competitive price and came as a recommendation from another district that had positive things to say about them. The total project cost for Pawar for 180 school days plus ESY including regular routes, Non-public school routes, and transportation for secondary students is \$606,800.

The bids account for 103 Special Education students eligible for transportation services in 2022-23. In the 2021-22 school year, 70 students used either Zum or HopSkipDrive to get to and from school and 25 parents received mileage reimbursement to transport their students to and from school. If all 109 students, eligible for transportation in the 2021-22 school year, had used transportation services, actual costs would have been significantly higher.

Transportation services are provided on round-trip routes (or vehicles). Each route includes a base vehicle rate and included mileage. If mileage goes over, then there is a per-mile fee added to the route. There was a significant increase in vehicle base rates compared to three years ago. Also, in the past, vehicle capacity has been up to four (4) students per vehicle. The current vehicle capacity is up to three (3) students per vehicle, increasing the number of routes needed.

2022-23 School Year 2022-23 ESY Total

Zum Services, Inc	\$747,720	\$34,400	\$782,120
Pawar Transportation, LLC	\$601,200	\$5,600	\$606,800
	\$1,388,920		

Total cost = \$1,388,920.00

[File Attachments](#)

[Bid Sheet_NUSD-SPED-Transportation-RFP-2021-22-01.pdf](#) (127 KB)

[Zum Services Inc_2022-23 ICA.pdf](#) (233 KB)

[Pawar Transportation LLC_ICA 2022-23.pdf](#) (199 KB)

Proposed Five-Year Child Care Fee Schedule

Type	Action
Recommended	The recommendation is that the Board of Education approve the Five-Year Child Care Fee
Action	Schedule as presented.

[Purpose:](#)

To approve a five-year Child Care Fee Schedule, beginning in the 2022-2023 school year.

[Background:](#)

On March 15, 2016, the Board approved a five-year fee schedule with an annual increase of 3%. On March 7, 2017, the Board approved an annual increase of 3% for Kindergarten Early Release and Drop-in programs, making all Child Care services increase at the same annual rate.

On March 4, 2021, the Board approved maintaining the fee schedule for all Child Care services for 2021-2022 at the same rate as 2020-2021. This rate freeze came during the pandemic when Child Care enrollment was low and Child Care continued providing free child care to NUSD employees.

In order to balance the Child Care budget each year, additional funds are needed from the district. We are proposing a rate increase, which will include adjustments for the early release days and drop-in service, in order to decrease the amount of General Fund money needed to support the Child Care program. The fees for bill itemization requests, NSF, late payment, contract change, and late pick-up will remain the same.

Child Care Services

The child care services schedule is still being finalized and will be available to families by the end of June.

Proposed Child Care Fee Schedule Per Child

Hours	Year 1	Year 2	Year 3	Year 4	Year 5	
Scheduled Weekly Hours	per Month	2022-23	2023-24	2024-25	2025-26	
Rate Increase	6%	N/A	3%	3%	3%	
Up to 6 hours	24	\$185	\$185	\$190	\$195	\$200
6.5 - 12 hours	48	\$370	\$370	\$380	\$390	\$400
12.5 - 18 hours	72	\$555	\$555	\$570	\$585	\$600
18.5 - 24 hours	96	\$740	\$740	\$760	\$780	\$800

Proposed Kindergarten Early Release Fee Schedule

Year 1	Year 2	Year 3	Year 4	Year 5
2022-23	2023-24	2024-25	2025-26	2026-27
\$260	\$260	\$265	\$270	\$275

Proposed Drop-In Fees (Hourly Rate)

Year 1	Year 2	Year 3	Year 4	Year 5
2022-23	2023-24	2024-25	2025-26	2026-27
\$10	\$10	\$12	\$14	\$16

NOTE: All fees are per child, there is no sibling discount

Funding Source Update for Credit Recovery

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$20,850.00
Budgeted	Yes
Budget Source	Expanded Learning Opportunities Grant (ELO-G)

Recommended Action The recommendation is that the Board of Education approve the change in funding source from ELO-P to ELO-G for the 2022-23 Edmentum (APEX) online platform contract approved by the Board at the May 5, 2022 meeting.

Purpose:

To approve the funding source change for the Edmentum (APEX) online platform that will support credit recovery for NUSD students from Expanded Learning Opportunities Program (ELO-P) to the Expanded Learning Opportunities Grant (ELO-G).

Background:

At the May 5, 2022, Board of Education meeting the Board approved Edmentum (APEX) as an online platform that will serve as one of the multiple options that NUSD students have to recover credit using ELO-P funds. The funding source has changed to ELO-G funds.

STAR Lab Furniture

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$110,000.00
Budgeted	Yes
Budget Source	General Fund
Recommended Action	The recommendation is that the Board of Education approve the purchase of furniture from Campbell Keller for the Newark Memorial High School STAR lab as presented.

Purpose:

To approve the purchase of furniture for the Newark Memorial High School STAR Lab.

Background:

The furniture purchase is part of the STAR Lab project at Newark Memorial High School that has been in development since 2020-21. The furniture plan furnishes three (3) Zones in the STAR Lab for student work, each capable of supporting a class of up to 36 students, as follows.
 Zone 1 - A theater/brainstorming lounge featuring round and rectangular tables with active, movable, and reconfigurable seating.
 Zone 2 - A rocketry/aerospace workspace with butcher block tables, stool seating, and storage for tools and parts.
 Zone 3 - A robotics/programming workspace featuring height adjustable laminate tables, chair seating, and large monitors (already purchased with Donors Choose funding) for students to collaborate around.
 The plan also includes movable walls to effectively divide and rearrange spaces depending on event/class needs. In addition, this purchase includes a workbench/workspaces for 3-D printing, laser cutting, and other robotics/rocketry tool use. The pricing on the quote is based on a piggyback bid from Los Rios Community College District. There may be slight changes to the actual order but the purchase will not exceed \$110,000.

File Attachments

- [114630_PROP_rev1_NEWARK USD_NEWARK MEMORIAL HS_STAR LAB.pdf](#) (79 KB)
- [NMHS Star Lab Overall Layout 05192022.pdf](#) (375 KB)

CBOC Member Reappointment (Mr. Richard Watters)

Type	Action
Recommended Action	The recommendation is that the Board of Education reappoint Richard Watters to the Citizens' Bond Oversight Committee (CBOC).

Purpose:

By taking this action, the Board will reappoint one member, Richard Watters, to the Citizens' Bond Oversight Committee (CBOC) for a third term beginning July 1, 2022, and expiring June 30, 2024.

Background:

NUSD Board Administrative Regulation 7214 (for General Obligation Bonds) permits members of the CBOC to serve a maximum of three 2-year terms. Mr. Watters has expressed an interest in returning for a third term. The Board meeting at which he was appointed for the first term was August 21, 2018. His community representation is as a Parent/Guardian of Child Enrolled in the District. He is the current Chair of the CBOC.

CBOC Member Reappointment (Ms. Cindy Parks)

Type	Action
Recommended Action	The recommendation is that the Board of Education reappoint Cindy Parks to the Citizens' Bond Oversight Committee (CBOC).

Purpose:

By taking this action, the Board will reappoint one member, Cindy Parks, to the Citizens' Bond Oversight Committee (CBOC) for a second term beginning July 1, 2022, and expiring June 30, 2024.

Background:

NUSD Board Administrative Regulation 7214 (for General Obligation Bonds) permits members of the CBOC to serve a maximum of three 2-year terms. Ms. Parks has expressed an interest in returning for a second term. The Board meeting at which she was appointed for the first term was June 30, 2022. Her community representation is as an At-Large Community Member. She is the current Secretary of the CBOC.

Canon Lease for Copiers

Type	Action
Fiscal Impact	Yes
Budgeted	Yes
Budget Source	General Fund
Recommended	The recommendation is that the Board of Education approve the Canon leases as presented.
Action	

Purpose:
 To approve new lease and maintenance agreements with Canon Solutions America. In order to provide District staff with the most efficient copying and scanning technology, the copiers at Birch Grove Intermediate, Birch Grove Primary, Coyote Hills, Lincoln, Schilling, NJHS (the second machine being moved from Coyote Hills), and two machines at NMHS need new contracts to lease and maintain the machines at those sites, as the current leases are expiring. Each machine will be switched out for a new model. In each case, the newer model will have the same functionality as the current models and will have a lower cost to lease. The new lease and maintenance agreement will result in a \$42,900 savings over the next 5 years.

Background:
 Based on performance and cost, the District will be leasing these 8 machines with Canon Solutions America. The Business Office has been using Canon machines for the last 2 years and is very satisfied with the performance of the copiers and customer service. The lease is a 60-month fixed price plan contract. The new lease "piggy-backs" on the University of California Purchasing Agreement #2020002755.

- File Attachments**
[Equipment_Lease_Itemized_8_units_S1280571_05.18.2022.pdf](#) (5,443 KB)
[Agreement Acct Number MA27251_S1280571_05.17.2022.pdf](#) (596 KB)
[Spring 2022 leases.pdf](#) (18 KB)
[Canon Executed Agreement_UC Omnia Agreement_Contract#2020002755.pdf](#) (10,445 KB)

Monthly Purchase Order Report

Type	Action (Consent)
Recommended	The recommendation is that the Board of Education approve the Monthly Purchase Order
Action	Report as presented.

Purpose:
 The purpose of this item is to present a monthly report on Purchase Order transactions per Board Policy 3300, Expenditures and Purchases.

Background:
 Based on the discussion at the Board's Study Session on January 6, 2022, the staff is providing a monthly report on Purchase Order transactions per Board Policy 3300, Expenditures, and Purchases. The policy states that "The Board shall review all transactions entered into by the Superintendent or designee on behalf of the Board every 60 days."

- File Attachments**
[Monthly Purchase Order Report 6-7-2022.pdf](#) (99 KB)

Contracts and Purchase Orders Authorized under Resolution 2020.21-025 (Delegate Authority to Procure Necessary Materials, Equipment and Services to Provide Distance and/or In-Person Learning for Staff, Teachers, and Students to Mitigate the Effects of Covid-19)

Type	Action
Fiscal Impact	Yes
Budgeted	Yes
Recommended	The recommendation is that the Board of Education accept the update on costs associated
Action	with the implementation of Resolution 2020.21-025 (Resolution of the Board of Education of the Newark Unified School District to Delegate Authority to Procure Necessary Materials, Equipment and Services to Provide Distance and/or In-Person Learning for Staff, Teachers, and Students to Mitigate the Effects of Covid-19)

Purpose:
 To update the Board on costs associated with the implementation of Resolution 2020.21-025 (Resolution of the Board of Education of the Newark Unified School District to Delegate Authority to Procure Necessary Materials, Equipment and Services to Provide Distance and/or In-Person Learning for Staff, Teachers, and Students to Mitigate the Effects of Covid-19) from May 1, 2022 through May 31, 2022.

Background:
 On April 1, 2021, the Newark Unified School District Board approved Resolution 2020.21-025 delegating authority to the Superintendent or designee to procure necessary materials, equipment, and services that are needed to provide distance and/or in-person learning to mitigate the effects of Covid-19. Language in the resolution states "the Superintendent/Designee shall make periodic reports to the Board of Education and the public regarding implementation of this resolution and the costs associated therewith"; requiring the update provided here.
 On September 16, 2021, Amended Resolution 2020.21-025 was approved. The amendment extends it to on or around June 30, 2022, and states that updates will be presented at the first Board meeting of each month.

Updates have been provided to the Board

- June 17, 2021 for contracts and purchase orders between April 2, 2021 and May 31, 2021
- October 7, 2021 for contracts and purchase orders between June 1, 2021 and September 30, 2021
- November 4, 2021 for contracts and purchase orders between October 1, 2021 and October 31, 2021
- December 6, 2021 for contracts and purchase orders between November 1, 2021 and November 30, 2021
- January 6, 2022 for contracts and purchase orders between December 1, 2021 and December 31, 2021
- February 3, 2022 for contracts and purchase orders between January 1, 2022 and January 31, 2022
- March 3, 2022 for contracts and purchase orders between February 1, 2022 and February 28, 2022
- April 7, 2022 for contracts and purchase orders between March 1, 2022 and March 31, 2022
- May 5, 2022 for contracts and purchase orders between April 1, 2022 and April 30, 2022

VENDOR DATE PO NUMBER DESCRIPTION AMOUNT

N/A*

*There are no contracts or purchase orders to report for the period of May 1, 2022, through May 31, 2022.

Minutes of the April 27, 2022 Special Meeting of the Board of Education

Type Action, Minutes

Recommended The recommendation is that the Board of Education approve the minutes of the April 27, 2022, Special Meeting of the Board of Education.

Purpose:

For the board to review and approve the minutes

Background:

The attached minutes are reflective of the April 27, 2022, Special Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel [HERE](#)

Minutes of the May 5, 2022 Regular Meeting of the Board of Education

Type Action, Minutes

Recommended The recommendation is that the Board of Education approve the minutes of the May 5, 2022, Regular Meeting of the Board of Education.

Purpose:

For the board to review and approve the minutes

Background:

The attached minutes are reflective of the May 5, 2022, Regular Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel [HERE](#)

19 BOARD OF EDUCATION: COMMITTEE REPORTS, REQUESTS, AND ANNOUNCEMENTS

Board of Education Recognitions and Announcements

Type Information

Purpose:

The Trustees may acknowledge or recognize specific programs, activities, or personnel at this time.

Board of Education Committee Reports

Type Information

Purpose:

The Trustees will provide an update, if available, on the committees of which they are members.

Background:

Each year the Board of Education members liaise with schools and committees in order to build relationships, hear from staff, students, and families, and act as a conduit for information to and from the schools.

Board Committees 2020-21

Board Adopted on 12/16/21	Representative	Alternate
Mission Valley Regional Occupational Center/Program	1. Terrence	(ROC/P)Grindall1. Bowen Zhang
Executive Board		
Regional Policy Board of Special Education Local Plan Area (SELPA)	1. Bowen Zhang	1. Alicia Marquez
Newark Teacher Induction Advisory Council (Formally EBIC)	1. Alicia Marquez	1. Aiden Hill
Audit Committee	1. Alicia Marquez	1. Terrence2. Aiden HillGrindall
Bond/Parcel Tax Committee	1. Terrence	Grindall2. Phuong 1. Bowen Zhang
	Nguyen	
	1. Phuong	
	Nguyen	

Board of Education Requests

Type Action, Discussion, Information

Purpose:

This is an opportunity for the Board of Education to suggest items for placement on future agendas and to review Board requests. Approval from the majority of the Board will be required for direction to be provided to the Superintendent.

Background:

The following derives directly from the Board approved "Governance Team Handbook" Authority is Collective, Not Individual:

The only authority to direct action rests with the Board as a whole when seated at a regular or special board meeting. Outside of this meeting, there is no authority.

A majority Board vote provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction.

Bringing New Ideas Forward

The Board will be open to having "brainstorming" discussions, or study sessions, around any idea that a Trustee may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Trustee, at their initiative or at the request of a constituent, which was previously discussed during a board meeting.

Trustees will first notify the Board President and Superintendent of their interest in bringing forward a new idea at a board meeting.

When initially agendized, the preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.

Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea. The Superintendent will decide on the delegation of assignments to District staff.

The new idea may be agendized for discussion only. The Board majority will decide if the new idea should be further developed and studied by staff. The Board majority will decide if staff time should be invested in the "fleshing out" of new ideas.

Individual Trustees, in the course of interactions with constituents, will be careful not to make or imply the commitment of the full Board to explore or proceed with implementing new ideas.

20 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

Superintendent's Concluding Comments, Updates, and Future Agenda Items

AGENDA REQUESTS

Type Information

Purpose:

This is an opportunity for the Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

21 ADJOURNMENT

PLACEHOLDER - Extend Meeting

Type Action

Recommended Action The recommendation is that the Board of Education extends the meeting to ____ P.M.

Purpose:

This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

Adjournment

Type Action, Procedural

Recommended Action The recommendation is that the Board of Education adjourns this meeting.

Purpose:

No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time. This action will conclude the meeting.

1 CALL TO ORDER

Meeting Practices and Information

Type Information, Procedural

In-person Meeting Information:

NUSD has opened its boardroom for in-person meetings and will follow the State's and Alameda County's safety guidelines for public gatherings. Please refrain from attending in-person meetings if you have any of the following symptoms:

- Loss of taste/smell
- Difficulty breathing
- Vomiting
- Diarrhea
- Fever
- Cough
- Headache
- Sore Throat
- Runny Nose

For additional COVID-19 information please go to <https://www.newarkunified.org/covid-19> or <https://www.acoe.org/guidance>

OBSERVE THE BOARD OF EDUCATION MEETING :

Members of the public 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.

Public Comment:

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

Roll Call

Type Procedural

Trustees:

- President Phuong Nguyen
- Vice President/Clerk Terrence Grindall
- Member Aiden Hill
- Member Alicia Marquez
- Member Bowen Zhang

Student Board Member:

- Member Estaina Resendiz Ortiz

2 APPROVAL OF AGENDA

Approval of the Agenda

Type Action

Recommended It is recommended that the Board of Education approve the agenda for this meeting.

Action

Purpose:

Members of the Governance Team may request that the agenda be amended or approved as presented.

Motion & Voting

It is recommended that the Board of Education approve the agenda for this meeting, with the amendment to add 15.11 for the Kennedy Field Tripl.

- Motion by Terrence Grindall, second by Phuong Nguyen.
- Final Resolution: Motion Carries
- Yea: Phuong Nguyen, Terrence Grindall, Alicia Marquez, Bowen Zhang
- Nay: Aiden Hill
- Not Present at Vote: Estaina Resendiz-Ortiz

3 CLOSED SESSION

Public Comment on Closed Session Items

Type Information

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board. If a constituent wishes to address the Board on any agenda item, please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org.

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE (Gov. Code, 54957, subd. (b)(1))

Type Action, Information, Procedural

Purpose:

Information will be provided by the Superintendent and Executive Director of Human Resources.

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a): Employee Organizations - NTA and CSEA

Type Action, Information, Procedural

Purpose:

Information may be provided by the agency negotiator, the Executive Director of Human Resources. Assistance from the legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided. The employee organizations include NTA & CSEA.

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a)): Employee Group - NEWMA, Unrepresented Supervisors, and Contracted Management

Type Action, Information, Procedural

Purpose:

Information may be provided by the agency negotiator, the Executive Director of Human Resources, and the Superintendent. Assistance from legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided. The employee organizations include NEWMA, Unrepresented Supervisors, and Contracted Management

CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION Significant exposure to litigation pursuant to Gov. Code, 54956.9, subd. (d)[(2) or (3)]

Type Action, Information, Procedural

Purpose:

Information may be provided regarding significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: One case

STUDENT EXPULSION (Ed. Code, 48918)

Type Information, Procedural

Purpose:

For the Board to review the expulsion cases.

Background:

California Education Code Section 48916 requires that "an expulsion order shall remain in effect until the governing board orders a readmission of the pupil."

The following expulsions are up for termination or readmission. Staff recommends the following actions:

e2122-08 - Terminate Expulsion

e2122-07- Re-admit

e2122-16 - Re-admit

e2122-14 - Extend suspended enforcement of expulsion for an additional academic semester with the option to attend summer school (located at NMHS) on a probationary basis

Recess to Closed Session

Type Procedural

Purpose:

The Board will recess to Closed Session, and reconvene to Open Session on or about 7:00 p.m.

4 REPORT OF CLOSED SESSION ACTIONS

Report of Closed Session Actions

Type Action, Procedural

Purpose:

If available, a report of the closed session will be provided by the Board President.

5 RECONVENE TO OPEN SESSION

Pledge of Allegiance

Type Procedural

Purpose:

The Governance Team will recite the Pledge of Allegiance

6 EMPLOYEE ORGANIZATIONS

Employee Organizations

Type Information

Purpose:

At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Background:

Discussion items are limited to updates, celebrations, and upcoming events.

1. NTA: Sean Abruzzi
2. CSEA: Sue Eustice
3. NEWMA: Vicenta Ditto

7 PUBLIC COMMENT ON NON-AGENDA ITEMS

Public Comment on Non-Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.

<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

8 SUPERINTENDENT REPORT

Superintendent Report

Type Information

Purpose:

The superintendent will provide the Board of Education with district information, updates, news, or anything in the jurisdiction of the board or the superintendent.

Background:

The presentation and information will be provided by the Superintendent

9 STAFF REPORT

Summer School Staff Report

Type Information

Purpose:

To provide information to the Board of Trustees about the 2022 summer school program offerings.

Background:

This presentation is intended to provide information regarding summer school enrichment and credit recovery offerings that are possible in part due to the Expanded Learning Opportunity grant.

File Attachments

[Summer School Staff Report 2022 \(2\).pdf](#) (1,481 KB)

Letter from the Alameda County Office of Education Regarding the 2021-22 Second Interim Budget Report

Type Discussion, Information

Purpose:

The CBO will discuss and review the letter from the Alameda County Office of Education (ACOE) regarding the Newark Unified School District (NUSD) 2021-22 Second Interim Budget Report.

Background:

The Governing Board approved a Positive Certification of NUSD's Second Interim Budget Report on March 3, 2022. Based on the Alameda County Office of Education's (ACOE) required review and analysis, the Second Interim Budget Report approved by NUSD's Board on March 3, 2022, accurately reflects the financial status of the district based on the budget assumptions and the Board's actions committing to budget balancing solutions in fiscal years 2022-23 and 2023-24. ACOE concurs with the District's POSITIVE certification.

File Attachments

ACOE 2021-22 Second Interim Board Letter.pdf (276 KB)

10 STUDENT EXPULSION

Termination of Student Expulsion (Ed Code. 48918) Case# e2122-08

Type Action
Recommended The recommendation is that the Board of Education terminate the expulsion for the Expulsion
Action Case e2122-08.

Purpose:
For the Board to take action on expulsion case e2122-08.

Background:
California Education Code Section 48916 requires that "an expulsion order shall remain in effect until the governing board orders a readmission of the pupil."

Motion & Voting
The recommendation is that the Board of Education terminate the expulsion for the Expulsion Case e2122-08.
Motion by Bowen Zhang, second by Alicia Marquez.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang
Not Present at Vote: Estaina Resendiz-Ortiz

Readmission of Student Expulsion (Ed Code. 48918) Case# e2122-016

Type Action
Recommended The recommendation is that the Board of Education readmit the student into NUSD as it
Action relates to the Expulsion Case e2122-16.

Purpose:
For the Board to take action on expulsion case e2122-16.

Background:
California Education Code Section 48916 requires that "an expulsion order shall remain in effect until the governing board orders a readmission of the pupil."

Motion & Voting
The recommendation is that the Board of Education readmit the student into NUSD as it relates to the Expulsion Case e2122-16.
Motion by Terrence Grindall, second by Alicia Marquez.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang
Not Present at Vote: Estaina Resendiz-Ortiz

Readmission of Student Expulsion (Ed Code. 48918) Case# e2122-07

Type Action
Recommended The recommendation is that the Board of Education readmit the student into NUSD as it
Action related to the Expulsion Case e2122-07.

Purpose:
For the Board to take action on expulsion case e2122-07.

Background:
California Education Code Section 48916 requires that "an expulsion order shall remain in effect until the governing board orders a readmission of the pupil."

Motion & Voting
The recommendation is that the Board of Education readmit the student into NUSD as it related to the Expulsion Case e2122-07. (lucia look at the motions)
Motion by Bowen Zhang, second by Bowen Zhang.
Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez
Not Present at Vote: Bowen Zhang, Estaina Resendiz-Ortiz

Extension of Suspended Enforcement of Student Expulsion (Ed Code. 48918) Case# e2122-14

Type Action
Recommended Action The recommendation is that the Board of Education extend the Suspended Enforcement of Expulsion an additional academic semester for the Expulsion Case e2122-14, with an option to attend the 2022 summer school.

Purpose:
 For the Board to take action on expulsion case e2122-14.

Background:
 California Education Code Section 48916 requires that "an expulsion order shall remain in effect until the governing board orders a readmission of the pupil."

Motion & Voting
 The recommendation is that the Board of Education extend the Suspended Enforcement of Expulsion an additional academic semester for the Expulsion Case e2122-14, with an option to attend the 2022 summer school.

Motion by Alicia Marquez, second by Bowen Zhang.
 Final Resolution: Motion Carries
 Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang
 Not Present at Vote: Estaina Resendiz-Ortiz

11 PUBLIC HEARINGS

Sunshine Proposal Reopener for Newark Teachers Association (NTA) Contract

Type Procedural

Purpose:
 The purpose is to publicly disclose or "sunshine" the proposals for reopeners at which time the public has an opportunity to provide input on the proposals prior to the commencement of negotiations between the Newark Unified School District (NUSD) and the Newark Teachers Association (NTA).

Background:
 Effective June 30, 2022, the current Collective Bargaining Agreement between the Newark Unified School District (NUSD) and the Newark Teachers Association (NTA) is set to expire. The California Education Code requires parties to publicly disclose or "sunshine" their proposals for reopeners at which time the public has an opportunity to provide input on the proposals prior to the commencement of negotiations. The Newark Teachers Association (NTA) proposal for the reopener agreement is attached and is sunshined at this meeting. Copies of the proposal are made available to the public. This is the public's first opportunity to express itself regarding the proposal. Newark Unified School District will sunshine their initial proposal at a future Board meeting.

File Attachments
[#NTASunshineProposal2022.pdf](#) (151 KB)

12 OLD BUSINESS

Elementary Report Card

Type Action
Fiscal Impact Yes
Dollar Amount \$3,000.00
Budgeted Yes
Budget Source LCAP
Recommended Action The recommendation is that the Board of Education approve the updated drafts of the Elementary Report Card for grades TK-5, as presented.

Purpose:
 The purpose of this presentation is to provide a recommendation to the Board of Trustees to approve updated elementary report cards for grades TK-5 as recommended by the NUSD Elementary Report Card Committee. This presentation will detail steps the Elementary Report Card Committee has taken this year to update grade-level report cards as well as receive staff and community input regarding the Elementary Report Card.

Background:
 In the 2018-19 school year a Report Card Committee was formed and representatives from each of Newark's elementary sites contributed to an updated pilot elementary grading scale. The NUSD Elementary Report Card Committee continued to meet until the pandemic began and resumed meeting in the 2021-22 school year to make updates to grade-level report cards at the elementary level. Ultimately, members of the Elementary Report Card Committee worked collaboratively to update the pilot report card after receiving staff input in order to bring recommendations to the Board of Trustees for approval.

File Attachments
[Elementary Report Card Quote.pdf](#) (134 KB)
[TK-5 Final Drafts 2022.pdf](#) (2,545 KB)

[Elementary Report Card 5.19.22.pdf](#) (2,058 KB)

Motion & Voting

The recommendation is that the Board of Education approve the updated drafts of the Elementary Report Card for grades TK-5, as presented.

Motion by Alicia Marquez, second by Terrence Grindall.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang
Not Present at Vote: Estaina Resendiz-Ortiz

ELD Curriculum Adoption Amendment

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$35,077.25
Budget Source	Lottery
Recommended Action	The recommendation is that the Board of Education approve the ELD Curriculum adoption amendment.

Purpose:
To adopt additional curriculum needed to complete the course sequence for all ELD courses.

Background:
In May of 2021, NUSD Board of Education adopted ELD curriculum for Newark Junior High School and Newark Memorial High School. The curriculum adopted for the high school included Edge Fundamentals, which is the first level of curriculum materials, but didn't include the full sequence of materials for intermediate and advanced ELD. After piloting the full Edge curriculum series, we would like to recommend that the Board amend the curriculum adoption to include the comprehensive set of Edge curriculum in order to serve all ELD courses.

- File Attachments**
- [Cengage Learning - ELD NMHS.pdf](#) (257 KB)
 - [Cengage Learning - Pathways.pdf](#) (214 KB)
 - [ELD Adoption Amedndment - Board of Education Presntation 5_19_2022.pdf](#) (1,037 KB)

Motion & Voting
The recommendation is that the Board of Education approve the ELD Curriculum adoption amendment.
Motion by Alicia Marquez, second by Phuong Nguyen.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang
Not Present at Vote: Estaina Resendiz-Ortiz

13 NEW BUSINESS

Board Policy & Administrative Regulation 3551 Food Service Operations/Cafeteria Fund (First Reading)

Type	Action
Recommended Action	The recommendation is that the Board of Education approve the revised Board Policy and adopt the Administrative Regulation 3551.

Purpose:
For the board to review the recommended changes and approve the updated policy and adopt the administrative regulation.

Background:
The Child Nutrition department needs to ensure that all policies are updated pertaining to Food Service Operations/Cafeteria Funds. This is the first reading for the attached Board Policy and Administrative Regulation. The language is sanctioned by the California School Board Association. The administration has reviewed these documents for accuracy and made revisions to reflect district practice. This will include the adoption of the Administrative Regulation. If any revisions are recommended, the document(s) will be brought back to the Board of Education for a second reading.

- File Attachments**
- [BP 3551 Food Service OperationsCafeteria Fund_first reading.pdf](#) (520 KB)
 - [AR 3551 Food Service OperationsCafeteria Fund_first reading.pdf](#) (218 KB)

Motion & Voting
The recommendation is that the Board of Education approve the revised Board Policy and adopt the Administrative Regulation 3551.
Motion by Alicia Marquez, second by Terrence Grindall.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang
Not Present at Vote: Estaina Resendiz-Ortiz

Resolution 2021.22.40 PG&E Easement for Electric Vehicle Charging Stations

Type	Action
Recommended	The recommendation is that the Board of Education approve Resolution 2021.22.40 PG&E
Action	Easement for Electric Vehicle Charging Stations at Newark USD's Maintenance, Operations, and Transportation site to provide power to five electric vehicle charging stations.

Purpose:
To approve Resolution 2021.22.40 providing easement for Pacific Gas and Electric Company (PG&E) to provide power to five electric vehicle charging stations at Newark USD's Maintenance, Operations, and Transportation site.

Background:
June 19, 2019, the Board approved Resolution 2139, confirming its interest in applying for the funding to replace its five school buses with zero-emission buses and the related charging infrastructure.
December 3, 2020, the Board approved the commitment to purchase two electric buses and a charging station infrastructure for a district match of up to \$356,304 through the Bay Area Air Quality Management District (BAAQMD), California Air Resources Board (Hybrid Voucher Incentive Project HVIP) and PG&E grants. The Board also approved future electric vehicle and infrastructure grant applications.
December 14, 2020, the BAAQMD grant was executed with fund awards for the two electric buses and \$75,770 toward infrastructure to install and construct two Level 2 Electric Vehicle Service Equipment charging stations.
December 2020, two electric buses were ordered and delivered.
June 17, 2021, the Board accepted the invitation to join PG&E's EV Fleet Electrification program. The PG&E program requires the commitment to acquire a total of five electric vehicles over a five-year period. The two buses purchased count towards the five required purchases.
Currently, Beacon Consulting is searching for new grants to help fund the three additional electric vehicles. The search is focusing on finding funding for two refrigerated trucks and a dump truck (or similar), depending on what grants and electric vehicles are available and the most cost-effective, by 2025.

Temporarily the buses are being charged with a regular outlet that takes up to two days to charge one bus. Charging stations will only take six hours to charge a bus.

The PG&E grant for five charging stations, covers underground conduits, pipes, manholes, service boxes, wires, cables, and electrical conductors; above-ground marker posts, risers, and service pedestals; underground/above ground switches, fuses, terminals, and transformers with associated concrete pads; electric vehicle charging supply equipment, bollards and/or curbs and other associated safety equipment and signage; and fixtures and appurtenances necessary. PG&E covers the costs up to the meter. The infrastructure from the meter, including the chargers, will be at the district's cost. Two charging stations (including the infrastructure from the meter to the charger) will be paid for by the \$75,770 BAAQMD grant. Beacon Consulting continues to search for grant opportunities for the three additional chargers. The estimated cost for each charger is \$25,000.

The work done by PG&E will provide the necessary distribution of electric energy needed for five charging stations. The area PG&E has identified for the easement island strips of 10 feet near the MOT bus barn and where the electric energy and communication services come from. This strip of land is the former Central Pacific Railway Company site.

As part of the easement, Newark USD agrees to:

1. from time to time, trim or cut down any and all trees and brush within the easement area which may interfere with or be a hazard to the facilities;
2. not build on the easement area;
3. right to assign these rights to another public utility company, as defined by the CA Public Utilities Commission, to install, maintain, replace, remove, and use communication facilities within the easement area including ingress and egress therefrom;
4. In the event the PG&E contract is terminated, a quitclaim shall be executed by PG&E returning the easement to Newark USD; and
5. PG&E will not unreasonably interfere with, disrupt, or materially adversely affect Newark USD's business operations or access rights to property owned by Newark USD.

The next step is for Beacon Consulting to continue working with PG&E to get plans and drawings completed and approved for the charging stations. Once these have been received, then Beacon Consulting will get three quotes for the infrastructure from the meter, up to and including the chargers, in order to confirm actual costs.

File Attachments

- [31548723, Easement Binder_PG&E.pdf \(251 KB\)](#)
- [Resolution 2021.22.40_PG&E Easement for Electric Vehicle Charging Stations.pdf \(65 KB\)](#)

Motion & Voting

The recommendation is that the Board of Education approve Resolution 2021.22.40 PG&E Easement for Electric Vehicle Charging Stations at Newark USD's Maintenance, Operations, and Transportation site to provide power to five electric vehicle charging stations.

Motion by Bowen Zhang, second by Alicia Marquez.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang
Not Present at Vote: Estaina Resendiz-Ortiz

Newark Jr High School Paving and Striping Project

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$311,000.00
Budgeted	Yes
Budget Source	Fund 40 Special Reserves for Capital Outlay Projects
Recommended	The recommendation is that the Board of Education approve the Newark Junior High School
Action	Paving & Striping Project and the preliminary project budget to provide safety.

Purpose:

To approve the Newark Jr High School Paving & Striping Project and preliminary budget of \$310,352 to provide safety for campuses and authorize staff to proceed with consulting agreements and bidding as outlined in the budget. Construction Bids will be brought back to the Board.

Background:

On April 7, 2022, the Board of Trustees approved the Deferred Maintenance plan and a list of project priorities. The first item on the Project Priorities List is Asphalt Maintenance Repairs, Sealcoat & Restripe Parking Lots.

At Newark Jr High School the condition of the existing parking lot is nearing the end of its useful life. More than ten (10) areas have alligator cracking, longitudinal cracking, and potholes. The parking lot striping is faded. The current parking layout is not clear and the parking spaces are not clearly marked. In addition, the installation of solar panels required new striping to accommodate DSA accessibility/ADA requirements. Consequently, staff requested a new and improved parking layout. The proposed design (see attached) incorporates the new DSA required spaces and allows drivers to weave from one end of the lot through each row to select a parking space. The new layout also improves congestion during student drop-off times by providing a secondary drop-off route.

The scope of work for this project will include asphalt concrete overlay at the main drive loop, patching repairs at the parking lot, seal coat at the parking lot and restriping at the drive loop and parking lot, and new gates at the drive loop (entrance and exit) and parking lot. To keep the budget minimal, the work being prescribed, while more than just cosmetic, will not fix all of the deteriorated areas or significantly increase longevity. Many areas need a full replacement or more patches than the budget allows for. The estimated cost for this limited scope of work is \$310,352. This work is scheduled to be completed in the Summer of 2022. For budget comparison purposes, the estimated cost to completely repair and replace the asphalt in the parking lot and the main drive loop is \$750,000-\$800,000.

Planning and appurtenant costs include architectural fees for restriping design, planning and construction management, testing and inspection, and contingency allowances for design and construction.

File Attachments

NJHS Parking Lot Diagram.pdf (344 KB)

Preliminary Budget - NJHS Paving Project 05-10-2022.pdf (56 KB)

Motion & Voting

The recommendation is that the Board of Education approve the Newark Junior High School Paving & Striping Project and the preliminary project budget to provide safety. (with addition to make a complete the entire)

Motion by Terrence Grindall, second by Bowen Zhang.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Alicia Marquez, Bowen Zhang

Nay: Aiden Hill

Not Present at Vote: Estaina Resendiz-Ortiz

14 CONSENT AGENDA: PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type	Action
Recommended	It is recommended that the Board of Education approve, under one consented vote, the
Action	agenda items under Consent-Personnel, except for agenda items:

Purpose: This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background: Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Motion & Voting

It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent-Personnel, except for agenda items: 14.4.

Motion by Bowen Zhang, second by Alicia Marquez.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang

Not Present at Vote: Estaina Resendiz-Ortiz

MOU Between NTA and NUSD to Provide a DLI Stipend

Type	Action
Preferred Date	May 19, 2022
Fiscal Impact	No
Dollar Amount	\$4,200.00
Budget Source	General Fund
Recommended	The recommendation is that the Board of Education approve the MOU between NTA and NUSD
Action	to provide a DLI stipend.

Purpose: The purpose is for the Board of Education to approve the MOU between NTA and NUSD to provide a stipend for those currently teaching in the Dual Language Immersion (DLI) Program at Schilling Elementary for the 2021-2022 school year.

Background:

Schilling Elementary School began its DLI program in the 2021-2022 school year with Kindergarten and Grade 1 classes. Each cohort of students has a teacher who instructs in English and a teacher who instructs in the target language. Because of the additional preparation and communication with families, NUSD and NTA agree to provide a tiered stipend to those teaching in the DLI program. This stipend will provide support for the following additional duties including but not limited to: preparation for parent conferences, additional testing, planning, and preparation of aligned units and materials in the target language.

File Attachments

SIGNED MOU_NTA_DLI_final_4.27.22.pd.pdf (221 KB)

MOU Between NTA and NUSD to Address Physical Staffing Moves

Type Action

Preferred Date May 19, 2022
Fiscal Impact Yes
Dollar Amount \$27,000.00
Budget Source General Fund
Recommended The recommendation is that the Board of Education approve the MOU between NTA and NUSD
Action to address the physical staffing moves.

Purpose:

The purpose is for the Board of Education to approve the MOU between NTA and NUSD to address the physical staffing moves including, but not limited to, Musick Elementary School, Junior High classroom reassignments, and Sixth Grade transition to Newark Jr. High School for the 2021-2022 and 2022-2023 school years.

Background:

With the closure of Musick elementary school and the transition of Sixth Grade to Newark Junior High School, it is necessary to address the physical staffing moves such as hours allocated for the move; affected unit members; packing and moving supplies; furniture, materials, and curriculum; and timelines.

File Attachments

SIGNED Moving_MOU_final_5.3.22.pdf (224 KB)

Personnel Report

Type Action

Absolute Date May 19, 2022
Recommended The recommendation is that the Board of Education ratify the personnel report as presented.
Action

Purpose:

The purpose is for the Board of Education to ratify the Personnel Report as presented.

Background:

All personnel activities including new hires, changes in status, resignation, leaves, and retirements are routinely submitted to the Board for ratification.

File Attachments

HR PAL 05-19-2022.pdf (375 KB)

Motion & Voting

The recommendation is that the Board of Education ratify the personnel report as presented.

Motion by Phuong Nguyen, second by Bowen Zhang.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Terrence Grindall, Alicia Marquez, Bowen Zhang
Nay: Aiden Hill
Not Present at Vote: Estaina Resendiz-Ortiz

15 CONSENT AGENDA: NON-PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type Action

Recommended It is recommended that the Board of Education approve, under one consented vote, the
Action agenda items under Consent Non-Personnel, except for agenda items:

Purpose:

(This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.)

Background:

Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Motion & Voting

It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent Non-Personnel, except for agenda items: 15.2, 15.6, 15.8, 15.9, 15.10, 15.11

Motion by Terrence Grindall, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang

Not Present at Vote: Estaina Resendiz-Ortiz

Non-Curricular Trip for Newark Jr High Leadership Students to travel to San Jose, CA

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$350.00
Budgeted	Yes
Budget Source	ASB Funds
Recommended	The recommendation is that the Board of Education approve the Non-Curricular Trip for
Action	Newark Jr High Leadership students to travel to San Jose, California as a team building activity.

Purpose:

The Newark Jr High Principal and Leadership teacher request permission to take students on a non-curricular trip to San Jose, CA. For Newark Jr High Leadership students to participate in team building: collaboration, problem solving, community building and strategizing activities.

School: Newark Jr High

When: May 27, 2022

Where: San Jose, CA

Chaperone requirements met

Grade K-3, one adult for every 5-8 students; Grades 4-12, one adult for every 10 students; Board Policy requires at least two adults on every trip regardless of number of students (BP 6153 and AR 6153)

Overnight trip supervision must be gender-appropriate

No student will be denied due to lack of funds

Background:

According to Board Policy 6153, all trips in excess of 100 miles, non-curricular trips and overnight trips require Board approval.

Motion & Voting

The recommendation is that the Board of Education approve the Non-Curricular Trip for Newark Jr High Leadership students to travel to San Jose, California as a team building activity.

Motion by Bowen Zhang, second by Alicia Marquez.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang

Not Present at Vote: Estaina Resendiz-Ortiz

Non-Curricular Trip Request for Lincoln TK to travel to Newark, CA

Type	Action
Recommended	The recommendation is that the Board of Education approve the non-curricular trip request
Action	for Lincoln TK to travel to Newark, CA.

Purpose:

The Lincoln Principal and TK teacher request permission to take Lincoln TK students on a non-curricular trip to Newark, CA. This is a walking field trip. This trip is for an end of year celebration.

School: Lincoln

Dates: May 25, 2022

Location: Newark, CA

Chaperone requirements met

Grade K-3, one adult for every 5-8 students; Grades 4-12, one adult for every 10 students; Board Policy requires at least two adults on every trip regardless of the number of students (BP 6153 and AR 6153)

No student will be denied due to a lack of funds

Background:

According to Board Policy 6153, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval.

Non-Curricular Field Trip Request for Coyote Hills First Grade Class to travel to Newark, CA

Type	Action
Fiscal Impact	No
Recommended	The recommendation is that the Board of Education approve the non-curricular trip for Coyote
Action	Hills Elementary First Grade class to Newark, CA.

Purpose:

The Coyote Hills Elementary Principal and first-grade teachers request permission to take Coyote Hills Elementary first grade students on a non-curricular trip to Newark, CA. This is a walking field trip. This trip is for students to have a class picnic.

School: Coyote Hills Elementary

Dates: May 25, 2022

Location: Newark, CA
Chaperone requirements met
Grade K-3, one adult for every 5-8 students; Grades 4-12, one adult for every 10 students; Board Policy requires at least two adults on every trip regardless of the number of students (BP 6153 and AR 6153)
No student will be denied due to a lack of funds

Background:
According to Board Policy 6153, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval

2022-23 Designation of California Interscholastic Federation (CIF) Representatives to League

Type Action
Recommended Action The recommendation is that the Board of Education ratify the district representatives to the California Interscholastic Federation (CIF) Representatives for the 2022-23 year.

Purpose:
To ratify our designated representatives to the California Interscholastic Federation (CIF) for the 2022-23 school year.

Background:
School districts and Boards of Education are required to send the names of league representatives to the CIF on an annual basis to ensure they receive voting rights as full members of the CIF.

File Attachments
[CIF Designation of Representatives Form 2022-23.pdf](#) (380 KB)

Think Together Contracts

Type Action
Fiscal Impact Yes
Dollar Amount \$1,683,693.00
Budgeted Yes
Budget Source Expanded Learning Opportunities Grant Funds (ELO-P)
Recommended Action The recommendation is that the Board of Education approve the contract with Think Together.

Purpose:
To approve the Think Together contracts in alignment with the approved ELO-P plan.

Background:
In February of 2022, the NUSD Board of Education adopted the Expanded Learning Opportunities Program Plan for the 2021-2023 school years. The plan includes expansion for Lincoln after-school in 2021-22, a summer school program for unduplicated TK-6, all unduplicated TK-6 students with after-school programming for the 22-23 school year, and all unduplicated TK-6 students with intersession programming for at least 30 days at a minimum of 9 hours per day. NUSD has contracted with Think Together for these services, as was outlined in the approved plan.

File Attachments
[Think Together MOU Summer 2022.pdf](#) (110 KB)
[Think Together MOU InstructionalDays FY23.pdf](#) (133 KB)
[Think Together MOU Non-Instructional Days FY23.pdf](#) (110 KB)

Motion & Voting
(The recommendation is that the Board of Education approve the Think Together Contracts)
Motion by Phuong Nguyen, second by Bowen Zhang.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Terrence Grindall, Alicia Marquez, Bowen Zhang
Nay: Aiden Hill
Not Present at Vote: Estaina Resendiz-Ortiz

Service Agreement between Newark USD & BaySci 2022-23

Type Action
Fiscal Impact Yes
Dollar Amount \$55,000.00
Budgeted Yes
Budget Source LCAP
Recommended Action The recommendation is that the Board of Education approve the 2022-23 Service Agreement between Newark USD and BaySci.

Purpose:
The purpose of this item is for the Board of Education to approve the Service Agreement between the Regents of the University of California, Berkeley - Lawrence Hall of Science, and Newark Unified School District. This Service Agreement outlines the services to be provided by BaySci for 2022-2023 to support district science initiatives and curriculum development and implementation.

Background:

BaySci at the Lawrence Hall of Science, University of California, Berkeley supports the development and deepening of district-wide capacities for equitable, high-quality science education and environmental literacy. BaySci is dedicated to leadership, innovation, and excellence in STEM education and learning, and has a long history of addressing the needs of groups who are situated at the margins of equitable, high-quality instruction in science, math, engineering, and environmental education.

In 2022-2023, Services: University will:

1. Provide support for the Newark Unified School District (District) a science/environmental literacy leadership team to develop an implementation plan for Districtwide coherence across these disciplines and in connection to other district initiatives and efforts overseen by the District Educational Services department.
2. Provide support for partnerships with community-based organizations as part of a Districtwide, coherent science/environmental literacy program.
3. Provide support for meaningful teacher collaboration, the building of District structures, and lessons learned during COVID to sustain teacher collaboration around science, environmental literacy, and computational thinking.

[File Attachments](#)

[BaySci Newark 22-23 Agreement.pdf](#) (227 KB)

Moving Services Contract

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$52,415.06
Budget Source	General Fund
Recommended Action	The recommendation is that the Board of Education approve the award of a contract to Crown Worldwide Moving and Storage for moving services based on RFP #02-2021-22.

Purpose:

To obtain Board approval to award the moving services contract to Crown Worldwide Moving and Storage, the lowest, responsive and responsible bidder for RFP #02-2021-22 Moving Services for the consolidation of Musick Elementary School and the transition of Newark Junior High School to a middle school.

Background:

In November 2020, the board voted to move all sixth-grade students to Newark Jr High for the 2022-23 school year. On April 25, 2022, Newark Unified School District sent out RFP #02-2021-22 Moving Services to potential bidders. The scope of the work includes, but is not limited to, moving services for the consolidation of Musick Elementary School and the transition of Newark Junior High School to a middle school. Services include the furnishing of equipment, supplies, and crews as required by the District for the physical relocation of classrooms, offices, and other spaces within the boundaries of the Newark Unified School District, at such times and places as directed by the District, as rapidly as possible with minimal disruption of District staff and the daily operations of the District. A mandatory bid walk was held on May 4, 2022, and the bid was due May 10, 2022. Three (3) moving companies attended the bid walk and three (3) submitted bids but one was non-responsive. The bid results were as follows:

Company	Bid Amount
Crown Worldwide Moving and Storage	\$52,415.06
Suddath	\$77,487.52

Based on bids received, staff, recommends award of a contract to Crown Worldwide Moving and Storage, the lowest responsive, responsible bidder, for moving services based on RFP #02-2021-22.

[File Attachments](#)

[Moving Services-RFP-02-2021-22_Bid Sheet.pdf](#) (94 KB)

Motion & Voting

The recommendation is that the Board of Education approve the award of a contract to Crown Worldwide Moving and Storage for moving services based on RFP #02-2021-22.

Motion by Bowen Zhang, second by Alicia Marquez.
 Final Resolution: Motion Carries
 Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang
 Not Present at Vote: Estaina Resendiz-Ortiz

Warrant Report for April 2022

Type	Action
Fiscal Impact	No
Recommended Action	The recommendation is that the Board of Education approve the Warrant Report as presented.

Purpose:

The purpose of this item is to present warrants, for the total amount of \$2,984,793.61, made from District funds for April 2022.

Background:

The warrant registers represent a complete listing of all payments made from District funds for a month. Because Newark Unified School District is a fiscally dependent District, each warrant must pass through two separate audits; first by the District's Fiscal Services department, and second by the County Office of Education. No warrant can be paid until such time as it is examined and approved by the County Office of Education.

[File Attachments](#)

[Warrant Report April 2022.pdf](#) (660 KB)

Motion & Voting

The recommendation is that the Board of Education approve the Warrant Report as presented.

Motion by Phuong Nguyen, second by Bowen Zhang.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Alicia Marquez, Bowen Zhang

Nay: Aiden Hill

Not Present at Vote: Estaina Resendiz-Ortiz

Minutes of the May 19, 2022 Regular Meeting of the Board of Education

Type Minutes

Purpose:

For the board to review and approve the minutes

Background:

The attached minutes are reflective of the May 19, 2022, Regular Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel [HERE](#)

16 BOARD OF EDUCATION: COMMITTEE REPORTS, REQUESTS, AND ANNOUNCEMENTS

Board of Education Recognitions and Announcements

Type Information

Purpose:

The Trustees may acknowledge or recognize specific programs, activities, or personnel at this time.

Board of Education Committee Reports

Type Information

Purpose:

The Trustees will provide an update, if available, on the committees of which they are members.

Background:

Each year the Board of Education members liaise with schools and committees in order to build relationships, hear from staff, students, and families, and act as a conduit for information to and from the schools.

Board Committees 2020-21

Board Adopted on 12/16/21

	Representative	Alternate
Mission Valley Regional Occupational Center/Program	1. Terrence	1. Bowen Zhang
Executive Board		
Regional Policy Board of Special Education Local Plan Area (SELPA)	1. Bowen Zhang	1. Alicia Marquez
Newark Teacher Induction Advisory Council (Formally EBIC)	1. Alicia Marquez	1. Aiden Hill
Audit Committee	1. Alicia Marquez	1. Terrence 2. Aiden Hill Grindall
Bond/Parcel Tax Committee	1. Terrence Grindall	2. Phuong 1. Bowen Zhang
City of Newark NUSD Liaison Committee	2. Terrence Grindall	1. Bowen Zhang

Board of Education Requests

Type Action, Discussion, Information

Purpose:

This is an opportunity for the Board of Education to suggest items for placement on future agendas and to review Board requests.

Approval from the majority of the Board will be required for direction to be provided to the Superintendent.

Background:

The following derives directly from the Board approved "Governance Team Handbook"

Authority is Collective, Not Individual:

The only authority to direct action rests with the Board as a whole when seated at a regular or special board meeting.

Outside of this meeting, there is no authority.

A majority Board vote provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction.

Bringing New Ideas Forward

The Board will be open to having "brainstorming" discussions, or study sessions, around any idea that a Trustee may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Trustee, at their initiative or at the request of a constituent, which was previously discussed during a board meeting.

Trustees will first notify the Board President and Superintendent of their interest in bringing forward a new idea at a board meeting.

When initially agendized, the preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.

Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea.

The Superintendent will decide on the delegation of assignments to District staff.

The new idea may be agendized for discussion only. The Board majority will decide if the new idea should be further developed and studied by staff. The Board majority will decide if staff time should be invested in the "fleshing out" of new ideas.

Individual Trustees, in the course of interactions with constituents, will be careful not to make or imply the commitment of the full Board to explore or proceed with implementing new ideas.

17 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

Superintendent's Concluding Comments, Updates, and Future Agenda Items

AGENDA REQUESTS

Type Information

Purpose:

This is an opportunity for the Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

18 ADJOURNMENT

PLACEHOLDER - Extend Meeting

Type Action

Recommended The recommendation is that the Board of Education extends the meeting to ____P.M.

Action

Purpose:

This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

Motion & Voting

The recommendation is that the Board of Education extends the meeting to 10:30 ____P.M.

Motion by Phuong Nguyen, second by Bowen Zhang.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang

Not Present at Vote: Estaina Resendiz-Ortiz

Adjournment

Type Action, Procedural

Recommended The recommendation is that the Board of Education adjourns this meeting.

Action

Purpose:

No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time.

This action will conclude the meeting.

Motion & Voting

The recommendation is that the Board of Education adjourns this meeting at 10:28pm.

Motion by Terrence Grindall, second by Bowen Zhang.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang

Not Present at Vote: Estaina Resendiz-Ortiz

1 CALL TO ORDER

Meeting Practices and Information

Type Information, Procedural

In-person Meeting Information:

NUSD has opened its boardroom for in-person meetings and will follow the State's and Alameda County's safety guidelines for public gatherings. Please refrain from attending in-person meetings if you have any of the following symptoms:

Loss of taste/smell

- Difficulty breathing
- Vomiting
- Diarrhea
- Fever
- Cough
- Headache
- Sore Throat
- Runny Nose

For additional COVID-19 information please go to <https://www.newarkunified.org/covid-19> or <https://www.acoe.org/guidance>

Observe The Board Of Education Meeting:

Members of the public 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.

Public Comment:

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

Roll Call

Type Procedural

Trustees:

- President Phuong Nguyen
- Vice President/Clerk Terrence Grindall
- Member Aiden Hill
- Member Alicia Marquez
- Member Bowen Zhang

Student Board Member:

- Member Estaina Resendiz Ortiz

2 APPROVAL OF AGENDA

Approval of the Agenda

Type Action

Recommended The recommendation is that the Board of Education approve the agenda for this meeting.
Action

Purpose:

Members of the Governance Team may request that the agenda be amended or approved as presented.

Motion & Voting

The recommendation is that the Board of Education approve the agenda for this meeting.

- Motion by Terrence Grindall, second by Phuong Nguyen.
- Final Resolution: Motion Carries
- Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Estaina Resendiz-Ortiz
- Not Present at Vote: Alicia Marquez

3 STUDY SESSION

Environmental Literacy

Type Discussion, Information

Purpose:

To update the Board of Education on the development of the Environmental Literacy Plan and engage in a dialogue of how this plan can continue to grow the District's STEAM initiative.

Background:

In 2020-2021 the NUSD Environmental Literacy Vision was developed by the Science District Leadership Team, (which consisted of Science teacher leaders, district administrators, principals, local community organizations, and our Bay Sci partners) and presented to the Board of Education. This vision is now an integral part of the growing comprehensive plan. This NUSD Environmental Literacy Plan is in alignment with District and Superintendent's goals; this plan delineates the curriculum, resources, classroom, and extra-curricular activities for students TK- 12.

File Attachments

- [BOE Study Session 050522_ The Env Lit Plan.pdf](#) (33,999 KB)
- [21-22 Newark USD Environmental Literacy Plan.pdf](#) (486 KB)

4 CLOSED SESSION

Public Comment on Closed Session Items

Type Information

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board. If a constituent wishes to address the Board on any agenda item, please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org.

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE (Gov. Code, 54957, subd. (b)(1))

Type Action, Information, Procedural

Purpose:

Information will be provided by the Superintendent and Executive Director of Human Resources.

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a): Employee Organizations - NTA and CSEA

Type Action, Information, Procedural

Purpose:

Information may be provided by the agency negotiator, Executive Director of Human Resources. Assistance from the legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided. The employee organizations include NTA & CSEA.

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a)): Employee Group - NEWMA, Unrepresented Supervisors, and Contracted Management

Type Action, Information, Procedural

Purpose:

Information may be provided by the agency negotiator, the Executive Director of Human Resources, and the Superintendent. Assistance from legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided. The employee organizations include NEWMA, Unrepresented Supervisors, and Contracted Management

CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION Significant exposure to litigation pursuant to Gov. Code, 54956.9, subd. (d)[(2) or (3)]

Type Action, Information, Procedural

Purpose:

Information may be provided regarding significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: One case

Recess to Closed Session

Type Procedural

Purpose:

The Board will recess to Closed Session, and reconvene to Open Session on or about 7:00 p.m.

5 REPORT OF CLOSED SESSION ACTIONS

Report of Closed Session Actions

Type Action, Procedural

Purpose:

If available, a report of the closed session will be provided by the Board President.

6 RECONVENE TO OPEN SESSION

Pledge of Allegiance

Type Procedural

Purpose:

The Governance Team will recite the Pledge of Allegiance

7 STUDENT REPORT

Student Reports from Newark Junior High School, Alternative Education, and Newark Memorial High School

Type Information

Purpose:

At regular Board of Education meetings, a spokesperson of each secondary school may make a brief presentation. Discussion items may include updates, celebrations, and upcoming events.

1. Newark Junior High School - Mohammed Lulu and Poorvi Sharma
2. Alternative Education - Alexis Blanco-Barron
3. Newark Memorial High School - Estaina Resendiz-Ortiz

8 RECOGNITIONS AND CELEBRATIONS

Staff Spotlight

Type Information

Purpose:

To recognize the wonderful accomplishments of our NUSD Team.

Background:

The presentation will be provided by the Superintendent.

School Spotlight: Crossroads Independent Studies Program

Type Information

Purpose:

The School Spotlight gives the Board of Education and the public an opportunity to hear the highlights, achievements, and initiatives at each school directly from the principals.

Background:

The presentation and information will be provided by Crossroads Independent Studies Program Principal, Julie Calderon.

File Attachments

[Crossroads School Spotlight - 2021_22.pdf](#) (6,241 KB)

9 EMPLOYEE ORGANIZATIONS

Employee Organizations

Type Information

Purpose:

At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Background:

Discussion items are limited to updates, celebrations, and upcoming events.

1. NTA: Sean Abruzzi
2. CSEA: Sue Eustice
3. NEWMA: Vicenta Ditto

10 PUBLIC COMMENT ON NON-AGENDA ITEMS

Public Comment on Non-Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

11 SUPERINTENDENT REPORT

Superintendent Report

Type Information

Purpose:

The superintendent will provide the Board of Education with district information, updates, news, or anything in the jurisdiction of the board or the superintendent.

Background:

The presentation and information will be provided by the Superintendent

12 STAFF REPORT

Parent Family Resources

Type Information

Purpose:

To inform the Board and public about the work that Parent Partners are providing to the district, families, and community.

Background:

Family and community partnerships are necessary components of high-quality and culturally responsive instructional programs. They are also critical to students' social and emotional learning and health and wellbeing. To address this need and district priority, NUSD has established a robust Coordination of Services Team (COST) that includes Parent Partners and connects both site-based and district-level initiatives. This presentation serves to provide a brief summary of this work.

File Attachments

[NUSD School and Community Resources_2021 - 2021_22.pdf](#) (88 KB)

[Parent Engagement Spotlight - 2021_22.pdf](#) (1,487 KB)

13 PUBLIC HEARINGS

Public Hearing on Joint Initial Proposal for Reopeners between the California School Employees Association (CSEA) and the Newark Unified School District

Type Information

Purpose:

The purpose is to publicly disclose or "sunshine" the proposals for reopeners at which time the public has an opportunity to provide input on the proposals prior to the commencement of negotiations between the Newark Unified School District (NUSD) and the California School Employees Association (CSEA).

Background:

Effective June 30, 2022, the current Collective Bargaining Agreement between the Newark Unified School District (NUSD) and the California School Employees Association (CSEA) is set to expire. The California Education Code requires parties to publicly disclose or "sunshine" their proposals for reopeners at which time the public has an opportunity to provide input on the proposals prior to the commencement of negotiations. Both the California School Employees Association (CSEA) proposal for reopeners and the Newark Unified School District proposal for reopeners are attached and are "sunshined" at this meeting. Copies of the proposals are made available to the public. This is the public's second opportunity to express itself regarding these proposals.

File Attachments

[CSEA Initial Proposal for 2022-25 Negotiations.pdf](#) (162 KB)

[NUSD Initial Proposal for 2022-25 Negotiations \(1\).pdf](#) (18 KB)

14 OLD BUSINESS

History Curriculum Adoption

Type Action

Fiscal Impact Yes

Dollar Amount \$878,143.40

Budgeted Yes

Budget Source Lottery Funds

Recommended The recommendation is that the Board of Education formally approve the adoption of the
Action recommended history curriculum for grades TK-12, as presented.

Purpose:

The History Adoption Committee comprises K-12 staff who reviewed and piloted History textbooks and curriculum for adoption

for grades K-12. The purpose of this presentation is for members of the History Adoption Committee and Ed Services to recommend to the NUSD Board of Education formal approval of the history curriculum for grades K-12. A public viewing of piloted materials has occurred in order for the History Adoption Committee to make a final recommendation to the Board of Education for the adoption of the new curriculum for the 2022-23 school year. The Committee adhered to a detailed process and timeline, including the use of an evaluation rubric with staff input, in alignment with criteria outlined in the history-social science framework established by the California Department of Education.

Background:

The subjects of English-Language Arts, Science, and Mathematics have been the most recently adopted curriculums within Newark Unified School District. In fact, the last time the History curriculum was formally adopted in Newark Unified was in 2006. As a result, staff and students have expressed widespread interest in adopting a new History curriculum for grades K-12 that will include a state-adopted program and is aligned with the current California history-social science framework. A process for history curriculum adoption was reviewed with the Board on November 18, 2021. In turn, Ed Services convened a History Adoption Committee during the 2021-22 academic school year in order to review and pilot publisher materials and, ultimately, make a recommendation to the Board of Education to adopt a new History curriculum for the 2022-23 school year.

File Attachments

- [History Adoption 5.05.22.pdf](#) (1,264 KB)
- [TK-5 SAAVAS Quote.pdf](#) (39 KB)
- [Cengage HS Quote_RTD.pdf](#) (190 KB)
- [McGraw Hill HS Quote_RTD.pdf](#) (61 KB)
- [TCI Middle School Quote_RTD.pdf](#) (23 KB)

Motion & Voting

The recommendation is that the Board of Education formally approve the adoption of the recommended history curriculum for grades TK-12, as presented.

Motion by Alicia Marquez, second by Aiden Hill.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Estaina Resendiz-Ortiz

Math Progressions

Type Action

Fiscal Impact No

Recommended The recommendation is that the Board of Education formally approve the updated progression

Action of mathematics courses offered in grades 6-12, as presented.

Purpose:

The purpose of this presentation is to recommend that the NUSD Board of Education formally approve an updated progression of mathematics courses offered in grades 6-12 in NUSD. The presentation will explain the rationale for updating the district's secondary mathematics courses and detail steps taken to engage with staff and community members. The articulated mathematics progression for the secondary level is aligned with the California Department of Education's newly proposed Mathematics Framework, the Common Core State Standards, and meets college and university admissions expectations, including those outlined by the UC and CSU systems.

Background:

The State Board of Education last adopted a Mathematics Framework in 2013 in anticipation of the Common Core State Standards. The state now has a new Mathematics Framework that is set to be adopted in July of 2022. Partnerships between the state board of education and college and university systems have outlined new guidelines and recommendations for a progression of secondary mathematics courses to specifically support and prepare students in grades 6-12. During these years, Newark Unified School District has not updated its articulation of a progression of mathematics courses at the secondary level and is, therefore, not aligned with the state's Mathematics Framework. Through engagement with the NUSD community, NUSD mathematics departments, and the Board of Education, Educational Services aims to improve the alignment of secondary mathematics courses, effective for the 2022-23 school year.

File Attachments

- [Math Progressions 5.05.22.pdf](#) (739 KB)

Motion & Voting

The recommendation is that the Board of Education formally approve the updated progression of mathematics courses offered in grades 6-12, as presented.

Motion by Terrence Grindall, second by Alicia Marquez.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Estaina Resendiz-Ortiz

Credit Recovery

Type Action

Preferred Date May 05, 2022

Absolute Date May 19, 2022

Fiscal Impact Yes

Dollar Amount \$20,850.00

Budgeted Yes

Budget Source Expanded Learning Opportunities Program (ELO-P)

Recommended The recommendation is that the Board of Education select and approve Edmentum (APEX) as

Action an online platform that will serve as one of multiple options that NUSD students have to recover credit, as presented.

Purpose: To approve an Edmentum (APEX) as an online platform that will support credit recovery for NUSD students.

Background: Per request of the Board of Education, on August 18, 2021, September 2, 2021, and September 16, 2021, Educational Services presented the purpose and options for credit recovery as it relates to NUSD high school students. During these sessions, the Board of Trustees learned about the background and usage of NUSD's current credit recovery program delivered through APEX, how APEX is currently utilized in NUSD, and what shifts/changes our secondary schools have made to program implementation in response to recent community input. Board members determined that an online credit recovery option should be utilized, approved of use of APEX for the 21-22 academic year, and requested that Educational Services return during the second semester to report on the following: (1) provide a comparison of online platforms that are used locally and could be used for credit recovery to ensure rigorous and equitable student access to high-quality educational experiences in NUSD during 2022 summer school and beyond, (2) report on the effectiveness of accountability measures that have been put in place for the 21-22 academic school year, and (3) report the results of student polling regarding their experience with APEX.

File Attachments
Edmentum Renewal_Apex Courses_Newark USD_04282022.pdf (172 KB)
Credit Recovery Online Support Platform Renewal 4.7.22 (1).pdf (1,268 KB)

Motion & Voting
The recommendation is that the Board of Education select and approve Edmentum (APEX) as an online platform that will serve as one of multiple options that NUSD students have to recover credit, as presented.
Motion by Phuong Nguyen, second by Terrence Grindall.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Terrence Grindall, Alicia Marquez, Estaina Resendiz-Ortiz
Nay: Aiden Hill

15 NEW BUSINESS

Resolution No. 2021.22.36 - Day of the Teacher

Type Action
Absolute Date May 05, 2022
Recommended The recommendation is that the Board of Education adopt Resolution No. 2021.22.36 Day of
Action the Teacher.

Purpose: The purpose of this item is to adopt Resolution No. 2021.22.36 recognizing the Day of the Teacher, May 11, 2022.

Background: Newark teachers continue to provide outstanding instruction and learning opportunities for each Newark student. Students, parents, administrators, and the Board of Education appreciate the efforts of our credentialed instructional staff. Newark teachers are dedicated professionals who commit long hours beyond the school day in the interest of our students. Our teachers continue to study and prepare themselves to provide for the success of all of our students. Resolution No. 2021.22.36 acknowledges the contributions of the District's certificated employees.

File Attachments
Res. No. 2021.22.36 Day of the Teacher.pdf (45 KB)

Motion & Voting
The recommendation is that the Board of Education adopt Resolution No. 2021.22.36 Day of the Teacher.
Motion by Terrence Grindall, second by Alicia Marquez.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Estaina Resendiz-Ortiz

Resolution No. 2021.22.37 - Classified School Employees Week

Type Action
Absolute Date May 05, 2022
Recommended The recommendation is that the Board of Education adopt Resolution No. 2021.22.37
Action Classified School Employees Week.

Purpose: The purpose of this item is to adopt Resolution No. 2021.22.37 recognizing Classified School Employees Week, May 15-21, 2022.

Background: Classified employees continue to provide valuable services to support the district's mission to ensure success for all students. The valuable contributions of our dedicated classified support staff have a broad impact on students, classrooms, offices, maintenance, grounds, cafeterias, and other support areas. This year, the week of May 15-21 has been designated as Classified Employees Week. Classified employees provide support to both students and staff in the Newark Unified School District. Students, teachers, administrators, and the Board of Education appreciate their efforts. Resolution No. 2021.22.37 acknowledges the contributions of the District's classified employees.

[File Attachments](#)

[Res. No. 2021.22.37 Classified Employees Week.pdf](#) (46 KB)

[Motion & Voting](#)

The recommendation is that the Board of Education adopt Resolution No. 2021.22.37 Classified School Employees Week.

Motion by Terrence Grindall, second by Alicia Marquez.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Estaina Resendiz-Ortiz

Audit Report - Measure G Bond

[Type](#) Action

Recommended The recommendation is that the Board of Education accept the Measure G Financial and
Action Performance Audit Report for the year ended June 30, 2021.

[Purpose:](#)

The purpose of this item is for the Board to receive information and accept the Measure G Financial and Performance Audit Report for the fiscal year ended June 30, 2021.

[Background:](#)

On April 25, 2022, the Citizen's Bond Oversight Committee reviewed and accepted the Measure G Financial and Performance Audit Report for the fiscal year ended June 30, 2021.

In accordance with generally accepted auditing standards and Government Auditing Standards, the independent auditing firm of Christy White, Inc. has completed their Financial and Performance Audit Report of the Proposition 39 (Measure G) Bonds of the Newark Unified School District for the fiscal year ended June 30, 2021.

The comprehensive summary of auditors' results on audit report page 17 outlines the following:

The opinions on the financial statements and performance were both unmodified, which is the best opinion that can be provided in an audit.

There were no findings, questioned costs, or audit adjustments in relation to this audit.

[File Attachments](#)

[NewarkUSD MeasureG FINALRpt21.pdf](#) (630 KB)

[Motion & Voting](#)

The recommendation is that the Board of Education accept the Measure G Financial and Performance Audit Report for the year ended June 30, 2021.

Motion by Phuong Nguyen, second by Terrence Grindall.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Estaina Resendiz-Ortiz

16 CONSENT AGENDA: PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

[Type](#) Action

Recommended It is recommended that the Board of Education approve, under one consented vote, the
Action agenda items under Consent-Personnel, except for agenda items:

[Purpose:](#)

(This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.)

[Background:](#)

Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

[Motion & Voting](#)

It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent-Personnel.

Motion by Alicia Marquez, second by Terrence Grindall.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez

Abstain: Estaina Resendiz-Ortiz

Adopt the NUSD Initial Proposal to CSEA for Reopeners for the 2022-2023 school year

[Type](#) Action, Discussion

Absolute Date May 05, 2022

Recommended The recommendation is that the Board of Education adopt the NUSD Initial Proposal to CSEA
Action for reopeners for the 2022-2023 school year.

[Purpose:](#)

The purpose is for the Board of Education to adopt the Newark Unified School District (NUSD) proposal to the California School Employees Association (CSEA) for reopeners for the 2022-2023 school year.

Background:

Effective June 30, 2022, the current Collective Bargaining Agreement between the Newark Unified School District (NUSD) and the California School Employees Association (CSEA) is set to expire. The California Education Code requires parties to publicly disclose or "sunshine" their proposals for reopeners at which time the public has an opportunity to provide input on the proposals prior to the commencement of negotiations. Both the California School Employees Association (CSEA) proposal for reopeners and the Newark Unified School District proposal for reopeners are "sunshined" at this meeting. Copies of the proposals are made available to the public. This is the public's second opportunity to express itself regarding these proposals. Following the public hearing, the Board of Education must adopt the NUSD initial proposal to CSEA for reopeners for the 2022-2023 school year.

File Attachments

[NUSD Initial Proposal for 2022-25 Negotiations \(1\).pdf](#) (18 KB)

Receive CSEA Initial Proposal to NUSD for Reopeners for the 2022-2023 school year

Type	Action
Absolute Date	May 05, 2022
Recommended	The recommendation is that the Board of Education receive the CSEA initial proposal to NUSD
Action	for Reopeners for the 2022-2023 school year.

Purpose:

The purpose is for the Board of Education to receive the California School Employees Association (CSEA) initial proposal to the Newark Unified School District (NUSD) for reopeners for the 2022-2023 school year.

Background:

Effective June 30, 2022, the current Collective Bargaining Agreement between the Newark Unified School District (NUSD) and the California School Employees Association (CSEA) is set to expire. The California Education Code requires parties to publicly disclose or "sunshine" their proposals for reopeners at which time the public has an opportunity to provide input on the proposals prior to the commencement of negotiations. Both the California School Employees Association (CSEA) proposal for reopeners and the Newark Unified School District proposal for reopeners are "sunshined" at this meeting. Copies of the proposals are made available to the public. This is the public's second opportunity to express itself regarding these proposals. Following the public hearing, the Board of Education must receive the CSEA initial proposal to NUSD for reopeners for the 2022-2023 school year.

File Attachments

[CSEA Initial Proposal for 2022-25 Negotiations.pdf](#) (162 KB)

Release of Special Term, Retirees, and/or Long-Term Guest Teachers

Type	Action
Absolute Date	May 05, 2022
Recommended	The recommendation is that the Board of Education approve the release of Special Term,
Action	Retirees, and/or Long-Term Guest Teachers.

Purpose:

The purpose is for the Board of Education to approve the release of Special Term, Retirees, and/or Long-Term Guest Teachers.

Background:

Each year certificated staff is hired to fill positions for permanent staff that may be on a leave of absence, in a job share, or in a special assignment. Permanent teachers have the right to return the following year to an assignment for which they are credentialed. Special Term, Retirees, and Long-Term Guest Teachers do not have automatic rehire rights and may be released by the district at the conclusion of their assignment. Attached is a list of certificated employees to be released as per California Education Code 44954.

File Attachments

[California Education Code.pdf](#) (110 KB)
[HR Long Term Sub Release 05-05-22.pdf](#) (350 KB)

Declaration of Need for Fully Qualified Educators

Type	Action
Absolute Date	May 05, 2022
Recommended	The recommendation is that the Board of Education approve the Declaration of Need for Fully
Action	Qualified Educators as presented.

Purpose:

The California Commission on Teacher Credentialing requires that each school district file a Declaration of Need for Fully Qualified Educators for the pending academic year.

Background:

The declaration specifies the number of teachers the school district anticipates hiring in designated subjects and at designated

levels on emergency permits and the number of interns the school district anticipates hiring. The declaration is valid for one academic year and is a prerequisite to the issuance of any emergency permits to the school district from the Commission on Teacher Credentialing. The declaration may be amended throughout the academic year as needed.

[File Attachments](#)

- [NUSD CTC DON 2022-2023.pdf](#) (339 KB)
- [CTC Annual Statement of Need 2022-2023.pdf](#) (275 KB)

Classroom Aides (6) for TK Classrooms

Type	Action
Absolute Date	May 05, 2022
Fiscal Impact	Yes
Dollar Amount	\$124,000.00
Budgeted	Yes
Budget Source	General Fund
Recommended	The recommendation is that the board approve six (6) classroom aide positions for
Action	Transitional Kindergarten (TK) classrooms.

Purpose:

The purpose of this agenda item is to approve six classified classroom aide positions for 2022-2023 to satisfy the new 12:1 ratio in Transitional Kindergarten (TK) classrooms.

Background:

Assembly Bill 130 established an early education initiative to expand access to classroom-based prekindergarten programs offered by school districts. The legislation provides for a 12:1 student to staff member ratio in 2022-2023. Newark Unified's model will include one (1) certificated teacher and one (1) classified classroom aide for a TK class of 24 students. The district is slated to have six (6) TK classrooms next year, so this agenda item is to approve the six classroom aides that will be needed. The classified classroom aide position at each site will be 20 hours a week (0.5 FTE).

New Coordinator of Access & Equity Position

Type	Action
Absolute Date	May 05, 2022
Dollar Amount	\$170,000.00
Budgeted	Yes
Budget Source	AG Completion Improvement Grant Program
Recommended	The recommendation is that the Board of Education approve the Coordinator of Access &
Action	Equity position and job description.

Purpose:

The purpose of this item is to approve the Coordinator of Access & Equity position and job description for 2022-2023.

Background:

California SB-309 states the AG Completion Improvement Grant Program is to "provide additional supports to local educational agencies to help increase the number of California high school pupils, particularly unduplicated pupils, who graduate high school meeting the AG subject matter requirements for admission to the University of California and the California State University." On March 17th, the NUSD Board of Education adopted a plan for leveraging state funds to address the strategic outcomes of the grants. The plan included a new position to support the execution of this grant under the title Coordinator of Equity and Access. This position is on the certificated management salary schedule range of 132, 205 workdays, \$110,294.10-\$132,883.05.

[File Attachments](#)

- [Job Description Coordinator of Access and Equity .docx.pdf](#) (68 KB)

Personnel Report

Type	Action
Absolute Date	May 05, 2022
Recommended	The recommendation is that the Board of Education ratify the personnel report as presented.
Action	

Purpose:

The purpose is for the Board of Education to ratify the Personnel Report as presented.

Background:

All personnel activities including new hires, changes in status, resignation, leaves, and retirements are routinely submitted to the Board for ratification.

[File Attachments](#)

- [HR PAL 05-05-2022 Revised 1.pdf](#) (380 KB)

17 CONSENT AGENDA: NON-PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type Action
 Recommended Action It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent Non-Personnel, except for agenda items:

Purpose:
 (This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.)

Background:
 Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Motion & Voting
 It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent Non-Personnel, except for agenda items: 17.2, 17.7, 17.11,
 Motion by Terrence Grindall, second by Alicia Marquez.
 Final Resolution: Motion Carries
 Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Estaina Resendiz-Ortiz

Curricular, Non-Curricular Trip for Newark Jr High Band and Choir to travel to Milpitas and Santa Clara, CA

Type Action
 Fiscal Impact Yes
 Dollar Amount \$1,100.00
 Budgeted Yes
 Budget Source ASB Musick Funds
 Recommended Action The recommendation is that the Board of Education approve the curricular, non-curricular trip for Newark Jr High Band and Choir to Milpitas and Santa Clara, CA.

Purpose:
 The Newark Jr High Principal and Band and Choir Director request permission to take Newark Jr High Band and Choir students on a curricular trip to Milpitas and Santa Clara, CA. Transportation will be by private vehicles. This trip is for students to perform in a music festival in front of professional adjudicators and receive critiques.
 School: Newark Jr High
 Dates: May 14, 2022
 Location: Milpitas and Santa Clara, CA
 Chaperone requirements met
 Grade K-3, one adult for every 5-8 students; Grades 4-12, one adult for every 10 students; Board Policy requires at least two adults on every trip regardless of the number of students (BP 6153 and AR 6153)
 No student will be denied due to a lack of funds

Background:
 According to Board Policy 6153, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval.

Motion & Voting
 The recommendation is that the Board of Education approve the curricular, non-curricular trip for Newark Jr High Band and Choir to Milpitas and Santa Clara, CA.
 Motion by Alicia Marquez, second by Terrence Grindall.
 Final Resolution: Motion Carries
 Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Estaina Resendiz-Ortiz

Non-Curricular Trip for Birch Grove Intermediate Fifth and Sixth Grade Classes to travel to Fremont, CA

Type Action
 Fiscal Impact Yes
 Dollar Amount \$7,150.00
 Budgeted Yes
 Budget Source Students and ASB Funds
 Recommended Action The recommendation is that the Board of Education approve the non-curricular trip for Birch Grove Intermediate Fifth and Sixth Grade Classes to Fremont, CA.

Purpose:
 The Birch Grove Intermediate Principal requests permission to take Birch Grove Intermediate Fifth and Sixth Grade Classes on a non-curricular trip to Fremont, CA. Transportation will be by chartered bus. This trip is an End of Year trip for fifth and sixth grade students who have met academic and behavioral standards.
 School: Birch Grove Intermediate
 Dates: May 23, 2022
 Location: Fremont, CA
 Chaperone requirements met
 Grade K-3, one adult for every 5-8 students; Grades 4-12, one adult for every 10 students; Board Policy requires at least two adults on every trip regardless of the number of students (BP 6153 and AR 6153)
 No student will be denied due to a lack of funds

Background:

According to Board Policy 6153, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval.

Addendum to the Master Contract with Welldom Inc.

Type	Action
Preferred Date	May 05, 2022
Absolute Date	May 19, 2022
Fiscal Impact	Yes
Dollar Amount	\$20,000.00
Budgeted	No
Budget Source	Resource 6500 - Special Education
Recommended	The recommendation is that the Board of Education approve the addendum to the contract
Action	with Welldom Inc. as presented.

Purpose:

To approve the Addendum to the Master Contract with Welldom Inc. for physical therapy services and assessments in the amount of \$20,000.

Background:

Welldom Inc. provides physical therapy services and assessments to ensure compliant practices in supporting students' Individual Education Programs (IEPs). Physical therapy services and assessments are legally mandated per the Individual Disability Education Act (IDEA). Without Welldom Inc.'s services, Newark Unified School District would be out of compliance.

The Master Contract for Welldom Inc. was approved by the Board of Education on October 21, 2021, in the amount of \$65,000.

The total amount of the contract for Welldom Inc. for the 2021-2022 school year including the proposed addendum is in the amount of \$85,000.

File Attachments

[Welldom Inc. Master Contract 21-22 SIGNED.pdf](#) (464 KB)

[Welldom Inc. Addendum 5.5.22.pdf](#) (83 KB)

Addendum to the Master Contract with Ed Sped Solutions, Inc.

Type	Action
Preferred Date	May 05, 2022
Absolute Date	May 19, 2022
Fiscal Impact	Yes
Dollar Amount	\$62,700.00
Budgeted	Yes
Budget Source	Resource 6500 - Special Education
Recommended	The recommendation is that the Board of Education ratify the Addendum to the Master
Action	Contract with Ed Sped Solutions, Inc. as presented.

Purpose:

To ratify the Addendum to the Master Contract for Ed Sped Solutions, Inc. for instructional/1:1 aides in the amount of \$62,700.

Background:

The services provided by Ed Sped Solutions, Inc. are essential services for ensuring compliance requirements are met for students with disabilities, that includes assessment timelines, and related services are provided per the students' Individualized Education Programs (IEPs). Related services and assessments are legally mandated per Individual Disability Education Act (IDEA). Without Ed Sped Solutions, Inc. services, Newark Unified School District would be out of compliance. The contracted positions provide services for unfilled district positions.

The Master Contract for Ed Sped Solutions, Inc. was approved by the Board of Education on August 18, 2021, in the amount of \$987,640.

The Addendum to the Master Contract dated 3/17/22 was approved by the Board of Education on March 17, 2022, in the amount of \$893,400

The total contract amount for Ed Sped Solutions, Inc. for the 2021-2022 school year including the proposed addendum is in the amount of \$1,943,740.

File Attachments

[Ed Sped Contract Master Contract 2021-22 SIGNED.pdf](#) (710 KB)

[Ed Sped Addendum_3.17.22 SIGNED.pdf](#) (282 KB)

[Ed Sped Addendum 5.5.22.pdf](#) (10 KB)

Contract with Falcon Ridge Ranch

Type	Action
Absolute Date	May 05, 2022
Fiscal Impact	Yes
Dollar Amount	\$169,729.00
Budgeted	No
Budget Source	Resource 6500 - Special Education, Resource 6546 - Special Education Mental Health
Recommended	The recommendation is that the Board of Education approve the contract with Falcon Ridge
Action	Ranch as presented.

Purpose:

To ratify the Master Contract and Individual Service Agreement with Falcon Ridge Ranch for residential treatment services for the 2021/22 and 2022/23 school year.

Background:

Newark Unified School District requires a highly intensive individualized residential program in order to meet students' unique needs per the consented Individualized Education Programs (IEPs). This is due to a significant disability, behavioral, or programmatic need that has impacted the student's current ability to be successful within the general education setting.

- In 21/22 academic school year, it is anticipated that \$17,934 of mental health and residential services included in this program will be funded by mental health state funds that NUSD receives annually.
- In 22/23 academic school year, it is anticipated that \$107,310 of mental health and residential services included in this program will be funded by mental health state funds that NUSD receives annually.

File Attachments

- [Falcon Ridge Ranch_NUSD Contract 21-22.pdf](#) (282 KB)
- [ISA Falcon Ridge Ranch 21-22 Redacted.pdf](#) (246 KB)
- [Falcon Ridge Ranch_ NUSD Contract 22-23.pdf](#) (261 KB)
- [ISA Falcon Ridge Ranch 22-23_Redacted.pdf](#) (247 KB)

California Department of Education Revised Consolidated Application and Reporting System 2021-2022 Winter Data Collection

Type Action

Recommended The recommendation is that the Board of Education ratify the Consolidated Application and Reporting System (CARS) revisions as outlined by the California Department of Education.

Purpose:

The purpose of this item is to inform the Board that the California Department of Education revised the Fiscal Year 2020-21 Title 1, Part A and Title 1, Part D local educational agency (LEA) allocations resulting in approximately a 4.5 percent reduction in funding.

Background:

On March 18, 2021, and April 7, 2022, the Board ratified the Consolidated Application and Reporting System (CARS), 2020-2021, and 2021-2022 Winter Data Collection, respectively. To complete these reports, NUSD used the California Department of Education (CDE) published FY 2021 Title 1 allocations.

All districts were notified by the CDE that the published FY 2021 Title 1 allocations for Title 1, Parts A and D were calculated in error. Therefore, funds are not available for allocation to LEAs and have been adjusted to reflect the actual funding available. The impact on LEAs is an approximate 4.5 percent reduction in their Final 2020-21 Allocations for Title 1, Parts A and D.

File Attachments

- [CDE Letter_Reduction to Final Allocations_Title 1_FY 20-21.pdf](#) (155 KB)
- [Revised Forms from Winter 2022 CARS.pdf](#) (285 KB)
- [CARS Winter 2020-21.pdf](#) (1,164 KB)
- [CARS Winter 2021-22.pdf](#) (1,326 KB)

Motion & Voting

The recommendation is that the Board of Education ratify the Consolidated Application and Reporting System (CARS) revisions as outlined by the California Department of Education.

Motion by Terrence Grindall, second by Alicia Marquez.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Alicia Marquez, Estaina Resendiz-Ortiz

Nay: Aiden Hill

HVAC Equipment Purchase Authorized under Resolution 2020.21-030 Authorizing Staff to Acquire Equipment Using Sole

Type Action

Fiscal Impact Yes

Dollar Amount \$599,475.00

Budgeted Yes

Budget Source Fund 25

Recommended The recommendation is that the Board of Education accept the update on costs associated with the implementation of Resolution 2020.21-030 Authorizing Staff to Acquire Equipment Using Sole Source.

Purpose:

To update the Board on costs associated with the implementation of Resolution 2020.21-030 Authorizing Staff to Acquire Equipment Using Sole Source.

Background:

On May 20, 2021, the Newark Unified School District Board approved Resolution 2020.21-030 authorizing staff to acquire equipment using Sole Source. The resolution states, in part: The Board hereby finds and determines that appropriate Carrier HVAC units and Alerton Controls be the sole HVAC and EMS control brands used on the Project and that doing so is in the best interest of the District, its students, and the community; and the Superintendent, or designee thereof, is authorized to take all other actions as necessary to effectuate the intent of this Resolution.

The district purchased HVAC equipment as part of the Phase 1 HVAC Replacement Project under Resolution 2020.21-030.

At the April 7, 2022 Board meeting, RGMK provided an update on the status of the HVAC Replacement Project, Phase 2. Due to the compounding supply chain issues, manufacturing lead times and anticipated price increases, staff recommends procuring the HVAC equipment now to save on further price increases and longer delivery timelines. The construction bidding process for installation is planned to occur this winter with a project start date anticipated in early summer of next year.

[File Attachments](#)

- [RESOLU-1.PDF](#) (156 KB)
- [Carrier Corp CMAS Contract_4-21-10-1072.pdf](#) (261 KB)
- [POs_Russell Sigler_HVAC Equipment Phase 2.pdf](#) (443 KB)

Resolution 2021.22.39 Declaring Surplus Equipment

Type	Action
Recommended	The recommendation is that the Board of Education approve Resolution 2021.22.39 Declaring
Action	Surplus Equipment.

Purpose:

The purpose of this item is to obtain Board approval of Resolution 2021.22.39 Declaring Surplus Equipment, which lists items to be declared as surplus equipment.

Background:

Surplus materials will be disposed of per Board Policy and Administrative Regulation 3270 Sale And Disposal Of Books, Equipment, and Supplies. Education Code, Section 17546 states that if the Governing Board, by a unanimous vote of those members present, finds that the property, whether one or more items, does not exceed the value of \$2,500, it may be sold at private sale without advertising, by a District employee empowered for that purpose by the Board; the property may be donated to a charitable organization, or it may be disposed of in a public disposal facility.

The property as described in Resolution 2021.22.39 includes equipment used at secondary schools for Child Nutrition Services. Staff determined that items are obsolete and/or no longer working.

[File Attachments](#)

- [Resolution 2021.22.39 Declaring Surplus Equipment.pdf](#) (60 KB)

Warrant Report for March 2022

Type	Action
Fiscal Impact	No
Recommended	The recommendation is that the Board of Education approve the Warrant Report as presented.
Action	

Purpose:

The purpose of this item is to present warrants, for the total amount of \$4,273,560.49, made from District funds for March 2022.

Background:

The warrant registers represent a complete listing of all payments made from District funds for a month. Because Newark Unified School District is a fiscally dependent District, each warrant must pass through two separate audits; first by the District's Fiscal Services department, and second by the County Office of Education. No warrant can be paid until such time as it is examined and approved by the County Office of Education.

[File Attachments](#)

- [Warrant Report March 2022.pdf](#) (402 KB)

Monthly Purchase Order Report

Type	Action
Recommended	The recommendation is that the Board of Education approve the Monthly Purchase Order
Action	Report as presented.

Purpose:

The purpose of this item is to present a monthly report on Purchase Order transactions per Board Policy 3300, Expenditures and Purchases.

Background:

Based on the discussion at the Board's Study Session on January 6, 2022, the staff is providing a monthly report on Purchase Order transactions per Board Policy 3300, Expenditures, and Purchases. The policy states that "The Board shall review all transactions entered into by the Superintendent or designee on behalf of the Board every 60 days."

[File Attachments](#)

- [Monthly Purchase Order Report_5-5-2022.pdf](#) (98 KB)

Motion & Voting

The recommendation is that the Board of Education approve the Monthly Purchase Order Report as presented.

Motion by Phuong Nguyen, second by Alicia Marquez.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Estaina Resendiz-Ortiz

Contracts and Purchase Orders Authorized under Resolution 2020.21-025 (Delegate Authority to Procure Necessary Materials, Equipment and Services to Provide Distance and/or In-Person Learning for Staff, Teachers, and Students to Mitigate the Effects of Covid-19)

Type Action
Recommended Action The recommendation is that the Board of Education accept the update on costs associated with the implementation of Resolution 2020.21-025 (Resolution of the Board of Education of the Newark Unified School District to Delegate Authority to Procure Necessary Materials, Equipment and Services to Provide Distance and/or In-Person Learning for Staff, Teachers, and Students to Mitigate the Effects of Covid-19)

Purpose: To update the Board on costs associated with the implementation of Resolution 2020.21-025 (Resolution of the Board of Education of the Newark Unified School District to Delegate Authority to Procure Necessary Materials, Equipment, and Services to Provide Distance and/or In-Person Learning for Staff, Teachers, and Students to Mitigate the Effects of Covid-19) from April 1, 2022, through April 30, 2022.

Background: On April 1, 2021, the Newark Unified School District Board approved Resolution 2020.21-025 delegating authority to the Superintendent or designee to procure necessary materials, equipment, and services that are needed to provide distance and/or in-person learning to mitigate the effects of Covid-19. Language in the resolution states "the Superintendent/Designee shall make periodic reports to the Board of Education and the public regarding implementation of this resolution and the costs associated therewith"; requiring the update provided here.

On September 16, 2021, Amended Resolution 2020.21-025 was approved. The amendment extends it to on or around June 30, 2022, and states that updates will be presented at the first Board meeting of each month.

Updates have been provided to the Board

- June 17, 2021 for contracts and purchase orders between April 2, 2021 and May 31, 2021
October 7, 2021 for contracts and purchase orders between June 1, 2021 and September 30, 2021
November 4, 2021 for contracts and purchase orders between October 1, 2021 and October 31, 2021
December 6, 2021 for contracts and purchase orders between November 1, 2021 and November 30, 2021
January 6, 2022 for contracts and purchase orders between December 1, 2021 and December 31, 2021
February 3, 2022 for contracts and purchase orders between January 1, 2022 and January 31, 2022
March 3, 2022 for contracts and purchase orders between February 1, 2022 and February 28, 2022
April 7, 2022 for contracts and purchase orders between March 1, 2022 and March 31, 2022

VENDOR DATE PO NUMBER DESCRIPTION AMOUNT
N/A*

* There are no contracts or purchase orders to report for the period of April 1, 2022, through April 30, 2022.

Minutes of the March 17, 2022 Regular Meeting of the Board of Education

Type Action, Minutes
Recommended Action The recommendation is that the Board of Education approve the minutes for the March 17, 2022, Regular Meeting of the Board of Education

Purpose: For the board to review and approve the minutes

Background: The attached minutes are reflective of the March 17, 2022, Regular Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel HERE

Minutes of the March 23, 2022 Special Meeting of the Board of Education

Type Action, Minutes
Recommended Action The recommendation is that the Board of Education approve the minutes of the March 23, 2022, Special Meeting of the Board of Education.

Purpose: For the board to review and approve the minutes

Background: The attached minutes are reflective of the March 23, 2022, Special Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel HERE

Minutes of the April 7, 2022 Regular Meeting of the Board of Education

Type Action, Minutes
Recommended Action The recommendation is that the Board of Education approve the minutes of the April 7, 2022, Regular Meeting of the Board of Education.

Purpose: For the board to review and approve the minutes

Background:

The attached minutes are reflective of the April 7, 2022, Regular Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel [HERE](#)

18 BOARD OF EDUCATION: COMMITTEE REPORTS, REQUESTS, AND ANNOUNCEMENTS

Board of Education Recognitions and Announcements

Type Information

Purpose:

The Trustees may acknowledge or recognize specific programs, activities, or personnel at this time.

Board of Education Committee Reports

Type Information

Purpose:

The Trustees will provide an update, if available, on the committees of which they are members.

Background:

Each year the Board of Education members liaise with schools and committees in order to build relationships, hear from staff, students, and families, and act as a conduit for information to and from the schools.

Board Committees 2020-21

Board Adopted on 12/16/21	Representative	Alternate
Mission Valley Regional Occupational Center/Program Executive Board	1. Terrence	(ROC/P)Grindall1. Bowen Zhang
Regional Policy Board of Special Education Local Plan Area (SELPA)	1. Bowen Zhang	1. Alicia Marquez
Newark Teacher Induction Advisory Council (Formally EBIC)	1. Alicia Marquez	1. Aiden Hill
Audit Committee	1. Alicia Marquez	1. Terrence2. Aiden HillGrindall
Bond/Parcel Tax Committee	1. Terrence Grindall	2. Phuong 1. Bowen Zhang
City of Newark NUSD Liaison Committee	Nguyen 1. Phuong Nguyen Grindall	2. Terrence 1. Bowen Zhang

Board of Education Requests

Type Action, Discussion, Information

Purpose:

This is an opportunity for the Board of Education to suggest items for placement on future agendas and to review Board requests.

Approval from the majority of the Board will be required for direction to be provided to the Superintendent.

Background:

The following derives directly from the Board approved "Governance Team Handbook"

Authority is Collective, Not Individual:

The only authority to direct action rests with the Board as a whole when seated at a regular or special board meeting.

Outside of this meeting, there is no authority.

A majority Board vote provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction.

Bringing New Ideas Forward

The Board will be open to having "brainstorming" discussions, or study sessions, around any idea that a Trustee may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Trustee, at their initiative or at the request of a constituent, which was previously discussed during a board meeting.

Trustees will first notify the Board President and Superintendent of their interest in bringing forward a new idea at a board meeting.

When initially agendized, the preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.

Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea.

The Superintendent will decide on the delegation of assignments to District staff.

The new idea may be agendized for discussion only. The Board majority will decide if the new idea should be further developed and studied by staff. The Board majority will decide if staff time should be invested in the "fleshing out" of new ideas.

Individual Trustees, in the course of interactions with constituents, will be careful not to make or imply the commitment of the full Board to explore or proceed with implementing new ideas.

19 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

Superintendent's Concluding Comments, Updates, and Future Agenda Items

AGENDA REQUESTS

Type Information

Purpose: This is an opportunity for the Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

20 ADJOURNMENT

PLACEHOLDER - Extend Meeting

Type Action
Recommended The recommendation is that the Board of Education extends the meeting to ____ P.M.
Action

Purpose: This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

Motion & Voting
The recommendation is that the Board of Education extends the meeting to 11:00 P.M.
Motion by Phuong Nguyen, second by Alicia Marquez.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Estaina Resendiz-Ortiz

Adjournment

Type Action, Procedural
Recommended The recommendation is that the Board of Education adjourns this meeting.
Action

Purpose: No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time. This action will conclude the meeting.

Motion & Voting
The recommendation is that the Board of Education adjourns this meeting at 10:47 P.M.
Motion by Phuong Nguyen, second by Alicia Marquez.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez
Not Present at Vote: Estaina Resendiz-Ortiz

1 CALL TO ORDER

Meeting Practices and Information

Type Information, Procedural
IN-PERSON MEETING INFORMATION
NUSD has opened its boardroom for in-person meetings and will follow the State's and Alameda County's safety guidelines for public gatherings. Please refrain from attending in-person meetings if you have any of the following symptoms:

- Loss of taste/smell
Difficulty breathing
Vomiting
Diarrhea
Fever
Cough
Headache
Sore Throat
Runny Nose

For additional COVID-19 information please go to https://www.newarkunified.org/covid-19 or https://www.acoe.org/guidance

OBSERVE THE BOARD OF EDUCATION MEETING

Members of the public 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.

PUBLIC COMMENT

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

Pledge of Allegiance

Type Procedural

Purpose:
The Governance Team will recite the Pledge of Allegiance

Roll Call

Type Procedural

Trustees:
President Phuong Nguyen
Vice President/Clerk Terrence Grindall
Member Aiden Hill
Member Alicia Marquez
Member Bowen Zhang

Student Board Member:
Member Estaina Resendiz Ortiz

2 APPROVAL OF AGENDA

Approval of the Agenda

Type Action
Recommended The recommendation is that the Board of Education approve the agenda for this meeting.
Action

Purpose:
Members of the Governance Team may request that the agenda be amended or approved as presented.

Motion & Voting
The recommendation is that the Board of Education approve the agenda for this meeting.
Motion by Alicia Marquez, second by Terrence Grindall.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang

3 CONSENT AGENDA: NON-PERSONNEL ITEMS

Curricular, Non-Curricular, Overnight, Out-of-State Field Trip for Newark Memorial High School Rocketry to Virginia

Type Action
Fiscal Impact Yes
Dollar Amount \$17,550.00
Budgeted Yes
Budget Source Trip will be paid for by Newark Memorial High ASB, students, and Rocketry Club Funds
Recommended The recommendation is that the Board of Education approve the field trip to Virginia for the
Action Newark Memorial High School Rocketry Club to participate in the National Rocketry Finals.

Purpose:
For the Board to approve a field trip for the NMHS Rocketry Club students to participate in the National Rocketry Finals.

Background:
According to Board Policy 6153, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval.
The Newark Memorial High School principal and rocketry teachers request permission to take students on a curricular, overnight, out-of-state field trip via private vehicles, commercial air, shuttles, and rental vehicles to Virginia to participate in the National Rocketry Finals.
School: Newark Memorial High School
Dates: May 11-16, 2022
Location: Manassas, Virginia
Field trip requirements met:
Grade K-3, one adult for every 5-8 students; Grades 4-12, one adult for every 10 students; Board Policy requires at least two adults on every trip regardless of the number of students (BP 6153 and AR 6153)
Overnight trip supervision must be gender appropriate
No student will be denied due to a lack of funds

Motion & Voting
The recommendation is that the Board of Education approve the field trip to Virginia for the Newark Memorial High School Rocketry Club to participate in the National Rocketry Finals.
Motion by Alicia Marquez, second by Terrence Grindall.

Final Resolution: Motion Carries
Yea: Phuong Nguyen, Terrence Grindall, Alicia Marquez, Bowen Zhang
Nay: Aiden Hill

4 STUDY SESSION

Budget Balancing Solutions

Type Discussion, Information

Purpose:
To review and discuss budget-balancing solutions for fiscal years 2022-23 and 2023-24 with the Board.

Background:
Based on the Second Interim Budget Report and assumptions in the Multi-Year Projections, the district projects a deficit of \$4.5 million in the fiscal year 2022-23 and \$4.7 million in the fiscal year 2023-24. Consequently, the Board approved Resolution No. 2021.22.29 committing to implement budget-balancing solutions of up to \$4.5 million in 2022-23 and up to \$4.7 million in 2023-24 to maintain the fiscal stability of the district.
Staff will review and discuss potential budget-balancing solutions with the Board for the 2022-23 proposed adopted budget.

File Attachments
[Board Study Session- Budget Balancing Solutions April 27 2022.pdf](#) (1,556 KB)

5 ADJOURNMENT

PLACEHOLDER - Extend Meeting

Type Action
Recommended The recommendation is that the Board of Education extends the meeting to ____P.M.
Action

Purpose:
This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

Adjournment

Type Action, Procedural
Recommended The recommendation is that the Board of Education adjourns this meeting.
Action

Purpose:
No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time.
This action will conclude the meeting.

Motion & Voting
The recommendation is that the Board of Education adjourns this meeting at 7:54 pm.
Motion by Terrence Grindall, second by Alicia Marquez.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang

1 CALL TO ORDER

Meeting Practices and Information

Type Information, Procedural
IN-PERSON MEETING INFORMATION
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- Difficulty breathing
- Vomiting
- Diarrhea
- Fever
- Cough
- Headache
- Sore Throat
- Runny Nose

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Members of the public 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.
PUBLIC COMMENT

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

Roll Call

Type Procedural

Trustees:

President Phuong Nguyen
Vice President/Clerk Terrence Grindall
Member Aiden Hill
Member Alicia Marquez
Member Bowen Zhang

Student Board Member:

Member Estaina Resendiz Ortiz

2 APPROVAL OF AGENDA

Approval of the Agenda

Type Action

Recommended It is recommended that the Board of Education approve the agenda for this meeting.
Action

Purpose:

Members of the Governance Team may request that the agenda be amended or approved as presented.

Motion & Voting

It is recommended that the Board of Education approve the agenda for this meeting, except 15.2.

Motion by Bowen Zhang, second by Terrence Grindall.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Bowen Zhang

Not Present at Vote: Alicia Marquez, Estaina Resendiz-Ortiz

3 STUDY SESSION

Potential November 2022 Bond Measure

Type Discussion

Purpose:

Review and discuss the potential for a Bond Measure in the November 2022 election.

Background:

The Board received information at their March 17, 2022 meeting regarding the timeline and process for a potential bond measure at the next election in November. As a follow-up, the Board requested to hold a Study Session on this topic to discuss further and obtain additional information.

File Attachments

[4-7-22_NewarkUSD_BoardStudy_PotentialNov.2022BondMeasure_Fn.pdf](#) (1,810 KB)

4 CLOSED SESSION

Public Comment on Closed Session Items

Type Information

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board. If a constituent wishes to address the Board on any agenda item, please fill out a virtual speaker card via email at PUBCOMMENT@newarkunified.org.

RATIFICATION AND APPROVAL OF TK ENROLLMENT: (Ed. Code, 48000 & 35146)

Type Action

Purpose:

The Board will review student information for approval of newly registered Transitional Kindergarten students who shall reach age 5 after

December 2, 2021. This process will continue on a case by case basis for students who register within the extended window.

Background:

Education Code sections 48000 and 48010, and District Administrative Regulation ("AR") 5111, requires the District to enroll any otherwise eligible student who turns age five or six on or before September 1 of a given school year into kindergarten or first grade, as applicable. In addition, if a student turns age five between September 2 and December 2 of a school year, then that student shall be offered an opportunity to enroll in TK. The District may additionally admit younger children to TK "on a case by case basis".

Education Code section 4800 specifically provides as follows:

(c)(1)(C) [A] child who will have their fifth birthday between September 2 and December 2 shall be admitted to a transitional kindergarten program maintained by the school district or charter school.

(c)(2)(A) In any school year, a school district ... may, at any time during a school year, admit a child to a transitional kindergarten program who will have their fifth birthday after the date specified for the applicable year ... but during that same school year, with the approval of the parent or guardian, subject to the following conditions:

(i) The governing board of the school district or the governing body of the charter school determines that the admittance is in the best interests of the child.

(ii) The parent or guardian is given information regarding the advantages and disadvantages and any other explanatory information about the effect of this early admittance.

Consistent with the Education Code, the District's AR 5111 provides:

On a case-by-case basis, a child who will turn five years old in a given school year may be enrolled in kindergarten or TK at any time during that school year with the approval of the child's parent/guardian, provided that: (Education Code 48000)

1. The parent/guardian is given information regarding the advantages and disadvantages and any other explanatory information about the effect of this early admittance.

2. The Governing Board determines that admittance is in the best interest of the child.

Beginning in the 2022-2023 school year, the birthday cut off will be extended to February 2, and will continue being extended by two months each school year, until the 2025-2026 school year, when any student with a birthday after September 1 must be admitted to TK

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE (Gov. Code, 54957, subd. (b)(1))

Type Action, Information, Procedural

Purpose:

Information will be provided by the Superintendent and Executive Director of Human Resources.

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a): Employee Organizations - NTA and CSEA

Type Action, Information, Procedural

Purpose:

Information may be provided by the agency negotiator, Executive Director of Human Resources. Assistance from the legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided.

The employee organizations include NTA & CSEA.

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a)): Employee Group - NEWMA, Unrepresented Supervisors, and Contracted Management

Type Action, Information, Procedural

Purpose:

Information may be provided by the agency negotiator, the Executive Director of Human Resources, and the Superintendent. Assistance from legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided.

The employee organizations include NEWMA, Unrepresented Supervisors, and Contracted Management

CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION Significant exposure to litigation pursuant to Gov. Code, 54956.9, subd. (d)[(2) or (3)]

Type Action, Information, Procedural

Purpose:

Information may be provided regarding significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: Two case

STUDENT EXPULSION (Ed. Code, 48918)

Type Information

Purpose:

For the Board to review the Expulsion.

Background:

An Expulsion Panel Hearing was held on April 5, 2022. An Expulsion Panel Hearing was conducted in accordance with Board Policy and Administrative Regulation 5144.1 and, if applicable, 5144.2 for students with disabilities. The administration asks for approval of the recommendation for Case# e2122-18. (Ed Code. 48918).

Recess to Closed Session

Type Procedural

Purpose:

The Board will recess to Closed Session, and reconvene to Open Session on or about 7:00 p.m.

5 REPORT OF CLOSED SESSION ACTIONS

Report of Closed Session Actions

Type Action, Procedural

Purpose:

If available, a report of the closed session will be provided by the Board President.

6 RECONVENE TO OPEN SESSION

Pledge of Allegiance

Type Procedural

Purpose:

The Governance Team will recite the Pledge of Allegiance

7 STUDENT REPORT

Student Reports from Newark Junior High School, Alternative Education, and Newark Memorial High School

Type Information

Purpose:

At regular Board of Education meetings, a spokesperson of each secondary school may make a brief presentation. Discussion items may include updates, celebrations, and upcoming events.

1. Newark Junior High School - Mohammed Lulu and Poorvi Sharma
2. Alternative Education - Alexis Blanco-Barron
3. Newark Memorial High School - Estaina Resendiz-Ortiz

8 RECOGNITIONS AND CELEBRATIONS

Staff Spotlight

Type Information

Purpose:

To recognize the wonderful accomplishments of our NUSD Team.

Background:

The presentation will be provided by the Superintendent.

9 EMPLOYEE ORGANIZATIONS

Employee Organizations

Type Information

Purpose:

At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Background:

Discussion items are limited to updates, celebrations, and upcoming events.

1. NTA: Sean Abruzzi
2. CSEA: Maria Huffer
3. NEWMA: Vicenta Ditto

10 PUBLIC COMMENT ON NON-AGENDA ITEMS

Public Comment on Non-Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

11 SUPERINTENDENT REPORT

Superintendent Report

Type Information

Purpose:

The superintendent will provide the Board of Education with district information, updates, news, or anything in the jurisdiction of the board or the superintendent.

Background:

The presentation and information will be provided by the Superintendent

12 STAFF REPORT

Elementary i-Ready Data Report

Type Information

Purpose:

To present i-Ready mid-year growth data to the Board of Education.

Background:

One of NUSD's three professional development priorities for 2021-2022 is "assessment for learning." Elementary schools use i-Ready assessments as a progress monitoring tool in both ELA and Mathematics. In anticipation of learning loss due to the COVID-19 pandemic, administration and teachers received professional development from i-Ready facilitators on how to access i-Ready data, analyze data, and use i-Ready data for instructional purposes in October 2021. In March, site teams analyzed growth data from February mid-year assessments in order to adjust current instructional planning and inform instructional decisions for trimester III. This presentation serves as a summary of this work.

File Attachments

[Board Presentation on 2021-22 i-Ready District Fall and Winter Reports.pdf](#) (2,625 KB)

Presentation on the Impact of SEAL (Sobrato Early Academic Literacy) Investment

Type Discussion

Purpose:

To provide an update on the SEAL program implementation and the impact of this program on teacher practices and student achievement.

Background:

Three (3) years ago NUSD made an investment in Sobrato Early Academic Literacy (SEAL) to support an increase in student performance in grades K-3 with a specific focus on our emerging bilingual and multilingual students. We launched the first cohort of teacher professional development in the fall of 2019 and had to make significant adjustments in response to the pandemic, while we kept the work moving forward. This year will mark the last year of the existing contract unless the district chooses to extend the partnership.

File Attachments

[NUSD SEAL Program Board Presentation 2022.03.17.pdf](#) (8,761 KB)

Update on the HVAC Replacement Project - Phase 2

Type Discussion

Purpose:

RGMK, the District's Construction Project Manager, will provide an update on the status of the Phase 2 HVAC Replacement Project.

Background:

The HVAC Replacement Project Phase 1 is in progress. A total of 276 HVAC units will be replaced under Phase 1. The HVAC Replacement Project Phase 2 required DSA (Division of the State Architect) review and approval. There are 45 units being replaced in this phase of the project. The plans have been submitted to DSA and are currently under review. The district's architect anticipates the review to be completed within 30-60 days. RGMK will provide an update on the status of the equipment order, pricing, estimated delivery, and the construction bid schedule for the Phase 2 project.

File Attachments

HVAC Phase 2 update for April 7 2022 Board Mtg.pdf (272 KB)

13 STUDENT EXPULSION

Expulsion Stipulation for e2122-18

Type Action

Recommended The recommendation is that the Board of Education approve the panel hearing's
Action recommendation regarding expulsion.

Purpose:

For the Board to review the Expulsion.

Background:

An Expulsion Panel Hearing was held on April 5, 2022. An Expulsion Panel Hearing was conducted in accordance with Board Policy and Administrative Regulation 5144.1 and, if applicable, 5144.2 for students with disabilities. The administration asks for approval of the recommendation for Case# e2122-18. (Ed Code. 48918).

Motion & Voting

The recommendation is that the Board of Education approve the panel hearing's recommendation regarding expulsion.

Motion by Bowen Zhang, second by Terrence Grindall.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang

Abstain: Estaina Resendiz-Ortiz

14 PUBLIC HEARINGS

Public Hearing on the COVID Safety Plan

Type Procedural

Purpose:

To seek public input on the District's COVID Safety Plan (Safe Return to In-Person Instruction and Continuity of Services Plan).

Background:

As part of the American Rescue Plan Act of 2021 (ARP Act), Elementary and Secondary School Emergency Relief III (ESSER III) Fund, and other required local educational agency (LEA) plans, the District is required to review, and if appropriate, revise a Safe Return to In-Person Instruction and Continuity of Services Plan (A.K.A. COVID Safety Plan) until September 2023. In addition, Districts are required to periodically seek public input to inform ongoing revisions and adjustments to the COVID Safety Plan. The public hearing process is one such way Newark Unified has employed to seek public input. The public hearing notices were posted in English and Spanish on March 31, 2022.

File Attachments

COVID Safety Plan Public Hearing Notice_ENG.pdf (90 KB)

COVID Safety Plan Public Hearing Notice_SP.pdf (57 KB)

OFFICIAL - NUSD COVID-19 Safety Plan.pdf (2,436 KB)

Public Hearing on Joint Initial Proposal for Reopeners between the California School Employees Association (CSEA) and the Newark Unified School District

Type Procedural

Purpose:

The purpose is to publicly disclose or "sunshine" the proposals for reopeners at which time the public has an opportunity to provide input on the proposals prior to the commencement of negotiations between the Newark Unified School District (NUSD) and the California School Employees Association (CSEA).

Background:

Effective June 30, 2022, the current Collective Bargaining Agreement between the Newark Unified School District (NUSD) and the California School Employees Association (CSEA) is set to expire. The California Education Code requires parties to publicly disclose or "sunshine" their proposals for reopeners at which time the public has an opportunity to provide input on the proposals prior to the commencement of negotiations. Both the California School Employees Association (CSEA) proposal for reopeners and the Newark Unified School District proposal for reopeners are attached and are "sunshined" at this meeting. Copies of the proposals are made available to the public. This is the public's first opportunity to express itself regarding these

proposals.

File Attachments

- [CSEA Initial Proposal for 2022-25 Negotiations.pdf](#) (162 KB)
- [NUSD Initial Proposal for 2022-25 Negotiations \(1\).pdf](#) (18 KB)

Public Hearing on Developer Fees Increase

Type Procedural

Purpose:

To conduct a public hearing on approval of the Developer Fee Justification Study dated February 2022, and Resolution 2021.22.34 to increase school developer fees on new residential and commercial/industrial construction.

Background:

Government Code section 65995 provides that the maximum fees which may be levied on development projects shall be increased in 2000 and every two years thereafter according to the adjustment for inflation set forth in the statewide cost index for Class B construction as determined by the State Allocation Board (SAB). The SAB at its February 23, 2022 meeting, set the maximum fee to \$4.79 per square foot for residential development and to \$0.78 per square foot for commercial/industrial development. The new fees are an increase of what is currently being collected by the Newark Unified School District. The Developer Fee Justification Study provides justification for the Newark Unified School District to levy Level 1 developer fees on new residential, commercial, and industrial construction not under mitigation agreement with the District. Level 1 fees are the current statutory fees allowed under Education Code 17620. This code section provides the basic authority for school districts to levy a fee against residential and commercial construction for the purpose of funding school construction or reconstruction of facilities. These developer fees are subject to a biennial inflationary adjustment in an amount equal to the change in the statewide cost index for Class B construction.

Notice of this public hearing ran in the East Bay Times (Argus) on March 18, 2022, and March 25, 2022, and in the Tri-City Voice on March 15, 2022, and March 22, 2022.

A fee of \$4.08 per square foot for residential construction and a fee of \$0.66 per square foot for commercial/industrial construction is currently assessed on applicable permits pulled in the District. The study provides the justification for the District to levy the maximum developer fee. The new fee amounts are \$4.79 per square foot for residential construction and \$0.78 per square foot for commercial/industrial construction. This proposed increase represents \$0.71 per square foot and \$0.12 per square foot for residential and commercial/industrial construction, respectively.

The following table shows the impacts of the new fee amounts:

Total	Previous	New	Change
Residential	\$4.08	\$4.79	\$0.71
Commercial/Industrial	\$0.66	\$0.78	\$0.12

Fees will become effective June 6, 2022, 60 days after the adoption of Resolution 2021.22.34.

File Attachments

- [Resolution 2021.22.34 Developer Fee Increase and Justification Study.pdf](#) (2,740 KB)
- [2022_Developer Fee Increase Public Hearing Notice_ENG.pdf](#) (91 KB)
- [2022_Developer Fee Increase Public Hearing Notice_SP.pdf](#) (95 KB)

15 OLD BUSINESS

Consultant Contracts for Potential 2022 Bond Measure

Type Action

Fiscal Impact Yes
 Dollar Amount \$136,575.00
 Budget Source General Fund

Recommended The recommendation is that the Board of Education approve the consultant agreements with
 Action Terris Barnes Walters Boigon Heath Lester, Inc (TBWBH Props & Measures), Godbe Research, KNN Public Finance and Dannis Woliver Kelley (DWK) as presented.

Purpose:

To approve Consultant Agreements with TBWBH Props & Measures, Godbe Research, KNN Public Finance, and Dannis Woliver Kelley (DWK) for the potential bond measure in November 2022.

Background:

On March 17, 2022, the Board received an informational report on the timeline and process for assessing the feasibility of a November 2022 school facilities improvement bond.

The first step in the process is to conduct a voter survey to evaluate the feasibility of placing a potential future bond measure on the ballot based on voter support.

The deadline to qualify for the November ballot is August 12, 2022.

The estimated cost of pre-election planning services should not exceed \$136,575 based on the following:

Consultant	Amount
Godbe Research	\$34,075
TBWBH	\$6,500/month (Not To Exceed \$32,500)
KNN Public Finance	\$10,000 Flat Fee
DWK	\$10,000 (Estimated Hourly Fees)

File Attachments

- [TBWBH_NewarkSD1_Contract_04082022.pdf](#) (248 KB)

- [KNN Bond Financial Advisor Agreement 2022_04082022.pdf](#) (194 KB)
- [DWK_Newark USD Bond Fee Agreement 2022_04082022.pdf](#) (198 KB)
- [Godbe Research Letter of Agreement_Bond Survey 2022.pdf](#) (149 KB)

Motion & Voting

The recommendation is that the Board of Education approve the consultant agreements with Terris Barnes Walters Boigon Heath Lester, Inc (TBWBH Props & Measures), Godbe Research, KNN Public Finance and Dannis Woliver Kelley (DWK) as presented.

Motion by Phuong Nguyen, second by Alicia Marquez.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Alicia Marquez, Bowen Zhang, Estaina Resendiz-Ortiz

Nay: Aiden Hill

Credit Recovery

Type	Action
Recommended	The recommendation is that the Board of Education select and approve an online platform
Action	that will serve as one of multiple options that NUSD students have to recover credit, as presented.

Purpose:
To select and approve an online platform that will support credit recovery for NUSD students.

Background:
Per request of the Board of Education, on August 18, 2021, September 2, 2021, and September 16, 2021, Educational Services presented the purpose and options for credit recovery as it relates to NUSD high school students. During these sessions, the Board of Trustees learned about the background and usage of NUSD's current credit recovery program delivered through APEX, how APEX is currently utilized in NUSD, and what shifts/changes our secondary schools have made to program implementation in response to recent community input. Board members determined that an online credit recovery option should be selected and requested that Educational Services return during the second semester to offer a comparison of online platforms that are used locally and could be used for credit recovery to ensure rigorous and equitable student access to high-quality educational experiences in NUSD during 2022 summer school and beyond.

File Attachments
[Credit Recovery Online Platforms 4.7.22.pdf](#) (539 KB)

16 NEW BUSINESS

Audit Committee Member Appointment

Type	Action
Recommended	The recommendation is that the Board of Education appoint Steven Yung as the non-voting
Action	member to the Audit Committee.

Purpose:
By taking this action, the Board will appoint a new non-voting member, Steven Yung, to the Audit Committee for a first-term beginning April 8, 2022, and expiring January 31, 2024.

Background:
The voting and non-voting Audit Committee members' terms expired on January 31, 2021. The voting member position was appointed at the March 17, 2022 Board meeting. The request for Audit Committee non-voting member applications was posted at the District Office and online on March 8, 2022. The application deadline was March 24, 2022. The Audit Committee reviewed (1) application for the non-voting member position and interviewed the applicant on March 29, 2022. The Audit Committee recommends that Steven Yung be appointed by the Board of Education to the Audit Committee as a non-voting member.

File Attachments
[2022-03-29_Audit Committee Application_Steven Yung_redacted.pdf](#) (59 KB)
[2022-03-08_Audit Committee Non-Voting Member solicitation-posting.pdf](#) (86 KB)

Motion & Voting
The recommendation is that the Board of Education appoint Steven Yung as the non-voting member to the Audit Committee.
Motion by Bowen Zhang, second by Terrence Grindall.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang, Estaina Resendiz-Ortiz

Resolution 2021.22.34 Developer Fees Increase

Type	Action
Fiscal Impact	Yes
Budget Source	Capital Facilities Fund (Fund 25) - Fiscal impact dependent on sizes of structures built
Recommended	The recommendation is that the Board of Education adopt Resolution 2021.22.34 approving

Action an increase to developer fees on new residential and commercial/industrial construction.

Purpose:

To adopt Resolution 2021.22.34 approving an increase to developer fees on new residential and commercial/industrial construction.

Background:

A public hearing about increasing developer fees was held earlier in this Board meeting. Government Code section 65995 provides that the maximum fees which may be levied on development projects shall be increased in 2000 and every two years thereafter according to the adjustment for inflation set forth in the statewide cost index for Class B construction as determined by the State Allocation Board (SAB). The SAB at its February 23, 2022 meeting, set the maximum fee to \$4.79 per square foot for residential development and to \$0.78 per square foot for commercial/industrial development. The new fees are an increase of what is currently being collected by the Newark Unified School District. The Developer Fee Justification Study provides justification for the Newark Unified School District to levy Level 1 developer fees on new residential, commercial, and industrial construction not under mitigation agreement with the District. Level 1 fees are the current statutory fees allowed under Education Code 17620. This code section provides the basic authority for school districts to levy a fee against residential and commercial construction for the purpose of funding school construction or reconstruction facilities. These developer fees are subject to a biennial inflationary adjustment in an amount equal to the change in the statewide cost index for Class B construction. A fee of \$4.08 per square foot for residential construction and a fee of \$0.66 per square foot for commercial/industrial construction is currently assessed on applicable permits pulled in the District. The study provides the justification for the District to levy the maximum developer fee. The new fee amounts are \$4.79 per square foot for residential construction and \$0.78 per square foot for commercial/industrial construction. This proposed increase represents \$0.71 per square foot and \$0.12 per square foot for residential and commercial/industrial construction, respectively.

The following table shows the impacts of the new fee amounts:

Total	Previous	New	Change
Residential	\$4.08	\$4.79	\$0.71
Commercial/Industrial	\$0.66	\$0.78	\$0.12

Fees will become effective June 6, 2022, 60 days after the adoption of Resolution 2021.22.34.

File Attachments

Resolution 2021.22.34 Developer Fee Increase and Justification Study.pdf (2,740 KB)

Motion & Voting

The recommendation is that the Board of Education adopt Resolution 2021.22.34 approving an increase to developer fees on new residential and commercial/industrial construction.

Motion by Terrence Grindall, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang, Estaina Resendiz-Ortiz

Resolution No. 2021.22.35 Child Abuse Prevention Month

Type Action

Absolute Date Apr 07, 2022

Recommended The recommendation is that the Board of Education adopts Resolution No. 2021.22.35

Action recognizing April as Child Abuse Prevention Month.

Purpose:

For the board to review and adopt Resolution No 2021.22.35 Child Abuse Prevention Month

Background:

A presidential proclamation in 1983 declared April as Child Abuse Prevention Month. Since then, April has been a time to acknowledge the importance of families and communities working together to prevent child abuse. We are joining forces with other districts and cities to promote the well-being of all children by participating in the National Child Abuse Prevention Month in April 2022.

File Attachments

Resolution No. 2021.22.35 Child Abuse Prevention.pdf (25 KB)

Motion & Voting

The recommendation is that the Board of Education adopts Resolution No. 2021.22.35 recognizing April as Child Abuse Prevention Month.

Motion by Terrence Grindall, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang, Estaina Resendiz-Ortiz

Five Year Deferred Maintenance Plan

Type Action

Recommended The recommendation is that the Board of Education approve the Five Year Deferred Maintenance Plan.

Purpose:

To review and approve a Five Year Deferred Maintenance Plan for NUSD.

Background:

In November 2019, the Board received information on the district Facilities Master Plan which included deferred maintenance needs to be incorporated in the Facility Condition Assessment reports. Staff is presenting a Five Year Deferred Maintenance Plan which will include a list of facilities project priorities. This report includes an overview, definitions of Deferred Maintenance, goals of the Maintenance Department for each site, budget information, and a list of proposed projects and funding sources.

File Attachments

- [NUSD 5 Yr Facilities Maintenance Plan PPT 04-1-2022.pdf \(1,795 KB\)](#)
- [NUSD 5 Yr Facilities Maintenance Plan Report 04 01 2022.pdf \(4,388 KB\)](#)

Motion & Voting

The recommendation is that the Board of Education approve the Five Year Deferred Maintenance Plan.
 Motion by Bowen Zhang, second by Terrence Grindall.
 Final Resolution: Motion Carries
 Yea: Phuong Nguyen, Terrence Grindall, Alicia Marquez, Bowen Zhang, Estaina Resendiz-Ortiz
 Nay: Aiden Hill

Bid Award - Safety and Security Fence and Gate Project at Coyote Hills Elementary

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$219,458.00
Budget Source	Fund 25 Capital Facilities Fund
Recommended	The recommendation is that the Board of Education approve the award of a contract to
Action	Golden Bay Fence plus Iron Works, Inc. for the Security Fence and Gate Project at Coyote Hills Elementary as presented.

Purpose:

To authorize district staff to award a contract to Golden Bay Fence plus Iron Works, Inc. for the Safety and Security Fence and Gate Project at Coyote Hills Elementary School.

Background:

On August 18, 2021, the Board approved a budget for the Coyote Hills Safety and Security Fence and Gate Project in the amount of \$277,625 which included construction, design, and planning costs. A Notice to Bidders was publicly advertised in the Argus Newspaper on February 4, 2022, and February 11, 2022. Plans were placed in industry plan rooms on February 10, 2022. Mandatory pre-bid conferences occurred on February 10, 2022, and February 17, 2022. Seven (7) prospective bidders attended. A public bid opening was held on March 15, 2022, and one (1) bid was received by Golden Bay Fence plus Iron Works, Inc. in the amount of \$224,770, which included a \$25,000 allowance. Public Contract Code provides that the District may negotiate scope and cost no more than 10% upwards with the lowest responsible bidder. We negotiated the costs with Golden Bay and they were able to reduce their price by \$5,312. The construction component of the overall project budget was \$167,500. The original scope of the project included fencing and pedestrian gates around the cafeteria and front office, a video camera and doorbell, and a parking swing gate. The video camera and doorbell were removed from the scope of work. The fence was redesigned to accommodate entry to the main office without the need for a doorbell and video camera. The total base bid with only the original scope of work was \$138,340 which is \$29,160 below the budget. During the design process the scope of work increased at the staff's request to include the following:

1. Replace chain link fence and extend fencing with an ornamental four-foot-high fence along Cherry Street to keep the community from dumping garbage in the parking lot.
2. Add a new entry sign to direct visitors to the school Administrative Office.
3. Add security alarms for the cafeteria doors facing the parking lot exit.

The total estimated budget for the added scope was \$49,375 and the bid amount was \$56,118 which is slightly higher than the estimated budget by \$6,743.

The budget and cost breakdown is as follows:

Description	Prelim Budget	Revised Budget	Actual	Bid Amount	Difference
Base/Original Scope	167,500	167,500	138,340		(29,160)
Added Scope:					
4' Fence	35,250	39,653		4,403	
Signage to Office	8,125	10,927		2,802	
Alarms for cafeteria doors	6,000	5,538		(462)	
Total Added Scope	49,375	56,118		6,743	
Contingency	25,125	25,125	25,000	(125)	
Total Base + Added Scope	192,625	242,000	219,458		(22,542)

The total bid with the added scope was \$194,458 plus an allowance amount of \$25,000 comes out to \$219,458 which is \$22,542 below budget estimates. The recommendation is to award the contract to Golden Bay Fence plus Iron Works, Inc. with the base plus the added scope of work.

File Attachments

- [Golden Gate Fence Proposal- Coyote Hills Fence.pdf \(25 KB\)](#)
- [Coyote Hills Fence and Gate Project Plans_Final.pdf \(30,140 KB\)](#)
- [Bid Results- Coyote Hills Fence.pdf \(47 KB\)](#)

Motion & Voting

The recommendation is that the Board of Education approve the award of a contract to Golden Bay Fence plus Iron Works, Inc. for the Security Fence and Gate Project at Coyote Hills Elementary as presented.
 Motion by Terrence Grindall, second by Bowen Zhang.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang, Estaina Resendiz-Ortiz

Reschedule the regular June 2, 2022 Board of Education meeting.

Type Action

Recommended The recommendation is that the Board of Education reschedule the June 2, 2022 Board meeting to June 7, 2022.

Purpose:

For the Board to discuss the rescheduling of the June 2, 2022 Board of Education regular meeting.

Background:

The NMHS graduation will be held on the same day as a Board meeting, and in order to avoid both events occurring on the same date, it is recommended that the Board reschedule the June 2, 2022 Board meeting to June 7, 2022.

Motion & Voting

The recommendation is that the Board of Education reschedule the June 2, 2022 Board meeting to June 7, 2022.

Motion by Phuong Nguyen, second by Bowen Zhang.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang, Estaina Resendiz-Ortiz

Set Regular Board of Education Meeting Dates for the 2022-23 School Year

Type Action

Recommended The recommendation is that the Board of Education approve the Board's regular meeting dates for the 2022-23 school year.

Purpose:

For the Board to review and approve the proposed meeting dates for the 22-23 school year.

Background:

Currently, per Board Bylaw 9320, "The Board shall hold regular meetings each month on Thursdays..."

Unless otherwise acted upon by the Board:

Regular meetings are to be held on the first and third Thursday of the month.

The second regular meeting of each month will also include a Study Session.

2022-2023 BOARD OF EDUCATION MEETINGS

Possible Dates -- these are the first and third Thursday of each month

DATE	SESSION
July	No Meetings
August 4	Regular Meeting
August 18	Regular Meeting & StudySession
September 1	Regular Meeting
September 15	Regular Session Meeting & Study
October 6	Regular Meeting
October 20	Regular Meeting & StudySession
November 3	Regular Meeting
November 17	Regular Meeting & StudySession
December 1	Regular Meeting
December 15	Regular Meeting & StudySession
January 5	Regular Meeting
January 19	Regular Meeting & StudySession
February 2	Regular Meeting
February 16	Regular Meeting & StudySession
March 2	Regular Meeting
March 16	Regular Meeting & StudySession
April 6	Regular Meeting
April 20	Regular Meeting & StudySession
May 4	Regular Meeting
May 18	Regular Meeting & StudySession
June 1	Regular Meeting
June 15	Regular Meeting & StudySession
July	No Meetings

Motion & Voting

The recommendation is that the Board of Education approve the Board's regular meeting dates for the 2022-23 school year.

Motion by Alicia Marquez, second by Bowen Zhang.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang, Estaina Resendiz-Ortiz

17 CONSENT AGENDA: PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type Action
Recommended Action It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent-Personnel, except for agenda items:

Purpose: (This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.)

Background: Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Motion & Voting It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent-Personnel, except for agenda items: 17.2
Motion by Terrence Grindall, second by Bowen Zhang.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang
Abstain: Estaina Resendiz-Ortiz

New Middle School Assistant Principal Position

Type Action
Absolute Date Apr 07, 2022
Fiscal Impact Yes
Dollar Amount \$170,000.00
Budgeted Yes
Budget Source Title 1
Recommended Action The recommendation is that the Board of Education approve the Assistant Principal position.

Purpose: The purpose of this item is to approve an additional Assistant Principal position for the middle school for 2022-2023.

Background: Sixth grade moving to the middle school will increase its enrollment by approximately 350 students. In order to meet the needs of our students, staff, and community, an additional Assistant Principal is needed to support the new configuration. The Junior High currently has one Principal and one Assistant Principal.

Motion & Voting The recommendation is that the Board of Education approve the Assistant Principal position.
Motion by Terrence Grindall, second by Alicia Marquez.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Terrence Grindall, Alicia Marquez, Bowen Zhang
Nay: Aiden Hill
Not Present at Vote: Estaina Resendiz-Ortiz

Essential Functions: Kindergarten-Grade 5 Elementary Teacher

Type Action
Absolute Date Apr 07, 2022
Recommended Action The recommendation is that the Board of Education approve the Essential Functions (job description) for Kindergarten - Grade 5 Elementary Teacher.

Purpose: The purpose is for the Board of Education to review the Essential Functions (job description) for Kindergarten-Grade 5 Elementary Teachers.

Background: Since Grade 6 is moving to the middle school in 2022-2023, there is a need to revise the Essential Functions for Grades K-5 in the elementary school setting. The document has been shared with Newark Teachers Association for their input and feedback. This revised document will also be used in recruitment efforts for our ongoing staffing needs in 2022-2023 and beyond.

File Attachments
K-5 Teacher Essential Functions 4.7.22 (1).pdf (128 KB)

Essential Functions: Grade 6 Teacher in Middle School

Type Action
Absolute Date Apr 07, 2022
Recommended Action The recommendation is that the Board of Education approve the Essential Functions (job

Action description) for Grade 6 Teacher in Middle School.

Purpose:

The purpose is for the Board of Education to review the Essential Functions of a Grade 6 Teacher in Middle School prior to the 2022-2023 school year.

Background:

Grade 6 will be moving from the elementary school sites to Newark Junior High/middle school in 2022-2023. As part of the teacher staffing process, we will need two separate teacher Essential Functions: one for K-5 and one for Grade 6 in the middle school. Grade 6 includes a core model, which includes teachers with multiple-subject teaching credentials. The revised Essential Functions highlight the changes for these multiple-subject teachers that are different than the previous expectations for a Grade 6 teacher at an elementary site with self-contained classrooms. This document has been shared with Newark Teachers Association for their input and feedback.

File Attachments

[Grade Six Middle School Teacher Essential Functions.docx 3.23.22.pdf](#) (82 KB)

Personnel Report

Type Action

Absolute Date Apr 07, 2022

Recommended The recommendation is that the Board of Education ratify the personnel report as presented.

Action

Purpose:

The purpose is for the Board of Education to review and ratify the Personnel Report as presented.

Background:

All personnel activities including new hires, changes in status, resignation, leaves, and retirements are routinely submitted to the Board for ratification.

File Attachments

[HR PAL 04-07-2022.pdf](#) (380 KB)

18 CONSENT AGENDA: NON-PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type Action

Recommended It is recommended that the Board of Education approve, under one consented vote, the

Action agenda items under Consent Non-Personnel, except for agenda items:

Purpose:

This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:

Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Motion & Voting

It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent Non-Personnel, except for agenda items: 18.3, 18.5, 18.12, 18.14

Motion by Alicia Marquez, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang

Not Present at Vote: Estaina Resendiz-Ortiz

Chromebook and Chromebook Carts Purchase

Type Action

Fiscal Impact Yes

Dollar Amount \$124,370.00

Budgeted Yes

Budget Source Coyote Hills Elementary SPSA Funds

Recommended The recommendation is that the Board of Education approve the purchase of 288 replacement

Action Chromebooks and eight (8) Chromebook Carts for Coyote Hills Elementary.

Purpose:

To obtain Board approval for Coyote Hills Elementary to purchase Chromebooks and management licenses to support student computing technology by adding additional Chromebooks and Chromebook Carts. See attached quote and NCPA participation agreement for more information.

Background:

As many schools experienced as a result of the pandemic and distance learning, significant attrition occurred with respect to site inventory of Chromebooks after devices were distributed to students in our community. As a result, the Coyote Hills Elementary staff conducted an inventory of Chromebooks and the Coyote Hills SSC unanimously approved the purchase of eight (8) complete Chromebook Carts for student use in classrooms. The Coyote Hills School Site Council (SSC) recently met on March 14 and again on March 28 in order to prioritize site budget expenditures based on student need during this academic year. On March 28, 2022, the Coyote Hills Elementary SSC reached consensus to purchase eight (8) Chromebook Carts complete with 36 Chromebooks each for student use in classrooms. This recommendation is based on staff inventory of available Chromebooks for students.

The Chromebooks on the attached order include a three-year limited warranty and Google Chrome Perpetual EDU License. School boards have the authority to "piggyback" on another public agency's bid, per Public Contract Code 20118, when it is in the best interest of a district. It is often advantageous to utilize piggyback bids when contract items are identical to the district's specifications. Using piggyback contracts saves time and often provides lower prices than a single jurisdiction would be able to obtain. Per Board Policy 3311, the District may piggyback onto the contract of another public agency or corporation to lease or purchase equipment or supplies to the extent authorized by law. The piggyback contracts utilized for this purchase are attached. Please note Trinity 3 Technology and FireFly Computers merged, launching a new identity as Trafera. The NCPA agreement with FireFly is now available to Trafera.

File Attachments

- [Newark Unified School District - HP CBK x 288 + 3y Warranty and 8 Carts.pdf](#) (93 KB)
- [NCPA Technology Solutions Contract #01-43.pdf](#) (5,594 KB)
- [NCPA Technology Solutions Contract #01-43_Renewal.pdf](#) (823 KB)

Revised 2022-2023, 2023-2024, 2024-2025 School Calendars

Type	Action
Absolute Date	Apr 07, 2022
Recommended Action	The recommendation is that the Board of Education approve the revised 2022-2023, 2023-2024, 2024-2025 School Calendars.

Purpose:

The purpose of this item is for the Board of Education to approve the revised 2022-2023, 2023-2024, 2024-2025 School Calendars.

Background:

Although the Board of Education approved the 2022-2023, 2023-2024, 2024-2025 calendars on March 7, 2022, we became aware of some issues after the fact. The issues and solutions are detailed below.

2022-2023:

Issue: December 23, 2022, is a school day on our newly-approved calendar. Since December 24 is a holiday that falls on a Saturday in 2022, we must have December 23, 2022, be a holiday.

Solution: Have December 23, 2022, be the holiday and extend the last school day from May 31, 2023, to June 1, 2023, and the last teacher workday would be June 2.

2023-2024:

No changes are necessary.

2024-2025:

Issue: Due to payroll issues around 10-month and 11-month employees, it is vital that the school year-end in May.

Solution: Adjust the calendar by four days. The start date would move up to August 6, 2024 (PD day), August 7, 2024 (TWD), and August 8, 2024 (1st day of school for students). Change the last day of school from June 4, 2025, to May 29, 2025, and the last teacher workday would be May 30, 2025.

The Juneteenth holiday has been added to all three calendars with an asterisk (*pending negotiation), since we haven't officially negotiated the successor agreement with CSEA on this holiday, but it is our intention to include it.

File Attachments

- [2022-2023 NUSD Academic Calendar Rev. 04.07.2022.pdf](#) (159 KB)
- [2023-2024 NUSD Academic Calendar Rev. 04.07.2022.pdf](#) (127 KB)
- [2024-2025 NUSD Academic Calendar Rev. 04.07.2022.pdf](#) (157 KB)

Motion & Voting

The recommendation is that the Board of Education approve the revised 2022-2023, 2023-2024, 2024-2025 School Calendars.

Motion by Bowen Zhang, second by Alicia Marquez.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang, Estaina Resendiz-Ortiz

Consolidated Application and Reporting System 2021-2022 Winter Data Collection

Type	Action
Recommended Action	The recommendation is that the Board of Education ratify the Consolidated Application and Reporting System (CARS), 2021-2022 Winter Data Collection.

Purpose:

The purpose of this item is to provide the California Department of Education with the information needed to fund a wide variety of federal and state programs that bring supplementary funding into the school district.

Background:

The Consolidated Application and Reporting System (CARS) is the state's mechanism for both funding of identified state and

federal categorical programs and required reporting for many of them. It provides the entitlement amounts of these programs as well as required considerations for expenditures. Each year, the programs included in the CARS change based on federal/state mandates and different methods of gaining or disseminating information. This is the 2021-22 Winter Data Collection. CARS brings funds into the school district for a variety of programs including Title I, Title II, Title III, and Title IV. Each of the identified programs has specified guidelines or requirements for their expenditure. All titled programs are federally funded. Title I, Part A funds are used to support the increased achievement of at-risk students, primarily in reading and math. (We currently have six schools receiving these funds.) Title II, Part A (Teacher Quality) funds are used to support teacher evaluation, as well as teacher professional development. Title III English Learner funds are used to support our English language learners. Title IV funds are used to improve students' academic achievement.

[File Attachments](#)
[Winter 2022 ConApp.pdf](#) (1,326 KB)

Addendum #1 to Agreement with Jackie Melcher, Behavioral Health Clinician

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$12,772.50
Budgeted	Yes
Budget Source	Schilling School SPSA
Recommended Action	The recommendation is that the Board of Education ratify the addendum to the agreement with Jackie Melcher, Behavioral Health Clinician, for services at Schilling Elementary School.

Purpose:
 To increase the total compensation and amend the contract with Jackie Melcher, Behavioral Health Clinician, previously approved by the Board on September 16, 2021.

Background:
 The Schilling Elementary School Site Council, on January 31, 2022, reviewed the school needs and approved increasing Ms. Melcher's work day to 8 hours/day. Her role is to continue to support the ongoing needs of students and the implementation of PBIS and their Coordination of Services Team (COST). The site is using SPSA funds to add this supplemental service to the school wide program.

[File Attachments](#)
[Jackie Melcher_contract for Schilling 2021-22_ICA and MOU_fully executed_REDACTED.pdf](#) (524 KB)
[Jackie Melcher_Contract for Schilling 2021-22_ICA and MOU_Addendum_fully executed.pdf](#) (79 KB)

Motion & Voting
 The recommendation is that the Board of Education ratify the addendum to the agreement with Jackie Melcher, Behavioral Health Clinician, for services at Schilling Elementary School.
 Motion by Terrence Grindall, second by Alicia Marquez.
 Final Resolution: Motion Carries
 Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang, Estaina Resendiz-Ortiz

Amended Individual Service Agreement with Esther B. Clark ISA 22-05b

Type	Action
Absolute Date	Apr 07, 2022
Fiscal Impact	Yes
Dollar Amount	\$5,786.00
Budgeted	Yes
Budget Source	Resource 3311 - IDEA
Recommended Action	The recommendation is that the Board of Education ratify the amended Individual Service Agreement with Esther B. Clark.

Purpose:
 To ratify the amended Individual Service Agreement with Esther B. Clark in the amount of \$5,786.

Background:
 This is an increase in the related services per the student's Individualized Education Program (IEP). The original Individual Service Agreement with Esther B. Clark ISA 22-05b was approved by the Board of Education on August 5, 2021, in the amount of \$94,100. The new total amount including the proposed amended Individual Service Agreement for the 2021-2022 school year is in the amount of \$99,886.

[File Attachments](#)
[Amended ISA 22-05b Esther B. Clark.pdf](#) (376 KB)

MOU with Washington Township Hospital Development Corporation for Athletic Trainer for 2022-2025

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$58,494.00
Budgeted	Yes
Budget Source	General Fund
Recommended	The recommendation is that the Board of Education approve the Memorandum of

Action Understanding with Washington Township Hospital Development Corporation for a Certified Athletic Trainer for 2022-2025.

Purpose:

To renew the 3-year Memorandum of Understanding (MOU) with Washington Township Hospital Development Corporation (DEVCO) in order to continue providing a full time Certified Athletic Trainer dedicated to Newark Memorial High School (NMHS) for the 2022-2025 school years.

Background:

The District entered into its first MOU with DEVCO to provide a Certified Athletic Trainer (ATC) in the 2017-18 school year. The District has had the same ATC for the past 4 years and is very satisfied with his work. He was instrumental in implementing COVID protocols in order to have student-athletes return to sports safely during the pandemic. The ATC would work 40 hours a week starting in August when football starts until the first week in June when sports end. The hours will be flexed to cover practices everyday and as many events as possible. This also includes all of the resources of Washington Hospital Sports Medicine. The trainer would also be there to evaluate and treat any injuries that occur in practice or games and help families navigate the healthcare system if athletes need to be referred out, including a partnership with Kaiser which will streamline appointment scheduling for our families. This partnership would service the nearly 800 student-athletes at NMHS as they participate in multiple sports. The other benefits to our student-athletes include the following

- Proper concussion management and diagnosis including advanced technology that can detect a concussion within 60 seconds.
- Injury evaluations and treatment the same day as they occur.
- Decreased liability by taking the playing decisions out of the coach's hands.
- Streamlined referrals so student-athletes can see specialists right away.
- Partnership with Kaiser so student-athletes get seen right away in that system as well.
- Trainers monitor physical paperwork and return to play protocol for students diagnosed with concussions.
- Ensures compliance with current COVID protocols.
- Provides physical therapy and first aid as needed.
- Coordinates with opposing teams' coaches, athletic trainers and staff for off site facility management such as hydration stations, sideline medical services for immediate care during away events.
- During Spring Semester works with Mission Valley ROP internship students.

Benefits to NMHS/NUSD

- Compliance with California law that requires athletes diagnosed with a concussion to be monitored for a minimum of 7 days and have a progressive staged return to activity. An ATC at NMHS allows this monitoring and reporting to the Washington Hospital team of physicians in order to clear student-athletes for return.
- On field immediate care for injuries.
- Decreased medical costs to families.
- Decreased liability to NUSD.
- Full hospital services available.
- Communication with student-athletes, coaches, parents, providers, etc.
- Trust between student-athletes and Athletic Trainers allow for improved care.
- Possible savings in district liability insurance for districts that have a Certified Athletic Trainer.

Annual fees for the three (3) year MOU are as follows:

School Year	DEVCO Contribution	NUSD Contribution	Total
2022-23	\$23,650	\$58,494	\$82,144
2023-24	\$22,996	\$61,419	\$84,415
2024-25	\$22,271	\$64,490	\$86,761

File Attachments

[Washington Township DEVCO_NMHS Athletic Trainer_2022-2025.pdf](#) (189 KB)

Curricular, Overnight Trip for Coyote Hills fifth grade class to travel to Occidental, CA

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$21,024.00
Budgeted	Yes
Budget Source	ASB funds, PTO funds, Fundraising, Donation and Family/Student Funds
Recommended	The recommendation is that the Board of Education approve the overnight trip for Coyote Hills
Action	fifth grade class to travel to Occidental, CA.

Purpose:

The Coyote Hills Elementary community requests permission to take fifth grade students on a curricular, overnight field trip. Students will travel to Occidental, CA for an outdoor science education camp. Transportation will be by chartered bus. Students will investigate and observe environmental phenomenon in an outdoor science school. Students will be taught concepts from NGSS standards with hands-on experiences. Students will build community through cabin group activities.

School: Coyote Hills Elementary
 Dates: May 9 - May 11, 2022
 Location: Occidental, CA

Chaperones for Science Camp:

The ratio of adults to students on school-sponsored trips shall be based on the following formula:

- K-3 1 adult for every 5-8 students
- 4-9 1 adult for every 10 students
- 10-12 1 adult for every 10 students where strict supervision is required (tours, theaters, etc.)

Overnight trip supervision must be gender appropriate. However, in the event that the supervisors, who stay overnight in proximity to students, are of a gender other than that group of campers, adequate planning, and preparation of campers and the physical

arrangements of the camp shall be made to ensure optimal safety and privacy of students (AR 6153).
No student will be denied due to a lack of funds.

Background:

According to Board Policy, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. The site principal and sixth grade teachers request permission to take students on an overnight curricular trip to attend an outdoor education/science camp program that is articulated with grade level curriculum. The programs are taught by credentialed staff members and camp staff and are viewed by the sites as a valuable part of the students' educational experience.

Curricular, Overnight Trip for Coyote Hills sixth grade class to travel to Occidental, CA

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$36,300.00
Budgeted	Yes
Budget Source	ASB funds, PTO funds, Fundraising, Donation and Family/Student Funds
Recommended	The recommendation is that the Board of Education approve the overnight trip for Coyote Hills
Action	sixth grade class to travel to Occidental, CA.

Purpose:

The Coyote Hills Elementary community requests permission to take sixth grade students on a curricular, overnight field trip. Students will travel to Occidental, CA for an outdoor science education camp. Transportation will be by chartered bus. Students will investigate and observe environmental phenomenon in an outdoor science school. Students will learn concepts from NGSS standards with hands-on experiences. Students will build community in small cabin groups.

School: Coyote Hills Elementary

Dates: May 2 - May 5, 2022

Location: Occidental, CA

Chaperones for Science Camp:

The ratio of adults to students on school-sponsored trips shall be based on the following formula:

K-3 1 adult for every 5-8 students

4-9 1 adult for every 10 students

10-12 1 adult for every 10 students where strict supervision is required (tours, theaters, etc.)

Overnight trip supervision must be gender appropriate. However, in the event that the supervisors, who stay overnight in proximity to students, are of a gender other than that group of campers, adequate planning, and preparation of campers and the physical arrangements of the camp shall be made to ensure optimal safety and privacy of students (AR 6153).

No student will be denied due to a lack of funds.

Background:

According to Board Policy, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. The site principal and sixth grade teachers request permission to take students on an overnight curricular trip to attend an outdoor education/science camp program that is articulated with grade level curriculum. The programs are taught by credentialed staff members and camp staff and are viewed by the sites as a valuable part of the students' educational experience.

Non-Curricular Trip for Newark Jr High Eighth Grade Class to travel to Santa Clara, CA

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$25,537.63
Budgeted	Yes
Budget Source	Students and ASB Funds
Recommended	The recommendation is that the Board of Education approve the non-curricular trip for
Action	Newark Jr High Eighth Grade Class to Santa Clara, CA.

Purpose:

The Newark Jr High School Principal requests permission to take Newark Jr High Eighth Grade Class on a non-curricular trip to Santa Clara, CA. Transportation will be by chartered bus. This trip is an End of Year trip for eighth-grade students.

School: Newark Jr High

Dates: May 20, 2022

Location: Santa Clara, CA

Chaperone requirements met

Grade K-3, one adult for every 5-8 students; Grades 4-12, one adult for every 10 students; Board Policy requires at least two adults on every trip regardless of the number of students (BP 6153 and AR 6153)

No student will be denied due to a lack of funds

Background:

According to Board Policy 6153, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. Newark Jr High Principal requests permission to take Newark Jr High Eighth Grade Class on a non-curricular trip to Santa Clara, CA.

Non-Curricular Trip for Newark Memorial High School Band and Choir to travel to Milpitas and Santa Clara, CA

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$9,666.00
Budgeted	Yes

Budget Source	Music Boosters and ASB
Recommended	The recommendation is that the Board of Education approve the non-curricular trip for
Action	Newark Memorial High School Band and Choir to Milpitas and Santa Clara, CA.

Purpose:

The Newark Memorial High School Principal and Band and Choir Director request permission to take Newark Memorial Band and Choir students on a non-curricular trip to Milpitas and Santa Clara, CA. Transportation will be by chartered bus. This trip is for students to compete in a music festival with similar ensembles.

School: Newark Memorial High School

Dates: April 30, 2022

Location: Milpitas and Santa Clara, CA

Chaperone requirements met

Grade K-3, one adult for every 5-8 students; Grades 4-12, one adult for every 10 students; Board Policy requires at least two adults on every trip regardless of the number of students (BP 6153 and AR 6153)

No student will be denied due to a lack of funds

Background:

According to Board Policy 6153, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. Newark Memorial High School Principal and Band and Choir Director request permission to take Newark Memorial Band and Choir students on a non-curricular trip to Milpitas and Santa Clara, CA.

Williams Uniform Complaint Quarterly Report January 1, 2022 to March 31, 2022

Type	Action
Absolute Date	Apr 07, 2022
Recommended	The recommendation is that the Board of Education approve the Williams Uniform Complaint
Action	Quarterly Report for the period of January 1, 2022 to March 31, 2022.

Purpose:

The purpose is for the Board of Education to receive and approve the Williams Uniform Complaint Quarterly Report for the period of January 1, 2022, to March 31, 2022.

Background:

Education Code 35186 requires that the Superintendent of a school district report summarized data on the nature and resolution of all complaints filed under the Williams Uniform Complaint Procedures to the local Board of Education and the County Superintendent of Schools on a quarterly basis. The report must include the number of complaints by general area, the number of resolved and unresolved complaints, and be publicly presented at a regularly scheduled Board meeting. There is currently one pending facilities issue and the district is working to expedite its remedy. The attached report is presented to the Board for the period of January 1, 2022, to March 31, 2022.

File Attachments

[Q422 UCP Report.pdf](#) (204 KB)

Motion & Voting

The recommendation is that the Board of Education approve the Williams Uniform Complaint Quarterly Report for the period of January 1, 2022 to March 31, 2022.

Motion by Alicia Marquez, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang, Estaina Resendiz-Ortiz

Monthly Purchase Order Report

Type	Action
Recommended	The recommendation is that the Board of Education approve the Monthly Purchase Order
Action	Report as presented.

Purpose:

The purpose of this item is to present a monthly report on Purchase Order transactions per Board Policy 3300, Expenditures and Purchases.

Background:

Based on the discussion at the Board's Study Session on January 6, 2022, staff is providing a monthly report on Purchase Order transactions per Board Policy 3300, Expenditures and Purchases. The policy states that "The Board shall review all transactions entered into by the Superintendent or designee on behalf of the Board every 60 days."

File Attachments

[Monthly Purchase Order Report 4-7-2022.pdf](#) (142 KB)

Quarterly Report on Contracts - FY 2021-22, 3rd Quarter

Type	Action
Fiscal Impact	Yes
Budgeted	Yes
Budget Source	General Fund
Recommended	The recommendation is that the Board of Education receives the Quarterly Report on
Action	Contracts.

Purpose:

These quarterly reports on contracts are submitted to the Board for review.

Background:

The Board has requested a report of all contracts for services over \$10,000 be reviewed by the Board on a quarterly basis. This report only includes contracts that have not been previously approved by the Board. This report lists contracts from the 3rd Quarter of FY 2021-22. Contracts are on file in the Business Office.

File Attachments

- [2021-22 Q3 Contracts over \\$10K.pdf](#) (10 KB)
- [Wellness Together_2021-22_BGL_fully executed.pdf](#) (982 KB)
- [Ohlone College_Ohlone for Kids_2022, Spring_fully executed.pdf](#) (255 KB)
- [Asif Khan Contract 21-22 fully executed_redacted.pdf](#) (1,040 KB)
- [RGM Kramer_District Planning Services_fully executed.pdf](#) (870 KB)

Motion & Voting

The recommendation is that the Board of Education receives the Quarterly Report on Contracts.

Motion by Alicia Marquez, second by Bowen Zhang.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang, Estaina Resendiz-Ortiz

Contracts and Purchase Orders Authorized under Resolution 2020.21-025 (Delegate Authority to Procure Necessary Materials, Equipment and Services to Provide Distance and/or In-Person Learning for Staff, Teachers, and Students to Mitigate the Effects of Covid-19)

Type	Action
Fiscal Impact	No
Recommended Action	The recommendation is that the Board of Education accept the update on costs associated with the implementation of Resolution 2020.21-025 (Resolution of the Board of Education of the Newark Unified School District to Delegate Authority to Procure Necessary Materials, Equipment and Services to Provide Distance and/or In-Person Learning for Staff, Teachers, and Students to Mitigate the Effects of Covid-19)

Purpose:

To update the Board on costs associated with the implementation of Resolution 2020.21-025 (Resolution of the Board of Education of the Newark Unified School District to Delegate Authority to Procure Necessary Materials, Equipment and Services to Provide Distance and/or In-Person Learning for Staff, Teachers, and Students to Mitigate the Effects of Covid-19) from March 1, 2022 through March 31, 2022.

Background:

On April 1, 2021, the Newark Unified School District Board approved Resolution 2020.21-025 delegating authority to the Superintendent or designee to procure necessary materials, equipment, and services that are needed to provide distance and/or in-person learning to mitigate the effects of Covid-19. Language in the resolution states "the Superintendent/Designee shall make periodic reports to the Board of Education and the public regarding implementation of this resolution and the costs associated therewith"; requiring the update provided here.

On September 16, 2021, Amended Resolution 2020.21-025 was approved. The amendment extends it to on or around June 30, 2022, and states that updates will be presented at the first Board meeting of each month.

Updates have been provided to the Board

- June 17, 2021, for contracts and purchase orders between April 2, 2021, and May 31, 2021
- October 7, 2021, for contracts and purchase orders between June 1, 2021, and September 30, 2021
- November 4, 2021, for contracts and purchase orders between October 1, 2021, and October 31, 2021
- December 6, 2021, for contracts and purchase orders between November 1, 2021, and November 30, 2021
- January 6, 2022, for contracts and purchase orders between December 1, 2021, and December 31, 2021
- February 3, 2022, for contracts and purchase orders between January 1, 2022, and January 31, 2022
- March 3, 2022, for contracts and purchase orders between February 1, 2022, and February 28, 2022

VENDOR DATE PO NUMBER DESCRIPTION AMOUNT

N/A *

*There are no contracts or purchase orders to report for the period of March 1, 2022, through March 31, 2022.

Donations Report

Type	Action
Fiscal Impact	Yes
Budget Source	General Fund (Fund 01) Donations
Recommended Action	The recommendation is that the Board of Education accept the Donations Report as presented.

Purpose:

The purpose is to acknowledge receipt of donations to the District.

Background:

Throughout the year community members, groups, parents and other individuals make monetary and in-kind (supplies and equipment)

donations to NUSD. The exact nature of the source of the donation is submitted to the Business Office on a standard form. It is critical that any restrictions on the funding be indicated and the budget developed based on the donor restrictions. If there is no indication of the school or use of the funding, any proceeds or cash donations received are placed in the NUSD local revenue in the unrestricted general fund. It is recommended that the donations be processed through the Business Office and ultimately approved by the Board so that the funding can be publicly acknowledged and budgeted properly according to donor restrictions. There is acknowledgement and budgeted properly according to donor restrictions. There is acknowledgement at the public Board meeting and a letter of thanks is sent to the donor by the Business Office for NUSD.

[File Attachments](#)

[Donations Summary Report 4-7-2022.pdf](#) (20 KB)

19 BOARD OF EDUCATION: COMMITTEE REPORTS, REQUESTS, AND ANNOUNCEMENTS

Board of Education Recognitions and Announcements

Type Information

Purpose:

The Trustees may acknowledge or recognize specific programs, activities, or personnel at this time.

Board of Education Committee Reports

Type Information

Purpose:

The Trustees will provide an update, if available, on the committees of which they are members.

Background:

Each year the Board of Education members liaise with schools and committees in order to build relationships, hear from staff, students, and families, and act as a conduit for information to and from the schools.

Board Committees 2020-21

Board Adopted on 12/16/21	Representative	Alternate
Mission Valley Regional Occupational Center/Program Executive Board	1. Terrence	(ROC/P)Grindall1. Bowen Zhang
Regional Policy Board of Special Education Local Plan Area (SELPA)	1. Bowen Zhang	1. Alicia Marquez
Newark Teacher Induction Advisory Council (Formally EBIC)	1. Alicia Marquez	1. Aiden Hill
Audit Committee	1. Alicia Marquez	1. Terrence2. Aiden HillGrindall
Bond/Parcel Tax Committee	1. Terrence	Grindall2. Phuong 1. Bowen Zhang
City of Newark NUSD Liaison Committee	2. Terrence	1. Bowen Zhang

Board of Education Requests

Type Action, Discussion, Information

Purpose:

This is an opportunity for the Board of Education to suggest items for placement on future agendas and to review Board requests.

Approval from the majority of the Board will be required for direction to be provided to the Superintendent.

Background:

The following derives directly from the Board approved "Governance Team Handbook"

Authority is Collective, Not Individual:

The only authority to direct action rests with the Board as a whole when seated at a regular or special board meeting.

Outside of this meeting, there is no authority.

A majority Board vote provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction.

Bringing New Ideas Forward

The Board will be open to having "brainstorming" discussions, or study sessions, around any idea that a Trustee may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Trustee, at their initiative or at the request of a constituent, which was previously discussed during a board meeting.

Trustees will first notify the Board President and Superintendent of their interest in bringing forward a new idea at a board meeting.

When initially agendized, the preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.

Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea.

The Superintendent will decide on the delegation of assignments to District staff.

The new idea may be agendized for discussion only. The Board majority will decide if the new idea should be further

developed and studied by staff. The Board majority will decide if staff time should be invested in the "fleshing out" of new ideas.

Individual Trustees, in the course of interactions with constituents, will be careful not to make or imply the commitment of the full Board to explore or proceed with implementing new ideas.

20 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

Superintendent's Concluding Comments, Updates, and Future Agenda Items

AGENDA REQUESTS

Type Information

Purpose:

This is an opportunity for the Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

21 ADJOURNMENT

PLACEHOLDER - Extend Meeting

Type Action

Recommended The recommendation is that the Board of Education extends the meeting to ____ P.M.

Action

Purpose:

This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

Motion & Voting

The recommendation is that the Board of Education extends the meeting to 12:00 A.M.

Motion by Phuong Nguyen, second by Alicia Marquez.

Yea: Phuong Nguyen, Terrence Grindall, Alicia Marquez, Estaina Resendiz-Ortiz

Not Present at Vote: Aiden Hill, Bowen Zhang

Adjournment

Type Action, Procedural

The recommendation is that the Board of Education adjourns this meeting.

Recommended

Action

Purpose:

No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time.

This action will conclude the meeting.

Motion & Voting

The recommendation is that the Board of Education adjourns this meeting at 11:21 pm

Motion by Terrence Grindall, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang, Estaina Resendiz-Ortiz

1 CALL TO ORDER

Meeting Practices and Information

Type Information, Procedural

IN-PERSON MEETING INFORMATION

NUSD has opened its boardroom for in-person meetings and will follow the State's and Alameda County's safety guidelines for public gatherings. Please refrain from attending in-person meetings if you have any of the following symptoms:

Loss of taste/smell

Difficulty breathing

Vomiting

Diarrhea

Fever

Cough

Headache

Sore Throat

Runny Nose

For additional COVID-19 information please go to <https://www.newarkunified.org/covid-19> or <https://www.acoe.org/guidance>

OBSERVE THE BOARD OF EDUCATION MEETING

Members of the public 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.

PUBLIC COMMENT

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

Roll Call

Type Procedural

Trustees:

President Phuong Nguyen
Vice President/Clerk Terrence Grindall
Member Aiden Hill
Member Alicia Marquez
Member Bowen Zhang

Student Board Member:

Member Estaina Resendiz Ortiz

2 APPROVAL OF AGENDA

Approval of the Agenda

Type Action
Recommended Action The recommendation is that the Board of Education approve this meeting's agenda.

Purpose:
Members of the Governance Team may request that the agenda be amended or approved as presented.

Motion & Voting
The recommendation is that the Board of Education approve this meeting's agenda.
Motion by Alicia Marquez, second by Aiden Hill.
Final Resolution: Motion Carries
Yea: Terrence Grindall, Aiden Hill, Alicia Marquez, Estaina Resendiz-Ortiz
Not Present at Vote: Bowen Zhang

3 STUDY SESSION

LCAP 2022-23 Input Session

Type Discussion, Information

Purpose:
To provide an overview of LCFF and LCAP process and purpose, and to engage the Board of Trustees in a conversation about what they see as the areas of strength and the areas of growth in order to inform our 22-23 revisions to the LCAP goals and actions.

Background:
This study session is offered in combination with multiple other community engagements. The information collected from the Board will be added to the aggregate comments, solutions, and concerns shared by the staff, families, students, and other educational partners. In April the District will complete a draft of the LCAP for the 22-23 school year and will engage in another round of feedback. In June the LCAP will be presented in a public hearing and will then be presented to the Board for final adoption before being submitted to the Alameda County Office of Education for review. The ACOE will then issue clarifying questions and the Superintendent will respond in writing to these questions in August. Final approval of the LCAP 22-23 will be received by September 15, 2022.

File Attachments
[LCAP_SPSA 22-23 Board Study Session Slides.pdf](#) (1,288 KB)

4 CLOSED SESSION

Public Comment on Closed Session Items

Type Information

Purpose:
The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board. If a constituent wishes to address the Board on any agenda item, please fill out a virtual speaker card via email at PUBCOMMENT@newarkunified.org.

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE (Gov. Code, 54957, subd. (b)(1))

Type Action, Information, Procedural

Purpose:
Information will be provided by the Superintendent and Executive Director of Human Resources.

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a): Employee Organizations - NTA and CSEA

Type Action, Information, Procedural

Purpose:
Information may be provided by the agency negotiator, Executive Director of Human Resources. Assistance from the legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided.
The employee organizations include NTA & CSEA.

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a)): Employee Group - NEWMA, Unrepresented Supervisors, and Contracted Management

Type Action, Information, Procedural

Purpose:
Information may be provided by the agency negotiator, the Executive Director of Human Resources, and the Superintendent. Assistance from legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided.
The employee organizations include NEWMA, Unrepresented Supervisors, and Contracted Management

CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION Significant exposure to litigation pursuant to Gov. Code, 54956.9, subd. (d)[(2) or (3)]

Type Action, Information, Procedural

Purpose:
Information may be provided regarding significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: Two case

Recess to Closed Session

Type Procedural

Purpose:
The Board will recess to Closed Session, and reconvene to Open Session on or about 7:00 p.m.

5 REPORT OF CLOSED SESSION ACTIONS

Report of Closed Session Actions

Type Action, Procedural

Purpose:
If available, a report of the closed session will be provided by the Board President.

6 RECONVENE TO OPEN SESSION

Pledge of Allegiance

Type Procedural

Purpose:
The Governance Team will recite the Pledge of Allegiance

7 RECOGNITIONS AND CELEBRATIONS

School Spotlight: Lincoln Elementary

Type Information

Purpose:
The School Spotlight gives the Board of Education and the public an opportunity to hear the highlights, achievements, and initiatives at each school directly from the principals.

Background:

The presentation and information will be provided by Lincoln Elementary Principal, Lizaday Rancap-Perez.

File Attachments

[Lincoln Spotlight - 2021_22.pdf](#) (14,293 KB)

8 EMPLOYEE ORGANIZATIONS

Employee Organizations

Type Information

Purpose:

At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Background:

Discussion items are limited to updates, celebrations, and upcoming events.

1. NTA: Sean Abruzzi
2. CSEA: Maria Huffer
3. NEWMA: Vicenta Ditto

9 PUBLIC COMMENT ON NON-AGENDA ITEMS

Public Comment on Non-Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

10 SUPERINTENDENT REPORT

Superintendent Report

Type Information

Purpose:

The superintendent will provide the Board of Education with district information, updates, news, or anything in the jurisdiction of the board or the superintendent.

Background:

The presentation and information will be provided by the Superintendent

File Attachments

[Superintendent's Report 3.17.22.pdf](#) (3,537 KB)

11 STAFF REPORT

Advanced Placement Access Policy

Type Information

Purpose:

To provide additional information to the Board of Trustees regarding Advanced Placement (AP) course access and prerequisite policies.

Background:

AP prerequisites have been removed from NMHS since 2014. Recently, there have been questions regarding the rationale and history regarding this shift. This presentation briefly addresses these questions.

File Attachments

[Staff Report_ AP Prerequisites.pdf](#) (690 KB)

Culture and Climate Educational Services Update

Type Information

Purpose:

To provide an update to the Board of Trustees regarding school culture and climate, as it relates to the district's priority focus on social emotional learning (SEL) and wellness.

Background:

Reopening schools after a year of distance learning has brought along new challenges and opportunities related to school site culture and climate initiatives, such as PBIS, social emotional learning, culturally relevant pedagogy, and restorative discipline. This presentation will serve to update the community on the impacts of the action steps taken since August of 2021, as well as adjusted site-specific action steps that were planned to be implemented in January at our two largest secondary schools, as shared in the December 16 staff report.

File Attachments

Culture & Climate Action Plan Report Out.pdf (2,835 KB)

12 OLD BUSINESS

Presentation of the A-G Completion Improvement Grant Plan

Type Action

Preferred Date Mar 17, 2022
 Fiscal Impact Yes
 Dollar Amount \$375,061.00
 Budget Source A-G Completion Improvement Grant
 Recommended The recommendation is that the Board of Education approve the A-G Completion
 Action Improvement Grant Plan.

Purpose:

To adopt the district's A-G Completion Improvement Grant.

Background:

California SB-309 states the AG Completion Improvement Grant Program is to "provide additional supports to local educational agencies to help increase the number of California high school pupils, particularly unduplicated pupils, who graduate high school meeting the AG subject matter requirements for admission to the University of California and the California State University." Assistant Superintendent, Nicole Pierce Davis will present the final version of the NUSD A-G Completion Improvement Grant Plan.

File Attachments

2021_A-G_Completion_Improvement_Grant_Plan_Newark_Unified_School_District_20220203_FINAL.pdf (97 KB)

Motion & Voting

The recommendation is that the Board of Education approve the A-G Completion Improvement Grant Plan.

Motion by Bowen Zhang, second by Alicia Marquez.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Alicia Marquez, Bowen Zhang, Estaina Resendiz-Ortiz

Nay: Aiden Hill

13 NEW BUSINESS

Audit Committee Member Appointment

Type Action

Recommended The recommendation is that the Board of Education appoint Aaron Weisz as the voting
 Action member to the Audit Committee.

Purpose:

By taking this action, the Board will appoint a new voting public (community) member, Aaron Weisz, to the Audit Committee for a first-term beginning March 18, 2022, and expiring January 31, 2024.

Background:

The Audit Committee currently has two members whose terms have expired. Their positions include the voting and non-voting community members.

The request for Audit Committee membership applications was posted at the District Office and online on February 1, 2022. The application deadline was March 1, 2022. The Audit Committee reviewed (2) applications for the voting member position and interviewed applicants on March 7, 2022. The Audit Committee recommends Aaron Weisz be appointed by the Board of Education to the Audit Committee as a voting member. Mr. Weisz has been on the Audit Committee as a non-voting member since he was Board approved on June 6, 2017.

There were no applications for the non-voting member position. This position was re-posted on March 8, 2022, with applications due on March 24, 2022, and the recommendation for an appointment at the April 7, 2022 Board meeting.

File Attachments

2022-02-01_Audit Committee solicitation-posting.pdf (85 KB)

[2022-03-01_Audit Committee Application_Aaron N Weisz_redacted.pdf](#) (433 KB)

Motion & Voting

The recommendation is that the Board of Education appoint Aaron Weisz as the voting member to the Audit Committee.

Motion by Terrence Grindall, second by Bowen Zhang.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang, Estaina Resendiz-Ortiz

2022 Bond Measure Planning for November 8, 2022 Election

Type Action

Recommended The recommendation is that the Board of Education receive an informational report on the
Action timeline and process for assessing the feasibility of a November 2022 school facilities improvement bond.

Purpose:

The Newark Unified School District (NUSD) Facilities Master Plan identifies over \$600 million in needed improvements to its local schools. Passage of a voter-approved school facilities improvement bond measure is the only realistic means for funding the identified needs. The Board will hear a report from the consultant who led NUSD's last successful bond measure in 2011 on the process and timeline for considering placing a new bond measure on the November 8, 2022, ballot.

Background:

On November 8, 2011, 56% of local voters in NUSD approved Measure G, a \$63 million school facilities improvement bond to provide dedicated local funding to:

- Update aging classrooms, libraries, and science labs
- Improve earthquake safety, fire safety, and school security
- Improve access for students with disabilities
- Remove hazardous materials like asbestos and lead
- Improve energy efficiency and other school improvements

All Measure G funds have been expended. NUSD's Facilities Master Plan (FMP) provides a long-range plan for improving school facilities to meet the changing needs of NUSD students and helps to ensure that resources are allocated in an efficient and effective manner. The FMP is the result of a robust stakeholder engagement process and a thorough analysis of existing facilities on the District's elementary school campuses, the Newark Junior High School campus, the Newark Memorial High School campus, and the MacGregor Alternative Education campus.

The FMP identifies over \$600 million in school facilities needs across local campuses and currently, NUSD has no significant source of funding for addressing these identified needs. Based on state school funding policy, NUSD's past experience, and the experience of other school districts around the state, the passage of a local school facilities improvement bond measure is the only realistic means for securing significant funding to address the needs identified in the FMP.

School bond measures require 55% voter approval and may only be placed on the ballot during regularly scheduled elections, typically the primary and general elections conducted in even-numbered years. The next election opportunity for NUSD to consider placing a bond measure on the ballot is November 8, 2022. The Board will hear a report on the timeline and recommended process for assessing a potential bond measure from Charles Heath, a Partner at TBWBH Props & Measures. He is the consultant that assisted NUSD in preparing Measure G for the ballot in 2011 and his firm has assisted most of our neighboring school districts with similar work along with hundreds of other school districts around California.

File Attachments

[NewarkUSD_TBWBH_BondPres_03082022.pdf](#) (377 KB)

Motion & Voting

The recommendation is that the Board of Education receive an informational report on the timeline and process for assessing the feasibility of a November 2022 school facilities improvement bond.

Motion by Bowen Zhang, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Alicia Marquez, Bowen Zhang

Nay: Aiden Hill

Abstain: Estaina Resendiz-Ortiz

14 CONSENT AGENDA: PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type Action

Recommended It is recommended that the Board of Education approve, under one consented vote, the
Action agenda items under Consent-Personnel, except for agenda items:

Purpose:

This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:

Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Personnel Report

Type Action

Absolute Date Mar 17, 2022

Recommended The recommendation is that the Board of Education ratify the personnel report as presented.

Action All personnel activities including new hires, changes in status, resignation, leaves, and retirements are routinely submitted to the Board for ratification.

File Attachments

HR PAL 03-17-2022.pdf (364 KB)

Motion & Voting

The recommendation is that the Board of Education ratify the personnel report as presented.

Motion by Bowen Zhang, second by Alicia Marquez.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang

Abstain: Estaina Resendiz-Ortiz

15 CONSENT AGENDA: NON-PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type Action

Recommended It is recommended that the Board of Education approve, under one consented vote, the

Action agenda items under Consent Non-Personnel, except for agenda items:

Purpose:

This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:

Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Motion & Voting

It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent Non-Personnel, except for agenda items: except 15.5

Motion by Terrence Grindall, second by Bowen Zhang.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang, Estaina Resendiz-Ortiz

Curricular, Overnight Trip for Schilling Elementary fifth and sixth grade class to travel to Scotts Valley, CA.

Type Action

Preferred Date Mar 17, 2022

Fiscal Impact Yes

Dollar Amount \$14,400.00

Budgeted Yes

Budget Source Student Fundraising and Donations

Recommended The recommendation is that the Board of Education approve the overnight trip for Schilling

Action Elementary fifth and sixth grade class to Scotts Valley, CA.

Purpose:

The Schilling Elementary community requests permission to take fifth and sixth grade students on a curricular, overnight field trip. Students will travel to Scotts Valley, CA for an outdoor science education camp. Transportation will be by district bus. Students will study content standards in ecology, resources, ecosystems, and conservation while experiencing team building with their peers.

School: Schilling Elementary

Dates: March 28 - March 31, 2022

Location: Occidental, CA

Chaperones for Science Camp:

The ratio of adults to students on school-sponsored trips shall be based on the following formula:

K-3 1 adult for every 5-8 students

4-9 1 adult for every 10 students

10-12 1 adult for every 10 students where strict supervision is required (tours, theaters, etc.)

Overnight trip supervision must be gender appropriate. However, in the event that the supervisors, who stay overnight in proximity to students, are of a gender other than that group of campers, adequate planning, and preparation of campers and the physical arrangements of the camp shall be made to ensure optimal safety and privacy of students (AR 6153).

No student will be denied due to a lack of funds.

Background:

According to Board Policy, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. The site principal and fifth and sixth grade teachers request permission to take students on an overnight curricular trip to attend an outdoor education/science

camp program that is articulated with grade level curriculum. The programs are taught by credentialed staff members and camp staff and are viewed by the sites as a valuable part of the students' educational experience.

Curricular, Overnight Field Trip Request, with One-Way Distance Over 100 Miles: Newark Memorial High School Media Communications Academy Seniors to Glendale, CA

Type	Action
Preferred Date	Mar 17, 2022
Fiscal Impact	Yes
Dollar Amount	\$24,000.00
Budgeted	Yes
Budget Source	MCA CPA Grant Funds
Recommended Action	The recommendation is that the Board of Education approve for the Newark Memorial High School MCA Seniors to travel to Southern California to be exposed to post-secondary opportunities in the greater Los Angeles region in the fields of Arts, Media, and Entertainment.

Purpose:

The Newark Memorial High School Principal requests permission for the MCA Director, Media Communications Academy to take MCA Seniors on a curricular/non-curricular, overnight trip with a one-way distance in excess of 100 miles. The trip is to familiarize our Career Technical Education/California Partnership Academy students with the possibilities available to continue in the multimedia pathway. Students will visit colleges and universities, both private and public, as well as observe professionals in the workplace. Travel will be by chartered bus.

School: Newark Memorial High School Media Communications Academy Seniors

Dates: April 2-5, 2022

Location: Glendale, CA

Field trip requirements met

Grade K-3, one adult for every 5-8 students; Grades 4-12, one adult for every 10 students; Board Policy requires at least two adults on every trip regardless of the number of students (BP 6153 and AR 6153)

Overnight trip supervision must be gender appropriate

No student will be denied due to a lack of funds

Background:

According to Board Policy, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval.

New Math Course: Blended Algebra 2-Math Analysis

Type	Action
Preferred Date	Mar 17, 2022
Recommended Action	The recommendation is that the Board of Education approve the new secondary math course.

Purpose:

On January 20, 2022, Ed Services presented the rationale for addressing and updating the progression of mathematics courses offered in grades 6-12 in NUSD. The articulated mathematics progression for the secondary level is aligned with the California Department of Education's newly proposed Mathematics Framework, the Common Core State Standards, and includes two blended math courses in order to accelerate students at the high school. This blended Algebra 2-Math Analysis course is the second blended course within NUSD's updated math progressions; the first blended Geometry-Algebra 2 course was approved by the Board of Education last year. Please see the attached math progression flowchart for details.

Background:

The State Board of Education last adopted a Mathematics Framework in 2013 in anticipation of the Common Core State Standards. The state now has a new Mathematics Framework that is set to be adopted in July of 2022. Partnerships between the State Board of Education and college and university systems have outlined new guidelines and recommendations for a progression of secondary mathematics courses to specifically support and prepare students in grades 6-12. During these years Newark Unified School District had not updated its articulation of a progression of mathematics courses at the secondary level and is, therefore, not aligned with the state's Mathematics Framework. By adopting both blended math courses at the secondary level, NUSD and Newark Memorial High School will provide students for the first time an opportunity to accelerate in mathematics at the high school level. This updated math progression takes into account state recommendations, provides students expanded course offerings to accelerate, and has been approved through the district Curriculum and Assessment Council. Please note, we are not asking that the board approve new math progressions at this time.

File Attachments

[Math Analysis Course Proposal.pdf](#) (446 KB)

[Draft_ Secondary Math Progressions 3.17.22 \(2\).pdf](#) (59 KB)

Addendum to the Master Contract with Ed Sped Solutions, Inc.

Type	Action
Absolute Date	Mar 17, 2022
Fiscal Impact	Yes
Dollar Amount	\$893,400.00
Budgeted	Yes
Budget Source	Resource 6500 - Special Education, Resource 6537 - Learning Recovery Support, and Resource 0000 General Fund
Recommended	The recommendation is that the Board of Education ratify the Addendum to the Master

Action Contract with Ed Sped Solutions Inc.
 Goals 1. To provide academic excellence via equity and opportunities for all students.

Purpose:
 To ratify the Addendum to the Master Contract for Ed Sped Solutions, Inc. in the amount of \$893,400.

Background:
 The services provided by Ed Sped Solutions, Inc. are essential services for ensuring compliance requirements are met for students with disabilities, that includes assessment timelines, and related services are provided per the students' Individualized Education Programs (IEPs). Related services and assessments are legally mandated per Individual Disability Education Act (IDEA). Without Ed Sped Solutions, Inc. services, Newark Unified School District would be out of compliance. The contracted positions provide services for unfilled district positions.
 The Master Contract for Ed Sped Solutions, Inc. was approved by the Board of Education on August 18, 2021, in the amount of \$987,640.
 The total amount for the Ed Sped Solutions, Inc. contract for the 2021-2022 School year including the proposed addendum is in the amount of \$1,881,040.

File Attachments
[Ed Sped Contract Master Contract 2021-22 SIGNED.pdf](#) (710 KB)
[Ed Sped Addendum 3.17.22.pdf](#) (15 KB)

Motion & Voting
 The recommendation is that the Board of Education ratify the Addendum to the Master Contract with Ed Sped Solutions Inc.
 Motion by Alicia Marquez, second by Phuong Nguyen.
 Final Resolution: Motion Carries
 Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang, Estaina Resendiz-Ortiz

Contract with Cinnamon Hills Youth Crisis Center

Type Action
 Absolute Date Mar 17, 2022
 Fiscal Impact Yes
 Dollar Amount \$65,424.52
 Budgeted No
 Budget Source Resource 6500 - Special Education
 Recommended The recommendation is that the Board of Education ratify the Master Contract and Individual
 Action Service Agreement with Cinnamon Hills Youth Crisis Center.
 Goals 1. To provide academic excellence via equity and opportunities for all students.

Purpose:
 To ratify the Master Contract and Individual Service Agreement with Cinnamon Hills Youth Crisis Center for residential treatment services for the 2021-2022 school year.

Background:
 Newark Unified School District requires a highly intensive individualized residential program in order to meet students' unique needs per the consented Individualized Education Program (IEP).
 As part of the U.S. Individuals with Disabilities Education Act (IDEA), the least restrictive environment is identified as one of the six (6) principles that govern the education of students with disabilities and other special needs. By law, schools are required to provide a Free Appropriate Public Education (FAPE) in the least restrictive environment that is appropriate to the individual student's needs.
 "Least restrictive environment" (LRE) means that a student who has a disability should have the opportunity to be educated with non-disabled peers, to the greatest extent appropriate. Students with disabilities should have access to the general education curriculum, extracurricular activities, or any other program that non-disabled peers would be able to access. Students with disabilities should be provided with supplementary aids and services necessary to achieve educational goals if placed in a setting with non-disabled peers. Should the nature or severity of the student's disability prevent the student from achieving these goals in a regular education setting, the student would then be placed in a more restrictive environment, such as a Resource Program, separate classroom with specialized academic instruction (Special Day Class), or a non-public school or residential treatment center.
 To determine what an appropriate setting is for a student, an IEP (Individualized Education Program) team reviews the student's needs and interests. The types of educational settings for students with disabilities will vary. With the differences in needs and interests among students with disabilities, there is no single definition of what an LRE will be for all students.

File Attachments
[Cinnamon Hills Contract 21-22.pdf](#) (282 KB)
[ISA Cinnamon Hills_Redacted.pdf](#) (270 KB)

Resolution 2021.22.31 Agreement for Participation in the Alameda County Operational Area Emergency Management

Type Action
 Fiscal Impact No
 Recommended The recommendation is that the Board of Education approve Resolution 2021.22.31
 Action Agreement for Participation in the Alameda County Operational Area Emergency Management
 Organization.

Purpose:
 To approve Resolution 2021.22.31 Agreement for Participation in the Alameda County Operational Area Emergency Management Organization.

Background:

In the early 1990s, the State of California established the standardized emergency management system (SEMS). An important component of SEMS is the Operational Area, which the State recognizes as an intermediate level of the state emergency services organization consisting of a county and all political subdivisions within the county area. The preservation of life, property, and the environment is the responsibility of local, state, and federal governments. In 1995 the County of Alameda first established an Operational Area (Op Area) agreement between the County, in cooperation with the cities of Alameda, Albany, Berkeley, Dublin, Emeryville, Fremont, Hayward, Livermore, Newark, Oakland, Piedmont, Pleasanton, San Leandro, Union City, special districts, and other public benefit non-profit corporations, to collaboratively participate in the Op Area Emergency Management Organization. This agreement is intended to ensure unified and coordinated efforts between state and local government agencies, and to facilitate the effective and efficient use of regional and local resources, thereby maximizing our ability to prepare for, mitigate, respond to, and recover from, any disaster or catastrophic event.

The Op Area agreement is renewed every ten (10) years and in May 2016 the Alameda County Board of Supervisors approved the current iteration of that agreement. This new agreement will be effective until December 31, 2025. Through the County's Office of Emergency Services (OES), each partner agency is asked to adopt the Op Area agreement. This is generally accomplished by a Board resolution. The last NUSD Resolution No. 1289, which adopted the 1995 Op Area agreement was approved by the Board on January 14, 1997.

The critical events that have confronted the region over the past couple of years have demonstrated the effectiveness of having approved Op Area agreements in place, as it allowed for the more expedient deployment of resources. This included establishing sites for Covid-19 testing and vaccinations, as well as the distribution of emergency food and water, etc. In those instances where an approved Op Area agreement did not pre-exist, these processes were substantially delayed as new agreements had to be drawn up and approved by both parties. These lessons have served to reinforce the importance of pre-event preparedness in minimizing impediments to our ability to effectively and expediently carry out critical functions of emergency management during a disaster or emergency.

File Attachments

[Resolution 2021.22.31 Adoption of Alameda Co Operational Area.pdf](#) (3,372 KB)

Revised Board Policy Exhibit 7214 - Citizens' Bond Oversight Committee Bylaw (First Reading)

Type Action

Recommended Action The recommendation is that the Board of Education approve the revised Board Policy Exhibit 7214, Citizens' Bond Oversight Committee Bylaw, as presented.

Purpose:

This is the first reading of a revised Exhibit 7214, Citizens' Bond Oversight Committee Bylaws, under Board Policy and Administrative Regulation 7214 General Obligation Bonds.

Background:

At the Citizens' Bond Oversight Committee (CBOC) Regular Meeting on March 8, 2022, the committee discussed the need to update item 5.0 A. Meetings language in the Board Bylaw Exhibit 7214. The current language states "The Committee shall meet at least quarterly, in January, April, July, and October each year". Currently, the CBOC meets in March, June, September, and December. This practice aligns with the timing of the audit report and the annual report and does not have the committee meeting in July when schools are not in session. The CBOC voted unanimously to change the language to read "The Committee shall meet at least quarterly, in March, June, September, and December each year". If any revisions are recommended, the document will be brought back to the Board of Education for a second reading.

File Attachments

[Exhibit_E 7214 General Obligation Bonds \(first reading\)-CBOC Bylaws.pdf](#) (154 KB)

Resolution 2021.22.33 Notice of Completion for Planting and Irrigation Project Group 1 Schools

Type Action

Recommended Action The recommendation is that the Board of Education approve Resolution 2021.22.33 Notice of Completion for Planting and Irrigation Project Group 1 Schools (Birch Grove Primary, Birch Grove Intermediate, Kennedy, Lincoln, and Schilling).

Purpose:

To approve Resolution 2021.22.33 and authorize the filing of a Notice of Completion (NOC) with the County Recorder of Alameda County for the Planting and Irrigation Project Group 1 Schools by Marina Landscape Inc.

Background:

On June 17, 2021, the Board of Trustees awarded a contract to Marina Landscape, Inc. for the Planting and Irrigation Project Group 1 Schools (Birch Grove Primary, Birch Grove Intermediate, Kennedy, Lincoln, and Schilling) in the amount of \$535,400. On October 7, 2021, the Board of Trustees approved Change Order #1 in the amount of \$9,799.41 for additional plants at BGP and irrigation changes. On November 18, 2021, the Board of Trustees approved Change Order #2 in the amount of \$5,310.40 for irrigation controllers for a total contract amount and final expenditure of \$550,509.81. All contract items, punch list items, and project closeout items have been satisfied. Accordingly, staff requests acceptance of the project which will allow filing a Notice of Completion with the County and permit the release of retention thirty-five (35) days after approval.

File Attachments

- [Notice of Completion-Planting and Irrigation Birch Grove Primary.pdf \(69 KB\)](#)
- [Notice of Completion-Planting and Irrigation Birch Grove Intermediate.pdf \(70 KB\)](#)
- [Notice of Completion-Planting and Irrigation John F Kennedy.pdf \(71 KB\)](#)
- [Notice of Completion-Planting and Irrigation Lincoln ES.pdf \(70 KB\)](#)
- [Notice of Completion-Planting and Irrigation August Schilling ES.pdf \(69 KB\)](#)
- [Resolution 2021.22.33_Notice of Completion for Planting and Irrigation Group 1 Projects.pdf \(14 KB\)](#)

Warrant Report for February 2022

Type Action
Fiscal Impact No
Recommended Action The recommendation is that the Board of Education approve the Warrant Report as presented.

Purpose:
 The purpose of this item is to present warrants, for the total amount of \$2,737,222.31, made from District funds for February 2022.

Background:
 The warrant registers represent a complete listing of all payments made from District funds for a month. Because Newark Unified School District is a fiscally dependent District, each warrant must pass through two separate audits; first by the District's Fiscal Services department, and second by the County Office of Education. No warrant can be paid until such time as it is examined and approved by the County Office of Education.

File Attachments
[Warrant Report February 2022.pdf \(321 KB\)](#)

Minutes of the March 3, 2022 Regular Meeting of the Board of Education

Type Action, Minutes
Recommended Action The recommendation is that the Board of Education approve the minutes of the March 3, 2022, Regular Meeting of the Board of Education.

Purpose:
 For the board to review and approve the minutes

Background:
 The attached minutes are reflective of the March 3, 2022, Regular Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel [HERE](#)

Minutes of the March 9, 2022 Special Meeting of the Board of Education

Type Action, Minutes
Recommended Action The recommendation is that the Board of Education approve the minutes of the March 9, 2022, Special Meeting of the Board of Education.

Purpose:
 For the board to review and approve the minutes

Background:
 The attached minutes are reflective of the March 9, 2022, Special Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel [HERE](#)

16 BOARD OF EDUCATION: COMMITTEE REPORTS, REQUESTS, AND ANNOUNCEMENTS

Board of Education Recognitions and Announcements

Type Information
Purpose:
 The Trustees may acknowledge or recognize specific programs, activities, or personnel at this time.

Board of Education Committee Reports

Type Information
Purpose:
 The Trustees will provide an update, if available, on the committees of which they are members.

Background:
 Each year the Board of Education members liaise with schools and committees in order to build relationships, hear from staff, students, and families, and act as a conduit for information to and from the schools.
 Board Committees 2020-21

	Representative	Alternate
Board Adopted on 12/16/21		
Mission Valley Regional Occupational Center/Program Executive Board	1. Terrence(ROC/P)Grindall	1. Bowen Zhang
Regional Policy Board of Special Education Local Plan Area (SELPA)	1. Bowen Zhang	1. Alicia Marquez
Newark Teacher Induction Advisory Council (Formally EBIC)	1. Alicia Marquez	1. Aiden Hill
Audit Committee	1. Alicia Marquez	1. Terrence2. Aiden HillGrindall
Bond/Parcel Tax Committee	1. Terrence Grindall	2. Phuong 1. Bowen Zhang
City of Newark NUSD Liaison Committee	2. Terrence Grindall	1. Bowen Zhang

Board of Education Requests

Type Action, Discussion, Information

Purpose:

This is an opportunity for the Board of Education to suggest items for placement on future agendas and to review Board requests. Approval from the majority of the Board will be required for direction to be provided to the Superintendent.

Background:

The following derives directly from the Board approved "Governance Team Handbook" Authority is Collective, Not Individual:

- The only authority to direct action rests with the Board as a whole when seated at a regular or special board meeting. Outside of this meeting, there is no authority.
- A majority Board vote provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction.

Bringing New Ideas Forward

The Board will be open to having "brainstorming" discussions, or study sessions, around any idea that a Trustee may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Trustee, at their initiative, or at the request of a constituent, which was previously discussed during a board meeting.

Trustees will first notify the Board President and Superintendent of their interest in bringing forward a new idea at a board meeting.

When initially agendized, the preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.

Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea. The Superintendent will decide on the delegation of assignments to District staff.

The new idea may be agendized for discussion only. The Board majority will decide if the new idea should be further developed and studied by staff. The Board majority will decide if staff time should be invested in the "fleshing out" of new ideas.

Individual Trustees, in the course of interactions with constituents, will be careful not to make or imply the commitment of the full Board to explore or proceed with implementing new ideas.

17 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

Superintendent's Concluding Comments, Updates, and Future Agenda Items

AGENDA REQUESTS

Type Information

Purpose:

This is an opportunity for the Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

18 ADJOURNMENT

PLACEHOLDER - Extend Meeting

Type Action

Recommended The recommendation is that the Board of Education extends the meeting to ____ P.M.
Action

Purpose:

This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

Motion & Voting

The recommendation is that the Board of Education extends the meeting to 11:00 P.M.

Motion by Terrence Grindall, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang, Estaina Resendiz-Ortiz

Adjournment

Type Action, Procedural

Recommended The recommendation is that the Board of Education adjourn this meeting.

Action

Purpose:

No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time.

This action will conclude the meeting.

Motion & Voting

The recommendation is that the Board of Education adjourn this meeting at 10:51 p.m.

Motion by Bowen Zhang, second by Terrence Grindall.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang, Estaina Resendiz-Ortiz

1 CALL TO ORDER

Meeting Practices and Information

Type Information, Procedural

IN-PERSON MEETING INFORMATION

NUSD has opened its boardroom for in-person meetings and will follow the State's and Alameda County's safety guidelines for public gatherings. Please refrain from attending in-person meetings if you have any of the following symptoms:

- Loss of taste/smell
- Difficulty breathing
- Vomiting
- Diarrhea
- Fever
- Cough
- Headache
- Sore Throat
- Runny Nose

For additional COVID-19 information please go to <https://www.newarkunified.org/covid-19> or <https://www.acoe.org/guidance>

OBSERVE THE BOARD OF EDUCATION MEETING

Members of the public 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.

PUBLIC COMMENT

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

Pledge of Allegiance

Type Procedural

Purpose:

The Governance Team will recite the Pledge of Allegiance

Roll Call

Type Procedural

Trustees:

- President Phuong Nguyen
- Vice President/Clerk Terrence Grindall
- Member Aiden Hill
- Member Alicia Marquez
- Member Bowen Zhang

Student Board Member:

- Member Estaina Resendiz Ortiz

2 APPROVAL OF AGENDA

Approval of the Agenda

Type Action

Recommended Action It is recommended that the Board of Education approve the agenda for this meeting.

Purpose:
Members of the Governance Team may request that the agenda be amended or approved as presented.

Motion & Voting
It is recommended that the Board of Education approve the agenda for this meeting.
Motion by Bowen Zhang, second by Terrence Grindall.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang, Estaina Resendiz-Ortiz

3 CLOSED SESSION

Public Comment on Closed Session Items

Type Information

Purpose:
The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board. If a constituent wishes to address the Board on any agenda item, please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org.

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE (Gov. Code, 54957, subd. (b)(1))

Type Action, Information, Procedural

Purpose:
Information will be provided by the Superintendent and Executive Director of Human Resources.

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a): Employee Organizations - NTA and CSEA

Type Action, Information, Procedural

Purpose:
Information may be provided by the agency negotiator, Executive Director of Human Resources. Assistance from the legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided.
The employee organizations include NTA & CSEA.

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a)): Employee Group - NEWMA, Unrepresented Supervisors, and Contracted Management

Type Action, Information, Procedural

Purpose:
Information may be provided by the agency negotiator, the Executive Director of Human Resources, and the Superintendent. Assistance from legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided.
The employee organizations include NEWMA, Unrepresented Supervisors, and Contracted Management

CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION Significant exposure to litigation pursuant to Gov. Code, 54956.9, subd. (d)[(2) or (3)]

Type Action, Information, Procedural

Purpose:
Information may be provided regarding significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: One case

Recess to Closed Session

Type Procedural

Purpose:
The Board will recess to Closed Session, and reconvene to Open Session on or about 7:00 p.m.

4 REPORT OF CLOSED SESSION ACTIONS

Report of Closed Session Actions

Type Action, Procedural

Purpose:

If available, a report of the closed session will be provided by the Board President.

5 NEW BUSINESS

Resolution No. 21.22.32 Classified Layoffs

Type	Action
Absolute Date	Mar 09, 2022
Recommended	The recommendation is that the Board of Education approve Resolution No. 2021.22.32 to lay
Action	off or reduce hours of certain classified positions for lack of work or lack of funds.

Purpose:

Resolution No. 2021.22.32 will be presented to the Board of Education for approval to lay off certain classified positions for lack of work or lack of funds. This resolution gives authorization for the District to formally notify certain classified employees that they are being laid off. This process is required under California Education Code 45117, which requires permanent employees to be notified by March 15, 2022.

Background:

Due to unknown enrollment for the district's childcare programs for the 2022-2023 school year, and the new requirement to provide notice to classified staff by March 15, the district is recommending layoff notices be provided for all classified Lead 1, Lead 2, and assistant positions. The district reviewed the layoff positions with CSEA. Employees affected by layoff will have 39-month re-employment rights and the process will be governed by the collective bargaining agreement.

File Attachments

- California Education Code 45117.pdf (277 KB)
- Classified Layoff Resolution 03.09.2022.pdf (108 KB)

Motion & Voting

The recommendation is that the Board of Education approve Resolution No. 2021.22.32 to lay off or reduce hours of certain classified positions for lack of work or lack of funds.

Motion by Bowen Zhang, second by Phuong Nguyen.
 Yea: Phuong Nguyen, Terrence Grindall, Bowen Zhang
 Nay: Aiden Hill
 Abstain: Estaina Resendiz-Ortiz
 Not Present at Vote: Alicia Marquez

6 CONSENT AGENDA: PERSONNEL ITEMS

Personnel Report

Type	Action
Absolute Date	Mar 09, 2022
Recommended	The recommendation is that the Board of Education ratify the personnel report as presented.
Action	All personnel activities including new hires, changes in status, resignation, leaves, and retirements are routinely submitted to the Board for ratification.

File Attachments

- HR PAL 03-09-2022 Special Board Meeting.pdf (376 KB)

Motion & Voting

The recommendation is that the Board of Education ratify the personnel report as presented.
 Motion by Bowen Zhang, second by Phuong Nguyen.
 Final Resolution: Motion Carries
 Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang
 Abstain: Estaina Resendiz-Ortiz

7 ADJOURNMENT

PLACEHOLDER - Extend Meeting

Type	Action
Recommended	The recommendation is that the Board of Education extends the meeting to ____ P.M.
Action	

Purpose:

This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

Adjournment

Type Action, Procedural
Recommended The recommendation is that the Board of Education adjourns this meeting.
Action

Purpose:
No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time.
This action will conclude the meeting.

Motion & Voting
The recommendation is that the Board of Education adjourns this meeting at 7:14pm.
Motion by Bowen Zhang, second by Terrence Grindall.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang, Estaina Resendiz-Ortiz

1 CALL TO ORDER

Meeting Practices and Information

Type Information, Procedural
IN-PERSON MEETING INFORMATION
NUSD has opened its boardroom for in-person meetings and will follow the State's and Alameda County's safety guidelines for public gatherings. Please refrain from attending in-person meetings if you have any of the following symptoms:

- Loss of taste/smell
- Difficulty breathing
- Vomiting
- Diarrhea
- Fever
- Cough
- Headache
- Sore Throat
- Runny Nose

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OBSERVE THE BOARD OF EDUCATION MEETING

Members of the public 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.

PUBLIC COMMENT

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLI COMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLI COMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

Roll Call

Type Procedural

Trustees:
President Phuong Nguyen
Vice President/Clerk Terrence Grindall
Member Aiden Hill
Member Alicia Marquez
Member Bowen Zhang

Student Board Member:
Member Estaina Resendiz Ortiz

2 APPROVAL OF AGENDA

Approval of the Agenda

Type Action
Recommended The recommendation is that the Board of Education approve the agenda for this meeting.
Action

Purpose:
Members of the Governance Team may request that the agenda be amended or approved as presented.

Motion & Voting
The recommendation is that the Board of Education approve the agenda for this meeting, with item 12.4 moved to 12.2.
Motion by Bowen Zhang, second by Aiden Hill.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang
Not Present at Vote: Estaina Resendiz-Ortiz

3 CLOSED SESSION

Public Comment on Closed Session Items

Type Information

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board. If a constituent wishes to address the Board on any agenda item, please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org.

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE (Gov. Code, 54957, subd. (b)(1))

Type Action, Information, Procedural

Purpose:

Information will be provided by the Superintendent and Executive Director of Human Resources.

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a): Employee Organizations - NTA and CSEA

Type Action, Information, Procedural

Purpose:

Information may be provided by the agency negotiator, Executive Director of Human Resources. Assistance from the legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided. The employee organizations include NTA & CSEA.

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a)): Employee Group - NEWMA, Unrepresented Supervisors, and Contracted Management

Type Action, Information, Procedural

Purpose:

Information may be provided by the agency negotiator, the Executive Director of Human Resources, and the Superintendent. Assistance from legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided. The employee organizations include NEWMA, Unrepresented Supervisors, and Contracted Management

CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION Significant exposure to litigation pursuant to Gov. Code, 54956.9, subd. (d)[(2) or (3)]

Type Action, Information, Procedural

Purpose:

Information may be provided regarding significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: One case

CONFERENCE WITH LEGAL COUNSEL EXISTING LITIGATION (Gov. Code, 54956.9, subd. (d)(1))

Type Action, Information, Procedural

Purpose:

To discuss the following case(s): Bretz vs Newark Unified School District Keenan Claim # 569505

Recess to Closed Session

Type Procedural

Purpose:

The Board will recess to Closed Session, and reconvene to Open Session on or about 7:00 p.m.

4 REPORT OF CLOSED SESSION ACTIONS

Report of Closed Session Actions

Type Action, Procedural

Purpose:

If available, a report of the closed session will be provided by the Board President.

5 RECONVENE TO OPEN SESSION

Pledge of Allegiance

Type Procedural

Purpose:

The Governance Team will recite the Pledge of Allegiance

6 STUDENT REPORT

Student Reports from Newark Junior High School, Alternative Education, and Newark Memorial High School

Type Discussion, Information

Purpose:

At regular Board of Education meetings, a spokesperson of each secondary school may make a brief presentation. Discussion items may include updates, celebrations, and upcoming events.

1. Newark Junior High School - Mohammed Lulu and Poorvi Sharma
2. Alternative Education - Alexis Blanco-Barron
3. Newark Memorial High School - Estaina Resendiz-Ortiz

7 RECOGNITIONS AND CELEBRATIONS

Staff Spotlight

Type Information

Purpose:

To recognize the wonderful accomplishments of our NUSD Team.

Background:

The presentation will be provided by the Superintendent.

School Spotlight: Newark Memorial High School

Type Information

Purpose:

The School Spotlight gives the Board of Education and the public an opportunity to hear the highlights, achievements, and initiatives at each school directly from the principals.

Background:

The presentation and information will be provided by the Newark Memorial High School Principal, Olivia Rangel.

File Attachments

[2022 NMHS School Spotlight .pdf](#) (3,074 KB)

8 EMPLOYEE ORGANIZATIONS

Employee Organizations

Type Information

Purpose:

At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Background:

Discussion items are limited to updates, celebrations, and upcoming events.

1. NTA: Sean Abruzzi
2. CSEA: Maria Huffer
3. NEWMA: Vicenta Ditto

9 PUBLIC COMMENT ON NON-AGENDA ITEMS

Public Comment on Non-Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

10 SUPERINTENDENT REPORT

Superintendent Report

Type Information

Purpose:

The superintendent will provide the Board of Education with district information, updates, news, or anything in the jurisdiction of the board or the superintendent.

Background:

The presentation and information will be provided by the Superintendent

File Attachments

[Superintendent's Report 3.03.22.pdf](#) (4,376 KB)

11 OLD BUSINESS

2022 General Obligation Refunding Bonds

Type Information

Purpose:

In the current low-interest-rate environment, the District acted on the opportunity to refinance a portion of the outstanding Election of 2011, Series A and B bonds to generate taxpayer savings. The sale consisted of \$27.135 million taxable refunding bonds and \$7.47 million tax-exempt refunding bonds (forward delivery). The Board will be receiving an informational report from Blake Boehm of KNN Public Finance providing post refunding sale results.

Background:

District voters authorized Measure G in November 2011 providing \$63 million of General Obligation bond funding for school facility projects. The District subsequently issued three series of bonds in 2012, 2014, and 2016. Property taxes are levied by the County and are ultimately paid by homeowners in order to make annual debt service payments on the outstanding bonds. Refunding bonds, which are similar to refinancing a home mortgage, pay off existing debt with funds borrowed at lower interest rates. The savings are then passed on to taxpayers in the form of lower property taxes.

File Attachments

[Newark USD Sale Results Board Presentation - 2022 GO Refunding Bonds 3-3-2022_vFN.pdf](#) (1,106 KB)

12 NEW BUSINESS

Presentation of the A-G Completion Improvement Grant Plan

Type Discussion

Purpose:

To provide the Board of Trustees and the public with an opportunity to discuss NUSD's A-G Completion Improvement Grant Plan prior to the adoption by the Board at a subsequent regularly scheduled board meeting.

Background:

California AB-167 states the AG Completion Improvement Grant Program is to "provide additional supports to local educational agencies to help increase the number of California high school pupils, particularly unduplicated pupils, who graduate high school meeting the AG subject matter requirements for admission to the University of California and the California State University." Assistant Superintendent, Nicole Pierce-Davis and Director of Special Projects, Abbey Kerins will present the A-G Completion Improvement Grant Program plan for NUSD.

File Attachments

[2021_A-G_Completion_Improvement_Grant_Plan_Newark_Unified_School_District_20220203.pdf](#) (98 KB)
[_NUSD A-G Completion Improvement Grant Presentation.pdf](#) (1,249 KB)

2021-2022 Second Interim Budget Report

Type Action

Recommended Action The recommendation is that the Board of Education certify the 2021-2022 Second Interim Budget Report with a Positive certification.

Purpose: The purpose of the Interim Report is to advise administrators, the Board of Trustees, the public, and other interested agencies of the District's current financial condition at periodic intervals during the fiscal year.

Background: The Second Interim Budget Report compares the General Fund and other funds' anticipated revenues and expenditures with the current operating budget for the 2021-22 fiscal year, along with actual receipts and expenditures as of January 31, 2022. At each interim reporting period, the District must certify whether the District will be able to meet its financial obligations for the current and subsequent two years. The current year budget is used as the base year and multi-year projections are made based on a number of factors and assumptions for the coming two years. The primary drivers of the budget are the State's fiscal health and District student enrollment and attendance. The multi-year projection indicates the District can issue a POSITIVE certification as the District will be able to meet its obligations for the current fiscal year and two subsequent fiscal years.

File Attachments
Full Book_2nd Interim 21-22.pdf (4,280 KB)
2nd Interim Board Presentation 2021_22.pdf (2,003 KB)

Motion & Voting
The recommendation is that the Board of Education certify the 2021-2022 Second Interim Budget Report with a Positive certification.
Motion by Bowen Zhang, second by Alicia Marquez.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang, Estaina Resendiz-Ortiz

Resolution No. 2021.22.23 Classified Layoffs

Type Action
Preferred Date Mar 03, 2022
Absolute Date Mar 03, 2022
Recommended Action The recommendation is that the Board approve Resolution No. 2021.22.23 to lay off or reduce hours of certain classified positions for lack of work or lack of funds.

Purpose: Resolution No. 2021.22.23 will be presented to the Board of Education for approval to lay off certain classified positions for lack of work or lack of funds. This resolution gives authorization for the District to formally notify certain classified employees that they are being laid off. This process is required under California Education Code 45117, which requires permanent employees to be notified by March 15, 2022.

Background: The Musick positions are due to the school closure. The other positions were temporary funded positions, i.e. one-time COVID funding, Single Plan for Student Achievement (SPSA), and Local Control and Accountability Plan (LCAP). The district reviewed the layoff positions with CSEA. Employees affected by layoff will have 39-month re-employment rights and the process will be governed by the collective bargaining agreement.

File Attachments
California Education Code 45117.pdf (277 KB)
Amended Classified Layoff Resolution 03.03.2022.pdf (126 KB)

Motion & Voting
The recommendation is that the Board approve Resolution No. 2021.22.23 to lay off or reduce hours of certain classified positions for lack of work or lack of funds.
Motion by Bowen Zhang, second by Terrence Grindall.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang
Nay: Estaina Resendiz-Ortiz

Resolution No. 2021.22.24 Resolution to Reduce the Number of Certificated Employees Due to a Reduction of Particular Kinds of Services for the 2022-2023 School Year

Type Action
Absolute Date Mar 03, 2022
Recommended Action The recommendation is that the Board of Education approve Resolution No. 2021.22.24 to reduce the number of certificated employees due to a reduction in particular kinds of services for the 2022-2023 school year.

Purpose: Resolution No. 2021.22.24 will be presented to the Board of Education for approval to reduce the number of certificated employees due to a reduction in particular kinds of services for the 2022-2023 school year.

Background:

As the administration has reviewed staffing and projected enrollment for the next school year, it has been determined that these positions will be eliminated from the general fund budget and will not be filled in the 2022-2023 school year. The Musick positions are due to the school closure. The other positions were temporary funded positions (e.g. one-time COVID funding, Single Plan for Student Achievement (SPSA), and Local Control and Accountability Plan (LCAP). Education Code section 44955 permits the Board of Education to reduce or discontinue particular kinds of service and terminate the employment of certain certificated employees of the district as a result of those reductions or discontinuances. The Board of Education is required to take action and to direct staff to notify affected employees of the reduction in force.

[File Attachments](#)

[Ed Code 44955.pdf](#) (212 KB)

[Reduce Certificated Positions 03.03.2022.pdf](#) (34 KB)

[Motion & Voting](#)

The recommendation is that the Board of Education approve Resolution No. 2021.22.24 to reduce the number of certificated employees due to a reduction in particular kinds of services for the 2022-2023 school year.

Motion by Bowen Zhang, second by Alicia Marquez.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang

Nay: Estaina Resendiz-Ortiz

Resolution 2021.22.29 to Commit to Budget Balancing Solutions for the 2022- 23 and 2023-24 Fiscal Years

Type Action

Recommended The recommendation is that the Board of Education adopt Resolution 2021.22.29 to Commit to Budget Balancing Solutions for the 2022-23 and 2023-24 fiscal years.

[Purpose:](#)

To address the deficit projected in the 2021-22 Second Interim Budget Report.

[Background:](#)

The Board and staff continue to work together to maintain the fiscal stability of the district.

On October 17, 2019, the Board approved Resolution #2158 committing to \$1,850,000, and \$668,000, in expenditure reductions for the 2020-21 and 2021-22 fiscal years respectively.

The District filed a Qualified certification of its 2019-20 First Interim and Second Interim Financial Reports.

The Board held a study session on February 20, 2020, to discuss additional budget-balancing solutions and subsequently approved Resolution #2061 on March 5, 2020, committing to additional budget reductions of \$2,500,000 in 2020-21 and \$1,000,000 in 2021-22.

On December 3, 2020, based on the First Interim Report, the Board approved Resolution 2020.21-014 committing to \$742,000, and \$3,200,000, in expenditure reductions for the 2021-22 and 2022-23 fiscal years respectively.

On March 4, 2021, based on the Second Interim Report, the Board approved Resolution 2020.21-022 committing to \$819,000 in expenditure reductions for the 2022-23 fiscal year.

On December 6, 2021, based on the First Interim Budget Report, the Board approved Resolution 2021.22.14 committing to \$2.5 million in expenditure reductions for the 2022-23 fiscal year and \$2.5 million in the 2023-24 fiscal year.

[File Attachments](#)

[Resolution 2021.22.29 Second Interim Budget Balancing Solutions.pdf](#) (13 KB)

[Motion & Voting](#)

The recommendation is that the Board of Education adopt Resolution 2021.22.29 to Commit to Budget Balancing Solutions for the 2022-23 and 2023-24 fiscal years.

Motion by Bowen Zhang, second by Alicia Marquez.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang, Estaina Resendiz-Ortiz

2022 Ballot for CSBA Delegate Assembly

Type Action, Discussion

Absolute Date Mar 02, 2022

Recommended The recommendation is that the Board of Education nominate the following candidates for the

Action CSBA Delegate Assembly.

[Purpose:](#)

For the Board to review the candidate applications and nominate no more than four (4) candidates.

[Background:](#)

Enclosed is the ballot material for the election to the CSBA's Delegate Assembly from Newark's region. The Board may vote for up to the number of states to be filled in the region or subregion as indicated in the ballot (4 seats). The Board may cast no more than one vote for any one candidate. The ballot also contains a provision for write-in candidates; their name and district must be clearly printed in the space provided. Results will be published by May 11, 2022.

All re-elected and newly elected Delegates will serve two-year terms beginning April 1, 2022 - March 31, 2024. The next meeting of the Delegate Assembly will take place on May 21 and May 22, 2022.

[File Attachments](#)

[SKM_C65922022811500.pdf](#) (172 KB)

Motion & Voting

The recommendation is that the Board of Education nominate the following candidates for the CSBA Delegate Assembly. (all 4)

Motion by Bowen Zhang, second by Terrence Grindall.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang, Estaina Resendiz-Ortiz

13 CONSENT AGENDA: PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type Action

Recommended It is recommended that the Board of Education approve, under one consented vote, the Action agenda items under Consent-Personnel, except for agenda items:

Purpose: (This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.)

Background: Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Personnel Report

Type Action

Absolute Date Mar 03, 2022

Recommended The recommendation is that the Board of Education ratify the personnel report as presented.

Action All personnel activities including new hires, changes in status, resignation, leaves, and retirements are routinely submitted to the Board for ratification.

File Attachments HR PAL 03-03-2022.pdf (366 KB)

Motion & Voting

The recommendation is that the Board of Education ratify the personnel report as presented.

Motion by Bowen Zhang, second by Alicia Marquez.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang

Abstain: Estaina Resendiz-Ortiz

Release of Temporary Certificated Employees

Type Action

Absolute Date Mar 03, 2022

Recommended The recommendation is that the Board of Education approve the release of Temporary

Action Certificated Employees.

Purpose: The purpose is for the Board of Education to consider approval of the release of Temporary Certificated Employees.

Background: Each year temporary teachers are hired to fill positions for permanent staff that may be on a leave of absence, in a job share, or in a special assignment. Permanent teachers have the right to return the following year to an assignment for which they are credentialed. Temporary employees do not have automatic rehire rights and may be released by the district at the conclusion of their temporary contract.

File Attachments California Education Code.pdf (110 KB) 2021-2022 Temp Release List.pdf (129 KB)

Motion & Voting

The recommendation is that the Board of Education approve the release of Temporary Certificated Employees.

Motion by Bowen Zhang, second by Terrence Grindall.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang

Abstain: Estaina Resendiz-Ortiz

14 CONSENT AGENDA: NON-PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type Action

Recommended Action It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent Non-Personnel, except for agenda items:

Purpose:
This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:
Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Motion & Voting
It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent Non-Personnel, except for agenda items: 14.7.
Motion by Bowen Zhang, second by Alicia Marquez.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang, Estaina Resendiz-Ortiz

Curricular, Overnight Trip for Kennedy Elementary fifth-grade class to travel to Occidental, CA.

Type	Action
Preferred Date	Mar 03, 2022
Fiscal Impact	Yes
Dollar Amount	\$14,636.00
Budgeted	Yes
Budget Source	Fundraisers and Parent Contributions
Recommended Action	The recommendation is that the Board of Education approve the overnight trip for Kennedy Elementary fifth-grade class to Occidental, CA.

Purpose:
The Kennedy Elementary community requests permission to take fifth-grade students on a curricular, overnight field trip. Students will travel to Occidental, CA for an outdoor science education camp. Transportation will be by district bus. Students will study content standards in ecology, resources, ecosystems, and conservation while experiencing team building with their peers.

School: Kennedy Elementary
Dates: April 11 - April 14, 2022
Location: Occidental, CA

Chaperones for Science Camp:
The ratio of adults to students on school-sponsored trips shall be based on the following formula:
K-3 1 adult for every 5-8 students
4-9 1 adult for every 10 students
10-12 1 adult for every 10 students where strict supervision is required (tours, theaters, etc.)

Overnight trip supervision must be gender appropriate. However, in the event that the supervisors, who stay overnight in proximity to students, are of a gender other than that group of campers, adequate planning, and preparation of campers and the physical arrangements of the camp shall be made to ensure optimal safety and privacy of students (AR 6153).

No student will be denied due to a lack of funds

Background:
According to Board Policy, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. The site principal and fifth-grade teachers request permission to take students on an overnight curricular trip to attend an outdoor education/science camp program that is articulated with grade level curriculum. The programs are taught by credentialed staff members and camp staff and are viewed by the sites as a valuable part of the students' educational experience.

2022-2023, 2023-2024, 2024-2025 School Calendars

Type	Action
Absolute Date	Mar 03, 2022
Recommended Action	The recommendation is that the Board approve the 2022-2023, 2023-2024, 2024-2025 School Calendars.

Purpose:
The purpose is for the Board of Education to consider approval of the 2022-2023, 2023-2024, 2024-2025 school calendars.

Background:
The District Calendar Committee worked for several months last school year to draft and consider various calendar formats for the 2022-2023, 2023-2024, and 2024-2025 school years. Drafts have been considered and evaluated based upon their education practicality, analysis of daily student attendance data, the requirements of the Education Code, and the District's collective bargaining agreements. All employees have had the opportunity to review and provide feedback on the drafts. Based on this feedback, the Calendar Committee has developed these calendars. Through the efforts of the committee, the Newark Unified School District and the Newark Teachers Association have reached a tentative agreement on 2022-2023, 2023-2024, and 2024-2025 school calendars pursuant to the collective bargaining agreements. The calendars are presented to the Board for approval.

- File Attachments**
[2022-2023 NUSD Academic Calendar 03.03.2022.pdf](#) (143 KB)
[2023-2024 NUSD Academic Calendar 03.03.2022.pdf](#) (144 KB)
[2024-2025 NUSD Academic Calendar 03.03.2022.pdf](#) (141 KB)

Resolution 2021.22.27 Declaring Surplus Equipment

Type Action, Discussion
Recommended Action The recommendation is that the Board of Education approve Resolution 2021.22.27 Declaring Surplus Equipment.

Purpose:
 The purpose of this item is to obtain Board approval of Resolution 2021.22.27 Declaring Surplus Equipment, which lists items to be declared as surplus equipment as recommended.

Background:
 Surplus materials will be disposed of per Board Policy and Administrative Regulation 3270 Sale And Disposal Of Books, Equipment, and Supplies. Education Code, Section 17546 states that if the Governing Board, by a unanimous vote of those members present, finds that the property, whether one or more items, does not exceed the value of \$2,500, it may be sold at private sale without advertising, by a District employee empowered for that purpose by the Board; the property may be donated to a charitable organization, or it may be disposed of in a public disposal facility.
 The property as described in Resolution 2021.22.27 includes equipment used at elementary schools for Child Nutrition. Staff determined that items are obsolete and/or no longer working.

File Attachments
[Resolution 2021.22.27 Declaring Surplus Equipment.pdf](#) (13 KB)

Contracts and Purchase Orders Authorized under Resolution 2020.21-025 (Delegate Authority to Procure Necessary Materials, Equipment and Services to Provide Distance and/or In-Person Learning for Staff, Teachers, and Students to Mitigate the Effects of Covid-19)

Type Action
Fiscal Impact Yes
Budgeted Yes
Recommended Action The recommendation is that the Board of Education accept the update on costs associated with the implementation of Resolution 2020.21-025 (Resolution of the Board of Education of the Newark Unified School District to Delegate Authority to Procure Necessary Materials, Equipment and Services to Provide Distance and/or In-Person Learning for Staff, Teachers, and Students to Mitigate the Effects of Covid-19)

Purpose:
 To update the Board on costs associated with the implementation of Resolution 2020.21-025 (Resolution of the Board of Education of the Newark Unified School District to Delegate Authority to Procure Necessary Materials, Equipment and Services to Provide Distance and/or In-Person Learning for Staff, Teachers, and Students to Mitigate the Effects of Covid-19) from February 1, 2022 through February 28, 2022.

Background:
 On April 1, 2021, the Newark Unified School District Board approved Resolution 2020.21-025 delegating authority to the Superintendent or designee to procure necessary materials, equipment, and services that are needed to provide distance and/or in-person learning to mitigate the effects of Covid-19. Language in the resolution states "the Superintendent/Designee shall make periodic reports to the Board of Education and the public regarding implementation of this resolution and the costs associated therewith"; requiring the update provided here.

On September 16, 2021, Amended Resolution 2020.21-025 was approved. The amendment extends it to on or around June 30, 2022, and states that updates will be presented at the first Board meeting of each month.

Updates have been provided to the Board

- June 17, 2021, for contracts and purchase orders between April 2, 2021, and May 31, 2021
- October 7, 2021, for contracts and purchase orders between June 1, 2021, and September 30, 2021
- November 4, 2021, for contracts and purchase orders between October 1, 2021, and October 31, 2021
- December 6, 2021, for contracts and purchase orders between November 1, 2021, and November 30, 2021
- January 6, 2022, for contracts and purchase orders between December 1, 2021, and December 31, 2021
- February 3, 2022, for contracts and purchase orders between January 1, 2022, and January 31, 2022

VENDOR DATE PO NUMBER DESCRIPTION AMOUNT

N/A *
 *There are no contracts or purchase orders to report for the period of February 1, 2022, through February 28, 2022.

Monthly Purchase Order Report

Type Action
Recommended Action The recommendation is that the Board of Education approve the Monthly Purchase Order Report as presented.

Purpose:
 The purpose of this item is to present a monthly report on Purchase Order transactions per Board Policy 3300, Expenditures and Purchases.

Background:
 Based on the discussion at the Board's Study Session on January 6, 2022, staff is providing a monthly report on Purchase Order transactions per Board Policy 3300, Expenditures and Purchases. The policy states that "The Board shall review all transactions entered into by the Superintendent or designee on behalf of the Board every 60 days."

[File Attachments](#)

[Monthly Purchase Order Report 3-3-2022.pdf](#) (111 KB)

[Minutes of the February 17, 2022 Regular Meeting of the Board of Education](#)

Type Action, Minutes

Recommended The recommendation is that the Board of Education approve the minutes of the February 17, 2022, Regular Meeting of the Board of Education.
Action 2022, Regular Meeting of the Board of Education.
Minutes View Minutes for Feb 17, 2022 - Regular Meeting of the Board of Education

Purpose:

For the board to review and approve the minutes

Background:

The attached minutes are reflective of the February 17, 2022, Regular Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel [HERE](#)

Motion & Voting

The recommendation is that the Board of Education approve the minutes of the February 17, 2022, Regular Meeting of the Board of Education. (with correction to 2.1 - add public speaker cindy parks to agenda approval)

Motion by Bowen Zhang, second by Alicia Marquez.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang, Estaina Resendiz-Ortiz

[Minutes of the February 23, 2022 Special Meeting of the Board of Education](#)

Type Action, Minutes

Recommended The recommendation is that the Board of Education approve the minutes of the February 23, 2022, Special Meeting of the Board of Education.
Action 2022, Special Meeting of the Board of Education.

Purpose:

For the board to review and approve the minutes

Background:

The attached minutes are reflective of the February 23, 2022, Special Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel [HERE](#)

15 BOARD OF EDUCATION: COMMITTEE REPORTS, REQUESTS, AND ANNOUNCEMENTS

[Board of Education Recognitions and Announcements](#)

Type Information

Purpose:

The Trustees may acknowledge or recognize specific programs, activities, or personnel at this time.

[Board of Education Committee Reports](#)

Type Information

Purpose:

The Trustees will provide an update, if available, on the committees of which they are members.

Background:

Each year the Board of Education members liaise with schools and committees in order to build relationships, hear from staff, students, and families, and act as a conduit for information to and from the schools.

Board Committees 2020-21

Board Adopted on 12/16/21	Representative	Alternate
Mission Valley Regional Occupational Center/Program (ROC/P) Executive Board	1. Terrence Grindall	1. Bowen Zhang
Regional Policy Board of Special Education Local Plan Area (SELPA)	1. Bowen Zhang	1. Alicia Marquez
Newark Teacher Induction Advisory Council (Formally EBIC)	1. Alicia Marquez	1. Aiden Hill
Audit Committee	1. Alicia Marquez 2. Aiden Hill	1. Terrence Grindall
Bond/Parcel Tax Committee	1. Terrence Grindall 2. Phuong Nguyen	1. Bowen Zhang
City of Newark NUSD Liaison Committee	1. Phuong Nguyen 2. Terrence Grindall	1. Bowen Zhang

[Board of Education Requests](#)

Type Action, Discussion, Information

Purpose:

This is an opportunity for the Board of Education to suggest items for placement on future agendas and to review Board requests. Approval from the majority of the Board will be required for direction to be provided to the Superintendent.

Background:

The following derives directly from the Board approved "Governance Team Handbook" Authority is Collective, Not Individual:

The only authority to direct action rests with the Board as a whole when seated at a regular or special board meeting. Outside of this meeting, there is no authority.

A majority Board vote provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction.

Bringing New Ideas Forward

The Board will be open to having "brainstorming" discussions, or study sessions, around any idea that a Trustee may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Trustee, at their initiative or at the request of a constituent, which was previously discussed during a board meeting.

Trustees will first notify the Board President and Superintendent of their interest in bringing forward a new idea at a board meeting.

When initially agendized, the preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.

Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea. The Superintendent will decide on the delegation of assignments to District staff.

The new idea may be agendized for discussion only. The Board majority will decide if the new idea should be further developed and studied by staff. The Board majority will decide if staff time should be invested in the "fleshing out" of new ideas.

Individual Trustees, in the course of interactions with constituents, will be careful not to make or imply the commitment of the full Board to explore or proceed with implementing new ideas.

16 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

Superintendent's Concluding Comments, Updates, and Future Agenda Items

AGENDA REQUESTS

Type Information

Purpose:

This is an opportunity for the Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

17 ADJOURNMENT

PLACEHOLDER - Extend Meeting

Type Action

Recommended The recommendation is that the Board of Education extends the meeting to ____P.M.
Action

Purpose:

This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

Motion & Voting

The recommendation is that the Board of Education extends the meeting to 12:00 A.M.

Motion by Aiden Hill, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang, Estaina Resendiz-Ortiz

Adjournment

Type Action, Procedural

Recommended The recommendation is that the Board of Education adjourns this meeting.
Action

Purpose:

No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time. This action will conclude the meeting.

Motion & Voting

The recommendation is that the Board of Education adjourns this meeting at 10:40pm.

Motion by Terrence Grindall, second by Estaina Resendiz-Ortiz.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang, Estaina Resendiz-Ortiz

1 CALL TO ORDER

Meeting Practices and Information

Type Information

IN-PERSON MEETING INFORMATION

NUSD has opened its boardroom for in-person meetings and will follow the State's and Alameda County's safety guidelines for public gatherings. Please refrain from attending in-person meetings if you have any of the following symptoms:

- Loss of taste/smell
- Difficulty breathing
- Vomiting
- Diarrhea
- Fever
- Cough
- Headache
- Sore Throat
- Runny Nose

For additional COVID-19 information please go to <https://www.newarkunified.org/covid-19> or <https://www.acoe.org/guidance>

OBSERVE THE BOARD OF EDUCATION MEETING

Members of the public 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.

PUBLIC COMMENT

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

Pledge of Allegiance

Type Procedural

Purpose:

The Governance Team will recite the Pledge of Allegiance

Roll Call

Type Procedural

Trustees:

- President Phuong Nguyen
- Vice President/Clerk Terrence Grindall
- Member Aiden Hill
- Member Alicia Marquez
- Member Bowen Zhang

Student Board Member:

- Member Estaina Resendiz Ortiz

2 APPROVAL OF AGENDA

Approval of the Agenda

Type Action

Recommended The recommendation is that the Board of Education approve the agenda for this meeting.
Action

Purpose:

Members of the Governance Team may request that the agenda be amended or approved as presented.

Motion & Voting

The recommendation is that the Board of Education approve the agenda for this meeting.

- Motion by Bowen Zhang, second by Terrence Grindall.
- Final Resolution: Motion Carries
- Yea: Phuong Nguyen, Terrence Grindall, Alicia Marquez, Bowen Zhang

3 CLOSED SESSION

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a)): Employee Group - NEWMA, Unrepresented Supervisors, and Contracted Management [Chief Business Official]

Type Action, Information, Procedural

Purpose:

Information may be provided by the agency negotiator, the Executive Director of Human Resources, and the Superintendent. Assistance from legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided. The employee organizations include NEWMA, Unrepresented Supervisors, and Contracted Management

Recess to Closed Session

Type Procedural

Purpose:

The Board will recess to Closed Session, and reconvene to Open Session on or about 7:00 p.m.

4 REPORT OF CLOSED SESSION ACTIONS

Report of Closed Session Actions

Type Action, Procedural

Purpose:

If available, a report of the closed session will be provided by the Board President.

5 CONSENT AGENDA: PERSONNEL ITEMS

Approval of the Chief Business Official Employment Agreement

Type Action

Recommended Action The recommendation is that the Board approve the new three-year employment agreement for the Chief Business Official commencing July 1, 2022.

Purpose:

To approve a new three-year employment agreement for the Chief Business Official, commencing July 1, 2022.

Background:

The current Chief Business Official employment agreement expires June 30, 2022.

File Attachments

[Chief Business Official Employment Agreement FINAL- \(2\).pdf](#) (96 KB)

Motion & Voting

The recommendation is that the Board approve the new three-year employment agreement for the Chief Business Official commencing July 1, 2022.

Motion by Terrence Grindall, second by Bowen Zhang.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Alicia Marquez, Bowen Zhang

6 ADJOURNMENT

Adjournment

Type Action, Procedural

Recommended Action The recommendation is that the Board of Education adjourns this meeting.

Purpose:

No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time. This action will conclude the meeting.

Motion & Voting

The recommendation is that the Board of Education adjourns this meeting at 6:47pm.

Motion by Bowen Zhang, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Alicia Marquez, Bowen Zhang

1 CALL TO ORDER

Meeting Practices and Information

Type Information

IN-PERSON MEETING INFORMATION

NUSD has opened its boardroom for in-person meetings and will follow the State's and Alameda County's safety guidelines for public gatherings. Please refrain from attending in-person meetings if you have any of the following symptoms:

- Loss of taste/smell
- Difficulty breathing
- Vomiting
- Diarrhea
- Fever
- Cough
- Headache
- Sore Throat
- Runny Nose

For additional COVID-19 information please go to <https://www.newarkunified.org/covid-19> or <https://www.acoe.org/guidance>

OBSERVE THE BOARD OF EDUCATION MEETING

Members of the public 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.

PUBLIC COMMENT

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

Roll Call

Type Procedural

Trustees:

- President Phuong Nguyen
- Vice President/Clerk Terrence Grindall
- Member Aiden Hill
- Member Alicia Marquez
- Member Bowen Zhang

Student Board Member:

- Member Estaina Resendiz Ortiz

2 APPROVAL OF AGENDA

Approval of the Agenda

Type Action

Recommended Action The recommendation is that the Board of Education approve the agenda for this meeting.

Purpose:

Members of the Governance Team may request that the agenda be amended or approved as presented.

Motion & Voting

The recommendation is that the Board of Education approve the agenda for this meeting, without 13.4.

Motion by Terrence Grindall, second by Alicia Marquez.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Estaina Resendiz-Ortiz

3 STUDY SESSION

School Culture and Climate

Type Information

Purpose:

To provide additional information to the Board of Trustees regarding school culture and climate, as it relates to restorative practices, social emotional learning, and culturally relevant teaching.

Background:

Reopening schools after a year of distance learning have brought along new challenges and opportunities related to school site culture and climate initiatives, such as PBIS, social-emotional learning, culturally relevant pedagogy, and restorative discipline. This presentation will serve to extend the conversation on culture and climate that started on November 18th as a staff report. This presentation will provide more information to the Board of Trustees and our community on how restorative principles and practices are and can be integrated into culture and climate strategies that are aligned with our district values around equity and excellence.

File Attachments

[Study Session_ Culture & Climate 2.7.22.pdf](#) (2,257 KB)

[READY-FOR-RIGOR_Final1.pdf](#) (47 KB)

4 CLOSED SESSION

Public Comment on Closed Session Items

Type Information

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board. If a constituent wishes to address the Board on any agenda item, please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org.

RATIFICATION AND APPROVAL OF TK ENROLLMENT: (Ed. Code, 48000 & 35146)

Type Action, Discussion, Information

Purpose:

The Board will review student information for approval of newly registered Transitional Kindergarten students who shall reach age 5 after December 2, 2021. This process will continue on a case by case basis for students who register within the extended window.

Background:

Education Code sections 48000 and 48010, and District Administrative Regulation ("AR") 5111, requires the District to enroll any otherwise eligible student who turns age five or six on or before September 1 of a given school year into kindergarten or first grade, as applicable. In addition, if a student turns age five between September 2 and December 2 of a school year, then that student shall be offered an opportunity to enroll in TK. The District may additionally admit younger children to TK "on a case by case basis".

Education Code section 4800 specifically provides as follows:

(c)(1)(C) [A] child who will have their fifth birthday between September 2 and December 2 shall be admitted to a transitional kindergarten program maintained by the school district or charter school.

(c)(2)(A) In any school year, a school district ... may, at any time during a school year, admit a child to a transitional kindergarten program who will have their fifth birthday after the date specified for the applicable year ... but during that same school year, with the approval of the parent or guardian, subject to the following conditions:

(i) The governing board of the school district or the governing body of the charter school determines that the admittance is in the best interests of the child.

(ii) The parent or guardian is given information regarding the advantages and disadvantages and any other explanatory information about the effect of this early admittance.

Consistent with the Education Code, the District's AR 5111 provides:

On a case-by-case basis, a child who will turn five years old in a given school year may be enrolled in kindergarten or TK at any time during that school year with the approval of the child's parent/guardian, provided that: (Education Code 48000)

1. The parent/guardian is given information regarding the advantages and disadvantages and any other explanatory information about the effect of this early admittance.

2. The Governing Board determines that admittance is in the best interest of the child.

Beginning in the 2022-2023 school year, the birthday cut off will be extended to February 2, and will continue being extended by two months each school year, until the 2025-2026 school year, when any student with a birthday after September 1 must be admitted to TK

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE (Gov. Code, 54957, subd. (b)(1))

Type Action, Information, Procedural

Purpose:

Information will be provided by the Superintendent and Executive Director of Human Resources.

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a): Employee Organizations - NTA and CSEA

Type Action, Information, Procedural

Purpose:

Information may be provided by the agency negotiator, Executive Director of Human Resources. Assistance from the legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided.

The employee organizations include NTA & CSEA.

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a)): Employee Group - NEWMA, Unrepresented Supervisors, and Contracted Management [Chief Business Official]

Type Action, Information, Procedural

Purpose:

Information may be provided by the agency negotiator, the Executive Director of Human Resources, and the Superintendent. Assistance from legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided.

The employee organizations include NEWMA, Unrepresented Supervisors, and Contracted Management

CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION Significant exposure to litigation pursuant to Gov. Code, 54956.9, subd. (d)[(2) or (3)]

Type Action, Information, Procedural

Purpose:

Information may be provided regarding significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: One case

Recess to Closed Session

Type Procedural

Purpose:

The Board will recess to Closed Session, and reconvene to Open Session on or about 7:00 p.m.

5 RECONVENE TO OPEN SESSION

Pledge of Allegiance

Type Procedural

Purpose:

The Governance Team will recite the Pledge of Allegiance

6 REPORT OF CLOSED SESSION ACTIONS

Report of Closed Session Actions

Type Action, Procedural

Purpose:

If available, a report of the closed session will be provided by the Board President.

7 EMPLOYEE ORGANIZATIONS

Employee Organizations

Type Information

Purpose:

At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Background:

Discussion items are limited to updates, celebrations, and upcoming events.

1. NTA: Sean Abruzzi
2. CSEA: Sarah Keiser
3. NEWMA: Vicenta Ditto

8 RECOGNITIONS AND CELEBRATIONS

School Spotlight: Bridgepoint High School

Type Information

Purpose:

The School Spotlight gives the Board of Education and the public an opportunity to hear the highlights, achievements, and initiatives at each school directly from the principals.

Background:

The presentation and information will be provided by the Bridgepoint High School Principal, Julie Calderon.

File Attachments

[Bridgepoint 2022 School Spotlight - 2021_22.pptx.pdf](#) (2,085 KB)

9 PUBLIC COMMENT ON NON-AGENDA ITEMS

Public Comment on Non-Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

10 SUPERINTENDENT REPORT

Superintendent Report

Type Information

Purpose:

The superintendent will provide the Board of Education with district information, updates, news, or anything in the jurisdiction of the board or the superintendent.

Background:

The presentation and information will be provided by the Superintendent

11 STAFF REPORT

Presentation of the LCAP Supplement to the Annual Update for 2021-22 LCAP and Mid-Year LCAP Report

Type Information

Purpose:

To provide the Board of Trustee with an update on the use of federal and state funds and engagement, actions, and outcomes related to these funds.

Background:

California's 202122 Budget Act, the federal American Rescue Plan Act of 2021, and other state and federal relief acts have provided local school districts with a significant increase in funding to support students, teachers, staff, and their communities in recovering from the COVID-19 pandemic and to address the impacts of distance learning on students. Abbey Kerins, Director of Special Projects, will present the 2021-22 Supplemental Annual update mid-year report to the NUSD governing board related to engagement on, and implementation of, these Acts. SEC. 124 (e)(2)(B) of AB 130 also requires that all available mid-year outcome data related to metrics identified in the 202122 LCAP, mid-year expenditure & implementation data on all actions identified in the 2021-22 LCAP and update to the 2021-22 Budget Overview for Parents be included in the presentation to the governing board. No board adoption is required until June with the 2022-23 LCAP.

File Attachments

- [Supplement to the Annual Update to the 2021-2022 Local Control and Accountability Plan.pdf \(775 KB\)](#)
- [2021_LCAP_Mid-Year_Report_Newark_Unified_School_District_20220215.pdf \(911 KB\)](#)
- [2021_LCFF_Budget_Overview_for_Parents_-_Board_Update_Newark_Unified_School_District_20220215 \(1\).pdf \(792 KB\)](#)
- [NUSD 2021-22 Mid-Year LCAP Report \(1\).pdf \(815 KB\)](#)

Illuminate Assessments 2020-2021

Type Information

Purpose:

To provide additional information to the Board of Trustees regarding 2020-2021 Illuminate assessments.

Background:

At our February 3, 2022 Board Meeting, members requested more information regarding these assessments. Illuminate is Newark Unified's comprehensive assessment and data management tool for monitoring and measuring student academic progress. As a result of distance learning last year, the California State Board of Education (SBE) provided school districts the flexibility to administer alternative assessments to the CAASPP due to the additional stress that annual assessments can place on students. Illuminate was one of the state-approved local assessments and Newark Unified utilized the Illuminate end-of-year assessments in English-Language Arts and Mathematics for secondary grades 7, 8, and 11. 2020-2021 was the first year of implementation, and will serve as a baseline data for future years should we continue to implement.

File Attachments

- [2021 End of Year Illuminate Data.pdf \(763 KB\)](#)

Information Technology Study Report

Type Discussion, Information

Purpose:

To provide the Board a review and presentation of the Information Technology Study Report.

Background:

At the regular Board meeting on June 3, 2021, the Board requested staff to conduct a review and assessment of the Information Technology department and services.

Staff received three proposals to conduct the study and awarded a contract to California IT in Education (CITE). The study team consisted of three senior level technology and educational professionals. The study included visits to school sites and the district office, meetings and interviews with staff and conducting surveys.

[File Attachments](#)

[Newark Unified IT Study Report Final.pdf](#) (362 KB)

[NewarkJETPreso-final.pdf](#) (1,049 KB)

HVAC Replacement Project Update

Type Information

[Purpose:](#)

To provide the Board an update on the HVAC Replacement Project.

[Background:](#)

The Board requested staff to provide an update on the HVAC Replacement Project which is part of the Measure G list of projects.

[File Attachments](#)

[NUSD HVAC Update 02 17 2022 Final-rev.pptx.pdf](#) (1,890 KB)

12 NEW BUSINESS

Contract with Think Together for After-School Programming

Type Action

Preferred Date Feb 17, 2022

Fiscal Impact Yes

Dollar Amount \$117,123.00

Budget Source ELO-P

Recommended The recommendation is that the Board approve the Think Together contract in support of our

Action approved ELO-P plan, adopted February 3, 2022 and in alignment with the guidelines in AB

130

[Purpose:](#)

We are seeking the approval of the Think Together contract in order to execute the ELO-P plan.

The District is dedicated to carrying out the Board-approved plan for providing an extended day to our TK-6, unduplicated students as outlined in the Expanding Learning Opportunities Program (ELO-P) plan that was presented and approved by the Board on February 3, 2022. These funds will assist in providing additional academic and social-emotional support to students through a 9-hour extended learning day to our student populations that are historically underserved.

[Background:](#)

In July of 2021, Governor Newsome signed Assembly Bill (AB) 130, which included many budgetary and programmatic changes for this school year. One of these changes was to provide comprehensive, district-wide, after-school, and summer school enrichment programs for transitional kindergarten through sixth grade students that are English learners, foster youth, and/or unhoused.

The proposed contract includes the expansion of Think Together for Lincoln Elementary School this school year, 2021-22. Think Together was selected as the primary partner for this work because it supports the district's intention to create a single, comprehensive program. Think Together has been a strong partner, providing our ASES services in Newark for multiple years, and they have proven both within the District and across the state to be an effective program, providing mentorship and care for our students.

An additional contract for the subsequent school year and summer school services will be presented at a future board meeting.

[File Attachments](#)

[Newark USD EXLP proposal.docx.pdf](#) (160 KB)

[Newark MOU for Lincoln EXLP 2021-22 RB signed \(1\).pdf](#) (186 KB)

[Motion & Voting](#)

The recommendation is that the Board approve the Think Together contract in support of our approved ELO-P plan, adopted February 3, 2022 and in alignment with the guidelines in AB 130

Motion by Bowen Zhang, second by Alicia Marquez.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang, Estaina Resendiz-Ortiz

Audit Report for Fiscal Year Ended June 30, 2021

Type Action

Recommended The recommendation is that the Board of Education accept the independent audit report for

Action the fiscal year ended June 30, 2021 as presented.

[Purpose:](#)

The purpose of this item is for the Board to receive information about and accept the financial audit report for the fiscal year

ended June 30, 2021, as presented.

Background:

In accordance with generally accepted auditing standards and Government Auditing Standards, the independent auditing firm of Christy White, Inc. has completed their audit of the combined financial statements of the Newark Unified School District for the year ended June 30, 2021. A representative from Christy White, Inc. will present the audit report to the Board for review. The audit report is the financial document that all outside agencies review, county offices scrutinize, and bond rating agencies rely on. The District prepares all reports in the state approved format, but the audit report is the document that is readily available to the public and is audited in accordance with Government Auditing Standards and the Guide for Annual Audits of K-12 Local Education Agencies and State Compliance Reporting. The district's Audit Committee met and reviewed the audit report on January 31, 2022.

File Attachments

- [NUSD Audit Report June 30, 2021.pdf](#) (1,192 KB)
- [SAS Letter to Newark USD Board_01-26-2022.pdf](#) (224 KB)
- [2020-21 Annual Audit Presentation NUSD.ppt.pdf](#) (1,302 KB)

Motion & Voting

The recommendation is that the Board of Education accept the independent audit report for the fiscal year ended June 30, 2021 as presented.

Motion by Alicia Marquez, second by Terrence Grindall.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang
Not Present at Vote: Estaina Resendiz-Ortiz

13 CONSENT AGENDA: PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type	Action
Recommended	It is recommended that the Board of Education approve, under one consented vote, the
Action	agenda items under Consent-Personnel, except for agenda items:

Purpose:
This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:
Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Motion & Voting

It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent-Personnel.
Motion by Bowen Zhang, second by Terrence Grindall.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang
Not Present at Vote: Estaina Resendiz-Ortiz

Personnel Report

Type	Action
Absolute Date	Feb 17, 2022
Recommended	The recommendation is that the Board of Education ratify the personnel report as presented.
Action	All personnel activities including new hires, changes in status, resignation, leaves, and retirements are routinely submitted to the Board for ratification.

- File Attachments**
- [HR PAL 02-17-2022.pdf](#) (376 KB)

Classified Seniority List

Type	Action
Absolute Date	Feb 17, 2022
Recommended	The recommendation is that the Board of Education receive the 2021-2022 Classified
Action	Seniority List.

Purpose:
The purpose is for the Board of Education to receive the 2021-2022 Classified Seniority List.

Background:
The attached Classified Seniority List identifies the job classification total hours worked in a specific classification for each regular classified staff member. A copy of this Classified Seniority List has been provided to each classified staff person for review and

has been posted at each school and campus site.

[File Attachments](#)

[Classified Seniority List 2.17.22 for Board.pdf](#) (254 KB)

Approval of the Chief Business Official Employment Agreement

Type	Action
Recommended	The recommendation is that the Board approve the new three-year employment agreement
Action	for the Chief Business Official commencing July 1, 2022.

Purpose:
To approve a new three-year employment agreement for the Chief Business Official, commencing July 1, 2022.

Background:
The current Chief Business Official employment agreement expires June 30, 2022.

File Attachments
[Chief Business Official Employment Agreement FINAL- \(2\).pdf](#) (96 KB)

14 CONSENT AGENDA: NON-PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type	Action
Recommended	It is recommended that the Board of Education approve, under one consented vote, the
Action	agenda items under Consent Non-Personnel, except for agenda items:

Purpose:
This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:
Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Motion & Voting
It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent Non-Personnel, except for agenda items 14.4:
Motion by Terrence Grindall, second by Phuong Nguyen.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang
Not Present at Vote: Estaina Resendiz-Ortiz

Curricular, Overnight Trip for Kennedy Elementary sixth-grade class to travel to Occidental, CA.

Type	Action
Preferred Date	Feb 17, 2022
Fiscal Impact	Yes
Dollar Amount	\$21,000.00
Budgeted	Yes
Budget Source	Fundraisers and Parent Contributions
Recommended	The recommendation is that the Board of Education approve the overnight trip for Kennedy
Action	Elementary sixth-grade class to Occidental, CA.

Purpose:
The Kennedy Elementary community requests permission to take sixth-grade students on a curricular, overnight field trip. Students will travel to Occidental, CA for an outdoor science education camp. Transportation will be by district bus. Students will study content standards in ecology, resources, ecosystems, and conservation while experiencing team building with their peers.

School: Kennedy Elementary
Dates: March 29- April 1, 2022
Location: Occidental, CA

Chaperones for Science Camp:
The ratio of adults to students on school-sponsored trips shall be based on the following formula:
K-3 1 adult for every 5-8 students
4-9 1 adult for every 10 students
10-12 1 adult for every 10 students where strict supervision is required (tours, theaters, etc.)

Overnight trip supervision must be gender appropriate. However, in the event that the supervisors, who stay overnight in proximity to students, are of a gender other than that group of campers, adequate planning, and preparation of campers and the physical arrangements of the camp shall be made to ensure optimal safety and privacy of students (AR 6153).
No student will be denied due to a lack of funds

Background:
According to Board Policy, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. The site principal

and sixth-grade teachers request permission to take students on an overnight curricular trip to attend an outdoor education/science camp program that is articulated with grade level curriculum. The programs are taught by credentialed staff members and camp staff and are viewed by the sites as a valuable part of the students' educational experience.

Athletic Trip, Overnight, One-Way Distance Over 125 Miles Field Trip: Newark Memorial HS Varsity Softball Team to Sparks,

Type	Action
Preferred Date	Feb 17, 2022
Fiscal Impact	Yes
Dollar Amount	\$2,280.00
Budgeted	Yes
Budget Source	Athletics 103, Softball ASB
Recommended	The recommendation is that the Board of Education approve Newark Memorial High School
Action	Varsity Softball Team to travel to Sparks, NV.

Purpose:

The NMHS Principal and Athletic Director request permission to take students on an athletic and overnight trip to Sparks, NV for the Reed High School Softball tournament.

Our Varsity Softball Team has been invited to return to the Reed High School softball tournament. This is a highly competitive, invitation only, tournament which will provide exposure to college recruiting for our student-athletes.

Date: March 24-26, 2022

Location: Sparks, Nevada

Requirements met:

Grade K-3, one adult for every 5-8 students; Grades 4-12, one adult for every 10 students; Board Policy requires at least two adults on every trip regardless of the number of students (BP 6153 and AR 6153)

Overnight trip supervision must be gender appropriate

No student will be denied due to a lack of funds

Background:

According to Board Policy 6153, all trips in excess of 125 miles, athletic trips, and overnight trips require Board approval. Newark Memorial High School Principal and Athletic Director request permission to take the Newark Memorial High School Varsity Softball team on an athletic trip to Sparks, NV.

Comprehensive School Safety Plans

Type	Action
Absolute Date	Feb 17, 2022
Fiscal Impact	No
Recommended	The recommendation is that the Board of Education approve the plans as presented.
Action	

Purpose:

To approve the Comprehensive School Safety Plan (CSSP) for each Newark Unified School District school site; all plans are attached. Per Education Code Section 32281, the School Site Council (SSC) writes and develops a comprehensive school safety plan relevant to the needs and resources of that particular school, or may delegate this responsibility to a school safety planning committee. Each school must review and update its plan by March 1 every year.

Background:

A Comprehensive School Safety Plan (CSSP) is an annually-revised plan to develop strategies aimed at the prevention of, and education about, potential incidents involving crime and violence on the school campus. All California K-12 public schools must develop a CSSP that addresses the safety concerns identified through a systematic planning process in cooperation with local law enforcement agencies, community leaders, parents, pupils, teachers, administrators, and other persons who may be interested in the prevention of campus crime and violence.

The requirements and mandate for CSSPs are outlined in Education Code Sections 32280 - 32289 School Safety Plans

File Attachments

[BGI 2022-23 Comprehensive School Safety Plan 22-23\(1\).pdf](#) (2,285 KB)
[BGP Comprehensive Safety Plan 22-23 \(2\).pdf](#) (2,225 KB)
[Kennedy Comprehensive School Safety Plan 22-23.pdf](#) (6,259 KB)
[Lincoln Comprehensive School Safety Plan 22-23.pdf](#) (2,824 KB)
[MacGregor Comprehensive School Safety Plan 22-23.pdf](#) (1,968 KB)
[NJHS Comprehensive School Safety Plan 22-23 \(2\).pdf](#) (3,284 KB)
[NMHS Comprehensive School Safety Plan 22-23 \(2\).pdf](#) (2,511 KB)
[Shilling Comprehensive Safety Plan 22-23.pdf](#) (3,424 KB)
[Coyote Hills Elementary Comprehensive School Safety Plan 22-23.pdf](#) (2,336 KB)

Motion & Voting

The recommendation is that the Board of Education approve the plans as presented.

Motion by Bowen Zhang, second by Alicia Marquez.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang

Not Present at Vote: Estaina Resendiz-Ortiz

Donations Report

Type	Action
Fiscal Impact	Yes
Budgeted	Yes
Budget Source	General Fund (Fund 010) Donations
Recommended	The recommendation is that the Board of Education accept the donations on the Donations
Action	Report as presented.

Purpose:

The purpose is to acknowledge receipt of donations to the District.

Background:

Throughout the year community members, groups, parents and other individuals make monetary and in-kind (supplies and equipment) donations to NUSD. The exact nature of the source of the donation is submitted to the Business Office on a standard form. It is critical that any restrictions on the funding be indicated and the budget developed based on the donor restrictions. If there is no indication of the school or use of the funding, any proceeds or cash donations received are placed in the NUSD local revenue in the unrestricted general fund. It is recommended that the donations be processed through the Business Office and ultimately approved by the Board so that the funding can be publicly acknowledged and budgeted properly according to donor restrictions. There is acknowledged and budgeted properly according to donor restrictions. There is acknowledgement at the public Board meeting and a letter of thanks is sent of the donor by the Business Office for NUSD.

File Attachments

[Donations Summary Report 2-17-2022.pdf](#) (23 KB)

Warrant Report for January 2022

Type	Action
Fiscal Impact	No
Recommended	The recommendation is that the Board of Education approve the Warrant Report as presented.
Action	

Purpose:

The purpose of this item is to present warrants, for the total amount of \$5,720,490.33, made from District funds for January 2022.

Background:

The warrant registers represent a complete listing of all payments made from District funds for a month. Because Newark Unified School District is a fiscally dependent District, each warrant must pass through two separate audits; first by the District's Fiscal Services department, and second by the County Office of Education. No warrant can be paid until such time as it is examined and approved by the County Office of Education.

File Attachments

[Warrant Report January 2022.pdf](#) (357 KB)

Minutes of the February 3, 2022 Regular Meeting of the Board of Education

Type	Action, Minutes
Recommended	The recommendation is that the Board of Education approve the minutes of the February 3, 2022, Regular Meeting of the Board of Education.
Action	

Purpose:

For the board to review and approve the minutes

Background:

The attached minutes are reflective of the February 3, 2022, Regular Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel [HERE](#)

15 BOARD OF EDUCATION: COMMITTEE REPORTS, REQUESTS, AND ANNOUNCEMENTS

Board of Education Recognitions and Announcements

Type	Information
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Purpose:

The Trustees may acknowledge or recognize specific programs, activities, or personnel at this time.

Board of Education Committee Reports

Type	Information
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Purpose:

The Trustees will provide an update, if available, on the committees of which they are members.

Background:

Each year the Board of Education members liaise with schools and committees in order to build relationships, hear from staff, students, and families, and act as a conduit for information to and from the schools.

Board Committees 2020-21

	Representative	Alternate
Board Adopted on 12/16/21		
Mission Valley Regional Occupational Center/Program (ROC/P)	1. Terrence Grindall	1. Bowen Zhang
Executive Board		
Regional Policy Board of Special Education Local Plan Area (SELPA)	1. Bowen Zhang	1. Alicia Marquez
Newark Teacher Induction Advisory Council (Formally EBIC)	1. Alicia Marquez	1. Aiden Hill
Audit Committee	1. Alicia Marquez	2. Aiden Hill
Bond/Parcel Tax Committee	1.2. Terrence Grindall	Phuong Nguyen
	1. Phuong Nguyen	1. Bowen Zhang
City of Newark NUSD Liaison Committee	2. Terrence Grindall	1. Bowen Zhang

Board of Education Requests

Type Action, Discussion, Information

Purpose:

This is an opportunity for the Board of Education to suggest items for placement on future agendas and to review Board requests. Approval from the majority of the Board will be required for direction to be provided to the Superintendent.

Background:

The following derives directly from the Board approved "Governance Team Handbook"

Authority is Collective, Not Individual:

The only authority to direct action rests with the Board as a whole when seated at a regular or special board meeting.

Outside of this meeting, there is no authority.

A majority Board vote provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction.

Bringing New Ideas Forward

The Board will be open to having "brainstorming" discussions, or study sessions, around any idea that a Trustee may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Trustee, at their initiative or at the request of a constituent, which was previously discussed during a board meeting.

Trustees will first notify the Board President and Superintendent of their interest in bringing forward a new idea at a board meeting.

When initially agendized, the preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.

Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea.

The Superintendent will decide on the delegation of assignments to District staff.

The new idea may be agendized for discussion only. The Board majority will decide if the new idea should be further developed and studied by staff. The Board majority will decide if staff time should be invested in the "fleshing out" of new ideas.

Individual Trustees, in the course of interactions with constituents, will be careful not to make or imply the commitment of the full Board to explore or proceed with implementing new ideas.

16 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

Superintendent's Concluding Comments, Updates, and Future Agenda Items

AGENDA REQUESTS

Type Information

Purpose:

This is an opportunity for the Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

17 ADJOURNMENT

PLACEHOLDER - Extend Meeting

Type Action

Recommended The recommendation is that the Board of Education extends the meeting to ____ P.M.
Action

Purpose:

This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

Motion & Voting

The recommendation is that the Board of Education extends the meeting to 12:00 A.M.

Motion by Phuong Nguyen, second by Terrence Grindall.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang, Estaina Resendiz-Ortiz

Adjournment

Type Action, Procedural

Recommended The recommendation is that the Board of Education adjourns this meeting.

Action

Purpose:

No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time. This action will conclude the meeting.

Motion & Voting

The recommendation is that the Board of Education adjourns this meeting. (11:13pm)

Motion by Bowen Zhang, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang

Not Present at Vote: Estaina Resendiz-Ortiz

1 CALL TO ORDER

Meeting Practices and Information

Type Information, Procedural

IN-PERSON MEETING INFORMATION

NUSD has opened its boardroom for in-person meetings and will follow the State's and Alameda County's safety guidelines for public gatherings. Please refrain from attending in-person meetings if you have any of the following symptoms:

- Loss of taste/smell
- Difficulty breathing
- Vomiting
- Diarrhea
- Fever
- Cough
- Headache
- Sore Throat
- Runny Nose

For additional COVID-19 information please go to <https://www.newarkunified.org/covid-19> or <https://www.acoe.org/guidance>

OBSERVE THE BOARD OF EDUCATION MEETING

Members of the public 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.

PUBLIC COMMENT

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

Roll Call

Type Procedural

Trustees:

President Bowen Zhang

Vice President/Clerk Phuong Nguyen

Member Aiden Hill

Member Terrence Grindall

Member Alicia Marquez

Student Board Member:

Member Estaina Resendiz Ortiz

2 APPROVAL OF AGENDA

Approval of the Agenda

Type Action

Recommended It is recommended that the Board of Education approve the agenda for this meeting.

Action

Purpose:

Members of the Governance Team may request that the agenda be amended or approved as presented.

Motion & Voting

It is recommended that the Board of Education approve the agenda for this meeting.

Motion by Alicia Marquez, second by Bowen Zhang.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang

Not Present at Vote: Estaina Resendiz-Ortiz

3 CLOSED SESSION

Public Comment on Closed Session Items

Type Information

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board. If a constituent wishes to address the Board on any agenda item, please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org.

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE (Gov. Code, 54957, subd. (b)(1))

Type Action, Information, Procedural

Purpose:

Information will be provided by the Superintendent and Executive Director of Human Resources.

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a): Employee Organizations - NTA and CSEA

Type Action, Information, Procedural

Purpose:

Information may be provided by the agency negotiator, Executive Director of Human Resources. Assistance from the legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided. The employee organizations include NTA & CSEA.

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a)): Employee Group - NEWMA, Unrepresented Supervisors, and Contracted Management [Chief Business Official]

Type Action, Information, Procedural

Purpose:

Information may be provided by the agency negotiator, the Executive Director of Human Resources, and the Superintendent. Assistance from legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided. The employee organizations include NEWMA, Unrepresented Supervisors, and Contracted Management

CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION Significant exposure to litigation pursuant to Gov. Code, 54956.9, subd. (d)[(2) or (3)]

Type Action, Information, Procedural

Purpose:

Information may be provided regarding significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: One Case

CONFERENCE WITH LEGAL COUNSEL EXISTING LITIGATION (Gov. Code, 54956.9, subd. (d)(1))

Type Action, Information, Procedural

Purpose:

To discuss the following case(s): Bretz vs Newark Unified School District Keenan Claim # 569505

STUDENT EXPULSION (Ed. Code, 48918)

Type Information

Purpose:

For the Board to review the Stipulation Expulsion Agreement.

Background:

A Stipulation Expulsion Agreement meeting was held on Friday, February 28, 2022. This Stipulation Expulsion Meeting was conducted in accordance with Board Policy and Administrative Regulation 5144.1 and, if applicable, 5144.2 for students with disabilities. The administration asks for approval of the recommendation for Case# e2122-17. (Ed Code. 48918).

Recess to Closed Session

Type Procedural

Purpose:

The Board will recess to Closed Session, and reconvene to Open Session on or about 7:00 p.m.

4 RECONVENE TO OPEN SESSION

Pledge of Allegiance

Type Procedural

Purpose:

The Governance Team will recite the Pledge of Allegiance

5 REPORT OF CLOSED SESSION ACTIONS

Report of Closed Session Actions

Type Action, Procedural

Purpose:

If available, a report of the closed session will be provided by the Board President.

6 STUDENT REPORT

Student Reports from Newark Junior High School, Alternative Education, and Newark Memorial High School

Type Discussion, Information

Purpose:

At regular Board of Education meetings, a spokesperson of each secondary school may make a brief presentation. Discussion items may include updates, celebrations, and upcoming events.

1. Newark Junior High School - Mohammed Lulu and Poorvi Sharma
2. Alternative Education - Alexis Blanco-Barron
3. Newark Memorial High School - Estaina Resendiz-Ortiz

7 RECOGNITIONS AND CELEBRATIONS

Staff Spotlight

Type Information

Purpose:

To recognize the wonderful accomplishments of our NUSD Team.

Background:

The presentation will be provided by the Superintendent.

8 PUBLIC COMMENT ON NON-AGENDA ITEMS

Public Comment on Non-Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

9 EMPLOYEE ORGANIZATIONS

Employee Organizations

Type Information

Purpose:

At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Background:

Discussion items are limited to updates, celebrations, and upcoming events.

- 1. NTA: President, Sean Abruzzi
- 2. CSEA: President, Sue Eustice
- 3. NEWMA: President, Vicenta Ditto

10 SUPERINTENDENT REPORT

Superintendent Report

Type Information

Purpose:

The superintendent will provide the Board of Education with district information, updates, news, or anything in the jurisdiction of the board or the superintendent.

Background:

The presentation and information will be provided by the Superintendent

11 STAFF REPORT

Governor's Proposed 2022-2023 Budget

Type Information

Purpose:

The Chief Business Official will update the Board on the Governor's proposed State budget for 2022-2023.

Background:

On or around January 10, 2022, the Governor released his proposed 2022-23 State of California Budget. On January 21, 2022, School Services of California (SSC) presented the impact of the Governor's Budget on K-12 education. Capitol Advisors Group also presented their perspective on the Governor's budget on January 19, 2022. This report will highlight the information presented by the Governor's Office, SSC and Capitol Advisors Group.

12 STUDENT EXPULSION

Expulsion Stipulation for e2122-17

Type Action

Recommended Action The recommendation is that the Board of Education approve the Expulsion Stipulation Agreement.

Purpose:

For the Board to review and approve the Stipulation Expulsion Agreement.

Background:

A Stipulation Expulsion Agreement meeting was held on Friday, February 28, 2022. This Stipulation Expulsion Meeting was conducted in accordance with Board Policy and Administrative Regulation 5144.1 and, if applicable, 5144.2 for students with disabilities. The administration asks for approval of the recommendation for Case# e2122-17. (Ed Code. 48918).

Motion & Voting

The recommendation is that the Board of Education approve the Expulsion Stipulation Agreement.

Motion by Bowen Zhang, second by Alicia Marquez.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang

Abstain: Estaina Resendiz-Ortiz

13 NEW BUSINESS

Expanded Learning Opportunities Program Plan

Type Action

Dollar Amount \$1,083,491.00
Budget Source ELOP
Recommended Action The recommendation is that the Board of Education approve the Expanded Learning Opportunities Program (ELO-P) Plan.

Purpose: As part of the State's release of ELO-P funds, we must develop a program plan as required by EC Section 46120(b)(2). In this program plan, LEAs will describe program activities that support the whole child, and students' Social and Emotional Learning (SEL) and development. This Program Plan needs to be approved by the LEA's Governing Board in a public meeting and posted on the LEA's website.

Background: The Expanded Learning Opportunities Program provides funding for afterschool and summer school enrichment programs for transitional kindergarten through sixth grade. The Expanded Learning Division adopted the Quality Standards for Expanded Learning in California (Quality Standards) and introduced requirements for Continuous Quality Improvement (CQI) to help programs engage in reflection and be intentional about program management practices and activities delivered to students. To create the program plan, provide a narrative description in response to the prompts listed under each Quality Standard below. The LEA may customize and include additional prompts, such as describing SEL activities, or refining the plan. In addition to the narrative response, it may be useful to include tables, charts, or other visual representations that contribute to the understanding of the ELO-P. LEAs are encouraged to download and reference the Quality Standards in order to provide ongoing improvements to the program. The Quality Standards can be found on the California Department of Education's (CDE) Quality Standards and CQI web page, located at https://www.cde.ca.gov/ls/ex/qualstandcqi.asp.

File Attachments
NUSD ELO-P Plan 2022.pdf (743 KB)
NUSD ELO-P Plan 2022_REVISIED.pdf (743 KB)

Motion & Voting
The recommendation is that the Board of Education approve the Expanded Learning Opportunities Program (ELO-P) Plan.
Motion by Bowen Zhang, second by Terrence Grindall.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang, Estaina Resendiz-Ortiz

14 CONSENT AGENDA: PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type Action
Recommended Action It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent-Personnel, except for agenda items:

Purpose: (This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.)

Background: Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Motion & Voting
It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent-Personnel.
Motion by Bowen Zhang, second by Alicia Marquez.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang
Abstain: Estaina Resendiz-Ortiz

Personnel Report

Type Action
Absolute Date Feb 03, 2022
Recommended Action The recommendation is that the Board of Education ratify the personnel report as presented.
All personnel activities including new hires, changes in status, resignation, leaves, and retirements are routinely submitted to the Board for ratification.

File Attachments
HR PAL 02-03-2022.pdf (143 KB)

Resolution No. 2021.22.22 Criteria for Determining Order of Seniority for Employees with the Same Date of First Paid Service

Type Action
Absolute Date Feb 03, 2022

Recommended Action The recommendation is that the Board of Education approve Resolution No. 2021.22.22 - Criteria for Determining Order of Seniority for Employees with the Same Date of First Paid Service

Purpose:

For the Board to approve Resolution 2021.22.22 so that a criteria for determining order of seniority for employees with the same date of first paid service is established.

Background:

Resolution No. 2021.22.22 is presented to determine "tie-breaking" criteria for certificated employees with the same date of first paid service in the district. In the event of certificated layoffs, this criteria will be used to establish the order of layoffs for those with the same seniority date.

File Attachments

[Tie Breaking Res 02.03.2022.pdf](#) (67 KB)

15 CONSENT AGENDA: NON-PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type Action

Recommended Action It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent Non-Personnel, except for agenda items:

Purpose:

This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:

Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Motion & Voting

It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent Non-Personnel, except for agenda items: 15.3 and 15.5.

Motion by Bowen Zhang, second by Terrence Grindall.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang, Estaina Resendiz-Ortiz

Curricular, Overnight Trip for Lincoln Elementary fifth and sixth-grade class to travel to Scotts Valley, CA.

Type Action

Preferred Date Feb 03, 2022

Fiscal Impact No

Dollar Amount \$11,070.00

Budgeted Yes

Recommended Action The recommendation is that the Board of Education approve the overnight trip for Lincoln Elementary fifth and sixth-grade class to Scotts Valley, CA.

Purpose:

The Lincoln Elementary community requests permission to take fifth and sixth-grade students on a curricular, overnight field trip. Students will travel to Scotts Creek, CA for an outdoor science education camp. Transportation will be by district bus. Students will study content standards in ecology, resources, ecosystems, and conservation while experiencing team building with their peers.

School: Lincoln Elementary

Dates: February 22-25, 2022

Location: Scotts Valley, CA

Chaperones for Science Camp:

The ratio of adults to students on school-sponsored trips shall be based on the following formula:

K-3 1 adult for every 5-8 students

4-9 1 adult for every 10 students

10-12 1 adult for every 10 students where strict supervision is required (tours, theaters, etc.)

Overnight trip supervision must be gender appropriate. However, in the event that the supervisors, who stay overnight in proximity to students, are of a gender other than that group of campers, adequate planning, and preparation of campers and the physical arrangements of the camp shall be made to ensure optimal safety and privacy of students (AR 6153).

No student will be denied due to a lack of funds.

Background:

According to Board Policy, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. The site principal and sixth-grade teachers request permission to take students on an overnight curricular trip to attend an outdoor education/science camp program that is articulated with grade level curriculum. The programs are taught by credentialed staff members and camp staff and are viewed by the sites as a valuable part of the students' educational experience.

School Accountability Report Cards

Type	Action
Preferred Date	Feb 03, 2022
Fiscal Impact	No
Recommended Action	The recommendation is that the Board of Education approve the School Accountability Report Cards.

Purpose:

All public schools are required to prepare and disseminate a Student Accountability Report Card (SARC) for the primary purpose of providing parents with data and information to make meaningful comparisons between schools. Specific items are required to be reported in the following categories: demographic information, school safety and climate for learning, academic data, school completion, class size, teacher and staff information, curriculum and instruction, and postsecondary preparation. Due to the pandemic, the California Department of Education has confirmed that for some categories the most recent data available will be from the 2019-20 school year.

Background:

All public schools in California are required annually to prepare Student Accountability Report Cards (SARCs) and disseminate them to the public. SARCs are intended to provide the public with important information about each public school and to communicate a school's progress in achieving its goals.

File Attachments

- [Birch Grove Intermediate SARC.pdf](#) (1,327 KB)
- [Birch Grove Primary SARC.pdf](#) (1,481 KB)
- [Bridgepoint High School SARC.pdf](#) (1,317 KB)
- [Coyote Hills SARC.pdf](#) (1,483 KB)
- [Crossroads SARC.pdf](#) (1,320 KB)
- [E. L. Musick Elementary SARC.pdf](#) (1,355 KB)
- [Kennedy Elementary SARC.pdf](#) (1,487 KB)
- [Lincoln Elementary SARC.pdf](#) (1,397 KB)
- [Newark Junior High School SARC.pdf](#) (1,512 KB)
- [Newark Memorial High SARC.pdf](#) (1,526 KB)
- [Schilling Elementary SARC.pdf](#) (1,436 KB)

Motion & Voting

The recommendation is that the Board of Education approve the School Accountability Report Cards.

Motion by Terrence Grindall, second by Bowen Zhang.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang, Estaina Resendiz-Ortiz

Monthly Purchase Order Report

Type	Action
Recommended Action	The recommendation is that the Board of Education approve the Monthly Purchase Order Report as presented.

Purpose:

The purpose of this item is to present a monthly report on Purchase Order transactions per Board Policy 3300, Expenditures and Purchases.

Background:

Based on the discussion at the Board's Study Session on January 6, 2022, staff is providing a monthly report on Purchase Order transactions per Board Policy 3300, Expenditures and Purchases. The policy states that "The Board shall review all transactions entered into by the Superintendent or designee on behalf of the Board every 60 days."

File Attachments

- [Monthly Purchase Order Report_02-03-2022.pdf](#) (74 KB)

Contracts and Purchase Orders Authorized under Resolution 2020.21-025 (Delegate Authority to Procure Necessary Materials, Equipment and Services to Provide Distance and/or In-Person Learning for Staff, Teachers, and Students to Mitigate the Effects of Covid-19)

Type	Action
Fiscal Impact	Yes
Budgeted	Yes
Recommended Action	The recommendation is that the Board of Education accept the update on costs associated with the implementation of Resolution 2020.21-025 (Resolution of the Board of Education of the Newark Unified School District to Delegate Authority to Procure Necessary Materials, Equipment and Services to Provide Distance and/or In-Person Learning for Staff, Teachers, and Students to Mitigate the Effects of Covid-19)

Purpose:

To update the Board on costs associated with the implementation of Resolution 2020.21-025 (Resolution of the Board of Education of the Newark Unified School District to Delegate Authority to Procure Necessary Materials, Equipment and Services to Provide Distance and/or In-Person Learning for Staff, Teachers, and Students to Mitigate the Effects of Covid-19) from January 1, 2022 through January 31, 2022.

Background:

On April 1, 2021, the Newark Unified School District Board approved Resolution 2020.21-025 delegating authority to the Superintendent or designee to procure necessary materials, equipment, and services that are needed to provide distance and/or in-person learning to mitigate the effects of Covid-19. Language in the resolution states "the Superintendent/Designee shall make periodic reports to the Board of Education and the public regarding implementation of this resolution and the costs associated therewith"; requiring the update provided here.

On September 16, 2021 Amended Resolution 2020.21-025 was approved. The amendment extends it to on or around June 30, 2022 and states that updates will be presented at the first Board meeting of each month.

Updates have been provided to the Board as follows:

June 17, 2021 for contracts and purchase orders between April 2, 2021 and May 31, 2021
 October 7, 2021 for contracts and purchase orders between June 1, 2021 and September 30, 2021
 November 4, 2021 for contracts and purchase orders between October 1, 2021 and October 31, 2021
 December 2, 2021 for contracts and purchase orders between November 1, 2021 and November 30, 2021
 January 6, 2022 for contracts and purchase orders between December 1, 2021 and December 31, 2021

VENDOR	PO NUMBER	DESCRIPTION	AMOUNT
Syserco	P22-00057	TAB (Testing and Air Balancing) Project- Change Order #3	\$11,486.00

File Attachments

[Syserco_TAB-Deficiencies Remediation_Change Order 3_fully executed.pdf](#) (77 KB)

Motion & Voting

The recommendation is that the Board of Education accept the update on costs associated with the implementation of Resolution 2020.21-025 (Resolution of the Board of Education of the Newark Unified School District to Delegate Authority to Procure Necessary Materials, Equipment and Services to Provide Distance and/or In-Person Learning for Staff, Teachers, and Students to Mitigate the Effects of Covid-19)

Motion by Bowen Zhang, second by Alicia Marquez.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Alicia Marquez, Bowen Zhang, Estaina Resendiz-Ortiz

Nay: Aiden Hill

Minutes of the January 20, 2022 Special Meeting of the Board of Education

Type Action, Minutes

Recommended The recommendation is that the Board of Education approve the minutes of January 20, 2022,
Action Special Meeting of the Board of Education.

Purpose:

For the board to review and approve the minutes

Background:

The attached minutes are reflective of the January 20, 2022, Special Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel [HERE](#)

16 BOARD OF EDUCATION: COMMITTEE REPORTS, REQUESTS, AND ANNOUNCEMENTS

Board of Education Recognitions and Announcements

Type Information

Purpose:

The Trustees may acknowledge or recognize specific programs, activities, or personnel at this time.

Board of Education Committee Reports

Type Information

Purpose:

The Trustees will provide an update, if available, on the committees of which they are members.

Background:

Each year the Board of Education members liaise with schools and committees in order to build relationships, hear from staff, students, and families, and act as a conduit for information to and from the schools.

Board Committees 2020-21

Board Adopted on 12/16/21	Representative	Alternate
Mission Valley Regional Occupational Center/Program Executive Board	1. Terrence	(ROC/P)Grindall1. Bowen Zhang
Regional Policy Board of Special Education Local Plan Area (SELPA)	1. Bowen Zhang	1. Alicia Marquez
Newark Teacher Induction Advisory Council (Formally EBIC)	1. Alicia Marquez	1. Aiden Hill
Audit Committee	1. Alicia Marquez	1. Terrence2. Aiden HillGrindall
Bond/Parcel Tax Committee	1. Terrence	Grindall2. Phuong 1. Bowen Zhang
	Nguyen	

City of Newark NUSD Liaison Committee 1. Phuong Nguyen Grindall 2. Terrence 1. Bowen Zhang

Board of Education Requests

Type Action, Discussion, Information

Purpose: This is an opportunity for the Board of Education to suggest items for placement on future agendas and to review Board requests. Approval from the majority of the Board will be required for direction to be provided to the Superintendent.

Background: The following derives directly from the Board approved "Governance Team Handbook" Authority is Collective, Not Individual: The only authority to direct action rests with the Board as a whole when seated at a regular or special board meeting. Outside of this meeting, there is no authority. A majority Board vote provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction. Bringing New Ideas Forward The Board will be open to having "brainstorming" discussions, or study sessions, around any idea that a Trustee may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Trustee, at their initiative or at the request of a constituent, which was previously discussed during a board meeting. Trustees will first notify the Board President and Superintendent of their interest in bringing forward a new idea at a board meeting. When initially agendized, the preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge. Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea. The Superintendent will decide on the delegation of assignments to District staff. The new idea may be agendized for discussion only. The Board majority will decide if the new idea should be further developed and studied by staff. The Board majority will decide if staff time should be invested in the "fleshing out" of new ideas. Individual Trustees, in the course of interactions with constituents, will be careful not to make or imply the commitment of the full Board to explore or proceed with implementing new ideas.

17 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

Superintendent's Concluding Comments, Updates, and Future Agenda Items

AGENDA REQUESTS

Type Information

Purpose: This is an opportunity for the Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

18 ADJOURNMENT

PLACEHOLDER - Extend Meeting

Type Action Recommended Action The recommendation is that the Board of Education extends the meeting to ____ P.M.

Purpose: This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

Adjournment

Type Action, Procedural Recommended Action The recommendation is that the Board of Education adjourns this meeting.

Purpose: No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time. This action will conclude the meeting.

Motion & Voting The recommendation is that the Board of Education adjourns this meeting. Motion by Bowen Zhang, second by Alicia Marquez. Final Resolution: Motion Carries

1 CALL TO ORDER

Meeting Practices and Information

Type Information, Procedural
IN-PERSON MEETING INFORMATION

NUSD has opened its boardroom for in-person meetings and will follow the State's and Alameda County's safety guidelines for public gatherings. Please refrain from attending in-person meetings if you have any of the following symptoms:

- Loss of taste/smell
- Difficulty breathing
- Vomiting
- Diarrhea
- Fever
- Cough
- Headache
- Sore Throat
- Runny Nose

For additional COVID-19 information please go to <https://www.newarkunified.org/covid-19> or <https://www.acoe.org/guidance>

OBSERVE THE BOARD OF EDUCATION MEETING

Members of the public 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.

PUBLIC COMMENT

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

Roll Call

Type Procedural

Trustees:

- President Bowen Zhang
- Vice President/Clerk Phuong Nguyen
- Member Aiden Hill
- Member Terrence Grindall
- Member Alicia Marquez

Student Board Member:

- Member Estaina Resendiz Ortiz

2 APPROVAL OF AGENDA

Approval of the Agenda

Type Action
Recommended Action It is recommended that the Board of Education approve the agenda for this meeting.

Purpose: Members of the Governance Team may request that the agenda be amended or approved as presented.

Motion & Voting

It is recommended that the Board of Education approve the agenda for this meeting, with the amendment to move agenda items 4.1 and 7.1 right after the agenda item 2.1.

Motion by Terrence Grindall, second by Bowen Zhang.

Final Resolution: Motion Carries

Yea: Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang, Estaina Resendiz-Ortiz

3 CLOSED SESSION

Public Comment on Closed Session Items

Type Information

Purpose: The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board. If a constituent wishes to address the Board on any agenda item, please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org.

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE (Gov. Code, 54957, subd. (b)(1))

Type Action, Information, Procedural

Purpose:
Information will be provided by the Superintendent and Executive Director of Human Resources.

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a): Employee Organizations - NTA and CSEA

Type Action, Information, Procedural

Purpose:
Information may be provided by the agency negotiator, Executive Director of Human Resources. Assistance from the legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided.
The employee organizations include NTA & CSEA.

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a)): Employee Group - NEWMA, Unrepresented Supervisors, and Contracted Management [Chief Business Official]

Type Action, Information, Procedural

Purpose:
Information may be provided by the agency negotiator, the Executive Director of Human Resources, and the Superintendent. Assistance from legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided.
The employee organizations include NEWMA, Unrepresented Supervisors, and Contracted Management

CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION Significant exposure to litigation pursuant to Gov. Code, 54956.9, subd. (d)[(2) or (3)]

Type Action, Information, Procedural

Purpose:
Information may be provided regarding significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: One case

CONFERENCE WITH LEGAL COUNSEL EXISTING LITIGATION (Gov. Code, 54956.9, subd. (d)(1))

Type Action, Information, Procedural

Purpose:
To discuss the following case(s): Bretz vs Newark Unified School District Keenan Claim # 569505

Recess to Closed Session

Type Procedural

Purpose:
The Board will recess to Closed Session, and reconvene to Open Session on or about 7:00 p.m.

4 RECONVENE TO OPEN SESSION

Pledge of Allegiance

Type Procedural

Purpose:
The Governance Team will recite the Pledge of Allegiance

5 REPORT OF CLOSED SESSION ACTIONS

Report of Closed Session Actions

Type Action, Procedural

Purpose:
If available, a report of the closed session will be provided by the Board President.

6 EMPLOYEE ORGANIZATIONS

Employee Organizations

Type Information

Purpose:

At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Background:

Discussion items are limited to updates, celebrations, and upcoming events.

1. NTA: Sean Abruzzi
2. CSEA: Sue Eustice
3. NEWMA: Vicenta Ditto

7 RECOGNITIONS AND CELEBRATIONS

School Spotlight: Kennedy Elementary

Type Information

Purpose:

The School Spotlight gives the Board of Education and the public an opportunity to hear the highlights, achievements, and initiatives at each school directly from the principals.

Background:

The presentation and information will be provided by the Kennedy Elementary Principal, Jaime Soria

8 PUBLIC COMMENT ON NON-AGENDA ITEMS

Public Comment on Non-Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

9 SUPERINTENDENT REPORT

Superintendent Report

Type Information

Purpose:

The superintendent will provide the Board of Education with district information, updates, news, or anything in the jurisdiction of the board or the superintendent.

Background:

The presentation and information will be provided by the Superintendent

10 STAFF REPORT

Math Progressions

Type Information

Purpose:

The purpose of this presentation is to provide the NUSD Board of Education with the rationale for addressing and updating the progression of mathematics courses offered in grades 6-12 in NUSD. The presentation will also detail steps taken to engage with staff and community members to receive input in order to craft this plan. The articulated mathematics progression for the secondary level is aligned with the California Department of Education's newly proposed Mathematics Framework, the Common Core State Standards, and meets college and university admissions expectations, including those outlined by the UC and CSU systems.

Background:

The State Board of Education last adopted a Mathematics Framework in 2013 in anticipation of the Common Core State

Standards. The state now has a new Mathematics Framework that is set to be adopted in July of 2022. Partnerships between the state board of education and college and university systems have outlined new guidelines and recommendations for a progression of secondary mathematics courses to specifically support and prepare students in grades 6-12. During these years, Newark Unified School District has not updated its articulation of a progression of mathematics courses at the secondary level and is, therefore, not aligned with the state's Mathematics Framework. Through engagement with the NUSD community, NUSD mathematics departments, and the Board of Education, Educational Services aims to improve alignment of secondary mathematics courses, effective for the 2022-23 school year.

File Attachments

Math Progressions 1.20.22.pdf (959 KB)

Update on NUSD Environmental Literacy Plan

Type Information

Purpose:

Share progress on the development of one component of the STEM Initiative: Environmental Literacy.

Background:

In 2020-2021 the NUSD Environmental Literacy Vision was developed by the Science District Leadership Team, (which consisted of Science teacher leaders, district administrators, principals, local community organizations, and our Bay Sci partners) and presented to the Board of Education. This vision is now an integral part of the growing comprehensive plan. This draft NUSD Environmental Literacy Plan is in alignment with the district and the Superintendent's goals and delineates the curriculum, resources, classroom, and extra-curricular activities for students TK- 12.

File Attachments

BOE Newark USD Environmental Literacy Plan 21-22.pdf (492 KB)

BOE Update on Environmental Literacy.pdf (8,491 KB)

Letter from the Alameda County Office of Education Regarding the 2021-22 First Interim Budget Report

Type Information

Purpose:

The Chief Business Official will review the letter from the Alameda County Office of Education (ACOE) regarding the Newark Unified School District (NUSD) 2021-22 First Interim Budget Report.

Background:

The Governing Board approved a POSITIVE Certification of NUSD's First Interim Budget Report on December 6, 2021. The district subsequently submitted the report to ACOE, as required, for their review and analysis. In accordance with Education Code (EC) Section 42131, ACOE reviewed the First Interim Budget Report based on standards and criteria for fiscal stability adopted by the State Board of Education pursuant to EC Section 33127. Based on ACOE's review and analysis, the 2021-22 First Interim Budget Report approved by NUSD's Board of Education on December 6, 2021, accurately reflects the financial status of the District. ACOE, therefore, concurs with NUSD's POSITIVE certification with comments.

File Attachments

ACOE_Newark 2021-22 First Interim Board Letter_Final_.pdf (276 KB)

11 NEW BUSINESS

Variable Term Waiver for 30-Day Substitute California Basic Skills Test (CBEST)

Type Action

Absolute Date Jan 20, 2022

Recommended Action The recommendation is that the Board of Education approve the Variable Term Waiver for 30-Day Substitute California Basic Skills Test (CBEST).

Background:

The Newark Unified School District has experienced a shortage of substitute teachers over the past few years. The California Commission on Teacher Credentialing is allowing districts to temporarily waive the CBEST exam requirement for substitute teachers. The district-wide waiver would be for a maximum of one calendar year. In order to request a Variable Term Waiver for 30-Day Substitute Basic Skills Test (CBEST) from the California Commission on Teacher Credentialing, the District must provide public notice and obtain the approval of the Board of Education.

Purpose:

To help increase the substitute teacher pool, we are requesting Board approval of a waiver for the CBEST requirement for substitute teaching. This will allow us to hire substitutes who have not yet taken and/or passed the CBEST during the one-year term of the waiver.

Motion & Voting

The recommendation is that the Board of Education approve the Variable Term Waiver for 30-Day Substitute California Basic Skills Test (CBEST).

Motion by Bowen Zhang, second by Aiden Hill.

Final Resolution: Motion Carries
Yea: Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang, Estaina Resendiz-Ortiz

Tile Art Mural at Kennedy Elementary

Type Action
Recommended The recommendation is that the Board of Education approve the installation of a Tile Art
Action Mural at Kennedy Elementary

Purpose:
To obtain Board approval to create a tile mural at Kennedy Elementary, to be created by students and placed on the external wall of the school building in order to beautify the school facility.

Background:
Murals provide a sense of community, school spirit, and pride to the campus. The proposed tile mural, displaying colored, ceramic tile "footprints" made by Kennedy students, will add to the aesthetic of the school for years to come. The tile mural project is made possible through a generous grant awarded to Kennedy Elementary by the Rotary Club of Newark, which is covering the cost of supplies and materials. The project is also being made possible by the in-kind donation of two Kennedy community members who will partner with teachers and school leadership to facilitate the student creation of the mural.

File Attachments
[Proposal for Kennedy Elementary Tile Mural.pdf](#) (1,054 KB)

Motion & Voting
The recommendation is that the Board of Education approve the installation of a Tile Art Mural at Kennedy Elementary
Motion by Bowen Zhang, second by Aiden Hill.
Final Resolution: Motion Carries
Yea: Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang, Estaina Resendiz-Ortiz

12 CONSENT AGENDA: PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type Action
Recommended It is recommended that the Board of Education approve, under one consented vote, the
Action agenda items under Consent-Personnel, except for agenda items:

Purpose:
This is a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:
Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Personnel Report

Type Action
Absolute Date Jan 20, 2022
Recommended The recommendation is that the Board of Education ratify the personnel report as
Action presented.

Purpose:
All personnel activities including new hires, changes in status, resignation, leaves, and retirements are routinely submitted to the Board for ratification.

File Attachments
[HR PAL 01-20-2022.pdf](#) (374 KB)

Motion & Voting
The recommendation is that the Board of Education ratify the personnel report as presented.
Motion by Bowen Zhang, second by Aiden Hill.
Final Resolution: Motion Carries
Yea: Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang
Abstain: Estaina Resendiz-Ortiz

13 CONSENT AGENDA: NON-PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type Action
Recommended It is recommended that the Board of Education approve, under one consented vote, the
Action agenda items under Consent Non-Personnel, except for agenda items:

Purpose:

This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:

Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Motion & Voting

It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent Non-Personnel, except for agenda items: 13.6, 13.8 and 13.9

Motion by Bowen Zhang, second by Estaina Resendiz-Ortiz.

Final Resolution: Motion Carries

Yea: Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang, Estaina Resendiz-Ortiz

Curricular, Overnight Trip for Birch Grove Intermediate fifth-grade class to travel to Boulder Creek, CA.

Type	Action
Absolute Date	Jan 20, 2022
Fiscal Impact	No
Budgeted	No
Recommended	The recommendation is that the Board of Education approve the Birch Grove Intermediate
Action	fifth-grade class travel to Boulder Creek, CA.

Purpose:

The Birch Grove Intermediate community requests permission to take fifth-grade students on a curricular, overnight field trip. Students will travel to Scotts Creek, CA for an outdoor science education camp. Transportation will be by district bus. Students will study content standards in ecology, resources, ecosystems, and conservation while experiencing team building with their peers.

School: Birch Grove Intermediate

Dates: February 22-25, 2022

Location: Boulder Creek, CA

Chaperones for Science Camp

Camp only allows two (2) teachers from school to attend. Camp must ensure that camp staff provides adequate supervision (AR 6153).

Teachers and the bus driver meet requirements for bus transportation.

Overnight trip supervision must be gender appropriate. However, in the event that the supervisors, who stay overnight in proximity to students, are of a gender other than that group of campers, adequate planning, and preparation of campers and the physical arrangements of the camp shall be made to ensure optimal safety and privacy of students (AR 6153).

No student will be denied due to a lack of funds.

Background:

According to Board Policy, all trips in excess of 100 miles, non-curricular trips and overnight trips require Board approval. The site principal and fifth-grade teachers request permission to take students on an overnight curricular trip to attend an outdoor education/science camp program that is articulated with grade level curriculum. The programs are taught by credentialed staff members and camp staff and are viewed by the sites as a valuable part of the students' educational experience.

Curricular, Overnight Trip for Birch Grove Intermediate sixth-grade class to travel to Boulder Creek, CA.

Type	Action
Absolute Date	Jan 20, 2022
Fiscal Impact	No
Budgeted	No
Recommended	The recommendation is that the Board of Education approve the overnight trip for Birch
Action	Grove Intermediate sixth-grade class to Boulder Creek, CA.

Purpose:

The Birch Grove Intermediate community requests permission to take sixth-grade students on a curricular, overnight field trip. Students will travel to Scotts Creek, CA for an outdoor science education camp. Transportation will be by district bus. Students will study content standards in ecology, resources, ecosystems, and conservation while experiencing team building with their peers.

School: Birch Grove Intermediate

Dates: May 10-13, 2022

Location: Boulder Creek, CA

Chaperones for Science Camp

Camp only allows two (2) teachers from school to attend. Camp must ensure that camp staff provides adequate supervision (AR 6153).

Teachers and the bus driver meet the requirements for bus transportation.

Overnight trip supervision must be gender appropriate. However, in the event that the supervisors, who stay overnight in proximity to students, are of a gender other than that group of campers, adequate planning, and preparation of campers and the physical arrangements of the camp shall be made to ensure optimal safety and privacy of students (AR 6153).

No student will be denied due to a lack of funds.

Background:

According to Board Policy, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. The site principal and sixth-grade teachers request permission to take students on an overnight curricular trip to attend an outdoor education/science camp program that is articulated with grade level curriculum. The programs are taught by credentialed staff members and camp staff and are viewed by the sites as a valuable part of the students' educational experience.

Athletic Trip, Overnight, One-Way Distance Over 125 Miles Field Trip: Newark Memorial HS Cheerleading Team to Anaheim,

Type	Action
Preferred Date	Jan 20, 2022
Fiscal Impact	No
Budgeted	No
Recommended Action	The recommendation is that the Board of Education approve NMHS Cheerleading Team to travel to Anaheim, CA for Nationals.

Purpose:

The NMHS Principal and Cheer Coach request permission to take students on an athletic and overnight trip to Anaheim, CA to compete at USA Spirit Nationals.

Our Cheerleading Team has qualified to compete in Nationals.

Date: February 25-27

Location: Anaheim Convention Center/Disneyland, Anaheim, CA

Requirements met:

Grade K-3, one adult for every 5-8 students; Grades 4-12, one adult for every 10 students; Board Policy requires at least two adults on every trip regardless of the number of students (BP 6153 and AR 6153)

Overnight trip supervision must be gender appropriate

No student will be denied due to a lack of funds

Background:

According to Board Policy 6153, all trips in excess of 125 miles, athletic trips, and overnight trips require Board approval. Newark Memorial High School Principal and Cheer Coach request permission to take the cheerleading team on an athletic trip to Anaheim, CA.

Non-Curricular, Overnight, One-Way Distance Over 100 Miles Field Trip: Newark Memorial HS to Anaheim, CA

Type	Action
Preferred Date	Jan 20, 2022
Fiscal Impact	No
Dollar Amount	\$91,235.22
Budgeted	Yes
Budget Source	ASB Funds
Recommended Action	The recommendation is that the Board of Education approve NMHS Class of 2022 students to travel to Anaheim, CA for Grad Nite.

Purpose:

The NMHS Principal and Class of 2022 request permission to take students on a non-curricular, overnight trip to Anaheim, CA for the annual Grad Nite event.

Grad Nite is for the Class of 2022 to experience a lifetime memory with their classmates. Students will travel by chartered bus set up by MOT and travel with the required amount of chaperones needed for this trip.

School: Newark Memorial

Date: May 20-22, 2022

Location: Anaheim, CA

Requirements met:

Grade K-3, one adult for every 5-8 students; Grades 4-12, one adult for every 10 students; Board Policy requires at least two adults on every trip regardless of the number of students (BP 6153 and AR 6153)

Overnight trip supervision must be gender appropriate

No student will be denied due to a lack of funds

Background:

According to Board Policy 6153, all trips in excess of 100 miles, non-curricular trips, and overnight trips require Board approval. Newark Memorial High School Principal and staff request permission to take Class of 2022 seniors on a non-curricular trip that will include transportation by chartered bus to Anaheim, CA.

Resolution 2021.22.20 Notice of Completion of Newark Jr High Stairs Project

Type	Action
Recommended Action	The recommendation is that the Board of Education approve Resolution No. 2021.22.20 and authorize the filing of Notice of Completion (NOC) with the County Recorder of Alameda County for Newark Jr High stair improvements and barrier removal work completed by Cal-Pacific Construction, Inc.

Purpose:

To authorize the filing of Notice Of Completion (NOC) with the County Recorder of Alameda County in order to start the 35-day

deadline for filing liens. At the end of 35 days, the retention will be released.

Background:

On June 17, 2021, the Board of Trustees awarded a contract to Cal-Pacific Construction Inc. for Stair Improvements and Barrier Removal at Newark Junior High School in the amount of \$631,700. On August 5, 2021, the Board of Trustees approved Change Order #1 in the amount of \$21,353.65 for irrigation, removal, and disposal of transit (asbestos) pipe. On October 7, 2021, the Board of Trustees approved Change Order #2 in the amount of \$232,032.70 for the replacement of Stair #2 due to unforeseen conditions for a total contract amount and final expenditure of \$884,386.35. All contract items, Punchlist, and project closeout items have been satisfied. Accordingly, Staff requests acceptance of the project which will allow filing a Notice of Completion with the County and permit the release of retention thirty-five (35) days after approval.

File Attachments

- Resolution 2021.22.20 NOC Newark Jr High Stairs.pdf (12 KB)
Notice of Completion-NJHS Stair.pdf (69 KB)

Motion & Voting

The recommendation is that the Board of Education approve Resolution No. 2021.22.20 and authorize the filing of Notice of Completion (NOC) with the County Recorder of Alameda County for Newark Jr High stair improvements and barrier removal work completed by Cal-Pacific Construction, Inc.

Motion by Bowen Zhang, second by Alicia Marquez.
Final Resolution: Motion Carries
Yea: Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang, Estaina Resendiz-Ortiz

Monthly Financial Reports - October, November, December 2021

Table with 2 columns: Type, Action. Row 1: Recommended, The recommendation is that the Board of Education approves the monthly financial reports as presented.

Purpose: The purpose is for the Board to review and approve the district's budget information as of October, November and December 2021.

Background: These reports show, by Fund, the year-to-date status of the district's budget including Revenues, Expenditures, and Fund Balance. For some months, these Monthly Financial Reports will be presented to the Board as a stand-alone agenda item. For other months, the budget information will be incorporated in the standard reports such as the First and Second Interim Financial Reports.

- File Attachments
Oct 2021 Financial Reports for Board.pdf (89 KB)
Nov 2021 Financial Reports for Board.pdf (89 KB)
Dec 2021 Financial Reports for Board.pdf (89 KB)

Quarterly Report on Contracts - FY 2021-22

Table with 2 columns: Type, Action. Rows include Fiscal Impact Budgeted (Yes), Budget Source (General Fund), Recommended (The recommendation is that the Board of Education ratify the contracts as presented on the Quarterly Report), and Action (Quarterly Report).

Purpose: These quarterly reports on contracts are submitted to the Board for review and ratification.

Background: The Board has requested a report of all professional services contracts over \$10,000 be reviewed by the Board on a quarterly basis. This report only includes contracts that have not been previously approved by the Board. Contracts are attached and on file in the Business Office.

- File Attachments
Q2 2021-22 Contracts.pdf (14 KB)
B22-00204 Duke DeLeon_redacted.pdf (60 KB)
Geoff Vu_2021-22_fully executed_redacted.pdf (146 KB)
CA IT in Education (CITE)_Tech Review Proposal_fully executed.pdf (570 KB)
Lasana O Hotep_2021-22_fully executed_redacted.pdf (812 KB)
P22-00716 Kramer Workplace Investigations_redacted.pdf (95 KB)
Sunbelt_21-22 Hard of Hearing_fully executed_redacted.pdf (1,426 KB)
One Access Medical Transportation_21-22_fully executed_redacted.pdf (98 KB)
Alameda County Behavioral Health Care Services_2017-07-01 to 2020-06-30_and ongoing_fully executed.pdf (837 KB)
Washington Township-DEVCO_NMHS Athletic Trainer_2019-22 and Amendment_fully executed.pdf (1,008 KB)
Janette Hernandez_ICA (Independent Contractor Agreement) Facilitation of Middle School Design_fully

[executed_redacted.pdf](#) (303 KB)
[Christine Keefe_21-22_fully executed_redacted.pdf](#) (462 KB)

Motion & Voting

The recommendation is that the Board of Education ratify the contracts as presented on the Quarterly Report

Motion by Bowen Zhang, second by Terrence Grindall.
Final Resolution: Motion Carries
Yea: Terrence Grindall, Alicia Marquez, Bowen Zhang, Estaina Resendiz-Ortiz
Nay: Aiden Hill

Warrant Report for December 2021

Type Action
Fiscal Impact No
Recommended Action The recommendation is that the Board of Education approve the Warrant Report as presented.

Purpose:
The purpose of this item is to present warrants, for the total amount of \$2,443,064.29, made from District funds for December 2021.

Background:
The warrant registers represent a complete listing of all payments made from District funds for a month. Because Newark Unified School District is a fiscally dependent District, each warrant must pass through two separate audits; first by the District's Fiscal Services department, and second by the County Office of Education. No warrant can be paid until such time as it is examined and approved by the County Office of Education.

File Attachments
[Warrant Report December 2021.pdf](#) (359 KB)

Motion & Voting

The recommendation is that the Board of Education approve the Warrant Report as presented.

Motion by Bowen Zhang, second by Terrence Grindall.
Final Resolution: Motion Carries
Yea: Terrence Grindall, Alicia Marquez, Bowen Zhang
Nay: Aiden Hill
Not Present at Vote: Estaina Resendiz-Ortiz

Williams Uniform Complaint Quarterly Report October 1, 2021 to December 31, 2021

Type Action
Preferred Date Jan 20, 2022
Absolute Date Jan 20, 2022
Recommended Action The recommendation is that the Board of Education approve the Williams Uniform Complaint Quarterly Report for the period of October 1, 2021 to December 31, 2021.

Purpose:
For the Board to receive and approve the Williams Uniform Complaint Quarterly Report for the period of October 1, 2021, to December 31, 2021.

Background:
Education Code 35186 requires that the Superintendent of a school district report summarized data on the nature and resolution of all complaints filed under the Williams Uniform Complaint Procedures to the local Board of Education and the County Superintendent of Schools on a quarterly basis. The report must include the number of complaints by general area, the number of resolved and unresolved complaints, and be publicly presented at a regularly scheduled Board meeting. The attached report is presented to the Board for the period of October 1, 2021 to December 31, 2021.

File Attachments
[Q322 UCP Report.pdf](#) (215 KB)

Minutes of the January 6, 2021 Regular Meeting of the Board of Education

Type Action, Minutes
Recommended Action The recommendation is that the Board of Education approve the minutes of January 6, 2021, Regular Meeting of the Board of Education.

Purpose:
For the board to review and approve the minutes

Background:
The attached minutes are reflective of the January 6, 2021, Regular Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel [HERE](#)

Board of Education Recognitions and Announcements

Type Information

Purpose:

The Trustees may acknowledge or recognize specific programs, activities, or personnel at this time.

Board of Education Committee Reports

Type Information

Purpose:

The Trustees will provide an update, if available, on the committees of which they are members.

Background:

Each year the Board of Education members liaise with schools and committees in order to build relationships, hear from staff, students, and families, and act as a conduit for information to and from the schools.

Board Committees 2020-21

Board Adopted on 12/16/21	Representative	Alternate
Mission Valley Regional Occupational Center/Program Executive Board	1. Terrence	1. Bowen Zhang
Regional Policy Board of Special Education Local Plan Area (SELPA)	1. Bowen Zhang	1. Alicia Marquez
Newark Teacher Induction Advisory Council (Formally EBIC)	1. Alicia Marquez	1. Aiden Hill
Audit Committee	1. Alicia Marquez	1. Terrence 2. Aiden Hill
Bond/Parcel Tax Committee	1. Terrence Grindall	2. Phuong 1. Bowen Zhang
City of Newark NUSD Liaison Committee	2. Terrence Grindall	1. Bowen Zhang

Board of Education Requests

Type Action, Discussion, Information

Purpose:

This is an opportunity for the Board of Education to suggest items for placement on future agendas and to review Board requests. Approval from the majority of the Board will be required for direction to be provided to the Superintendent.

Background:

The following derives directly from the Board approved "Governance Team Handbook"

Authority is Collective, Not Individual:

- The only authority to direct action rests with the Board as a whole when seated at a regular or special board meeting. Outside of this meeting, there is no authority.
- A majority Board vote provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction.

Bringing New Ideas Forward

The Board will be open to having "brainstorming" discussions, or study sessions, around any idea that a Trustee may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Trustee, at their initiative or at the request of a constituent, which was previously discussed during a board meeting.

Trustees will first notify the Board President and Superintendent of their interest in bringing forward a new idea at a board meeting.

When initially agendized, the preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.

Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea. The Superintendent will decide on the delegation of assignments to District staff.

The new idea may be agendized for discussion only. The Board majority will decide if the new idea should be further developed and studied by staff. The Board majority will decide if staff time should be invested in the "fleshing out" of new ideas.

Individual Trustees, in the course of interactions with constituents, will be careful not to make or imply the commitment of the full Board to explore or proceed with implementing new ideas.

15 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

Superintendent's Concluding Comments, Updates, and Future Agenda Items

FUTURE AGENDA REQUESTS

Type Information

Purpose:

This is an opportunity for the Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

16 ADJOURNMENT

PLACEHOLDER - Extend Meeting

Type Action

Recommended The recommendation is that the Board of Education extends the meeting to ____P.M.

Action

Purpose:

This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

Motion & Voting

The recommendation is that the Board of Education extends the meeting to 11:00 P.M.

Motion by Bowen Zhang, second by Terrence Grindall.

Final Resolution: Motion Carries

Yea: Terrence Grindall, Aiden Hill, Alicia Marquez, Bowen Zhang, Estaina Resendiz-Ortiz

Adjournment

Type Action, Procedural

Recommended The recommendation is that the Board of Education adjourns this meeting.

Action

Purpose:

No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time.

This action will conclude the meeting.

Motion & Voting

1 CALL TO ORDER

Meeting Practices and Information

Type Information, Procedural

IN-PERSON MEETING INFORMATION

NUSD has opened its boardroom for in-person meetings and will follow the State's and Alameda County's safety guidelines for public gatherings. Please refrain from attending in-person meetings if you have any of the following symptoms:

- Loss of taste/smell
- Difficulty breathing
- Vomiting
- Diarrhea
- Fever
- Cough
- Headache
- Sore Throat
- Runny Nose

For additional COVID-19 information please go to <https://www.newarkunified.org/covid-19> or <https://www.acoe.org/guidance>

OBSERVE THE BOARD OF EDUCATION MEETING

Members of the public 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.

PUBLIC COMMENT

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

Roll Call

Type Procedural

Trustees:

- President Bowen Zhang
- Vice President/Clerk Phuong Nguyen
- Member Aiden Hill
- Member Terrence Grindall
- Member Alicia Marquez

Student Board Member:

- Member Estaina Resendiz Ortiz

2 APPROVAL OF AGENDA

Approval of the Agenda

Type Action

Recommended Action It is recommended that the Board of Education approve the agenda for this meeting.

Purpose:

Members of the Governance Team may request that the agenda be amended or approved as presented.

Motion & Voting

It is recommended that the Board of Education approve the agenda for this meeting.

Motion by Bowen Zhang, second by Terrence Grindall.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Bowen Zhang

Not Present at Vote: Estaina Resendiz-Ortiz

3 STUDY SESSION

Board Policies on Purchasing and Contracts

Type Discussion, Information

Purpose:

To review Board Policies and Administrative Regulations related to purchasing and contracts.

Background:

Warrant Reports are provided to the Board on a monthly basis.

Contracts for professional services over \$10,000, but under one-half the current bid limit for purchases of equipment, materials or supplies, are reported to the Board on a quarterly basis.

Staff will provide an overview of the Board Policies and Administrative Regulations related to the Warrant and Contract Reports presented to the Board.

4 CLOSED SESSION

Public Comment on Closed Session Items

Type Information

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board. If a constituent wishes to address the Board on any agenda item, please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org.

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE (Gov. Code, 54957, subd. (b)(1))

Type Action, Information, Procedural

Purpose:

Information will be provided by the Superintendent and Executive Director of Human Resources.

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a): Employee Organizations - NTA and CSEA

Type Action, Information, Procedural

Purpose:

Information may be provided by the agency negotiator, Executive Director of Human Resources. Assistance from the legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided.

The employee organizations include NTA & CSEA.

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a)): Employee Group - NEWMA, Unrepresented Supervisors, and Contracted Management

Type Action, Information, Procedural

Purpose:

Information may be provided by the agency negotiator, the Executive Director of Human Resources, and the Superintendent. Assistance from legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided.

The employee organizations include NEWMA, Unrepresented Supervisors, and Contracted Management

CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION Significant exposure to litigation pursuant to Gov. Code, 54956.9, subd. (d)[(2) or (3)]

Type Action, Information, Procedural

Purpose:

Information may be provided regarding significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: One case

Recess to Closed Session

Type Procedural

Purpose:

The Board will recess to Closed Session, and reconvene to Open Session on or about 7:00 p.m.

5 RECONVENE TO OPEN SESSION

Pledge of Allegiance

Type Procedural

Purpose:

The Governance Team will recite the Pledge of Allegiance

6 REPORT OF CLOSED SESSION ACTIONS

Report of Closed Session Actions

Type Action, Procedural

Purpose:

If available, a report of the closed session will be provided by the Board President.

7 STUDENT REPORT

Student Reports from Newark Junior High School, Alternative Education, and Newark Memorial High School

Type Discussion, Information

Purpose:

At regular Board of Education meetings, a spokesperson of each secondary school may make a brief presentation. Discussion items may include updates, celebrations, and upcoming events.

1. Newark Junior High School - Mohammen Lulu and Poorvi Sharma
2. Alternative Education - Alexis Blanco-Barron
3. Newark Memorial High School - Estaina Resendiz-Ortiz

8 EMPLOYEE ORGANIZATIONS

Employee Organizations

Type Information

Purpose:

At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Background:

Discussion items are limited to updates, celebrations, and upcoming events.

1. NTA: Sean Abruzzi
2. CSEA: Sue Eustice
3. NEWMA: Vicenta Ditto

9 RECOGNITIONS AND CELEBRATIONS

Staff Spotlight

Type Information

Purpose:

To recognize the wonderful accomplishments of our NUSD Team.

Background:

The presentation will be provided by the Superintendent.

10 PUBLIC COMMENT ON NON-AGENDA ITEMS

Public Comment on Non-Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items. <http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

11 SUPERINTENDENT REPORT

Superintendent Report

Type Information

Purpose:

The superintendent will provide the Board of Education with district information, updates, news, or anything in the jurisdiction of the board or the superintendent.

Background:

The presentation and information will be provided by the Superintendent

12 NEW BUSINESS

Increase in Minimum Wage

Type Action

Recommended Action The recommendation is that the Board approve the revised hourly pay rates for classified non-management, unrepresented employees as presented to comply with the increase in minimum wage effective January 1, 2022.

Purpose:

To update the rates for classified unrepresented employees to comply with the increase in the minimum wage from \$14.00 to \$15.00 per hour effective January 1, 2022.

POSITION	CURRENT RATE	NEW RATE
Campus Monitor, Elementary	\$14.00	\$15.00
Classified Substitute - Food Service Assistant	\$14.00	\$15.00
Classified Substitute - Child Care Attendant	\$14.00	\$15.00
Student Assistant	\$14.00	\$15.00

Background:

The State of California minimum wage will increase from \$14.00 to \$15.00 per hour effective January 1, 2022. The hourly rates for the Elementary School Campus Monitor, Student Assistant, and Classified Substitute positions for the Food Service Assistant and Child Care Attendant are currently below the new minimum wage. All classified CSEA unit employees are currently paid above the minimum wage.

Motion & Voting

The recommendation is that the Board approve the revised hourly pay rates for classified non-management, unrepresented employees as presented to comply with the increase in minimum wage effective January 1, 2022.

Motion by Bowen Zhang, second by Terrence Grindall.
Final Resolution: Motion Carries
Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Bowen Zhang
Abstain: Estaina Resendiz-Ortiz

Resolution 2021.22.21 Overnight Field Trips (Second Semester 2021-2022)

Type Action

Recommended Action The recommendation is that the Board of Education approve the Resolution 2021.22.21 Overnight Field Trips.

Purpose:

The purpose of this resolution is for the Board of Education to approve a resolution adopting new safety guidelines for overnight field trips for the second semester of the 2021-2022 academic school year in alignment with Alameda County Public Health Department guidance.

Background:

Many of our Newark Unified schools make plans for outdoor overnight experiences. Most notably, many of our 5th grade students get the incredible opportunity to attend "Science Camp" as a longstanding NUSD tradition. These experiences are seminal educational experiences and align with the district's focus on environmental literacy.

However, during the past eighteen months, the COVID-19 pandemic has severely impacted these types of enrichment opportunities due to local, state, and federal safety protocols. Safety protocols, such as mask-wearing and social distancing, have resulted in the cancellation of overnight field trips during this time.

Although the Covid-19 pandemic continues, we know more than we did a year ago about how to mitigate the spread of Covid-19 and its variants, thus in December of 2021 Alameda County Public Health Department (ACPHD) released new school-sponsored overnight field trip guidance in alignment with new regulations and learning.

We are excited and eager for students to have outdoor educational experiences once again and are deeply committed to growing Science Camp programming vertically and horizontally across NUSD. If passed, this resolution will allow schools to attend overnight field trips during the second semester of the 2021-2022 academic year with specific ACPHD safety guidelines in place (for both students and chaperones) that will promote the safety of all attendees.

File Attachments

[NUSD Board Resolution No. 2021-22-21- Travel Guidelines During COVID-19.pdf](#) (249 KB)

Motion & Voting

The recommendation is that the Board of Education approve the Resolution 2021.22.21 Overnight Field Trips.

Motion by Bowen Zhang, second by Estaina Resendiz-Ortiz.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Estaina Resendiz-Ortiz, Bowen Zhang

13 CONSENT AGENDA: PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type Action

Recommended It is recommended that the Board of Education approve, under one consented vote, the
Action agenda items under Consent-Personnel, except for agenda items:

Purpose:

(This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.)

Background:

Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Personnel Report

Type Action

Absolute Date Jan 06, 2022

Recommended The recommendation is that the Board of Education ratify the personnel report as presented.

Action
All personnel activities including new hires, changes in status, resignation, leaves, and retirements are routinely submitted to the Board for ratification.

File Attachments

[HR PAL 01-06-2022.pdf](#) (222 KB)

Motion & Voting

The recommendation is that the Board of Education ratify the personnel report as presented.

Motion by Bowen Zhang, second by Terrence Grindall.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Bowen Zhang

Abstain: Estaina Resendiz-Ortiz

14 CONSENT AGENDA: NON-PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type Action

Recommended It is recommended that the Board of Education approve, under one consented vote, the
Action agenda items under Consent Non-Personnel, except for agenda items:

Purpose:

(This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.)

Background:

Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Motion & Voting

It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent Non-Personnel.

Motion by Bowen Zhang, second by Terrence Grindall.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Estaina Resendiz-Ortiz, Bowen Zhang

Contracts and Purchase Orders Authorized under Resolution 2020.21-025 (Delegate Authority to Procure Necessary Materials, Equipment and Services to Provide Distance and/or In-Person Learning for Staff, Teachers, and Students to Mitigate the Effects of Covid-19)

Type	Action
Fiscal Impact	Yes
Budgeted	Yes
Recommended Action	The recommendation is that the Board of Education accept the update on costs associated with the implementation of Resolution 2020.21-025 (Resolution of the Board of Education of the Newark Unified School District to Delegate Authority to Procure Necessary Materials, Equipment and Services to Provide Distance and/or In-Person Learning for Staff, Teachers, and Students to Mitigate the Effects of Covid-19)

Purpose:

To update the Board on costs associated with the implementation of Resolution 2020.21-025 (Resolution of the Board of Education of the Newark Unified School District to Delegate Authority to Procure Necessary Materials, Equipment and Services to Provide Distance and/or In-Person Learning for Staff, Teachers, and Students to Mitigate the Effects of Covid-19) from December 1, 2021, through December 31, 2021.

Background:

On April 1, 2021, the Newark Unified School District Board approved Resolution 2020.21-025 delegating authority to the Superintendent or designee to procure necessary materials, equipment, and services that are needed to provide distance and/or in-person learning to mitigate the effects of Covid-19. Language in the resolution states "the Superintendent/Designee shall make periodic reports to the Board of Education and the public regarding implementation of this resolution and the costs associated therewith"; requiring the update provided here.

On September 16, 2021, Amended Resolution 2020.21-025 was approved. The amendment extends it to on or around June 30, 2022, and states that updates will be presented at the first Board meeting of each month.

Updates have been provided to the Board

June 17, 2021, for contracts and purchase orders between April 2, 2021, and May 31, 2021

October 7, 2021, for contracts and purchase orders between June 1, 2021, and September 30, 2021

November 4, 2021, for contracts and purchase orders between October 1, 2021, and October 31, 2021

December 6, 2021, for contracts and purchase orders between November 1, 2021, and November 30, 2021

VENDOR	DATE	PO NUMBER	DESCRIPTION	AMOUNT
N/A *				

N/A *

*There were no contracts or purchase orders to report for the period of December 1, 2021, through December 31, 2021.

Resolution 2021.22.19 Declaring Surplus Equipment

Type	Action
Recommended Action	The recommendation is that the Board of Education approve Resolution 2021.22.19 Declaring Surplus Equipment.

Purpose:

The purpose of this item is to obtain Board approval of Resolution 2021.22.19 Declaring Surplus Equipment, which lists items to be declared as surplus equipment as recommended.

Background:

Surplus materials will be disposed of per Board Policy and Administrative Regulation 3270 Sale And Disposal Of Books, Equipment And Supplies (Personal Property) which states in part that if the Governing Board, by a unanimous vote of those members present, finds that the property, whether one or more items, does not exceed the value of \$2,500, it may be sold at private sale without advertising, by a District employee empowered for that purpose by the Board; the property may be donated to a charitable organization, or it may be disposed of in a public disposal facility (Education Code 17546).

The personal property as described in Resolution 2021.22.19 includes equipment used in the Information Technology Department. Staff determined that items are obsolete and/or beyond economic repair.

File Attachments

[Resolution 2021.22.19 Declaring Surplus Equipment with Exhibit A.pdf](#) (745 KB)

Minutes of the December 16, 2021 Special Meeting of the Board of Education

Type Action, Minutes

Recommended The recommendation is that the Board of Education approve the minutes of December 16, 2021, Special Meeting of the Board of Education.
Action

Purpose:
For the board to review and approve the minutes

Background:
The attached minutes are reflective of the December 16, 2021, Special Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel [HERE](#)

Minutes of the December 16, 2021 Regular Meeting of the Board of Education

Type Action, Minutes

Recommended The recommendation is that the Board of Education approve the minutes of December 16, 2021, Regular Meeting of the Board of Education.
Action

Purpose:
For the board to review and approve the minutes

Background:
The attached minutes are reflective of the December 16, 2021, Regular Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel [HERE](#)

15 BOARD OF EDUCATION: COMMITTEE REPORTS, REQUESTS, AND ANNOUNCEMENTS

Board of Education Recognitions and Announcements

Type Information

Purpose:
The Trustees may acknowledge or recognize specific programs, activities, or personnel at this time.

Board of Education Committee Reports

Type Information

Purpose:
The Trustees will provide an update, if available, on the committees of which they are members.

Background:
Each year the Board of Education members liaise with schools and committees in order to build relationships, hear from staff, students, and families, and act as a conduit for information to and from the schools.

Board Committees 2020-21
Board Adopted on 12/16/21

	Representative	Alternate
Mission Valley Regional Occupational Center/Program (ROC/P) Executive Board	1. Terrence Grindall	1. Bowen Zhang
Regional Policy Board of Special Education Local Plan Area (SELPA)	1. Bowen Zhang	1. Alicia Marquez
Newark Teacher Induction Advisory Council (Formally EBIC)	1. Alicia Marquez	1. Aiden Hill
Audit Committee	1. Alicia Marquez 2. Aiden Hill	1. Terrence Grindall
Bond/Parcel Tax Committee	2. Phuong Nguyen	1. Bowen Zhang
City of Newark NUSD Liaison Committee	1. Phuong Nguyen 2. Terrence Grindall	1. Bowen Zhang

Board of Education Requests

Type Action, Discussion, Information

Purpose:
This is an opportunity for the Board of Education to suggest items for placement on future agendas and to review Board requests.
Approval from the majority of the Board will be required for direction to be provided to the Superintendent.

Background:
The following derives directly from the Board approved "Governance Team Handbook"

Authority is Collective, Not Individual:

The only authority to direct action rests with the Board as a whole when seated at a regular or special board meeting. Outside of this meeting, there is no authority.

A majority Board vote provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction.

Bringing New Ideas Forward

The Board will be open to having "brainstorming" discussions, or study sessions, around any idea that a Trustee may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Trustee, at their initiative or at the request of a constituent, which was previously discussed during a board meeting.

Trustees will first notify the Board President and Superintendent of their interest in bringing forward a new idea at a board meeting.

When initially agendized, the preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.

Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea.

The Superintendent will decide on the delegation of assignments to District staff.

The new idea may be agendized for discussion only. The Board majority will decide if the new idea should be further developed and studied by staff. The Board majority will decide if staff time should be invested in the "fleshing out" of new ideas.

Individual Trustees, in the course of interactions with constituents, will be careful not to make or imply the commitment of the full Board to explore or proceed with implementing new ideas.

16 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

Superintendent's Concluding Comments, Updates, and Future Agenda Items

AGENDA REQUESTS

Type Information

Purpose:

This is an opportunity for the Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

17 ADJOURNMENT

PLACEHOLDER - Extend Meeting

Type Action

Recommended The recommendation is that the Board of Education extends the meeting to ____ P.M.
Action

Purpose:

This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

Adjournment

Type Action, Procedural

Recommended The recommendation is that the Board of Education adjourns this meeting.
Action

Purpose:

No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time. This action will conclude the meeting.

Motion & Voting

The recommendation is that the Board of Education adjourns this meeting 8:05pm

Motion by Bowen Zhang, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Phuong Nguyen, Terrence Grindall, Aiden Hill, Estaina Resendiz-Ortiz, Bowen Zhang

1 CALL TO ORDER

Meeting Practices and Information

Type Information, Procedural

IN-PERSON MEETING INFORMATION

NUSD has opened its boardroom for in-person meetings and will follow the State's and Alameda County's safety guidelines for public gatherings. Please refrain from attending in-person meetings if you have any of the following symptoms:

- Loss of taste/smell
- Difficulty breathing
- Vomiting
- Diarrhea
- Fever

Cough
Headache
Sore Throat
Runny Nose

For additional COVID-19 information please go to <https://www.newarkunified.org/covid-19> or <https://www.acoe.org/guidance>

OBSERVE THE BOARD OF EDUCATION MEETING

Members of the public 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.

PUBLIC COMMENT

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

Roll Call

Type Procedural

Trustees:

President Bowen Zhang
Vice President/Clerk Phuong Nguyen
Member Aiden Hill
Member Terrence Grindall
Member Alicia Marquez

Student Board Member:

Member Estaina Resendiz Ortiz

3 CLOSED SESSION

Approval of the Agenda

Type Action

Recommended The recommendation is that the Board of Education approve the agenda for this meeting.
Action

Purpose:

Members of the Governance Team may request that the agenda be amended or approved as presented.

Motion & Voting

The recommendation is that the Board of Education approve the agenda for this meeting.

Motion by Bowen Zhang, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Estaina Resendiz-Ortiz

Public Comment on Closed Session Items

Type Information

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board. If a constituent wishes to address the Board on any agenda item, please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org.

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE (Gov. Code, 54957, subd. (b)(1))

Type Action, Information, Procedural

Purpose:

Information will be provided by the Superintendent and Executive Director of Human Resources.

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a): Employee Organizations - NTA and CSEA

Type Action, Information, Procedural

Purpose:

Information may be provided by the agency negotiator, Executive Director of Human Resources. Assistance from the legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided.
The employee organizations include NTA & CSEA.

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a)): Employee Group - NEWMA, Unrepresented Supervisors, and Contracted Management [Chief Business Official]

Type Action, Information, Procedural

Purpose:

Information may be provided by the agency negotiator, the Executive Director of Human Resources, and the Superintendent. Assistance from legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided. The employee organizations include NEWMA, Unrepresented Supervisors, and Contracted Management

CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION Significant exposure to litigation pursuant to Gov. Code, 54956.9, subd. (d)[(2) or (3)]

Type Action, Information, Procedural

Purpose:

Information may be provided regarding significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: One case

CONFERENCE WITH LEGAL COUNSEL EXISTING LITIGATION (Gov. Code, 54956.9, subd. (d)(1))

Type Action, Information, Procedural

Purpose:

To discuss the following case(s): Christine Clinton v. Newark Unified School District: HG21103262

STUDENT EXPULSION (Ed. Code, 48918)

Type Information

Purpose:

For the Board to review the Expulsion.

Background:

An Expulsion Panel Hearing was held on December 2, 2021. An Expulsion Panel Hearing was conducted in accordance with Board Policy and Administration Regulation 5144.1 and, if applicable 5144.2 for students with disabilities. The administration asks for approval of the recommendation for Case e2122-12. (Ed. Code, 48918)

STUDENT EXPULSION (Ed. Code, 48918)

Type Information

Purpose:

For the Board to review the Stipulation Expulsion Agreement.

Background:

A Stipulation Expulsion Agreement meeting was held on December 3, 2021. A Stipulation Expulsion Meeting was conducted in accordance with Board Policy and Administrative Regulation 5144.1 and, if applicable, 5144.2 for students with disabilities. The administration asks for approval of the recommendation for Case# e2122-14. (Ed Code. 48918).

STUDENT EXPULSION (Ed. Code, 48918)

Type Information

Purpose:

For the Board to review the Stipulation Expulsion Agreement.

Background:

A Stipulation Expulsion Agreement meeting was held on December 9, 2021. A Stipulation Expulsion Meeting was conducted in accordance with Board Policy and Administrative Regulation 5144.1 and, if applicable, 5144.2 for students with disabilities. The administration asks for approval of the recommendation for Case# e2122-16. (Ed Code. 48918).

Recess to Closed Session

Type Procedural

Purpose:

The Board will recess to Closed Session, and reconvene to Open Session on or about 7:00 p.m.

4 RECONVENE TO OPEN SESSION

Pledge of Allegiance

Type Procedural

Purpose:

The Governance Team will recite the Pledge of Allegiance

5 REPORT OF CLOSED SESSION ACTIONS

Report of Closed Session Actions

Type Action, Procedural

Purpose:

If available, a report of the closed session will be provided by the Board President.

6 STUDENT REPORT

Student Reports from Newark Junior High School, Alternative Education, and Newark Memorial High School

Type Discussion, Information

Purpose:

At regular Board of Education meetings, a spokesperson of each secondary school may make a brief presentation. Discussion items may include updates, celebrations, and upcoming events.

1. Newark Junior High School - Mohammen Lulu and Poorvi Sharma
2. Alternative Education - Alexis Blanco-Barron
3. Newark Memorial High School - Estaina Resendiz-Ortiz

7 RECOGNITIONS AND CELEBRATIONS

Staff Spotlight

Type Information

Purpose:

To recognize the wonderful accomplishments of our NUSD Team.

Background:

The presentation will be provided by the Superintendent.

School Spotlight: Musick Elementary

Type Information

Purpose:

The School Spotlight gives the Board of Education and the public an opportunity to hear the highlights, achievements, and initiatives at each school directly from the principals.

Background:

The presentation and information will be provided by Principal Amanda Golliher

File Attachments

[Musick School Spotlight - 2021_22.pdf](#) (4,841 KB)

8 EMPLOYEE ORGANIZATIONS

Employee Organizations

Type Information

Purpose:

At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Background:

Discussion items are limited to updates, celebrations, and upcoming events.

1. NTA: Sean Abruzzi
2. CSEA: Sue Eustice
3. NEWMA: Vicenta Ditto

9 PUBLIC COMMENT ON NON-AGENDA ITEMS

Public Comment on Non-Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

10 SUPERINTENDENT REPORT

Superintendent Report

Type Information

Purpose:

The superintendent will provide the Board of Education with district information, updates, news, or anything in the jurisdiction of the board or the superintendent.

Background:

The presentation and information will be provided by the Superintendent

11 STAFF REPORT

SEL Culture and Climate Update

Type Information

Purpose:

To provide information to the Board of Trustees regarding school culture and climate after a full year of distance learning.

Background:

Reopening schools after a year of distance learning has uncovered new and old challenges as well as opportunities related to school site culture and climate initiatives, such as Positive Behavior Interventions and Supports (PBIS), social-emotional learning, culturally relevant pedagogy, and restorative discipline. This presentation will serve to provide a brief update to the Board of Trustees and our community on progress, continued challenges, and next steps.

File Attachments

[Educational Services_SEL and Culture & Climate Overview.pdf](#) (2,656 KB)

Elementary Report Card Update

Type Information

Purpose:

To provide an update to the Board of Trustees about the progress of the Elementary Report Card Committee to date and the plan of action for the remainder of the school year. This presentation will detail developments that have occurred thus far, current issues that the Committee is addressing, and next steps that will be taken when the school year resumes after winter break.

Background:

In the 2018-19 school year a Report Card Committee formed and representatives from each of Newark's elementary sites contributed to an updated pilot elementary grading scale. The NUSD Elementary Report Card Committee continued to meet until the pandemic began and has resumed meeting in the 2021-22 school year. Ultimately, the goal for the Elementary Report Card Committee this year is to update and make changes to the pilot report card after receiving staff input and to bring recommendations to the Board of Trustees for approval in the spring.

File Attachments

[Elementary Report Card Update 12.16.21.pdf](#) (1,211 KB)

12 STUDENT EXPULSION

Expulsion Case# e2122-12

Type Action

Recommended Action The recommendation is that the Board of Education approve the Expulsion Case# e2122-12.

Purpose:

For the Board to review the Expulsion.

Background:

An Expulsion Panel Hearing was held on October 27, 2021. An Expulsion Panel Hearing was conducted in accordance with Board Policy and Administrative Regulation 5144.1 and, if applicable, 5144.2 for students with disabilities. The administration asks for approval of the recommendation for Case# e2122-12. (Ed Code. 48918).

Motion & Voting

The recommendation is that the Board of Education approve the Expulsion Case# e2122-12.

Motion by Bowen Zhang, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez

Not Present at Vote: Estaina Resendiz-Ortiz

Expulsion Stipulation for e2122-14

Type Action

Recommended The recommendation is that the Board of Education approve the Expulsion Stipulation.

Action

Purpose:

For the Board to review the Stipulation Expulsion Agreement.

Background:

A Stipulation Expulsion Agreement meeting was held on December 3, 2021. A Stipulation Expulsion Meeting was conducted in accordance with Board Policy and Administrative Regulation 5144.1 and, if applicable, 5144.2 for students with disabilities. The administration asks for approval of the recommendation for Case# e2122-14. (Ed Code. 48918).

Motion & Voting

The recommendation is that the Board of Education approve the Expulsion Stipulation.

Motion by Bowen Zhang, second by Terrence Grindall.

Final Resolution: Motion Carries

Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez

Not Present at Vote: Estaina Resendiz-Ortiz

Expulsion Stipulation for e2122-16

Type Action

Recommended The recommendation is that the Board of Education approve the Expulsion Stipulation.

Action

Purpose:

For the Board to review the Stipulation Expulsion Agreement.

Background:

A Stipulation Expulsion Agreement meeting was held on December 9, 2021. A Stipulation Expulsion Meeting was conducted in accordance with Board Policy and Administrative Regulation 5144.1 and, if applicable, 5144.2 for students with disabilities. The administration asks for approval of the recommendation for Case# e2122-16. (Ed Code. 48918).

Motion & Voting

The recommendation is that the Board of Education approve the Expulsion Stipulation.

Motion by Bowen Zhang, second by Alicia Marquez.

Final Resolution: Motion Carries

Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez

Not Present at Vote: Estaina Resendiz-Ortiz

13 OLD BUSINESS

Resolution 2021.22.16 Authorizing the Issuance and Sale of 2022 Refunding General Obligation Bonds

Type Action

Recommended The recommendation is that the Board of Education approve Resolution 2021.22.16

Action authorizing the issuance and sale of 2022 refunding General Obligation Bonds in the aggregate principal amount of not to exceed \$35,000,000 for the purpose of refinancing outstanding General Obligation Bonds, and approving related documents and actions.

Purpose:

To approve Resolution 2021.22.16 authorizing the issuance and sale of 2022 refunding General Obligation Bonds in the aggregate principal amount of not to exceed \$35,000,000 for the purpose of refinancing outstanding General Obligation Bonds, and approving related documents and actions, to achieve interest cost savings, as presented.

Background:

On November 18, 2021, the Board received an informational report from Blake Boehm of KNN Public Finance providing an overview of a potential bond refinancing and associated timeline. In the current low-interest rate environment, there is an

opportunity to refinance a portion of the District's outstanding General Obligation bonds in an effort to generate taxpayer savings.

The District has issued voter-approved general obligation bonds pursuant to Measure G of 2011 in order to address facilities improvement needs in the District. At this time, favorable conditions in the bond markets suggest that interest cost savings can be realized by refinancing two prior series of bonds, being Series A and Series B, which were issued by the District in 2012 and 2013, respectively. Because the outstanding bonds are secured by ad valorem property taxes levied and collected annually on taxable properties in the District, the savings will be passed on to property taxpayers in the form of lower property tax levies. The Resolution authorizes the issuance of the Bonds pursuant to the applicable provisions of the Government Code, as current interest bonds only (no capital appreciation bonds). Under federal tax law, the Bonds are considered advance refunding bonds, and as such, they will be issued as federally taxable bonds, in compliance with all requirements of the federal tax code. As required by State law, the Bonds will only be issued if savings can be realized. Disclosures to the Board regarding estimates of the true interest cost and other details required by Gov. Code 5852.1 (SB 450) are set forth in Appendix B to the resolution. The Resolution authorizes the Bonds to be underwritten through a negotiated underwriting with an investment banking firm to be identified with the assistance of the District's Municipal Advisor, which banking firm will underwrite all the bonds and have the responsibility for placing them with investors. The Bonds will be marketed to potential purchasers through a disclosure document called the Preliminary Official Statement. This document is subject to securities laws standards that require it to contain all material information for investors to make informed investment decisions, and not contain material omissions or misstatements. The POS can continue to be edited and refined any time prior to release to potential bond investors and District staff will collaborate with the financing team to refine and complete it. The Resolution approves the continued engagements of the District's financing experts for the Bonds, with KNN Public Finance serving as Municipal Advisor and Jones Hall, A Professional Law Corporation, serving as Bond Counsel and Disclosure Counsel. The refunding is expected to be completed in early February 2022.

File Attachments

- [Resolution 2021.22.16_Authorizing the Issuance and Sale of 2022 Refunding General Obligation Bond.pdf](#) (173 KB)
- [2-Escrow-NewarkUSD-11.30.21.pdf](#) (120 KB)
- [3-BPA-NewarkUSD-RGOB-11.30.21.pdf](#) (182 KB)
- [4-POS-NewarkUSD-RefGOB-11.30.22.pdf](#) (1,018 KB)
- [KNN Public Finance_GO Bond Refinancing_2022_10-26-21.pdf](#) (189 KB)
- [Jones Hall LegalServices-Restated.pdf](#) (94 KB)

Motion & Voting

The recommendation is that the Board of Education approve Resolution 2021.22.16 authorizing the issuance and sale of 2022 refunding General Obligation Bonds in the aggregate principal amount of not to exceed \$35,000,000 for the purpose of refinancing outstanding General Obligation Bonds, and approving related documents and actions.

Motion by Bowen Zhang, second by Terrence Grindall.
Final Resolution: Motion Carries
Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez
Not Present at Vote: Estaina Resendiz-Ortiz

Adoption of Educator Effectiveness Block Grant Plan

Type	Action
Absolute Date	Dec 16, 2021
Fiscal Impact	Yes
Dollar Amount	\$1,197,550.00
Budget Source	Educator Effectiveness Block Grant
Recommended Action	The recommendation is that the Board of Education approve the adoption of the Educator Effectiveness Block Grant plan.

Purpose:
To approve and adopt the Educator Effectiveness Block Grant plan.

Background:
The 2021-22 state budget package allocated \$1.5 billion one-time funding to school districts, county offices of education, charter schools, and state special schools for the Educator Effectiveness Block Grant (EEBG). Newark Unified School District has been allocated \$1,197,550 of these funds to provide professional learning for teachers, administrators, paraprofessionals, and classified staff in order to promote educator equity, quality, and effectiveness. Funds may be expended during the 2021-22, 2022-23, 2023-24, 2024-25, and 2025-26 school years and must be fully expended by June 30, 2026. The district is required to submit an annual report to the CDE by September 30th each year. The EEBG plan was presented to the Board at their December 6, 2021, meeting along with a public hearing and represents a collaboration with union leadership, Educational Services, Business Services, and Human Resources. The plan must be Board approved by December 30, 2021.

File Attachments

- [EEBG Board Presentation.pdf](#) (1,245 KB)
- [2021 Educator Effectiveness Block Grant Plan .pdf](#) (82 KB)

Motion & Voting

The recommendation is that the Board of Education approve the adoption of the Educator Effectiveness Block Grant plan.
Motion by Bowen Zhang, second by Phuong Nguyen.
Final Resolution: Motion Carries
Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez
Not Present at Vote: Estaina Resendiz-Ortiz

14 NEW BUSINESS

HVAC Replacement Project Phase 1- Contracts for Air Balancing and Commissioning Services

Type	Action
Preferred Date	Dec 16, 2021
Fiscal Impact	Yes
Dollar Amount	\$265,050.00
Budgeted	Yes
Budget Source	Fund 25 Capital Facilities Fund
Recommended Action	The recommendation is that the Board of Education approve proposals and enter into agreements with Alpha Air Balancing Agency, Inc. in the amount of \$173,400 and with Cypress Engineering Group in the amount of \$91,650 for Air Balancing and Commissioning Services for the Phase 1 HVAC Replacement Project for 276 units as presented.

Purpose:

1. To approve the proposal from Alpha Air Balancing Agency, Inc. for HVAC Testing and Balancing of new HVAC Units, Supply & Return Air Distribution and setting outside air to the required minimum set points for the HVAC Replacement on six campuses (Kennedy, Birch Grove Primary, Coyote Hills, Schilling, Newark Jr High, and Newark Memorial High School).
2. To approve the proposal from Cypress Engineering Group for Commissioning Services including verifying installed HVAC systems to design requirements, verifying installed Building Management Systems to design requirements, and providing final commissioning report for the HVAC Replacement on six campuses (Kennedy, Birch Grove Primary, Coyote Hills, Schilling, Newark Jr High, and Newark Memorial High School).

Background:

At the October 7, 2021, Board meeting, a bid was awarded for Phase 1 Increment 2 Newark Junior High School and Newark Memorial High School HVAC replacement projects.

At the August 5, 2021, Board meeting, a bid was awarded for Phase 1 Increment 1 elementary school HVAC replacement projects.

Air balancing and commissioning are standard services to independently verify the mechanical systems have been installed as designed and are working properly in sync with the energy management controls and have become critical to ensure mechanical systems are operating pursuant to the Centers for Disease Control Prevention (CDC) and American Society of Heating, Refrigerating, Air-Conditioning Engineers (ASHRAE) COVID protocol.

File Attachments

[Cypress EG_Newark Phase1 \(276 Units\) Commissioning Proposal.pdf](#) (405 KB)

[TAB Proposal NUSD.2021-7100.pdf](#) (144 KB)

Motion & Voting

The recommendation is that the Board of Education approve proposals and enter into agreements with Alpha Air Balancing Agency, Inc. in the amount of \$173,400 and with Cypress Engineering Group in the amount of \$91,650 for Air Balancing and Commissioning Services for the Phase 1 HVAC Replacement Project for 276 units as presented.

Motion by Terrence Grindall, second by Phuong Nguyen.

Final Resolution: Motion Fails

Yea: Phuong Nguyen, Terrence Grindall, Alicia Marquez

Nay: Aiden Hill

Not Present at Vote: Bowen Zhang, Estaina Resendiz-Ortiz

HVAC Replacement Project Phase 2 - Contracts for Architectural Services, Air Balancing and Commissioning Services

Type	Action
Preferred Date	Dec 16, 2021
Fiscal Impact	Yes
Dollar Amount	\$280,166.00
Budget Source	Fund 25 Capital Facilities Fund
Recommended Action	The recommendation is that the Board of Education authorize approval of (1) a contract with Ratcliff Architects, not to exceed \$226,716, for Design and Engineering Services for HVAC Phase 2 projects; and (2) a contract with Alpha Air Balance Agency, for Testing and Air Balance, in the amount not to exceed \$34,200; and (3) a contract with Cypress Engineering Group, for Commissioning Verification, in the amount not to exceed \$19,250; and (4) the overall preliminary budget of \$2,431,193 for HVAC Phase 2 projects including soft costs and contingencies, and (5) authorize staff to complete agreements with other consultants as needed and outlined in the budget. Bids, when received, will be brought to the board for approval with an updated budget.

Purpose:

To authorize Phase 2, HVAC Replacement Project to include two (2) units @ Birch Grove Primary; one (1) unit @ Coyote Hills; two (2) units @ Kennedy; five (5) units @ NJHS; and thirty-one (31) units @ NMHS, which require full engineering and DSA approval.

Background:

On Feb. 20, 2020, the Board of Trustees assigned \$3.5M to replace additional mechanical units as a part of the final project list and funds assigned under Measure G.

On September 17, 2020, the Board of Trustees approved an agreement with mechanical engineers, MacCracken & Woodman,

Inc., to help assess the units' conditions and prioritize needs. As the COVID pandemic emerged, the District endeavored to allocate additional funds to include more replacements than previously budgeted.

On June 3, 2021, the Board of Trustees approved a contract with Ratcliff Architects to develop plans and specifications to replace the highest prioritized units. The goal was to replace "in-kind" units expeditiously, where the weights of the new units were commensurate with existing units, as provided as an exception to Division of the State Architect (DSA) review under applicable regulations. However, DSA required a review to verify an exception was applicable. This was subsequently obtained and the project bid in two increments and is now under construction. At present, the remaining forty-one (41) units that were removed from the initial submission and included in Phase 2 (five (5) units @ the elementary schools; five (5) units @ NJHS; and thirty-one (31) units @ NMHS), will require DSA review. Note that DSA can require additional ADA & Fire Life-Safety additions. An Allowance of \$265,500 is included in the budget.

Following approval of this project and budget, the District will complete the replacement of three hundred seventeen (317) HVAC units; 276 units completed under Phase 1 (99 units in Increment 1 plus 177 units in Increment 2), and an additional 41 units under Phase 2, which will satisfy current replacement needs. In previous years, the District completed the replacement of another 22 units, bringing the grand total since 2012 to 339 HVAC systems replaced.

An overall preliminary budget of \$2,431,193 has been developed, including soft costs and contingencies, and is included in the board packet.

This Action is:

To authorize approval of (1) a contract with Ratcliff Architects, not to exceed \$226,716, for Design and Engineering Services; and (2) a contract with Alpha Air Balance Agency, for Testing and Air Balance, in the amount not to exceed \$34,200; and (3) a contract with Cypress Engineering Group, for Commissioning Verification, in the amount not to exceed \$19,250; and (4) to approve the overall preliminary budget of \$2,431,193.00, including soft costs and contingencies, and (5) authorize staff to complete agreements with other consultants as needed and outlined in the budget. Bids, when received, will be brought to the board for approval with an updated budget.

File Attachments

- [Ratcliff Architects Newark Proposal_Phase 2.pdf](#) (178 KB)
- [Cypress EG_Newark USD Phase II \(41 units\) Commissioning Proposal.pdf](#) (403 KB)
- [Alpha Air Phase 2 TAB_NUSD.Proposal.2021-7101.pdf](#) (131 KB)
- [Pre-Final Budget Trend - Phase 2 Districtwide HVAC Replacement Project 12-16-2021.pdf](#) (40 KB)
- [Ratcliff Agreement - HVAC Phase 2.pdf](#) (913 KB)

Motion & Voting

The recommendation is that the Board of Education authorize approval of (1) a contract with Ratcliff Architects, not to exceed \$226,716, for Design and Engineering Services for HVAC Phase 2 projects; and (2) a contract with Alpha Air Balance Agency, for Testing and Air Balance, in the amount not to exceed \$34,200; and (3) a contract with Cypress Engineering Group, for Commissioning Verification, in the amount not to exceed \$19,250; and (4) the overall preliminary budget of \$2,431,193 for HVAC Phase 2 projects including soft costs and contingencies, and (5) authorize staff to complete agreements with other consultants as needed and outlined in the budget. Bids, when received, will be brought to the board for approval with an updated budget.

Motion by Phuong Nguyen, second by Alicia Marquez.

Final Resolution: Motion Carries

Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Alicia Marquez

Nay: Aiden Hill

Not Present at Vote: Estaina Resendiz-Ortiz

Resolution No. 2021.22.18 Classified Management Reduction in Hours

Type	Action
Absolute Date	Dec 16, 2021
Recommended	The recommendation is that the Board of Education approve Resolution No. 2021.22.18 to
Action	reduce hours of a classified management position for lack of work or lack of funds.

Purpose:

To approve the classified management staff layoff or reduction in hours due to lack of funds and/or lack of work due to the projected deficit in the Child Care program.

Background:

The Child Care program is a fee-based program available at all elementary schools except for Coyote Hills and Schilling. The program is projected to deficit spend this school year by \$341,000. This includes \$117,000 transferred from the general fund last school year to cover last year's deficit. Last year's deficit was due to the child care program being closed for the majority of last school year due to the Covid-19 pandemic and staff remained employed. Consequently, there was no income generated but the same level of expenditures in salaries and benefits were maintained. ESSER funds also contributed \$339,707 to maintain employees.

The Child Care program currently serves 189 students which is significantly lower than the 340 students served in March 2020, prior to the Covid-19 pandemic.

The recommended reductions of both the classified management in this resolution and the classified positions in the subsequent resolution will reduce the deficit by an estimated \$75,000 for the remainder of the year while maintaining services for all students currently in the program. The remaining deficit balance of \$266,000 would need to be covered by the General Fund and/or ESSER funds.

Additional savings considered would eliminate services at one school site where enrollment currently only serves 10 students. Another consideration would be to eliminate services for nine (9) TK students served at three (3) of the schools. Eliminating these services would provide an additional \$22,000 in savings.

Currently, layoff/reduction in hours for classified staff requires a 60-day notice. As of January 2022, AB 438 will come into effect which will change the notification requirements to mirror the notification/timeline of certificated staff to March 15 notice for end-of-year changes. As such, staff recommends approval of this resolution before January 2022 to allow for budget adjustments in the current fiscal year.

[File Attachments](#)

- [Ed Code 45117.pdf](#) (99 KB)
- [Classified Management Layoff Resolution 2021.22.18.pdf](#) (7 KB)
- [Classified Management Layoff Resolution 2021.22.18 \(Amended\).pdf](#) (11 KB)

[Motion & Voting](#)

The recommendation is that the Board of Education approve Resolution No. 2021.22.18 to reduce hours of a classified management position for lack of work or lack of funds.

Motion by Phuong Nguyen, second by Terrence Grindall.
 Final Resolution: Motion Carries
 Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Alicia Marquez
 Nay: Aiden Hill
 Not Present at Vote: Estaina Resendiz-Ortiz

Resolution No. 2021.22.17 Classified Layoffs or Reduction in Hours

Type	Action
Absolute Date	Dec 16, 2021
Recommended	The recommendation is that the Board of Education approve Resolution No. 2021.22.17 to lay
Action	off or reduce hours of certain classified positions for lack of work or lack of funds.

[Purpose:](#)
 To approve the classified staff layoff or reduction in hours due to lack of funds and/or lack of work due to the projected deficit in the Child Care program.

[Background:](#)
 The Child Care program is a fee-based program available at all elementary schools except for Coyote Hills and Schilling. The program is projected to deficit spend this school year by \$341,000. This includes \$117,000 transferred from the general fund last school year to cover last year's deficit. Last year's deficit was due to the child care program being closed for the majority of last school year due to the Covid-19 pandemic and staff remained employed. Consequently, there was no income generated but the same level of expenditures in salaries and benefits were maintained. ESSER funds also contributed \$339,707 to maintain employees.
 The Child Care program currently serves 189 students which are significantly lower than the 340 students served in March 2020, prior to the Covid-19 pandemic.
 The recommended reductions of both the classified in this resolution and the classified management in the previous resolution will reduce the deficit by an estimated \$75,000 for the remainder of the year while maintaining services for all students currently in the program. The remaining deficit balance of \$266,000 would need to be covered by the General Fund and/or ESSER funds. Additional savings considered would eliminate services at one school site where enrollment currently only serves 10 students. Another consideration would be to eliminate services for nine (9) TK students served at three (3) of the schools. Eliminating these services would provide an additional \$22,000 in savings.
 Currently, layoff/reduction in hours for classified staff requires a 60-day notice. As of January 2022, AB 438 will come into effect which will change the notification requirements to mirror the notification/timeline of certificated staff to March 15 notice for end-of-year changes. As such, staff recommends approval of this resolution before January 2022 to allow for budget adjustments in the current fiscal year.

[File Attachments](#)

- [Ed Code 45117.pdf](#) (99 KB)
- [Classified Layoff Resolution 2021.22.17.pdf](#) (9 KB)
- [Classified Layoff Resolution 2021.22.17 \(AMENDED\).pdf](#) (12 KB)

[Motion & Voting](#)

The recommendation is that the Board of Education approve Resolution No. 2021.22.17 to lay off or reduce hours of certain classified positions for lack of work or lack of funds.

Motion by Terrence Grindall, second by Alicia Marquez.
 Final Resolution: Motion Carries
 Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez
 Not Present at Vote: Estaina Resendiz-Ortiz

15 ANNUAL ORGANIZATION OF THE BOARD

Election of Officers - President

Type	Action
Fiscal Impact	No
Recommended	The recommendation is that the Board of Education approve the nomination for the new
Action	Board President.

[Purpose:](#)
 The Board shall nominate a candidate to be voted and approved by the Board as the new President.

[Background:](#)
 BOARD BYLAW 9100: ORGANIZATION
 Annual Organizational Meeting

The Board shall hold an annual organizational meeting within the time limits prescribed by law. (Education Code 35143)

At this meeting the Board shall:

1. Elect a president and a clerk from its members.
2. Authorize signatures.
3. Develop a schedule of regular meetings for the year.
4. Develop a Board calendar for the year.
5. Designate Board representatives.

(cf. 9140 - Board Representatives)

(cf. 9320 - Meetings)

Election of Officers

The Board shall each year elect its entire slate of officers.

(cf. 9224 - Oath or Affirmation)

Motion & Voting

The recommendation is that the Board of Education approve the nomination for the new Board President.

Motion by Bowen Zhang, second by Terrence Grindall.

Final Resolution: Motion Carries

Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez

Not Present at Vote: Estaina Resendiz-Ortiz

Election of Officers - Clerk

Type	Action
Fiscal Impact	No
Recommended	The recommendation is that the Board of Education approve the nomination for the new
Action	Clerk.

Purpose:

The Board shall nominate a candidate to be voted and approved by the Board as the new Vice President/Clerk.

Background:

BOARD BYLAW 9100: ORGANIZATION

Annual Organizational Meeting

The Board shall hold an annual organizational meeting within the time limits prescribed by law. (Education Code 35143)

At this meeting the Board shall:

1. Elect a president and a clerk from its members.
2. Authorize signatures.
3. Develop a schedule of regular meetings for the year.
4. Develop a Board calendar for the year.
5. Designate Board representatives.

(cf. 9140 - Board Representatives)

(cf. 9320 - Meetings)

Election of Officers

The Board shall each year elect its entire slate of officers.

(cf. 9224 - Oath or Affirmation)

Motion & Voting

The recommendation is that the Board of Education approve the nomination for the new Clerk.

Motion by Terrence Grindall, second by Bowen Zhang.

Final Resolution: Motion Carries

Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Alicia Marquez

Nay: Aiden Hill

Not Present at Vote: Estaina Resendiz-Ortiz

Appointment of Superintendent as Secretary of the Governing Board

Type	Action
Fiscal Impact	No
Recommended	The recommendation is that the Board of Education approve the appointment of the
Action	Superintendent as Secretary of the Governing Board.

Purpose:

The Board shall appoint the Superintendent as Secretary of the Governing Board.

Background:

BOARD BYLAW 9100: ORGANIZATION

Annual Organizational Meeting

The Board shall hold an annual organizational meeting within the time limits prescribed by law. (Education Code 35143)

At this meeting the Board shall:

1. Elect a president and a clerk from its members.
2. Authorize signatures.
3. Develop a schedule of regular meetings for the year.
4. Develop a Board calendar for the year.
5. Designate Board representatives.

(cf. 9140 - Board Representatives)

(cf. 9320 - Meetings)

Election of Officers

The Board shall each year elect its entire slate of officers.

(cf. 9224 - Oath or Affirmation)

BOARD BYLAW 9122: SECRETARY

The Governing Board shall appoint the Superintendent to serve as secretary to the Board. The secretary to the Board shall be responsible for maintaining an accurate and complete record of all Board proceedings and shall:

1. Prepare, distribute and maintain the Board agenda.
(cf. 9322 - Agenda/Meeting Materials)
2. Record, distribute and maintain the Board minutes.
(cf. 9324 - Minutes and Recordings)
3. Maintain Board records and documents.
4. Conduct official correspondence for the Board.
5. As directed by the Board, sign and execute official papers
6. Perform other duties as assigned by the Board.
(cf. 2111 - Superintendent Governance Standards)

Motion & Voting

The recommendation is that the Board of Education approve the appointment of the Superintendent as Secretary of the Governing Board.

Motion by Bowen Zhang, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez

Not Present at Vote: Estaina Resendiz-Ortiz

Signature Cards - Mid-Year Revision

Type	Action
Recommended	The recommendation is that the Board of Education approve the Signature Cards Mid-Year
Action	Revision for Board Members as presented.

Purpose:

To update the signature card of Authorized Agents as required by the Alameda County Office of Education. Board Members

Background:

This is the "Signature Card" to be kept on file at the Alameda County Office of Education. This is a mid-year revision to update Board Member signatures.

File Attachments

Marquez, Alicia_Board Member Mid-Year_2021-22.pdf (62 KB)

Motion & Voting

The recommendation is that the Board of Education approve the Signature Cards Mid-Year Revision for Board Members as presented.

Motion by Bowen Zhang, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez

Not Present at Vote: Estaina Resendiz-Ortiz

Set Regular Meeting Times (Hours)

Type	Action
Fiscal Impact	No
Recommended	The recommendation is that the Board of Education approve the beginning and end times of
Action	the regular meetings' open session to 7:00 pm - 10:00 pm.

Purpose:

The Board shall set the beginning and end times of the regular meetings' open session to 7:00 pm - 10:00 pm.

Background:

BOARD BYLAW 9100: ORGANIZATION

Annual Organizational Meeting

The Board shall hold an annual organizational meeting within the time limits prescribed by law. (Education Code 35143)

At this meeting the Board shall:

1. Elect a president and a clerk from its members.
2. Authorize signatures.
3. Develop a schedule of regular meetings for the year.
4. Develop a Board calendar for the year.
5. Designate Board representatives.

(cf. 9140 - Board Representatives)

(cf. 9320 - Meetings)

Election of Officers

The Board shall each year elect its entire slate of officers.

(cf. 9224 - Oath or Affirmation)

Motion & Voting

The recommendation is that the Board of Education approve the beginning and end times of the regular meetings' open session to 7:00 pm - 10:00 pm.

Motion by Bowen Zhang, second by Alicia Marquez.

Final Resolution: Motion Carries

Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez

Not Present at Vote: Estaina Resendiz-Ortiz

Set Regular Meeting Dates for 2022-23

Type	Action
Fiscal Impact	No
Recommended	The recommendation is that the Board of Education approve the dates of the regular meetings
Action	for the 2022-23 school year.

Purpose:

The Board shall approve the dates of the regular board meetings for the 2022-23 school year.

Background:

BOARD BYLAW 9100: ORGANIZATION

Annual Organizational Meeting

The Board shall hold an annual organizational meeting within the time limits prescribed by law. (Education Code 35143)

At this meeting the Board shall:

1. Elect a president and a clerk from its members.
2. Authorize signatures.
3. Develop a schedule of regular meetings for the year.
4. Develop a Board calendar for the year.
5. Designate Board representatives.

(cf. 9140 - Board Representatives)

(cf. 9320 - Meetings)

Election of Officers

The Board shall each year elect its entire slate of officers.

(cf. 9224 - Oath or Affirmation)

RECOMMENDED BOARD OF EDUCATION MEETING DATES for the School Year 2022-23

- Aug 4
- Aug 18 (Study Session)
- Sep 1
- Sep 15 (Study Session)
- Oct 6
- Oct 20 (Study Session)
- Nov 3
- Nov 17 (Study Session)
- Dec 1
- Dec 15 (Study Session)
- Jan 5
- Jan 19 (Study Session)
- Feb 2
- Feb 16 (Study Session)
- Mar 2
- Mar 16 (Study Session)
- Apr 6
- April 20 (Study Session)
- May 4
- May 18 (Study Session)
- Jun 1
- Jun 15 (Study Session)

Motion & Voting

The recommendation is that the Board of Education approve the dates of the regular meetings for the 2022-23 school year.

Motion by Bowen Zhang, second by Terrence Grindall.

Final Resolution: Motion Carries

Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez

Not Present at Vote: Estaina Resendiz-Ortiz

Adoption of Board Policy Manual

Type	Action, Procedural
Fiscal Impact	No
Recommended	The recommendation is that the Board of Education adopt the NUSD Board Policy Manual.
Action	

Purpose:

The Board shall adopt the NUSD Board Policy Manual

Background:

The Board shall review and adopt the NUSD Board Policy Manual at every annual organization meeting. The digital manual can get found here: <https://simbli.eboardsolutions.com/Policy/PolicyListing.aspx?S=36030599>

Motion & Voting

The recommendation is that the Board of Education adopt the NUSD Board Policy Manual.

Motion by Bowen Zhang, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez

Not Present at Vote: Estaina Resendiz-Ortiz

Adoption of the Governance Team Handbook

Type Action

Recommended The recommendation is that the Board of Education adopt the Governance Team Handbook.

Action

Purpose:

The Board shall adopt the Governance Team Handbook which is currently adopted and followed.

Background:

The Governance Team Handbook "reflects the governance team's work on the creation of an effective framework for successful leadership and governance. This involves an ongoing commitment to discussions focused on the development of a Unity of Purpose, Governance Team Goals, and a commitment to norms and protocols relating to the formal structures that enable the Board of Education and Superintendent in the performance of their responsibilities in a way that benefits all children."

File Attachments

NUSD Governance Team Handbook - ADOPTED Nov 4, 2021.pdf (344 KB)

Motion & Voting

The recommendation is that the Board of Education adopt the Governance Team Handbook.

Motion by Phuong Nguyen, second by Alicia Marquez.

Final Resolution: Motion Carries

Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez

Not Present at Vote: Estaina Resendiz-Ortiz

Appointment of a Board Representative to Mission Valley Regional Occupational Center/Program (ROC/P) Governing Council

Type Action

Recommended The recommendation is that the Board of Education appoint a Board Representative and

Action Alternate to Mission Valley Regional Occupational Center/Program Governing Council.

Purpose:

To nominate and appoint a representative and alternate to the Mission Valley Regional Occupational Center/Program (ROC/P) Governing Council.

Background:

Board Bylaw 9140: The Governing Board recognizes that effective performance of its community leadership responsibilities may require its participation in district or community committees on matters of concern to the district and its students. As needed, the Board may appoint any of its members to serve as its representative on a district committee or on a committee of another public agency or organization of which the Board or district is a member or to which the Board is invited to participate. The Education Code requires a Regional Occupational Center/Program Exhibit to be governed by a board of trustees as established by the Joint Powers Agreement. The Mission Valley ROC/P board of trustees is composed of one member of the Board of Education from Fremont, Newark, and New Haven unified school districts. Each year at this time a representative from the Board is selected to be the District's representative to the ROC/P Executive Board. Meetings are held on the third Thursday of the month.

File Attachments

Board Committees - DRAFT 21-1216.docx.pdf (48 KB)

Board Committees Description.pdf (63 KB)

Motion & Voting

The recommendation is that the Board of Education appoint a Board Representative and Alternate to Mission Valley Regional Occupational Center/Program Governing Council.

Motion by Alicia Marquez, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez

Not Present at Vote: Estaina Resendiz-Ortiz

Appointment of a Board Representative to the City of Newark - NUSD Liaison Committee

Type Action

Recommended The recommendation is that the Board of Education appoint two Board representatives and an

Action alternate to the City of Newark - NUSD Liaison Committee.

Purpose:

To nominate and appoint two representatives and an alternative to the City of Newark - NUSD Liaison Committee

Background:

Board Bylaw 9140:The Governing Board recognizes that effective performance of its community leadership responsibilities may require its participation in district or community committees on matters of concern to the district and its students. As needed, the Board may appoint any of its members to serve as its representative on a district committee or on a committee of another public agency or organization of which the Board or district is a member or to which the Board is invited to participate. This committee meets four times per year with two representatives from the Newark City Council and two members from the NUSD Board of Education to update and inform both bodies of news from each agency. The committee meets quarterly on the third Monday of the month. The next meeting will be on the fourth Monday in January due to a holiday on the third Monday. The Board will appoint two representatives, and an alternative to the City Liaison Committee.

File Attachments

- Board Committees - DRAFT 21-1216.docx.pdf (48 KB)
Board Committees Description.pdf (63 KB)

Motion & Voting

The recommendation is that the Board of Education appoint two Board representatives and an alternate to the City of Newark - NUSD Liaison Committee.

Motion by Bowen Zhang, second by Terrence Grindall.
Final Resolution: Motion Carries
Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez
Not Present at Vote: Estaina Resendiz-Ortiz

Appointment of a Board Representative to Regional Policy Board of Special Education Local Plan Area (SELPA)

Type Action
Recommended The recommendation is that the Board of Education re-appoint the current Board
Action Representative and Alternate to the Regional Policy Board of Special Education Local Plan Area (SELPA).

Purpose:

To re-appoint a representative and alternate to the Mission Valley SELPA.

Background:

Board Bylaw 9140:The Governing Board recognizes that effective performance of its community leadership responsibilities may require its participation in district or community committees on matters of concern to the district and its students. As needed, the Board may appoint any of its members to serve as its representative on a district committee or on a committee of another public agency or organization of which the Board or district is a member or to which the Board is invited to participate. In 1977, all school districts and county school offices were mandated to form consortiums in geographical regions of sufficient size and scope to provide for all special education service needs of children residing within the region boundaries. Each region, Special Education Local Plan Area (SELPA), developed a local plan describing how it would provide special education services. SELPAs are dedicated to the belief that all students can learn and that special needs students must be guaranteed equal opportunity to become contributing members of society. SELPAs facilitate high-quality educational programs and services for special needs students and training for parents and educators. The SELPA collaborates with county agencies and school districts to develop and maintain healthy and enriching environments in which special needs students and families can live and succeed. The Mission Valley SELPA consists of three school districts: New Haven Unified, Newark and Fremont Unified School Districts. The SELPA was formed for the purpose of ensuring that quality special education programs and services are available to students living throughout the area. All three school districts coordinate to provide services to identified students who require special education programs and services. The special education directors within each of the districts meet regularly to share resources and coordinate as related to shared program goals. Next Mission Valley SELPA Regional Policy Board Meeting: Tuesday, Jan 18th at 9:00 am Tuesday, March 29th at 9:00 am Tuesday, June 14th at 9:00 am It is recommended that the Board re-appoint the current representative and an alternate to the SELPA.

File Attachments

- Board Committees - DRAFT 21-1216.docx.pdf (48 KB)
Board Committees Description.pdf (63 KB)

Motion & Voting

The recommendation is that the Board of Education re-appoint the current Board Representative and Alternate to the Regional Policy Board of Special Education Local Plan Area (SELPA).

Motion by Bowen Zhang, second by Phuong Nguyen.
Final Resolution: Motion Carries
Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez
Not Present at Vote: Estaina Resendiz-Ortiz

Appointment of a Board Representative to Newark Teacher Induction Advisory Council

Type Action

Recommended Action The recommendation is that the Board of Education re-appoint the current Board Representative and Alternate to the Newark Teachers Induction Advisory Council.

Purpose:
To nominate and appoint a representative and alternate to the Newark Teachers Induction Advisory Council.

Background:
Board Bylaw 9140: The Governing Board recognizes that effective performance of its community leadership responsibilities may require its participation in district or community committees on matters of concern to the district and its students. As needed, the Board may appoint any of its members to serve as its representative on a district committee or on a committee of another public agency or organization of which the Board or district is a member or to which the Board is invited to participate. The California Teacher Induction Program (CTIP) formerly known as Beginning Teacher Support and Assessment Induction (BTSA Induction) is a program co-sponsored by the California Department of Education (CDE) and California Commission on Teacher Credentialing (CCTC) designed to support the professional development of newly-credentialed teachers and fulfill the requirements for the California professional clear Multiple/ Single-subject and/or Education Specialist credentials. Senate Bill 2042 identified it as the only pathway to a clear credential. While the name changed in 2014, the intent and purpose remain the same:

Teacher Induction Program Goals:

- Provide an effective transition into the teaching career.
- Improve the educational performance of students through improved training, information, and assistance of new teachers.
- Enable candidates to be effective in teaching students who are culturally, linguistically, and academically diverse.
- Ensure the professional success and retention of new teachers.
- Ensure that a mentor provides individualized & job-embedded support and professional learning guidance.
- Ensure that an Individualized Learning Plan is developed by each candidate and is based on ongoing self-assessment on the California Standards for the Teaching Profession / Continuum of Practice.
- Ensure continuous program improvement through an ongoing process of inquiry.

Newark Teacher Induction is a commission-approved Induction program. It is approved to support general and special education teachers who need to clear preliminary and/or Level I credentials.

A Program Director provides day-to-day coordination within the local school districts and is responsible for implementing and coordinating local support, and ensuring program accountability and quality. An Advisory Council provides support and recommendations to the Program Director in matters of program implementation and evaluation. The Advisory Council consists of mentors, administrators and board members from all the partner districts and/or schools. The Program Director serves as the program manager and executive officer of the Advisory Council.

Meetings are quarterly and usually held on a Friday morning, however, the council will come to an agreement on a time that works best for all.

The Assistant Superintendent of Educational Services and/or Superintendent also attend the Newark Teacher Induction Council meetings. The board will re-appoint the current representative and an alternate to the Newark Teachers Induction Advisory Council, as it is recommended that the representatives remain the same for the school calendar year.

File Attachments

- [Board Committees - DRAFT 21-1216.docx.pdf](#) (48 KB)
- [Board Committees Description.pdf](#) (63 KB)

Motion & Voting

The recommendation is that the Board of Education re-appoint the current Board Representative and Alternate to the Newark Teachers Induction Advisory Council.

- Motion by Bowen Zhang, second by Phuong Nguyen.
- Final Resolution: Motion Carries
- Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez
- Not Present at Vote: Estaina Resendiz-Ortiz

Appointment of a Board Representative to Audit Committee

Type Action
Recommended Action The recommendation is that the Board of Education re-appoint the currently two Board representatives and alternate to Audit Committee.

Purpose:
To review the appointment of the two representatives and one alternate to the Audit Committee.

Background:
Board Bylaw 9140: The Governing Board recognizes that effective performance of its community leadership responsibilities may require its participation in district or community committees on matters of concern to the district and its students. As needed, the Board may appoint any of its members to serve as its representative on a district committee or on a committee of another public agency or organization of which the Board or district is a member or to which the Board is invited to participate. The purpose of the Audit Committee is to provide oversight for financial reporting, internal controls, and auditors' activities. This committee meets, at a minimum, once per year in January. It is recommended that the Board will re-appoint the current two representatives to the Audit Committee.

File Attachments

- [Board Committees - DRAFT 21-1216.docx.pdf](#) (48 KB)
- [Board Committees Description.pdf](#) (63 KB)

Motion & Voting

The recommendation is that the Board of Education re-appoint the currently two Board representatives and alternate to Audit Committee.

Motion by Bowen Zhang, second by Phuong Nguyen.
Final Resolution: Motion Carries
Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez
Not Present at Vote: Estaina Resendiz-Ortiz

Appointment of a Board Representative to Bond/Parcel Tax Committee

Type Action
Recommended The recommendation is that the Board of Education re-appoint the current two Board
Action representatives and alternate to the Bond/Parcel Tax Committee.

Purpose:
To review the appointment of the two representatives and alternatives to the Bond/Parcel Tax Committee

Background:
Board Bylaw 9140:The Governing Board recognizes that effective performance of its community leadership responsibilities may require its participation in district or community committees on matters of concern to the district and its students. As needed, the Board may appoint any of its members to serve as its representative on a district committee or on a committee of another public agency or organization of which the Board or district is a member or to which the Board is invited to participate. The purpose of the Bond/Parcel Tax Committee is to discuss ideas and implement actions that may assist in the procurement of a Bond or Parcel Tax for aid NUSD. It is recommended that the Board will re-appoint the current two representatives and alternate to the Bond/Parcel Tax Committee.

File Attachments
[Board Committees - DRAFT 21-1216.docx.pdf](#) (48 KB)
[Board Committees Description.pdf](#) (63 KB)

Motion & Voting
The recommendation is that the Board of Education re-appoint the current two Board representatives and alternate to the Bond/Parcel Tax Committee.
Motion by Bowen Zhang, second by Phuong Nguyen.
Final Resolution: Motion Carries
Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez
Not Present at Vote: Estaina Resendiz-Ortiz

16 CONSENT AGENDA: PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type Action
Recommended It is recommended that the Board of Education approve, under one consented vote, the
Action agenda items under Consent-Personnel, except for agenda items:

Purpose:
(This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.)

Background:
Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Motion & Voting
It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent-Personnel.
Motion by Bowen Zhang, second by Phuong Nguyen.
Final Resolution: Motion Carries
Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez
Not Present at Vote: Estaina Resendiz-Ortiz

Personnel Report

Type Action
Preferred Date Dec 16, 2021
Absolute Date Dec 16, 2021
Recommended The recommendation is that the Board of Education ratify the personnel report as presented.
Action
All personnel activities including new hires, changes in status, resignation, leaves, and retirements are routinely submitted to the Board for ratification.

File Attachments
[HR PAL 12-16-2021.pdf](#) (368 KB)

Certificated Seniority List

Type Action

Preferred Date Dec 16, 2021

Absolute Date Dec 16, 2021

Recommended The recommendation is that the Board of Education receive the 2021-2022 Certificated Order of Employment List.

Action Each year, the Certificated Order of Employment list is posted for review by certificated employees to determine whether the District has the correct hire date for each such employee. This year, the Certificated Order of Employment was posted and an opportunity for employees to review was provided from 11/19/2021 to 12/02/2021. This Order of Employment list does not imply an order of employment for certificated employees who were hired on the same date.

File Attachments

2021-22 NTA Seniority List for Board.pdf (317 KB)

17 CONSENT AGENDA: NON-PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type Action

Recommended It is recommended that the Board of Education approve, under one consented vote, the Action agenda items under Consent Non-Personnel, except for agenda items:

Purpose:

(This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.)

Background:

Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Motion & Voting

It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent Non-Personnel, except for items 17.4, 17.5, 17.6 .

Motion by Bowen Zhang, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez

Not Present at Vote: Estaina Resendiz-Ortiz

Resolution 2021.22.12 Declaring Surplus Instructional Materials

Type Action, Discussion

Recommended The recommendation is that the Board of Education approve Resolution 2021.22.12 Declaring Action Surplus Instructional Materials.

Purpose:

The purpose of this item is to obtain Board approval of Resolution 2021.22.12 Declaring Surplus Instructional Materials, declaring instructional materials that are no longer suitable for use as surplus.

Background:

Surplus materials will be disposed of per Board Policy and Administrative Regulation 3270 Sale And Disposal Of Books, Equipment And Supplies.

The property as described in Resolution 2021.22.12 includes instructional materials used at Newark Memorial High School. Staff determined that items are obsolete and/or no longer usable.

File Attachments

Resolution 2021.22.12 Declaring Surplus Instructional Materials.pdf (22 KB)

Resolution 2021.22.15 Declaring Surplus Equipment

Type Action

Recommended The recommendation is that the Board of Education approve Resolution 2021.22.15 Declaring Action Surplus Equipment.

Purpose:

The purpose of this item is to obtain Board approval of Resolution 2021.22.15 Declaring Surplus Equipment, which lists items to be declared as surplus equipment as recommended.

Background:

Surplus materials will be disposed of per Board Policy and Administrative Regulation 3270 Sale And Disposal Of Books, Equipment And Supplies (Personal Property). Education Code, Section 17546 states that if the Governing Board, by a unanimous vote of those members present, finds that the property, whether one or more items, does not exceed the value of \$2,500, it may be sold at private sale without advertising, by a District employee empowered for that purpose by the Board; the property may

be donated to a charitable organization, or it may be disposed of in a public disposal facility. The personal property as described in Resolution 2021.22.15 includes equipment used in the Child Nutrition Services and Child Care Departments. Staff determined that items are obsolete and/or beyond economic repair.

[File Attachments](#)

[Resolution 2021.22.15 Declaring Surplus Equipment.pdf](#) (20 KB)

Master Contract between Summitview Child & Family Service, Inc. and NUSD for Residential Treatment Center Services

Type	Action
Absolute Date	Dec 16, 2021
Budget Source	Resource 6500 - Special Education
Recommended	The recommendation is that the Board of Education ratify the Master Contract with
Action	Summitview Child & Family Services, Inc.

Purpose:
For the Board of Education to approve the Master Contract with Summitview Child & Family Services, Inc. for residential treatment center services for the 21/22 school year.

Background:
As part of the U.S. Individuals with Disabilities Education Act (IDEA), the least restrictive environment is identified as one of the six (6) principles that govern the education of students with disabilities and other special needs. By law, schools are required to provide a Free Appropriate Public Education (FAPE) in the least restrictive environment that is appropriate to the individual student's needs.
"Least restrictive environment"(LRE) means that a student who has a disability should have the opportunity to be educated with non-disabled peers, to the greatest extent appropriate. Students with disabilities should have access to the general education curriculum, extracurricular activities, or any other program that non-disabled peers would be able to access. Students with disabilities should be provided with supplementary aids and services necessary to achieve educational goals if placed in a setting with non-disabled peers. Should the nature or severity of the student's disability prevent the student from achieving these goals in a regular education setting, the student would then be placed in a more restrictive environment, such as a Resource Program, separate classroom with specialized academic instruction (Special Day Class), or a non-public school or residential treatment center.
To determine what an appropriate setting is for a student, an IEP (Individualized Education Program) team reviews the student's needs and interests. The types of educational settings for students with disabilities will vary. With the differences in needs and interests among students with disabilities, there is no single definition of what an LRE will be for all students.

[File Attachments](#)

[Summitview RTC Master Contract 21-22.pdf](#) (331 KB)

Motion & Voting

The recommendation is that the Board of Education ratify the Master Contract with Summitview Child & Family Services, Inc.
Motion by Bowen Zhang, second by Alicia Marquez.
Final Resolution: Motion Carries
Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez
Not Present at Vote: Estaina Resendiz-Ortiz

Individual Services Agreement (ISA) with Summitview Child & Family Services, Inc.

Type	Action
Absolute Date	Dec 16, 2021
Fiscal Impact	Yes
Dollar Amount	\$188,094.00
Budget Source	Resource 6500 - Special Education
Recommended	The recommendation is that the Board of Education ratify the Individual Service Agreement
Action	(ISA) with Summitview Child & Family Services, Inc.

Purpose:
For the Board of Education to approve the Individual Service Agreement (ISA) with Summitview Child & Family Services, Inc. for residential treatment center services for the 21/22 school year.

Background:
NUSD requires a highly intensive individualized residential program in order to meet students' unique needs per the consented Individualized Education Programs (IEPs).

[File Attachments](#)

[Summitview ISA 21-22_Redacted.pdf](#) (257 KB)

Motion & Voting

The recommendation is that the Board of Education ratify the Individual Service Agreement (ISA) with Summitview Child & Family Services, Inc.
Motion by Bowen Zhang, second by Phuong Nguyen.
Final Resolution: Motion Carries
Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez
Not Present at Vote: Estaina Resendiz-Ortiz

Maxim Healthcare Services, Inc. Agreement for Nursing Services for Special Education Student

Type	Action
Absolute Date	Dec 16, 2021
Fiscal Impact	Yes
Dollar Amount	\$66,430.00
Budget Source	Resource 6500 - Special Education
Recommended	The recommendation is that the Board of Education ratify the agreement with Maxim
Action	Healthcare Services, Inc.
Goals	1. To provide academic excellence via equity and opportunities for all students.

Purpose:
 For the Board of Education to approve the agreement with Maxim Healthcare Services, Inc. in the amount of \$66,430.00 for the 21/22 school year.

Background:
 Nurse practitioners improve children's health in the educational setting by performing physical examinations, developmental assessments, and management of common pediatric illnesses. These services enhance children's attendance in school and assist families to meet their health care needs. A nurse practitioner is required by the district to provide essential health functions for a student to meet their unique medical needs. Functions of a nurse practitioner include but are not limited to the following:
 Provide health maintenance care for children, including well-child examinations
 Perform routine developmental screenings i.e. vision/hearing
 Provide childhood immunizations for school requirements
 Record and maintain an accurate, cumulative health record for each examined child
 Participate in a multidisciplinary team approach by collaborating with other health care providers in the delivery of health care
 Function as a resource person in health-related issues
 Monitor and interpret public health and communicable disease issues, which impact the delivery of health care for children

File Attachments
[2021_MHS_ES Contract - Newark.pdf](#) (290 KB)

Motion & Voting
 The recommendation is that the Board of Education ratify the agreement with Maxim Healthcare Services, Inc.
 Motion by Phuong Nguyen, second by Alicia Marquez.
 Final Resolution: Motion Carries
 Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez
 Not Present at Vote: Estaina Resendiz-Ortiz

San Jose State University Internship Memorandum of Understanding

Type	Action
Absolute Date	Dec 16, 2021
Recommended	The recommendation is that the Board of Education approve the San Jose State University
Action	Internship Memorandum of Understanding.

Purpose:
 The purpose is for the Board of Education to approve the Internship Memorandum of Understanding between San Jose State University and Newark Unified School District commencing on December 6, 2021, and ending December 6, 2026.

Background:
 The District works closely with local institutes of higher education (IHE) and supports student teacher placements and interns. Agreements between Newark Unified School District and a university must be in place before a student teacher or intern can be placed at a school site in the District.
 Student teachers and interns in training do fieldwork in our schools and are supervised by the administrators who provide supervision and training.
 Student teachers and interns are able to learn, practice teaching, and fine-tune their craft under the direct supervision of a master teacher. The opportunity to student teach or intern in the District benefits both the student and the District.
 As vacancies become available in the district, it is invaluable to have the opportunity to observe directly student teachers and interns who may be eligible to interview for vacancies and observe how well they fit into the culture of Newark.

File Attachments
[SJSU INTERN MOU.pdf](#) (233 KB)

Warrant Report for November 2021

Type	Action
Fiscal Impact	No
Recommended	The recommendation is that the Board of Education approve the Warrant Report as presented.
Action	

Purpose:
 The purpose of this item is to present warrants, for the total amount of \$2,995,365.47, made from District funds for

November 2021.

Background:

The warrant registers represent a complete listing of all payments made from District funds for a month. Because Newark Unified School District is a fiscally dependent District, each warrant must pass through two separate audits; first by the District's Fiscal Services department, and second by the County Office of Education. No warrant can be paid until such time as it is examined and approved by the County Office of Education.

File Attachments

[Warrant Report November 2021_12-16-21 Mtg.pdf](#) (765 KB)

Donations Report

Type Action
 Fiscal Impact Yes
 Budgeted Yes
 Budget Source General Fund (Fund 010) Donations
 Recommended The recommendation is that the Board of Education accept the Donations Report as
 Action presented.

Purpose:

The purpose is to acknowledge receipt of donations to the District.

Background:

Throughout the year community members, groups, parents and other individuals make monetary and in-kind (supplies and equipment) donations to NUSD. The exact nature of the source of the donation is submitted to the Business Office on a standard form. It is critical that any restrictions on the funding be indicated and the budget developed based on the donor restrictions. If there is no indication of the school or use of the funding, any proceeds or cash donations received are placed in the NUSD local revenue in the unrestricted general fund. It is recommended that the donations be processed through the Business Office and ultimately approved by the Board so that the funding can be publicly acknowledged and budgeted properly according to donor restrictions. There is acknowledgment at the public Board meeting and a letter of thanks is sent of the donor by the Business Office for NUSD.

File Attachments

[Donations Summary Report 12-16-2021.pdf](#) (19 KB)

Minutes of the December 6, 2021 Regular Meeting of the Board of Education

Type Action, Minutes
 Recommended The recommendation is that the Board of Education approve the minutes of December 6,
 Action 2021, Regular Meeting of the Board of Education.

Purpose:

For the board to review and approve the minutes

Background:

The attached minutes are reflective of the December 6, 2021, Regular Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel [HERE](#)

18 BOARD OF EDUCATION: COMMITTEE REPORTS, REQUESTS, AND ANNOUNCEMENTS

Board of Education Recognitions and Announcements

Type Information

Purpose:

The Trustees may acknowledge or recognize specific programs, activities, or personnel at this time.

Board of Education Committee Reports

Type Information

Purpose:

The Trustees will provide an update, if available, on the committees of which they are members.

Background:

Each year the Board of Education members liaise with schools and committees in order to build relationships, hear from staff, students, and families, and act as a conduit for information to and from the schools.

Board Committees 2020-21

Board Adopted on 11/04/21	Representative	Alternate
Mission Valley Regional Occupational Center/Program (ROC/P) Executive Board	1. Bowen Zhang	1. Terrence Grindall

Regional Policy Board of Special Education Local Plan Area (SELPA) 1. Bowen Zhang 1. Alicia Marquez
Newark Teacher Induction Advisory Council (Formally EBIC) 1. Phuong Nguyen 1. Aiden Hill
Audit Committee 1. Phuong Nguyen 2. Aiden Hill 1. _____
Bond/Parcel Tax Committee 1. Terrence Grindall 2. Phuong Nguyen 1. Bowen Zhang
City of Newark NUSD Liaison Committee 1. Phuong Nguyen 2. Terrence Grindall 1. _____

Board of Education Requests

Type Action, Discussion, Information

Purpose: This is an opportunity for the Board of Education to suggest items for placement on future agendas and to review Board requests. Approval from the majority of the Board will be required for direction to be provided to the Superintendent.

Background: The following derives directly from the Board approved "Governance Team Handbook" Authority is Collective, Not Individual: The only authority to direct action rests with the Board as a whole when seated at a regular or special board meeting. Outside of this meeting, there is no authority. A majority Board vote provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction.

Bringing New Ideas Forward The Board will be open to having "brainstorming" discussions, or study sessions, around any idea that a Trustee may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Trustee, at their initiative or at the request of a constituent, which was previously discussed during a board meeting. Trustees will first notify the Board President and Superintendent of their interest in bringing forward a new idea at a board meeting. When initially agendized, the preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge. Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea. The Superintendent will decide on the delegation of assignments to District staff. The new idea may be agendized for discussion only. The Board majority will decide if the new idea should be further developed and studied by staff. The Board majority will decide if staff time should be invested in the "fleshing out" of new ideas. Individual Trustees, in the course of interactions with constituents, will be careful not to make or imply the commitment of the full Board to explore or proceed with implementing new ideas.

19 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

Superintendent's Concluding Comments, Updates, and Future Agenda Items

AGENDA REQUESTS

Type Information

Purpose: This is an opportunity for the Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

20 ADJOURNMENT

PLACEHOLDER - Extend Meeting

Type Action Recommended The recommendation is that the Board of Education extends the meeting to ____ P.M. Action

Purpose: This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

Motion & Voting The recommendation is that the Board of Education extends the meeting to 12:00 A.M. Motion by Bowen Zhang, second by Phuong Nguyen. Final Resolution: Motion Carries Yea: Bowen Zhang, Phuong Nguyen, Aiden Hill, Alicia Marquez Nay: Terrence Grindall Not Present at Vote: Estaina Resendiz-Ortiz

Adjournment

Type Action, Procedural Recommended The recommendation is that the Board of Education adjourns this meeting. Action

Purpose:

No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time. This action will conclude the meeting.

Motion & Voting

The recommendation is that the Board of Education adjourns this meeting at 10:36 pm.

Motion by Bowen Zhang, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez

Not Present at Vote: Estaina Resendiz-Ortiz

1 CALL TO ORDER

Meeting Practices and Information

Type Information, Procedural

IN-PERSON MEETING INFORMATION

NUSD has opened its boardroom for in-person meetings and will follow the State's and Alameda County's safety guidelines for public gatherings. Please refrain from attending in-person meetings if you have any of the following symptoms:

- Loss of taste/smell
- Difficulty breathing
- Vomiting
- Diarrhea
- Fever
- Cough
- Headache
- Sore Throat
- Runny Nose

For additional COVID-19 information please go to <https://www.newarkunified.org/covid-19> or <https://www.acoe.org/guidance>

OBSERVE THE BOARD OF EDUCATION MEETING

Members of the public 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.

PUBLIC COMMENT

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

Pledge of Allegiance

Type Procedural

Purpose:

The Governance Team will recite the Pledge of Allegiance

Roll Call

Type Procedural

Trustees:

- President Bowen Zhang
- Vice President/Clerk Phuong Nguyen
- Member Aiden Hill
- Member Terrence Grindall
- Member Alicia Marquez

Student Board Member:

- Member Estaina Resendiz Ortiz

2 APPROVAL OF AGENDA

Approval of the Agenda

Type Action

Recommended Action The recommendation is that the Board of Education approve the agenda for this meeting.

Purpose:

Members of the Governance Team may request that the agenda be amended or approved as presented.

Motion & Voting

The recommendation is that the Board of Education approve the agenda for this meeting.

Motion by Bowen Zhang, second by Alicia Marquez.

Final Resolution: Motion Carries

Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez

3 STUDY SESSION

2021-22 District Goals and Superintendent Objectives

Type Discussion, Information

Purpose:

For the board to review, provide input, and finalize the district goals and superintendent objectives as articulated in the NUSD Accountability Framework for Implementation of Initiatives.

Background:

"Each year of the agreement, the Board and the Superintendent shall establish by mutual agreement the Superintendent's performance and benchmarks for the next school year. Evaluations shall be based upon the achievement of the mutually agreed upon performance goals for the year in question, the Superintendent's effectiveness at discharging his duties as defined in this Agreement and Board Policies, and job description, if any." (Superintendent Contract)

"Evaluation criteria shall be agreed upon by the Board and Superintendent prior to the evaluation and shall include, but not be limited to, district goals and success indicators; educational, management, and community leadership skills; and the Superintendent's professional relationship with the Board. The Board and Superintendent shall jointly determine the evaluation method(s) and schedule that will best serve the district and the structure and format of the instrument to be used." BP 2140
At the October 27 Board meeting, the Board reviewed the prior year's goals and objectives and identified the areas of focus which the District should either start, stop, or continue for the 2021-2022 school year. At the December 6th and November 18, 2021, meeting the Board provided direction to have a study session to discuss the 2021-22 District Goals and Superintendent Objectives. The Board provided valuable feedback and input into the direction for this current school year. Per the direction of the Board, the Superintendent created the document titled, "NUSD Accountability Framework for Implementation of Initiatives," which provides a SMART goal accountability framework in order to track the level of implementation and impact of desired outcomes. During the school year, there are thousands of actions the administration takes in order to serve our students and families. The purpose of this document is to name the top priority areas for the year and the means to measure progress in these priority areas, in order to collectively stay focused on those areas with the highest leverage potential and the greatest academic return on investment for our students, families, and district.

File Attachments

[District Goal-Setting Process 2021-22.pdf](#) (418 KB)

[District Goals & Supt Objectives 2021-22.pdf](#) (1,960 KB)

[NUSD Accountability Framework for Implementation of Initiatives 12.6.21 - NUSD Goals & Objectives.pdf](#) (66 KB)

4 ADJOURNMENT

PLACEHOLDER - Extend Meeting

Type Action

Recommended The recommendation is that the Board of Education extends the meeting to ____ P.M.

Action

Purpose:

This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

Adjournment

Type Action, Procedural

Recommended The recommendation is that the Board of Education adjourns this meeting.

Action

Purpose:

No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time.

This action will conclude the meeting.

Motion & Voting

The recommendation is that the Board of Education adjourns this meeting at 7:31 pm.

Motion by Bowen Zhang, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez

1 CALL TO ORDER

Meeting Practices and Information

Type Information, Procedural

IN-PERSON MEETING INFORMATION

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- Diarrhea
- Fever
- Cough
- Headache
- Sore Throat
- Runny Nose

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The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

Roll Call

Type Procedural

Trustees:

- President Bowen Zhang
- Vice President/Clerk Phuong Nguyen
- Member Aiden Hill
- Member Terrence Grindall
- Member Alicia Marquez

Student Board Member:

- Member Estaina Resendiz Ortiz

2 APPROVAL OF AGENDA

Approval of the Agenda

Type Action

Recommended It is recommended that the Board of Education approve the agenda for this meeting.
Action

Purpose:

Members of the Governance Team may request that the agenda be amended or approved as presented.

Motion & Voting

It is recommended that the Board of Education approve the agenda for this meeting.

- Motion by Bowen Zhang, second by Phuong Nguyen.
- Final Resolution: Motion Carries
- Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill
- Not Present at Vote: Alicia Marquez, Estaina Resendiz-Ortiz

3 STUDY SESSION

2021-22 District Goals and Superintendent Objectives

Type Discussion, Information

Purpose:

For the board to review, provide input, and finalize the district goals and superintendent objectives as articulated in the NUSD Accountability Framework for Implementation of Initiatives.

Background:

"Each year of the agreement, the Board and the Superintendent shall establish by mutual agreement the Superintendent's performance and benchmarks for the next school year. Evaluations shall be based upon the achievement of the mutually agreed upon performance goals for the year in question, the Superintendent's effectiveness at discharging his duties as defined in this Agreement and Board Policies, and job description, if any." (Superintendent Contract)
"Evaluation criteria shall be agreed upon by the Board and Superintendent prior to the evaluation and shall include, but not be limited to, district goals and success indicators; educational, management, and community leadership skills; and the Superintendent's professional relationship with the Board. The Board and Superintendent shall jointly determine the evaluation method(s) and schedule that will best serve the district and the structure and format of the instrument to be used." BP 2140

At the November 18, 2021, meeting the Board provided direction to have a study session to discuss the 2021-22 District Goals and Superintendent Objectives. At the October 27 Board meeting, the Board reviewed the prior year's goals and objectives and identified the areas of focus which the District should either start, stop, or continue for the 2021-2022 school year. The Board provided valuable feedback and input into the direction for this current school year. Per the direction of the Board, the Superintendent created the document titled, "NUSD Accountability Framework for Implementation of Initiatives," which provides a SMARTE goal accountability framework in order to track the level of implementation and impact of desired outcomes. During the school year, there are thousands of actions the administration takes in order to serve our students and families. The purpose of this document is to name the top priority areas for the year and the means to measure progress in these priority areas, in order to collectively stay focused on those areas with the highest leverage potential and the greatest academic return on investment for our students, families, and district.

[File Attachments](#)

[District Goal-Setting Process 2021-22.pdf](#) (418 KB)

[District Goals & Supt Objectives 2021-22.pdf](#) (1,960 KB)

[NUSD Accountability Framework for Implementation of Initiatives 12.6.21 - NUSD Goals & Objectives.pdf](#) (66 KB)

4 CLOSED SESSION

Public Comment on Closed Session Items

Type Information

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board. If a constituent wishes to address the Board on any agenda item, please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org.

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE (Gov. Code, 54957, subd. (b)(1))

Type Action, Information, Procedural

Purpose:

Information will be provided by the Superintendent and Executive Director of Human Resources.

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a): Employee Organizations - NTA and CSEA

Type Action, Information, Procedural

Purpose:

Information may be provided by the agency negotiator, Executive Director of Human Resources. Assistance from the District's legal team may be provided. The employee organizations include NTA & CSEA.

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a)): Employee Group - NEWMA, Unrepresented Supervisors, and Contracted Management

Type Action, Information, Procedural

Purpose:

Information may be provided by the agency negotiator, the Executive Director of Human Resources, and the Superintendent. Assistance from the District's legal team may be provided. The employee organizations include NEWMA, Unrepresented Supervisors, and Contracted Management

CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION Significant exposure to litigation pursuant to Gov. Code, 54956.9, subd. (d)[(2) or (3)]

Type Action, Information, Procedural

Purpose:

Information may be provided regarding significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: One case

Recess to Closed Session

Type Procedural

Purpose:

The Board will recess to Closed Session, and reconvene to Open Session on or about 7:00 p.m.

5 RECONVENE TO OPEN SESSION

Pledge of Allegiance

Type Procedural

Purpose:

The Governance Team will recite the Pledge of Allegiance

6 REPORT OF CLOSED SESSION ACTIONS

Report of Closed Session Actions

Type Action, Procedural

Purpose:

If available, a report of the closed session will be provided by the Board President.

7 EMPLOYEE ORGANIZATIONS

Employee Organizations

Type Information

Purpose:

At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Background:

Discussion items are limited to updates, celebrations, and upcoming events.

1. NTA: Sean Abruzzi
2. CSEA: Sue Eustice
3. NEWMA: Vicenta Ditto

8 PUBLIC COMMENT ON NON-AGENDA ITEMS

Public Comment on Non-Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.

<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

9 PUBLIC HEARINGS

Public Hearing on Educator Effectiveness Fund Grant

Type Information

Purpose:

According to California Education Code Section 41480(a), NUSD is required to present its plan for the use of the Educator Effectiveness Funds (EEF) in a public hearing prior to Board adoption. Board adoption must be on or before December 30, 2021.

Background:

Newark Unified School District (NUSD) will be the recipient of a one-time funding opportunity to provide professional learning for teachers, administrators, paraprofessionals, and classified staff in order to promote educator equity, quality, and effectiveness. EEF grant monies will be distributed annually for the next 5 years and the funds must be fully expended by September 20, 2026. We are required to submit an annual report to the CDE by September 20th each funding year. The current plan represents a collaboration with labor union leadership, Ed Services, Business Services, and Human Resources.

File Attachments

[EFF Public Hearing Notice 2021-22.pdf](#) (221 KB)

10 NEW BUSINESS

Educator Effectiveness Fund Grant Plan

Type Discussion, Information

Purpose:

According to California Education Code Section 41480(a), NUSD is required to present its plan for the use of the Educator Effectiveness Funds (EEF) in a public hearing prior to Board adoption. Board adoption must be on or before December 30, 2021.

Background:

Newark Unified School District (NUSD) will be the recipient of a one-time funding opportunity to provide professional learning for teachers, administrators, paraprofessionals, and classified staff in order to promote educator equity, quality, and effectiveness. EEF grant monies will be distributed annually for the next 5 years and the funds must be fully expended by September 20, 2026. We are required to submit an annual report to the CDE by September 20th each funding year. The current plan represents a collaboration with labor union leadership, Ed Services, Business Services, and Human Resources.

File Attachments

- 2021 Educator Effectiveness Block Grant Plan .pdf (88 KB)
2021-2026 Educator Effectiveness Block Grant - PUBLIC HEARING .pdf (1,212 KB)

2021-22 First Interim Budget Report

Type Action
Recommended The recommendation is that the Board of Education approve the 2021-22 First Interim Report
Action with Positive Certification.

Purpose:

The purpose of the Interim Report is to advise the Board of Education, administrators, the public and other interested agencies of the District's financial condition at periodic intervals during the fiscal year. At each interim reporting period, the District must make a certification as to its fiscal health for the current and upcoming two years. A POSITIVE certification indicates that the District WILL be able to meet its financial obligations for the current and upcoming two years. A QUALIFIED certification indicates the District MAY NOT be able to meet its financial obligations for the current and upcoming two years. A NEGATIVE certification indicates the District WILL NOT be able to meet its financial obligations in the current or upcoming two years.

Background:

The First Interim Budget Report is a "snapshot" in time of the District's revenue and expenditure forecasts for the current fiscal year as well as a projection of the two subsequent fiscal years. It is a good time to adjust the budget based upon any known changes. The First Interim Budget Report covers the period of time from July 1 through October 31 each fiscal year. AB 1200 requires all California school districts to submit two interim reports to their County Office of Education. This year, the First Interim Report is due to the Alameda County Office of Education (ACOE) by December 15, 2021.

File Attachments

- Full Book_1st Interim Report 21-22.pdf (4,242 KB)

Motion & Voting

The recommendation is that the Board of Education approve the 2021-22 First Interim Report with Positive Certification.
Motion by Bowen Zhang, second by Alicia Marquez.
Final Resolution: Motion Carries
Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez

Resolution 2021.22.14 to Commit to Budget Balancing Solutions for the 2022- 23 and 2023-24 Fiscal Years

Type Action
Recommended The recommendation is that the Board of Education adopt Resolution 2021.22.14 to Commit
Action to Budget Balancing Solutions for the 2022-23 and 2023-24 fiscal years.

Purpose:

To address the deficit projected in the 2021-22 First Interim Budget Report.

Background:

The Board and staff continue to work together to maintain the fiscal stability of the district. On October 17, 2019, the Board approved Resolution #2158 committing to \$1,850,000, and \$668,000, in expenditure reductions for the 2020-21 and 2021-22 fiscal years respectively. The District filed a Qualified certification of its 2019-20 First Interim and Second Interim Financial Reports. The Board held a study session on February 20, 2020, to discuss additional budget balancing solutions and subsequently approved Resolution #2061 on March 5, 2020, committing to additional budget reductions of \$2,500,000 in 2020-21 and \$1,000,000 in 2021-22. On December 3, 2020, based on the First Interim Report, the Board approved Resolution 2020.21-014 committing to \$742,000, and \$3,200,000, in expenditure reductions for the 2021-22 and 2022-23 fiscal years respectively. On March 4, 2021, based on the Second Interim Report, the Board approved Resolution 2020.21-022 committing to \$819,000 in expenditure reductions for the 2022-23 fiscal year.

In the 2021-22 First Interim Budget Report, the district projects a deficit of \$2.5 million in the 2022-23 fiscal year and \$2.5 million in the 2023-24 fiscal year.

File Attachments

Resolution 2021.22.14 First Interim Budget Balancing Solutions.pdf (15 KB)

Motion & Voting

The recommendation is that the Board of Education adopt Resolution 2021.22.14 to Commit to Budget Balancing Solutions for the 2022-23 and 2023-24 fiscal years.

Motion by Bowen Zhang, second by Terrence Grindall.

Final Resolution: Motion Carries

Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez

11 CONSENT AGENDA: PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type Action

Recommended Action It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent-Personnel, except for agenda items:

Purpose:

(This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.)

Background:

Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Personnel Report

Type Action

Preferred Date Dec 06, 2021

Recommended Action The recommendation is that the Board of Education ratify the personnel report as presented.

Action

Purpose:

The purpose is for the Board to review and ratify that attached personnel report.

Background:

All personnel activities including new hires, changes in status, resignation, leaves, and retirements are routinely submitted to the Board for ratification.

File Attachments

HR PAL 12-06-2021.pdf (363 KB)

Motion & Voting

The recommendation is that the Board of Education ratify the personnel report as presented.

Motion by Bowen Zhang, second by Alicia Marquez.

Final Resolution: Motion Carries

Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez

1.0 FTE English Language Arts Teacher on Special Assignment (ELA TOSA) at Coyote Hills Elementary

Type Action

Absolute Date Dec 06, 2021

Fiscal Impact Yes

Dollar Amount \$74,000.00

Budgeted Yes

Budget Source Expanded Learning Opportunities Grant

Recommended Action The recommendation is that the Board approve the 1.0 FTE English Language Arts Teacher on

Special Assignment (ELA TOSA) for Coyote Hills Elementary for the remainder of the school year, in order to provide instructional support for staff.

Purpose:

The purpose is to approve a 1.0 FTE English Language Arts Teacher on Special Assignment (ELA TOSA) for Coyote Hills Elementary for the remainder of the school year in order to provide instructional support for staff.

Background:

Coyote Hills Elementary is the largest elementary school and in its first year after the merge of Snow and Graham Elementary. There is currently one TOSA supporting Kindergarten to third grade. This additional position is necessary for Coyote Hills Elementary due to the large enrollment and support needed for Grades 4-6. The TOSA will work directly with teachers providing classroom-based demonstrations, collaborative and one-to-one support, and facilitating teacher inquiry and related professional development. The TOSA will focus on enhancing teachers' ability to provide instruction that builds students' sense of engagement

in the ownership of learning. The TOSA will also work with administrators and teachers to collect and analyze data, interpret, and use it to guide instructional decisions.

Motion & Voting

The recommendation is that the Board approve the 1.0 FTE English Language Arts Teacher on Special Assignment (ELA TOSA) for Coyote Hills Elementary for the remainder of the school year, in order to provide instructional support for staff.

Motion by Terrence Grindall, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Alicia Marquez

Nay: Aiden Hill

12 CONSENT AGENDA: NON-PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type	Action
Recommended	It is recommended that the Board of Education approve, under one consented vote, the
Action	agenda items under Consent Non-Personnel, except for agenda items:

Purpose:
(This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.)

Background:
Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Motion & Voting

It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent Non-Personnel, except for agenda items: 12.2 and 12.3.

Motion by Bowen Zhang, second by Alicia Marquez.

Final Resolution: Motion Carries

Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez

Contracts and Purchase Orders Authorized under Resolution 2020.21-025 (Delegate Authority to Procure Necessary Materials, Equipment and Services to Provide Distance and/or In-Person Learning for Staff, Teachers, and Students to Mitigate the Effects of Covid-19)

Type	Action
Recommended	The recommendation is that the Board of Education accept the update on costs associated
Action	with the implementation of Resolution 2020.21-025 (Resolution of the Board of Education of the Newark Unified School District to Delegate Authority to Procure Necessary Materials, Equipment and Services to Provide Distance and/or In-Person Learning for Staff, Teachers, and Students to Mitigate the Effects of Covid-19)

Purpose:
To update the Board on costs associated with the implementation of Resolution 2020.21-025 (Resolution of the Board of Education of the Newark Unified School District to Delegate Authority to Procure Necessary Materials, Equipment and Services to Provide Distance and/or In-Person Learning for Staff, Teachers, and Students to Mitigate the Effects of Covid-19) from November 1, 2021, through November 30, 2021.

Background:
On April 1, 2021, the Newark Unified School District Board approved Resolution 2020.21-025 delegating authority to the Superintendent or designee to procure necessary materials, equipment, and services that are needed to provide distance and/or in-person learning to mitigate the effects of Covid-19. Language in the resolution states "the Superintendent/Designee shall make periodic reports to the Board of Education and the public regarding implementation of this resolution and the costs associated therewith"; requiring the update provided here.

On September 16, 2021, Amended Resolution 2020.21-025 was approved. The amendment extends it to on or around June 30, 2022, and states that updates will be presented at the first Board meeting of each month.

Updates have been provided to the Board

June 17, 2021, for contracts and purchase orders between April 2, 2021, and May 31, 2021

October 7, 2021, for contracts and purchase orders between June 1, 2021, and September 30, 2021

November 4, 2021, for contracts and purchase orders between October 1, 2021, and October 31, 2021

VENDOR	DATE	PO NUMBER	DESCRIPTION	AMOUNT
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N/A*

*There are no contracts or purchase orders to report for the period of November 1, 2021 through November 30, 2021.

Motion & Voting

The recommendation is that the Board of Education accept the update on costs associated with the implementation of Resolution 2020.21-025 (Resolution of the Board of Education of the Newark Unified School District to Delegate Authority to Procure Necessary Materials, Equipment and Services to Provide Distance and/or In-Person Learning for Staff, Teachers, and Students to Mitigate the Effects of Covid-19)

Motion by Bowen Zhang, second by Terrence Grindall.

Final Resolution: Motion Carries

Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez

Contract for Mental Health Support with Wellness Together and HearYou.org

Type	Action
Preferred Date	Nov 18, 2021
Fiscal Impact	Yes
Dollar Amount	\$138,520.00
Budgeted	Yes
Budget Source	ESSER III
Recommended	The recommendation is that the Board of Education approve the Wellness Together and
Action	HearYou.org Contract.

Purpose:
 We are seeking the approval of Wellness Together contracts in order to execute the ESSER III plan. The District is dedicated to carrying out the Board approved plan for using Elementary and Secondary School Emergency Relief (ESSER III) funds. These funds have been directed in a way that will directly impact students, staff, and families and mitigate learning loss and other social and emotional impacts that were a result of school closures and the pandemic.

Background:
 One of the key strategies identified by the NUSD community is to strengthen services for mental health. This strategy has 2 parts: 1) to hire additional staff for Mental Health Clinician roles, and 2) to partner with an external provider to provide additional resources at school sites, including families that are uninsured. We have identified Wellness Together and their sub-organization HearYou.org to provide these services. If approved, services will begin in January and carry through to June. The contract includes 3 Clinicians serving 5 schools. Additionally, the contract includes a component of telehealth support for all NUSD staff members that are experiencing a crisis. The telehealth component will be provided by HearYou.org.

- File Attachments**
[Newark USD Wellness Together Agreement 2021-2022.pdf](#) (101 KB)
[Newark USD HearYou.org Agreement 2021-2022.pdf](#) (99 KB)
[Newark USD - Wellness Together Overview Slides.pdf](#) (5,517 KB)

Motion & Voting
 The recommendation is that the Board of Education approve the Wellness Together and HearYou.org Contract.
 Motion by Terrence Grindall, second by Phuong Nguyen.
 Final Resolution: Motion Carries
 Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez

Resolution No. 2021.22.13 Annual Report of Developer Fees for 2020-2021

Type	Action
Recommended	The recommendation is that the Board of Education approve Resolution No. 2020.21.13, the
Action	Annual Report of Developer Fees (Fund 25) for 2020-2021.

Purpose:
 The purpose of this item is to seek Board approval of the 2020-21 Annual Report of Developer Fees (Fund 25 Capital Facilities Fund).

Background:
 Districts that maintain a developer fee fund are required to prepare an annual accounting of that fund. The Board of Education enacted developer fees to provide for the reconstruction and/or modernization of existing facilities. Under Government Code Section 66006(b), each school district that imposes developer fees is required to annually review the income and the amount of expenditures from developer fees. Three fee schedules were used when collecting developer fees for FY 2020-21 (July 1, 2020, through June 30, 2021): residential development, commercial & industrial development, and mini-storage development.

Board Approved	Fees in Effect	Residential	Commercial	Mini-Storage
March 20, 2018	5/19/18 - 10/4/20	3.79	0.61	0.14
August 6, 2020	10/5/20 - present	4.08	0.66	0.08

The total amount in Fund 25, Capital Facilities Fund, was \$20,043,187.76 as of June 30, 2021.

- File Attachments**
[Resolution 2021.22.13 Accounting of Developer Fees 20-21 with accounting.pdf](#) (195 KB)

Mission Valley ROP Agreement Addendum III

Type	Action
Absolute Date	Dec 06, 2021
Fiscal Impact	Yes
Dollar Amount	\$969,359.00
Budgeted	Yes
Budget Source	LCAP
Recommended	It is recommended that the Board of Education approve Addendum III to the Joint Powers
Action	Agreement (JPA) of Mission Valley Regional Occupational Center/Program.

Purpose:

The purpose of this item is to seek Board approval for the Mission Valley ROP JPA Agreement, Addendum III, to set the funding level for 2022-23, 2023-24, and 2024-25 triennium. The proposal is to continue funding the JPA at the 2021-22 level for the next three years.

Background:

Newark Unified School District has been a member of the Mission Valley Regional Occupational Program (MVROP) JPA along with Fremont Unified School District since June 26, 1989. New Haven Unified School District joined the JPA on July 1, 1991. On February 18, 2016, the Mission Valley ROP board set its projected funding level for the purposes of budget projection and documentation of matching requirements for the Career Technical Education Incentive Grant (CTEIG). They requested the three member school district boards to agree to the same level of funding provided during the 2015/16 school year. When the Local Control Funding Formula (LCFF) replaced the old revenue limit and categorical funding model, the funding for ROP was transferred into the LCFF base. Since the board is given flexibility as to using LCFF base funding, an action of the board was needed to set ROP funding levels. Under our current agreement, the District has continued to transfer the amount calculated under the old ROP categorical funding model each year to the Mission Valley ROP to continue our partnership. As part of the application for the CTEIG funding, the ROP must be able to show a source of funds for matching the grant. They ask the board to commit to flat funding as a backup for applying for the matching grant from the State. Addendum I set the funding level for 2016-17 through 2018-19 and was approved by the Board on March 15, 2016. Addendum II set the funding level for 2019-20 through 2021-22 and was approved by the Board on January 31, 2019. Addendum III agrees to pass-thru/transfer the same level of funding as 2021-22, \$969,359, for each year in 2022-23, 2023-24, and 2024-25. This transfer of LCFF funding is based on the old ROP categorical funding level and is already included in the budget for the current year and reflected in the multi-year projections going forward.

File Attachments

- [Addendum III_JPA Funding_2022-23 to 2024-25.pdf](#) (69 KB)
- [MVROP JPA Agreement_w addenda 1 and 2.pdf](#) (9,252 KB)

Minutes of the November 18, 2021 Regular Meeting of the Board of Education

Type Action, Minutes
Recommended The recommendation is that the Board of Education approve the minutes of November 18, 2021, Regular Meeting of the Board of Education.
Action

Purpose:
For the board to review and approve the minutes

Background:
The attached minutes are reflective of the November 18, 2021, Regular Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel [HERE](#)

Minutes of the November 22, 2021 Special Meeting of the Board of Education

Type Action, Minutes
Recommended The recommendation is that the Board of Education approve the minutes of November 22, 2021, Special Meeting of the Board of Education.
Action

Purpose:
For the board to review and approve the minutes

Background:
The attached minutes are reflective of the November 22, 2021, Special Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel [HERE](#)

13 BOARD OF EDUCATION: COMMITTEE REPORTS, REQUESTS, AND ANNOUNCEMENTS

Board of Education Recognitions and Announcements

Type Information
Purpose:
The Trustees may acknowledge or recognize specific programs, activities, or personnel at this time.

Board of Education Committee Reports

Type Information
Purpose:
The Trustees will provide an update, if available, on the committees of which they are members.

Background:
Each year the Board of Education members liaise with schools and committees in order to build relationships, hear from staff, students, and families, and act as a conduit for information to and from the schools.
Board Committees 2020-21

	Representative	Alternate
Board Adopted on 11/04/21 Mission Valley Regional Occupational Center/Program (ROC/P) Executive Board	1. Bowen Zhang	1. Terrence Grindall
Regional Policy Board of Special Education Local Plan Area (SELPA) Newark Teacher Induction Advisory Council (Formally EBIC)	1. Bowen Zhang 1. Phuong Nguyen	1. Alicia Marquez 1. Aiden Hill
Audit Committee	1. Phuong Nguyen 2. Aiden Hill 1. Terrence Grindall	1. _____
Bond/Parcel Tax Committee City of Newark NUSD Liaison Committee	2. Phuong Nguyen 1. Phuong Nguyen 2. Terrence Grindall	1. Bowen Zhang 1. Phuong Nguyen

Board of Education Requests

Type Action, Discussion, Information

Purpose:
This is an opportunity for the Board of Education to suggest items for placement on future agendas and to review Board requests. Approval from the majority of the Board will be required for direction to be provided to the Superintendent.

Background:
The following derives directly from the Board approved "Governance Team Handbook"
Authority is Collective, Not Individual:
The only authority to direct action rests with the Board as a whole when seated at a regular or special board meeting. Outside of this meeting, there is no authority.
A majority Board vote provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction.
Bringing New Ideas Forward
The Board will be open to having "brainstorming" discussions, or study sessions, around any idea that a Trustee may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Trustee, at their initiative or at the request of a constituent, which was previously discussed during a board meeting.
Trustees will first notify the Board President and Superintendent of their interest in bringing forward a new idea at a board meeting.
When initially agendized, the preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.
Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea. The Superintendent will decide on the delegation of assignments to District staff.
The new idea may be agendized for discussion only. The Board majority will decide if the new idea should be further developed and studied by staff. The Board majority will decide if staff time should be invested in the "fleshing out" of new ideas.
Individual Trustees, in the course of interactions with constituents, will be careful not to make or imply the commitment of the full Board to explore or proceed with implementing new ideas.

14 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

Superintendent's Concluding Comments, Updates, and Future Agenda Items

AGENDA REQUESTS

Type Information

Purpose:
This is an opportunity for the Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

15 ADJOURNMENT

PLACEHOLDER - Extend Meeting

Type Action
Recommended Action The recommendation is that the Board of Education extends the meeting to ____ P.M.

Purpose:
This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

Adjournment

Type Action, Procedural
Recommended The recommendation is that the Board of Education adjourns this meeting.

Action

Purpose:

No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time. This action will conclude the meeting.

Motion & Voting

The recommendation is that the Board of Education adjourns this meeting at 8:34 pm.

Motion by Bowen Zhang, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez

1 CALL TO ORDER

Meeting Practices and Information

Type Information, Procedural
IN-PERSON MEETING INFORMATION

NUSD has opened its boardroom for in-person meetings and will follow the State's and Alameda County's safety guidelines for public gatherings. Please refrain from attending in-person meetings if you have any of the following symptoms:

- Loss of taste/smell
- Difficulty breathing
- Vomiting
- Diarrhea
- Fever
- Cough
- Headache
- Sore Throat
- Runny Nose

For additional COVID-19 information please go to <https://www.newarkunified.org/covid-19> or <https://www.acoe.org/guidance>

OBSERVE THE BOARD OF EDUCATION MEETING

Members of the public 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.

PUBLIC COMMENT

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

Pledge of Allegiance

Type Procedural

Purpose:

The Governance Team will recite the Pledge of Allegiance

Roll Call

Type Procedural

TRUSTEES

- President Bowen Zhang
 - Vice President/Clerk Phuong Nguyen
 - Member Aiden Hill
 - Member Terrence Grindall
 - Member Alicia Marquez
- STUDENT BOARD MEMBER
- Member Estaina Resendiz Ortiz

2 APPROVAL OF AGENDA

Approval of the Agenda

Type Action

Recommended It is recommended that the Board of Education approve the agenda for this meeting.

Action

Purpose:

Members of the Governance Team may request that the agenda be amended or approved as presented.

Motion & Voting

It is recommended that the Board of Education approve the agenda for this meeting.

Motion by Bowen Zhang, second by Terrence Grindall.

Final Resolution: Motion Carries

3 CONSENT AGENDA: NON-PERSONNEL ITEMS

Warrant Report for October 2021

Type	Action
Fiscal Impact	No
Recommended	The recommendation is that the Board of Education approve the Warrant Report as presented.
Action	

Purpose:
The purpose of this item is to present warrants, for the total amount of \$1,871,831.89, made from District funds for October 2021.

Background:
The warrant registers represent a complete listing of all payments made from District funds for a month. Because Newark Unified School District is a fiscally dependent District, each warrant must pass through two separate audits; first by the District's Fiscal Services department, and second by the County Office of Education. No warrant can be paid until such time as it is examined and approved by the County Office of Education.

File Attachments
[Warrant Report October 2021.pdf](#) (401 KB)

Motion & Voting
The recommendation is that the Board of Education approve the Warrant Report as presented.
Motion by Phuong Nguyen, second by Estaina Resendiz-Ortiz.
Final Resolution: Motion Carries
Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Estaina Resendiz-Ortiz

4 NEW BUSINESS

Reschedule the Dec. 2, 2021 Regular Board of Education Meeting

Type	Action
Recommended	It is recommended that the Board of Education reschedule the December 2nd Regular Board
Action	of Education meeting to December 6, 2021, at 6:00 pm.

Purpose:
To approve the rescheduling of the December 2, 2021, Regular Board of Education meeting to December 6, 2021, at 6:00 pm.

Background:
The CSBA Annual Education Conference is scheduled from December 1 - 4, 2021, and various members of the Board will be attending the conference for the purpose of learning about the best practices of effective governance. This conference interferes with the regularly scheduled December 2nd Board meeting, and the Board will consider rescheduling the meeting.

Motion & Voting
It is recommended that the Board of Education reschedule the December 2nd Regular Board of Education meeting to December 6, 2021, at 6:00 pm.
Motion by Bowen Zhang, second by Phuong Nguyen.
Final Resolution: Motion Carries
Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Alicia Marquez, Estaina Resendiz-Ortiz
Nay: Aiden Hill

5 ADJOURNMENT

Adjournment

Type	Action, Procedural
Recommended	The recommendation is that the Board of Education adjourns this meeting.
Action	

Purpose:
No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time. This action will conclude the meeting.

Motion & Voting
The recommendation is that the Board of Education adjourns this meeting at 6:34pm.
Motion by Bowen Zhang, second by Alicia Marquez.
Final Resolution: Motion Carries
Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Estaina Resendiz-Ortiz

1 CALL TO ORDER

Virtual Meeting Practices and Information

Type Information, Procedural
VIRTUAL MEETING INFORMATION

The district boardroom will be closed to the public, and in accordance with the Governor's Executive Order N-29-20, Board meetings will be held "virtually" until further notice. These meetings will be accessible to the public by internet or telephone. No physical meeting place will be provided. The Governor of California's Executive Order N-29-20 of March 17th, 2020.

OBSERVE THE BOARD OF EDUCATION MEETING

Members of the public may observe the meeting via the NUSD YouTube Channel, and public comments will be accepted via a Zoom Webinar with advance notice requested by email. Spanish translation will be available via Zoom.

PUBLIC COMMENT

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a LIVE comment or a WRITTEN comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org. Live comments will be transmitted via Zoom with audio-only.

Roll Call

Type Procedural
TRUSTEES
President Bowen Zhang
Vice President/Clerk Phuong Nguyen
Member Elisa Martinez
Member Terrence Grindall
Member Aiden Hill
STUDENT BOARD MEMBER
Member Estaina Resendiz Ortiz

2 APPROVAL OF AGENDA

Approval of the Agenda

Type Action
Recommended It is recommended that the Board of Education approve the agenda for this meeting.
Action

Purpose:
Members of the Governance Team may request that the agenda be amended or approved as presented.

Motion & Voting
It is recommended that the Board of Education approve the agenda for this meeting.
Motion by Alicia Marquez, second by Bowen Zhang.
Final Resolution: Motion Carries
Yea: Bowen Zhang, Terrence Grindall, Aiden Hill, Alicia Marquez
Not Present at Vote: Estaina Resendiz-Ortiz

3 CLOSED SESSION

Public Comment on Closed Session Items

Type Information
Purpose:
The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board. If a constituent wishes to address the Board on any agenda item, please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org.

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE (Gov. Code, 54957, subd. (b)(1))

Type Action, Information, Procedural
Purpose:
Information will be provided by the Superintendent and Executive Director of Human Resources.

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a): Employee Organizations - NTA and CSEA

Type Action, Information, Procedural
Purpose:

Information may be provided by the agency negotiator, Executive Director of Human Resources. Assistance from the legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided. The employee organizations include NTA & CSEA.

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a)): Employee Group - NEWMA, Unrepresented Supervisors, and Contracted Management

Type Action, Information, Procedural

Purpose:

Information may be provided by the agency negotiator, the Executive Director of Human Resources, and the Superintendent. Assistance from legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided. The employee organizations include NEWMA, Unrepresented Supervisors, and Contracted Management

CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION Significant exposure to litigation pursuant to Gov. Code, 54956.9, subd. (d)[(2) or (3)]

Type Action, Information, Procedural

Purpose:

Information may be provided regarding significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: One case

CONFERENCE WITH LEGAL COUNSEL EXISTING LITIGATION (Gov. Code, 54956.9, subd. (d)(1))

Type Action, Information, Procedural

Purpose:

To discuss the following case(s): Christine Clinton v. Newark Unified School District: HG21103262

STUDENT EXPULSION (Ed. Code, 48918)

Type Information, Procedural

Purpose:

For the Board to review the Stipulation Expulsion Agreement.

Background:

A Stipulation Expulsion Agreement meeting was held on November 2, 2021. A Stipulation Expulsion Meeting was conducted in accordance with Board Policy and Administrative Regulation 5144.1 and, if applicable, 5144.2 for students with disabilities. The administration asks for approval of the recommendation for Case# e2122-08. (Ed Code. 48918).

Recess to Closed Session

Type Procedural

Purpose:

The Board will recess to Closed Session, and reconvene to Open Session on or about 7:00 p.m.

4 RECONVENE TO OPEN SESSION

Pledge of Allegiance

Type Procedural

Purpose:

The Governance Team will recite the Pledge of Allegiance

5 REPORT OF CLOSED SESSION ACTIONS

Report of Closed Session Actions

Type Action, Procedural

Purpose:

If available, a report of the closed session will be provided by the Board President.

6 EMPLOYEE ORGANIZATIONS

Employee Organizations

Type Information

Purpose:

At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Background:

Discussion items are limited to updates, celebrations, and upcoming events.

1. NTA: Sean Abruzzi
2. CSEA: Sue Eustice
3. NEWMA: Vicenta Ditto

7 RECOGNITIONS AND CELEBRATIONS

School Spotlight: Birch Grove Intermediate

Type Information

Purpose:

The School Spotlight gives the Board of Education and the public an opportunity to hear the highlights, achievements, and initiatives at each school directly from the principals.

Background:

The presentation and information will be provided by the Birch Grove Intermediate Principal, Olivia Wong.

File Attachments

[BGI Spotlight - 2021_22.pdf](#) (6,100 KB)

8 PUBLIC COMMENT ON NON-AGENDA ITEMS

Public Comment on Non-Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

9 SUPERINTENDENT REPORT

Superintendent Report

Type Information

Purpose:

The superintendent will provide the Board of Education with district information, updates, news, or anything in the jurisdiction of the board or the superintendent.

Background:

The presentation and information will be provided by the Superintendent

10 STAFF REPORT

Update on ForeFront Power Solar Projects at Newark Memorial High School and Newark Jr High School

Type Discussion, Information

Purpose:

To provide the Board with an update on the progress of the solar projects at Newark Memorial High School and Newark Jr High School.

Background:

Updates on the Solar Project have been provided to the Board on March 18, 2021 and August 5, 2021. At the November 4, 2021 Board meeting, Member Nguyen requested staff to provide another update on the solar project.

On November 7, 2019, the Board approved the Power Purchase Agreement (PPA) between Newark Unified School District &

ForeFront Power for solar facilities and battery energy storage systems at Newark Memorial High School and Newark Junior High School including the option for the district to incorporate costs such as, but not limited to, inspector fees, DSA fees, PG&E upgrades, and ADA compliance requirements, currently estimated at \$100,000 for both sites.

On December 3, 2020 the Board approved Forefront Power to upgrade the battery at Newark Memorial High School from a 2-Hour to a 4-Hour to increase savings and the energy storage capacity.

ForeFront Power gave presentations to the Board on May 16, 2017 and August 1, 2019.

Inspector fees (estimated cost \$20,000 per site), DSA fees, PG&E upgrades and ADA compliance upgrades (estimated cost if needed is \$30,000 per site) are the district's upfront costs; however, the PPA will incorporate these costs and the district will be reimbursed or ForeFront will pay for them directly.

ForeFront Power worked with NUSD in 2017 to submit interconnection applications to get the District grandfathered on lucrative Time of Use rates.

SPURR, the Joint Powers Authority, ran a statewide RFP (Request for Proposal) process in 2017 for solar and storage systems that K12 Districts can "piggyback" off to procure solar facilities, storage systems, and EVCS (Electric Vehicle Charging Stations). Eight companies submitted proposals and the RFP was awarded to ForeFront Power.

ForeFront Power has updated the numbers since 2017 and presented a district wide solution in the Board Study Session on August 1, 2019.

After careful consideration, the District determined that as Phase I of this project, Newark Memorial High School and Newark Junior High School would be the best locations to initially install solar facilities to start this project. Initial estimates indicated that the District could save \$145K (25%) in year 1, and \$4.6 million over 20 years with this solar solution, using very conservative assumptions. Phase II of this project would potentially include other school locations in the future.

The PPA includes a buyout option after year 5.

Other Districts who have partnered with ForeFront Power through the use of the SPURR REAP (Renewable Energy Aggregated Procurement) RFP include:

- Central USD (in Fresno)
- Stockton USD
- Fresno USD (4th largest school district in the state)
- Shasta Union High School District
- Paso Robles JUSD
- South Monterey County JUHSD
- Bakersfield CSD
- Sierra CCD
- State Center CCD
- Kings Canyon USD

[File Attachments](#)

[Newark USD Solar Update - Board 2021.11.18v3.pdf](#) (3,115 KB)

Feasibility Study for New School in the Sanctuary Development (Area 3)

Type Discussion, Information

Purpose:

To review the New School Area 3 Feasibility Study report from SchoolWorks, Inc. This is a feasibility study for building a new school on land provided by the developer in the Sanctuary development located in the City of Newark's Area 3. The 2021/22 Demographics and Enrollment Projections report for NUSD is also provided for reference.

Background:

At the May 6, 2021, Board meeting, the Board requested that staff begins to review the feasibility of building a new school in the Sanctuary development located in the City of Newark's Area 3.

On June 17, 2021, the Board approved the proposal from SchoolWorks, Inc to provide services for a feasibility study of building a new school in the Sanctuary development located in the City of Newark's Area 3.

On April 9, 2015, a Development Agreement between the City of Newark and Newark Partners, LLC Developer was executed.

As part of this agreement, the City of Newark required the dedication of 6 acres of land to the City for use as a school site. In addition, there is to be an adjacent 3-acre park that would be for joint City/School use.

As per the provisions of the Development Agreement, an elementary school must begin construction on the site within 7 years of the first building permit granted for the Sanctuary (Area 3) development. If school construction does not take place by that time, the property would revert to the developer.

The first building permit was granted on August 8, 2018. Therefore, school construction would need to commence by August 7, 2025.

[File Attachments](#)

[Presentation_New School Area 3 Feasibility Study Nov 2021.pdf](#) (842 KB)

[NUSD Demographics and Enrollment Projections 2021.pdf](#) (3,692 KB)

[Newark New School Feasibility Study-a.pdf](#) (1,711 KB)

Facilities Projects Update

Type Discussion, Information

Purpose:

RGM Kramer, the district's Bond Project Manager, and the CBO will provide an update on the facilities projects taking place across the district.

Background:

RGM Kramer will present an update on current projects in planning and construction with an emphasis on the Heating Ventilation & Air Conditioning (HVAC) and Irrigation & Landscaping Project construction schedules.

[File Attachments](#)

[NUSD Facilities Update 11 18 21 Final Revised 1.pdf](#) (1,666 KB)

History Adoption Process

Type Information

[Purpose:](#)

The History Adoption Committee comprises K-12 staff as well as site and district administrators in order to review, pilot, and recommend History textbooks and curriculum for adoption, grades K-12. A public viewing of piloted materials will occur in February 2022 in order for the History Adoption Committee to make a final recommendation to the Board of Education for adoption for the 2022-23 school year. The Committee will adhere to a detailed process and timeline, including the use of an evaluation rubric with staff input, that is aligned with criteria outlined in the history-social science framework established by the California Department of Education.

[Background:](#)

The subjects of English-Language Arts, Science, and Mathematics have been the most recently adopted curriculums within Newark Unified School District. In fact, the last time History curriculum was formally adopted in Newark Unified was in 2006. As a result, staff and students have expressed widespread interest in adopting a new History curriculum grades K-12 that will include a state-adopted program and is aligned with the current California history-social science framework. Therefore, Ed Services has convened a History Adoption Committee during the 2021-22 school year in order to review and pilot publisher materials and, ultimately, make a recommendation to the Board of Education to adopt a new History curriculum for the 2022-23 school year.

[File Attachments](#)

[History Adoption Process 11.18.21.pdf](#) (1,655 KB)

11 STUDENT EXPULSION

Expulsion Stipulation for e2122-08

Type Action

Recommended The recommendation is that the Board of Education approves the Expulsion Stipulation.
Action

[Purpose:](#)

For the Board to review the Stipulation Expulsion Agreement.

[Background:](#)

A Stipulation Expulsion Agreement meeting was held on November 2, 2021. A Stipulation Expulsion Meeting was conducted in accordance with Board Policy and Administrative Regulation 5144.1 and, if applicable, 5144.2 for students with disabilities. The administration asks for approval of the recommendation for Case# e2122-08. (Ed Code. 48918).

[Motion & Voting](#)

The recommendation is that the Board of Education approves the Expulsion Stipulation.

Motion by Bowen Zhang, second by Terrence Grindall.

Final Resolution: Motion Carries

Yea: Bowen Zhang, Terrence Grindall, Aiden Hill, Alicia Marquez

Abstain: Estaina Resendiz-Ortiz

12 OLD BUSINESS

2021-22 District Goals and Superintendent Objectives

Type Action, Discussion, Information

Recommended The recommendation is that the Board of Education approves the 2021-22 District Goals and Superintendent Objectives as articulated in the NUSD Accountability Framework for Implementation of Initiatives

[Purpose:](#)

For the board to review and approve the district goals and superintendent objectives as articulated in the NUSD Accountability Framework for Implementation of Initiatives.

[Background:](#)

"Each year of the agreement, the Board and the Superintendent shall establish by mutual agreement the Superintendent's performance and benchmarks for the next school year." (Superintendent Contract)

At the October 27 Board meeting, the Board reviewed the prior year's goal and objectives and identified the areas of focus which the District should either start, stop, or continue for the 2021-2022 school year. The Board provided valuable feedback and input into the direction for this current school year. Per the direction of the Board, the Superintendent created the document titled, "NUSD Accountability Framework for Implementation of Initiatives," which provides a SMART goal accountability framework in

order to track the level of implementation and impact of desired outcomes. During the school year, there are thousands of actions the administration takes in order to service our students and families. The purpose of this document is to name the top priority areas for the year, in order to collectively stay focused on those areas with the highest leverage potential and the greatest academic return on investment for our students, families, and district.

[File Attachments](#)

[Cover Letter to Board_ 2021-2022 District Goals & Superintendent Objectives.pdf](#) (184 KB)

[District Goal-Setting Process 2021-22.pdf](#) (418 KB)

[NUSD Accountability Framework for Implementation of Initiatives - NUSD Goals & Objectives \(1\).pdf](#) (68 KB)

13 NEW BUSINESS

Refinancing of Measure G Bond

Type Discussion, Information

[Purpose:](#)

In the current low-interest rate environment, there is an opportunity to refinance a portion of the District's outstanding General Obligation bonds in an effort to generate taxpayer savings. The Board will be receiving an informational report from Blake Boehm of KNN Public Finance providing an overview of a potential bond refinancing and associated timeline.

[Background:](#)

District voters authorized Measure G in November 2011 providing \$63 million of General Obligation bond funding for school facility projects. The District subsequently issued three series of bonds in 2012, 2014, and 2016. Property taxes are levied by the County and are ultimately paid by homeowners in order to make annual debt service payments on the outstanding bonds. Refunding bonds, which are similar to refinancing a home mortgage, pay off existing debt with funds borrowed at lower interest rates. The savings are then passed on to taxpayers in the form of lower property taxes.

The District's Election of 2011, Series A and B bonds, are both strong candidates for a potential bond refinancing, estimated to generate taxpayer savings in excess of \$4.89 million over the remaining life of the bonds.

Interest rates on the outstanding Series A & Series B bonds range between 4% and 5%. The bond refinancing will lower interest rates to an estimated 3.1%.

The term of the refunding bonds will not extend the current repayment of bonds.

There is no fiscal impact to the District as all costs associated with the refunding, including the KNN Public Finance Agreement, will be paid through the issuance of refunding bonds.

A recommendation to approve the refinancing of the Bond will be presented to the Board at the December 16, 2021, meeting.

[File Attachments](#)

[Presentation_Discussion of GO Bond Refinancing_11.18.21_vFN.pdf](#) (1,224 KB)

[KNN Public Finance Agreement_GO Bond Refinancing_11-18-21.pdf](#) (185 KB)

Report on Recent Needle Point Bipolar Ionization (NBPI) Air Testing

Type Discussion, Information

[Purpose:](#)

The Board will receive a report on the recent air quality and chemical composition testing conducted on October 2nd and 3rd, 2021 by Forensic Analytical Consulting Services (FACS) on the Needle Point Bipolar Ionization devices (NBPI).

The intended objective was to determine if the use of the Needle Point Bipolar Ionization devices (NBPI) produce harmful chemical byproducts.

[Background:](#)

Amid concerns expressed and recognition of the pending class action lawsuit brought against Global Plasma Solutions (GPS), the District disconnected the Needle Point Bipolar Ionization (NBPI) devices and engaged Forensic Analytical Consulting Services (FACS) to provide analytical air quality and chemical testing on the operation of the NBPI devices installed in Heating, Ventilating and Air Conditioning systems intended to help protect students, faculty and staff from the COVID 19 pandemic.

Gerard L. Baril, MS, CIH, Senior Project Manager, from Forensic Analytical Consulting Services (FACS) will review the purpose, testing criteria, methodology, and summary results of the subject air testing conducted.

[File Attachments](#)

[Test Results NPBI Board Presentation.pdf](#) (1,590 KB)

[PJ66473 - Newark USD - IAQ Assessment-Phase 2 -11-03-21-FINAL.pdf](#) (11,070 KB)

14 CONSENT AGENDA: PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type Action

Recommended It is recommended that the Board of Education approve, under one consented vote, the
Action agenda items under Consent-Personnel, except for agenda items:

[Purpose:](#)

(This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.)

Background:

Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Personnel Report

Type Action

Absolute Date Nov 18, 2021

Recommended The recommendation is that the Board of Education ratify the personnel report as presented.

Action All personnel activities including new hires, changes in status, resignation, leaves, and retirements are routinely submitted to the Board for ratification.

File Attachments

HR PAL 11-18-2021.pdf (368 KB)

Motion & Voting

The recommendation is that the Board of Education ratify the personnel report as presented.

Motion by Terrence Grindall, second by Alicia Marquez.

Final Resolution: Motion Carries

Yea: Bowen Zhang, Terrence Grindall, Aiden Hill, Alicia Marquez

Abstain: Estaina Resendiz-Ortiz

15 CONSENT AGENDA: NON-PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type Action

Recommended It is recommended that the Board of Education approve, under one consented vote, the

Action agenda items under Consent Non-Personnel, except for agenda items:

Purpose:

(This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.)

Background:

Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Motion & Voting

It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent Non-Personnel, except for agenda items: 15.2 and 15.4.

Motion by Alicia Marquez, second by Terrence Grindall.

Final Resolution: Motion Carries

Yea: Bowen Zhang, Terrence Grindall, Aiden Hill, Alicia Marquez, Estaina Resendiz-Ortiz

2021-22 Purchase of Curriculum Associates, LLC for I-Ready Services

Type Action

Preferred Date Nov 18, 2021

Fiscal Impact Yes

Dollar Amount \$126,552.00

Budgeted Yes

Budget Source ELO

Recommended The recommendation is that the Board of Education approve the purchase of Curriculum

Action Associates, LLC for I-Ready Services.

Purpose:

i-Ready is a comprehensive assessment and instruction program for English-Language Arts (ELA) and Mathematics that provides diagnostics and assessments for students grades Kindergarten through 6th grade. i-Ready provides teachers with clear reports and actionable data to identify students' strengths and areas of need and enables teachers to intervene with lessons and instructional resources that can be individualized for students or used with whole classes to accelerate academic growth for specific grade-level standards.

Background:

This is the 6th year of district implementation of i-Ready and the program serves as a part of the district's comprehensive assessment program. Maintaining continuity allows NUSD to monitor students' instructional progress and identify trends and patterns in order to utilize data analysis for instructional planning and intervention purposes. i-Ready is utilized to support principals' professional development in leading data analysis for staff meetings and has been incorporated in the past for teachers as a part of district-wide professional development. Additionally, as a result of distance learning and in order to provide targeted intervention in the subjects of ELA and Mathematics in earlier grade levels, Newark Unified has expanded i-Ready to include grades K-6. This allows teachers to receive professional development, have access to online instructional and intervention resources, and provide targeted lessons for all students in elementary grades, K-6. By expanding to all elementary

grades, Ed Services, K-6 teachers, and principals are able to monitor students' academic growth with data analysis reports and strategic and timely instruction and support. Due to the expansion of i-Ready for grades K-6 in both English-Language Arts and Mathematics, the total cost is \$126,552.

[File Attachments](#)

[Curriculum Associates 21.22.pdf](#) (914 KB)

[Motion & Voting](#)

The recommendation is that the Board of Education approve the purchase of Curriculum Associates, LLC for I-Ready Services.

Motion by Terrence Grindall, second by Estaina Resendiz-Ortiz.

Final Resolution: Motion Carries

Yea: Bowen Zhang, Terrence Grindall, Alicia Marquez, Estaina Resendiz-Ortiz

Nay: Aiden Hill

Change Order #2 - Landscaping and Irrigation Project Group 1

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$5,310.40
Budgeted	Yes
Budget Source	Bond Measure G
Recommended	The recommendation is that the Board of Education approve Change Order #2 for the
Action	Landscaping and Irrigation Project Group 1, with Marina Landscape, as presented.

[Purpose:](#)

Approve Change Order #2 in the amount of \$5,310.40 for a total contract amount of \$550,509.81 with Marina Landscape for the Landscaping and Irrigation Group 1 Project. This change is due to an unforeseen condition of the existing irrigation controllers not being wired to the system. This change is less than a 3% change of the contract and well within the project budget.

[Background:](#)

The Board approved the contract with Marina Landscape for the Landscaping and Irrigation Group 1 Project on June 17, 2021. The budget for the landscape and irrigation contract was estimated at \$894,141.00. The base contract awarded to Marina Landscape was \$535,400.00. The budget included a 5% contingency amount of \$26,770.00. Change Order #1 was approved October 7, 2021, in the amount of \$9,799.41.

This action item is to approve Change Order #2 (Final) which entails the following:

Locating controllers within a weatherproof pedestal type enclosure, for Birch Grove Primary, Birch Grove Intermediate, and Schilling Elementary Schools.	\$5,310.40
Total This Change Order	\$5,310.40

Contract Summary	
Bid/Contract Amount	\$535,400.00
Contingency Amount	\$26,770.00
Change Order #1	\$9,799.41
Change Order #2 (Final)	\$5,310.40
Unused Balance - Savings to District	\$11,660.19

[File Attachments](#)

[CO#2-Marina- Plant & Irrigation 3 sig.pdf](#) (456 KB)

Warrant Report for October 2021

Type	Action
Fiscal Impact	No
Recommended	The recommendation is that the Board of Education approve the Warrant Report as presented.
Action	

[Purpose:](#)

The purpose of this item is to present warrants, for the total amount of \$1,871,831.89, made from District funds for October 2021.

[Background:](#)

The warrant registers represent a complete listing of all payments made from District funds for a month. Because Newark Unified School District is a fiscally dependent District, each warrant must pass through two separate audits; first by the District's Fiscal Services department, and second by the County Office of Education. No warrant can be paid until such time as it is examined and approved by the County Office of Education.

[File Attachments](#)

[Warrant Report October 2021.pdf](#) (401 KB)

Minutes of the Novemebr 4, 2021 Regular Meeting of the Board of Education

Type	Action, Minutes
Recommended	The recommendation is that the Board of Education approves the minutes of November 4,
Action	2021, Regular Meeting of the Board of Education.

Purpose:

For the board to review and approve the minutes

Background:

The attached minutes are reflective of the November 4, 2021, Regular Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel [HERE](#)

16 BOARD OF EDUCATION: COMMITTEE REPORTS, REQUESTS, AND ANNOUNCEMENTS

Board of Education Recognitions and Announcements

Type Information

Purpose:

The Trustees may acknowledge or recognize specific programs, activities, or personnel at this time.

Board of Education Committee Reports

Type Information

Purpose:

The Trustees will provide an update, if available, on the committees of which they are members.

Background:

Each year the Board of Education members liaise with schools and committees in order to build relationships, hear from staff, students, and families, and act as a conduit for information to and from the schools.

Board Committees 2020-21

Board Adopted on 11/04/21

	Representative	Alternate
Mission Valley Regional Occupational Center/Program (ROC/P) Executive Board	1. Bowen Zhang	1. Terrence Grindall
Regional Policy Board of Special Education Local Plan Area (SELPA) Newark Teacher Induction Advisory Council (Formally EBIC)	1. Bowen Zhang 1. Phuong Nguyen	1. Alicia Marquez 1. Aiden Hill
Audit Committee	1. Phuong Nguyen 2. Aiden Hill 1. Terrence Grindall	1. _____
Bond/Parcel Tax Committee City of Newark NUSD Liaison Committee	2. Phuong Nguyen 1. Phuong Nguyen 2. Terrence Grindall	1. Bowen Zhang 1. Phuong Nguyen

Board of Education Requests

Type Action, Discussion, Information

Purpose:

This is an opportunity for the Board of Education to suggest items for placement on future agendas and to review Board requests.

Approval from the majority of the Board will be required for direction to be provided to the Superintendent.

Background:

The following derives directly from the Board approved "Governance Team Handbook"

Authority is Collective, Not Individual:

The only authority to direct action rests with the Board as a whole when seated at a regular or special board meeting. Outside of this meeting, there is no authority.

A majority Board vote provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction.

Bringing New Ideas Forward

The Board will be open to having "brainstorming" discussions, or study sessions, around any idea that a Trustee may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Trustee, at their initiative or at the request of a constituent, which was previously discussed during a board meeting.

Trustees will first notify the Board President and Superintendent of their interest in bringing forward a new idea at a board meeting.

When initially agendized, the preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.

Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea. The Superintendent will decide on the delegation of assignments to District staff.

The new idea may be agendized for discussion only. The Board majority will decide if the new idea should be further developed and studied by staff. The Board majority will decide if staff time should be invested in the "fleshing out" of new ideas.

Individual Trustees, in the course of interactions with constituents, will be careful not to make or imply the commitment of the full Board to explore or proceed with implementing new ideas.

17 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

Superintendent's Concluding Comments, Updates, and Future Agenda Items

AGENDA REQUESTS

Type Information

Purpose:

This is an opportunity for the Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

18 ADJOURNMENT

PLACEHOLDER - Extend Meeting

Type Action

Recommended The recommendation is that the Board of Education extends the meeting to ____ P.M.
Action

Purpose:

This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

Motion & Voting

The recommendation is that the Board of Education extends the meeting to 11: P.M.

Motion by Bowen Zhang, second by Terrence Grindall.

Final Resolution: Motion Carries

Yea: Bowen Zhang, Terrence Grindall, Aiden Hill, Alicia Marquez, Estaina Resendiz-Ortiz

Adjournment

Type Action, Procedural

Recommended The recommendation is that the Board of Education adjourns this meeting.
Action

Purpose:

No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time.
This action will conclude the meeting.

1 CALL TO ORDER

Meeting Practices and Information

Type Information, Procedural

IN-PERSON MEETING INFORMATION

NUSD has opened its boardroom for in-person meetings and will follow the State's and Alameda County's safety guidelines for public gatherings. Please refrain from attending in-person meetings if you have any of the following symptoms:

- Loss of taste/smell
- Difficulty breathing
- Vomiting
- Diarrhea
- Fever
- Cough
- Headache
- Sore Throat
- Runny Nose

For additional COVID-19 information please go to <https://www.newarkunified.org/covid-19> or <https://www.acoe.org/guidance>

OBSERVE THE BOARD OF EDUCATION MEETING

Members of the public 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.

PUBLIC COMMENT

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

Roll Call

Type Procedural

TRUSTEES

President Bowen Zhang

Vice President/Clerk Phuong Nguyen

Member Aiden Hill
Member Terrence Grindall
Member Alicia Marquez
STUDENT BOARD MEMBER
Member Estaina Resendiz Ortiz

2 APPROVAL OF AGENDA

Approval of the Agenda

Type Action
Recommended It is recommended that the Board of Education approve the agenda for this meeting.
Action

Purpose:
Members of the Governance Team may request that the agenda be amended or approved as presented.

Motion & Voting
It is recommended that the Board of Education approve the agenda for this meeting.
Motion by Alicia Marquez, second by Terrence Grindall.
Final Resolution: Motion Carries
Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez
Not Present at Vote: Estaina Resendiz-Ortiz

3 CLOSED SESSION

Public Comment on Closed Session Items

Type Information

Purpose:
The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board. If a constituent wishes to address the Board on any agenda item, please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org.

RATIFICATION AND APPROVAL OF TK ENROLLMENT: (Ed. Code, 48000 & 35146)

Type Action, Discussion, Information

Purpose:
The Board will review student information for approval of newly registered Transitional Kindergarten students who shall reach age 5 after December 2, 2021. This process will continue on a case by case basis for students who register within the extended window.

Background:
Education Code sections 48000 and 48010, and District Administrative Regulation ("AR") 5111, requires the District to enroll any otherwise eligible student who turns age five or six on or before September 1 of a given school year into kindergarten or first grade, as applicable. In addition, if a student turns age five between September 2 and December 2 of a school year, then that student shall be offered an opportunity to enroll in TK. The District may additionally admit younger children to TK "on a case by case basis".

Education Code section 4800 specifically provides as follows:
(c)(1)(C) [A] child who will have their fifth birthday between September 2 and December 2 shall be admitted to a transitional kindergarten program maintained by the school district or charter school.

(c)(2)(A) In any school year, a school district ... may, at any time during a school year, admit a child to a transitional kindergarten program who will have their fifth birthday after the date specified for the applicable year ... but during that same school year, with the approval of the parent or guardian, subject to the following conditions:

(i) The governing board of the school district or the governing body of the charter school determines that the admittance is in the best interests of the child.

(ii) The parent or guardian is given information regarding the advantages and disadvantages and any other explanatory information about the effect of this early admittance.

Consistent with the Education Code, the District's AR 5111 provides:

On a case-by-case basis, a child who will turn five years old in a given school year may be enrolled in kindergarten or TK at any time during that school year with the approval of the child's parent/guardian, provided that: (Education Code 48000)

1. The parent/guardian is given information regarding the advantages and disadvantages and any other explanatory information about the effect of this early admittance.

2. The Governing Board determines that admittance is in the best interest of the child.

Beginning in the 2022-2023 school year, the birthday cut off will be extended to February 2, and will continue being extended by two months each school year, until the 2025-2026 school year, when any student with a birthday after September 1 must be admitted to TK

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE (Gov. Code, 54957, subd. (b)(1))

Type Action, Information, Procedural

Purpose:

Information will be provided by the Superintendent and Executive Director of Human Resources.

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a): Employee Organizations - NTA and CSEA

Type Action, Information, Procedural

Purpose:

Information may be provided by the agency negotiator, Executive Director of Human Resources. Assistance from the legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided. The employee organizations include NTA & CSEA.

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a)): Employee Group - NEWMA, Unrepresented Supervisors, and Contracted Management

Type Action, Information, Procedural

Purpose:

Information may be provided by the agency negotiator, the Executive Director of Human Resources, and the Superintendent. Assistance from legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided. The employee organizations include NEWMA, Unrepresented Supervisors, and Contracted Management

CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION Significant exposure to litigation pursuant to Gov. Code, 54956.9, subd. (d)[(2) or (3)]

Type Action, Information, Procedural

Purpose:

Information may be provided regarding significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: One case

CONFERENCE WITH LEGAL COUNSEL EXISTING LITIGATION (Gov. Code, 54956.9, subd. (d)(1))

Type Action, Information, Procedural

Purpose:

To discuss the following case(s):
Bretz vs Newark Unified School District Keenan Claim # 569505

STUDENT EXPULSION (Ed. Code, 48918)

Type Information, Procedural

Purpose:

For the Board to review the Expulsion.

Background:

An Expulsion Panel Hearing was held on October 28, 2021. An Expulsion Panel Hearing was conducted in accordance with Board Policy and Administration Regulation 5144.1 and, if applicable 5144.2 for students with disabilities. The administration asks for approval of the recommendation for Case e2122-07. (Ed. Code, 48918)

Recess to Closed Session

Type Procedural

Purpose:

The Board will recess to Closed Session, and reconvene to Open Session on or about 7:00 p.m.

4 RECONVENE TO OPEN SESSION

Pledge of Allegiance

Type Procedural

Purpose:

The Governance Team will recite the Pledge of Allegiance

5 REPORT OF CLOSED SESSION ACTIONS

Report of Closed Session Actions

Type Action, Procedural

Purpose:

If available, a report of the closed session will be provided by the Board President.

6 STUDENT REPORT

Student Reports from Newark Junior High School, Alternative Education, and Newark Memorial High School

Type Discussion, Information

Purpose:

At regular Board of Education meetings, a spokesperson of each secondary school may make a brief presentation. Discussion items may include updates, celebrations, and upcoming events.

1. Newark Junior High School - Mohammed Lulu and Poorvi Sharma
2. Alternative Education - Alexis Blanco-Barron
3. Newark Memorial High School - Estaina Resendiz-Ortiz

7 EMPLOYEE ORGANIZATIONS

Employee Organizations

Type Information

Purpose:

At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Background:

Discussion items are limited to updates, celebrations, and upcoming events.

1. NTA: Sean Abruzzi
2. CSEA: Sue Eustice
3. NEWMA: Vicenta Ditto

8 RECOGNITIONS AND CELEBRATIONS

Staff Spotlight

Type Information

Purpose:

To recognize the wonderful accomplishments of our NUSD Team.

Background:

The presentation will be provided by the Superintendent.

9 PUBLIC COMMENT ON NON-AGENDA ITEMS

Public Comment on Non-Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

10 SUPERINTENDENT REPORT

Superintendent Report

Type Information

Purpose:

The superintendent will provide the Board of Education with district information, updates, news, or anything in the jurisdiction of the board or the superintendent.

Background:

The presentation and information will be provided by the Superintendent

11 STAFF REPORT

Graduate Profile Graphic Designs

Type Information

Purpose:

Present the renderings created by ImageSetters based on our NUSD student's (Guadalupe Angel Morales) original design to the Board of Education for their comments and feedback.

Background:

In 2020-2021, 151 members of the Newark community: students, teachers, administrators, parents, business partners, community partners, university representatives, and the Board of Education collaborated to identify the top six characteristics of a graduate of Newark USD. A high school student, Guadalupe Morales created three visual representations of these characteristics. The six characteristics were approved by the BOE in June 2021. ImageSetters created three professional quality graphics based on Guadalupe's designs.

File Attachments

[BOE - Graduate Profile Graphics 2021.pdf](#) (2,171 KB)

12 STUDENT EXPULSION

Expulsion Case# e2122-07

Type Action

The recommendation is that the Board of Education approves the Expulsion Case# e2122-07.

Recommended

Action

Purpose:

For the Board to review the Expulsion.

Background:

An Expulsion Panel Hearing was held on October 27, 2021. An Expulsion Panel Hearing was conducted in accordance with Board Policy and Administrative Regulation 5144.1 and, if applicable, 5144.2 for students with disabilities. The administration asks for approval of the recommendation for Case# e2122-07. (Ed Code. 48918).

Motion & Voting

The recommendation is that the Board of Education approves the Expulsion Case# e2122-07.

Motion by Bowen Zhang, second by Terrence Grindall.

Final Resolution: Motion Carries

Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez

Abstain: Estaina Resendiz-Ortiz

13 NEW BUSINESS

Board Policy 4131 Staff Development (First Reading)

Type Action

Preferred Date Nov 04, 2021

Absolute Date Nov 04, 2021

Recommended The recommendation is that the Board of Education approves the updated Board Policy 4131

Action as presented.

Purpose:

For the Board to review the updated policy.

Background:

This is the first reading for the attached Board Policy. The language is sanctioned by the California School Board Association. The administration has reviewed this document for accuracy and made revisions to reflect district practice.

If any revisions are recommended, the document will be brought back to the Board of Education for a second reading.

File Attachments

[BP4131 Staff Development NUSD.pdf](#) (325 KB)

Motion & Voting

The recommendation is that the Board of Education approves the updated Board Policy 4131 as presented.

Motion by Phuong Nguyen, second by Alicia Marquez.
Final Resolution: Motion Carries
Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Estaina Resendiz-Ortiz

Eliminate Excess Sick Leave Allotment for NEWMA New Hires Effective November 5, 2021.

Type Action
Recommended The recommendation is that the Board of Education approves to eliminate the excess sick
Action leave allocation to NEWMA new hires effective November 5, 2021, and reduce the liability and
cost to the district, as presented.

Purpose:
To eliminate the excess sick leave allocation to NEWMA (Newark Management) new hires effective November 5, 2021, and reduce the liability and cost to the district.

Background:
Current NEWMA employees receive a basic sick leave of up to 12 days per year and, in addition, they are also granted excess sick leave of 6-10 days depending on their position. Pre-1985, the excess sick leave was granted to NEWMA in lieu of a salary increase during difficult financial times. Any unused excess sick leave upon retirement results in a penalty that the district is required to pay. From 2004 to 2020, the district paid \$305K in excess sick leave penalties. The board approval would eliminate the excess sick leave allocation for NEWMA employees hired on or after November 5, 2021. NEWMA employees hired before November 5, 2021, will be "grandfathered" in, and they will retain their excess sick leave allocation. The estimated liability as of October 2021 is about \$160K. This estimate would increase each year as additional excess sick leave is accumulated.

Motion & Voting
The recommendation is that the Board of Education approves to eliminate the excess sick leave allocation to NEWMA new hires effective November 5, 2021, and reduce the liability and cost to the district, as presented.
Motion by Terrence Grindall, second by Phuong Nguyen.
Final Resolution: Motion Carries
Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez
Abstain: Estaina Resendiz-Ortiz

Technology Purchase for First 5 Grant

Type Action
Preferred Date Nov 04, 2021
Dollar Amount \$74,870.93
Budgeted Yes
Budget Source First 5 Grant
Recommended The recommendation is that the Board of Education approves the purchase of Chromebooks,
Action carts, and software programs to set up reading centers and technology stations at each of the
TK sites throughout the district.

Purpose:
Newark Unified intends to utilize the First 5 Grant monies awarded to the district to create a developmentally appropriate reading center and technology station at each of the TK sites throughout the district. Included in the stations will be age-appropriate furniture with reading materials and instructional resources for content areas such as mathematics manipulatives and opportunities for phonics awareness. For the technology station, part of the First 5 Grant monies will include Chromebooks, carts, and age-appropriate software programs for TK students.

Background:
In response to Covid-19, the organization First 5 Alameda County (F5AC) established Kindergarten Transition Grants for school districts. These grants are intended to offer needed resources to districts in support of programming for students in this age group. First 5 recognizes that the transition into Kindergarten is a pivotal one and during the current crisis both families and schools are managing unprecedented conditions in order to support student learning at an early age. After applying for the grant, Newark Unified was awarded the First 5 grant by First 5 Alameda County to support students transitioning to Kindergarten.

File Attachments
CDW-G Quote.pdf (65 KB)

Motion & Voting
The recommendation is that the Board of Education approves the purchase of Chromebooks, carts, and software programs to set up reading centers and technology stations at each of the TK sites throughout the district.
Motion by Phuong Nguyen, second by Alicia Marquez.
Final Resolution: Motion Carries
Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Estaina Resendiz-Ortiz

14 ORGANIZATION OF THE BOARD

Board Committee Assignments

Type Action, Discussion, Information

Fiscal Impact No
Recommended Action The recommendation is to approve the committee members assigned to the NUSD Board Committees.

Purpose:
For the Board to review the Board Committee Assignments and fill any vacancies.

Background:
With the resignation of Member Martinez, it left vacancies in some committees. The Board will review the committee assignments and fill any vacancies where needed.

File Attachments
[Board Committees - Agenda 21-1021.docx.pdf](#) (46 KB)
[Board Committees Description.pdf](#) (63 KB)

Motion & Voting
The recommendation is to approve the committee members assigned to the NUSD Board Committees.
Motion by Bowen Zhang, second by Phuong Nguyen.
Final Resolution: Motion Carries
Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Estaina Resendiz-Ortiz

Governance Handbook Amendments

Type Action, Discussion, Information

Purpose:
For the Board to review the Governance Team Handbook.

Background:
On October 12, 2021, Member Grindall requested to add this item to the agenda to have a discussion and possible action on the board officers process and procedures.

File Attachments
[NUSD Governance Team Handbook - REVISED April 15, 2021.pdf](#) (349 KB)
[NUSD Governance Team Handbook - DRAFT Nov 4, 2021.pdf](#) (351 KB)

Motion & Voting
Motion to approve the changes on the handbook
Motion by Terrence Grindall, second by Phuong Nguyen.
Final Resolution: Motion Carries
Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Alicia Marquez, Estaina Resendiz-Ortiz
Nay: Aiden Hill

Board Vacancy Procedure

Type Action, Discussion, Information

Purpose:
For the Board to discuss the NUSD Board Vacancy Procedure.

Background:
On October 12, 2021, Member Grindall requested to add this item to the agenda to have a discussion on the process and procedures.

File Attachments
[Bylaw 9223 Filling Vacancies.pdf](#) (74 KB)

15 CONSENT AGENDA: PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type Action
Recommended Action It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent-Personnel, except for agenda items:

Purpose:
(This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.)

Background:
Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Motion & Voting

It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent-Personnel.

Motion by Bowen Zhang, second by Phuong Nguyen.
Final Resolution: Motion Carries
Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez
Abstain: Estaina Resendiz-Ortiz

Personnel Report

Type Action
Preferred Date Nov 04, 2021
Absolute Date Nov 04, 2021
Recommended The recommendation is that the Board of Education ratifies the personnel report as presented.

Action
All personnel activities including new hires, changes in status, resignation, leaves, and retirements are routinely submitted to the Board for ratification.

File Attachments
HR PAL 11-04-2021.pdf (427 KB)

MOU Between NTA and NUSD to Increase In-House Substitute Rates

Type Action
Absolute Date Nov 04, 2021
Recommended The recommendation is that the Board of Education approves the MOU between NTA and
Action NUSD to increase the in-house substitute rates.

Purpose:
The purpose is to increase the in-house substitute rates for the remainder of the 2021-22 school year to help compensate for missed prep periods.

Background:
This year we have experienced a significant increase in the need for substitute teachers, while at the same time experiencing a significant decrease in the substitute pool list. When a substitute cannot be secured, per the Collective Bargaining Agreement with NTA, site administrators first ask for volunteers to in-house substitute. If there are no volunteers, a teacher is assigned to be an in-house substitute based on a rotating schedule. In-house substitutes are currently compensated \$40 for their missed prep period. The MOU between NTA and NUSD would increase the rate from \$40 to \$55 per missed prep period. The District will continue to advertise for and attempt to recruit and hire substitutes, and shall not use the MOU to avoid filling any vacancies.

File Attachments
NTA MOU In-House Subs 10.28.2021.pdf (92 KB)

16 CONSENT AGENDA: NON-PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type Action
Recommended It is recommended that the Board of Education approve, under one consented vote, the
Action agenda items under Consent Non-Personnel, except for agenda items:

Purpose:
(This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.)

Background:
Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Motion & Voting
It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent Non-Personnel, except for agenda items 16.5 and 16.6:

Motion by Bowen Zhang, second by Phuong Nguyen.
Final Resolution: Motion Carries
Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Estaina Resendiz-Ortiz

Contracts and Purchase Orders Authorized under Resolution 2020.21-025 (Delegate Authority to Procure Necessary Materials, Equipment and Services to

Provide Distance and/or In-Person Learning for Staff, Teachers, and Students to Mitigate the Effects of Covid-19)

Type Action
Recommended The recommendation is that the Board of Education accepts the update on costs associated
Action with the implementation of Resolution 2020.21-025 (Resolution of the Board of Education of

the Newark Unified School District to Delegate Authority to Procure Necessary Materials, Equipment and Services to Provide Distance and/or In-Person Learning for Staff, Teachers, and Students to Mitigate the Effects of Covid-19)

Purpose:

To update the Board on costs associated with the implementation of Resolution 2020.21-025 (Resolution of the Board of Education of the Newark Unified School District to Delegate Authority to Procure Necessary Materials, Equipment and Services to Provide Distance and/or In-Person Learning for Staff, Teachers, and Students to Mitigate the Effects of Covid-19) from October 1, 2021 through October 31, 2021.

There were no contracts and/or PO's authorized under this resolution for the month of October 2021.

Background:

On April 1, 2021, the Newark Unified School District Board approved Resolution 2020.21-025 delegating authority to the Superintendent or designee to procure necessary materials, equipment, and services that are needed to provide distance and/or in-person learning to mitigate the effects of Covid-19. Language in the resolution states "the Superintendent/Designee shall make periodic reports to the Board of Education and the public regarding implementation of this resolution and the costs associated therewith"; requiring the update provided here.

On September 16, 2021, Amended Resolution 2020.21-025 was approved. The amendment extends it to on or around June 30, 2022, and states that updates will be presented at the first Board meeting of each month.

Updates have been provided to the Board

June 17, 2021, for contracts and purchase orders between April 2, 2021, and May 31, 2021

October 7, 2021, for contracts and purchase orders between June 1, 2021, and September 30, 2021

VENDOR	DATE	PO NUMBER	DESCRIPTION
N/A*			

*There are no contracts or purchase orders to report for the period of October 1, 2021, through October 31, 2021.

Resolution 2021.22.10 Notice of Completion of Flooring Project

Type	Action
Recommended	The recommendation is that the Board of Education approve Resolution No. 2021.22.10 and
Action	authorize the filing of Notices of Completion (NOC) with the County Recorder of Alameda County for flooring work completed by JB Jordan & Associates at Newark Memorial High School, Schilling Elementary and Birch Grove Intermediate.

Purpose:

To authorize the filing of Notices Of Completion (NOC) with the County Recorder of Alameda County in order to start the 35-day deadline for filing liens. At the end of 35 days, the retention will be released.

Background:

The District approved a budget in February 2020 of \$1,200,000 from Measure G Bond funds for flooring projects. On August 6, 2020, the Board of Trustees awarded a contract to JB Jordan to install flooring at Newark Memorial High School (NMHS) in the amount of \$466,145. On December 17, 2020, the Board of Trustees approved an amendment (Change Order #1) in the amount of \$106,470 to include flooring work at Schilling, Birch Grove Intermediate, and NMHS for a total contract amount and final expenditure of \$572,615. Savings from the project was reallocated to support the HVAC replacement projects. Due to COVID-19, some work was deferred to summer 2021. The project was completed on August 11, 2021, and is ready for final acceptance. Staff requests acceptance of the project which will allow filing Notices of Completion with the County and permit the release of retention thirty-five (35) days after approval.

File Attachments

- [Resolution 2020.21.10-NOC for Flooring Projects.pdf](#) (11 KB)
- [NMHS Notice of Completion-Flooring.pdf](#) (73 KB)
- [August Schilling Notice of Completion-Flooring.pdf](#) (72 KB)
- [BGI Notice of Completion-Flooring.pdf](#) (74 KB)

Resolution 2021.22.11 State Treasurer LAIF Signatories Authorization

Type	Action
Recommended	The recommendation is that the Board of Education approves Resolution No. 2021.22.11,
Action	State Treasurer LAIF Signatories Authorization.

Purpose:

The District currently has funds deposited with the Local Agency Investment Fund (LAIF). Due to the fact that the District has a new Superintendent and Chief Business Official (CBO), it's necessary to update the authorized persons associated with our account in order to conduct transactions relative to these accounts.

Background:

The Local Agency Investment Fund (LAIF) is a voluntary program created by statute; began in 1977 as an investment alternative for California's local governments and special districts and continues today under Treasurer Fiona Ma's administration. The LAIF is part of the Pooled Money Investment Account (PMIA). The PMIA began in 1955 and oversight is provided by the Pooled Money Investment Board (PMIB) and an in-house Investment Committee. The PMIB members are State Treasurer Fiona Ma, Director of Finance Keely Martin Bosler, and State Controller Betty Yee. The last update on the LAIF Signatories Authorization was October 16, 2018. Since then the district has hired a new Superintendent and CBO. Newark Unified School District has a LAIF balance of \$776.48.

[File Attachments](#)

- [State Treasurer LAIF Signatories Authorization_Triplett, dela Cruz, Lola.pdf](#) (158 KB)
- [Resolution 2021.22.11 State Treasurer LAIF Signatories Authorization.pdf](#) (65 KB)

Amendment No. 1 and 2 for Gelfand Partner Architects for Newark Junior High School Stair Replacement Project

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$11,120.00
Budgeted	Yes
Budget Source	Fund 25 Capital Facilities Fund
Recommended	The recommendation is that the Board of Education approves Amendment No. 1 and 2 for
Action	Gelfand Partner Architects to provide architectural services for the Stair Replacement Project at Newark Junior High School.

Purpose:
To approve Amendment No. 1 and 2 with Gelfand Partners Architects to provide architectural services for the Stair Replacement Project at Newark Junior High School.

Background:
The District approved a contract with Gelfand Partner Architects on February 18, 2021 in the amount of \$62,110 for the NJHS Stairs project architect services. At the May 6, 2021, Board meeting, an update on the NJHS Stair Project was provided. It included Amendment No. 1 in the amount of \$6,120 in the budget. The amendment is to provide design services for the Division of the State Architect (DSA) accessible path of travel requirements to support the Solar Parking Structure Project. The work included a revised ramp design at stairway 1.
On October 7, 2021, the Board approved a change order with the general contractor for the NJHS Stair Replacement Project which is related to the architect's Amendment No. 2. The change order and Amendment No. 2 was due to the unforeseen conditions found at stairways 2 and 3 where steel rebar was exposed which was not in concurrence with the original drawings of the building from the 1960s. This has required Gelfand Partners Architects to perform additional architectural services, including investigations, instructions, and processing the change in scope through DSA for an added service of \$5,000, which brings the total contract amount to \$73,230.

[File Attachments](#)

- [Gelfand Partners Architects_NJH Stairs Ramp Amendment 1_fully executed.pdf](#) (153 KB)
- [Gelfand Partner Architects_NJH Stairs Amendment 2.pdf](#) (158 KB)

Motion & Voting

The recommendation is that the Board of Education approves Amendment No. 1 and 2 for Gelfand Partner Architects to provide architectural services for the Stair Replacement Project at Newark Junior High School.

Motion by Bowen Zhang, second by Terrence Grindall.

Final Resolution: Motion Carries

Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Alicia Marquez, Estaina Resendiz-Ortiz

Nay: Aiden Hill

Quarterly Report on Contracts Over \$10,000 and Under \$48,350

Type	Action
Fiscal Impact	Yes
Budgeted	Yes
Budget Source	General Fund
Recommended	The recommendation is that the Board of Education receive the Quarterly Report on
Action	Contracts.

Purpose:
These quarterly reports on contracts are submitted to the Board for review.

Background:
The Board has requested a report of all contracts for services over \$10,000 and under \$48,350 (one-half of the current bid limit for purchases of equipment, materials, or supplies, pursuant to Public Contract Code 20111) be reviewed by the Board on a quarterly basis. This report only includes contracts that have not been previously approved by the Board.
Contracts are reported quarterly based on the Purchase Order date. Please note the service period on the attached contracts is from the fiscal year 2020-21. Although the contracts were signed in February and March 2021, the corresponding PO's were not processed until July 2021 when invoices were being processed for payment. The process to ensure a more timely reporting of contracts has been addressed by the Business Office.

[File Attachments](#)

- [Quarterly Report on Contracts_11-4-2021.pdf](#) (10 KB)
- [Speech Pathology Group_to Board.pdf](#) (282 KB)
- [NOVA Health Therapies Inc_to the Board.pdf](#) (108 KB)

Motion & Voting

The recommendation is that the Board of Education receive the Quarterly Report on Contracts.

Motion by Bowen Zhang, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Estaina Resendiz-Ortiz

Minutes of the October 12, 2021 Special Meeting of the Board of Education

Type Action, Minutes

Recommended The recommendation is that the Board of Education approves the minutes of October 12, 2021, Special Meeting of the Board of Education.
Action

Purpose:
For the board to review and approve the minutes

Background:
The attached minutes are reflective of the October 12, 2021, Special Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel [HERE](#)

Minutes of the October 21, 2021 Regular Meeting of the Board of Education

Type Action, Minutes

Recommended The recommendation is that the Board of Education approves the minutes of October 21, 2021, Regular Meeting of the Board of Education.
Action

Purpose:
For the board to review and approve the minutes

Background:
The attached minutes are reflective of the October 21, 2021, Regular Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel [HERE](#)

Minutes of the October 27, 2021 Special Meeting of the Board of Education

Type Action, Minutes

Recommended The recommendation is that the Board of Education approves the minutes of October 27, 2021, Special Meeting of the Board of Education.
Action

Purpose:
For the board to review and approve the minutes

Background:
The attached minutes are reflective of the October 27, 2021, Special Meeting of the Board of Education. The meeting may be viewed on the NUSD YouTube Channel [HERE](#).

17 BOARD OF EDUCATION: COMMITTEE REPORTS, REQUESTS, AND ANNOUNCEMENTS

Board of Education Committee Reports

Type Information

Purpose:
The Trustees will provide an update, if available, on the committees of which they are members.

Background:
Each year the Board of Education members liaise with schools and committees in order to build relationships, hear from staff, students, and families, and act as a conduit for information to and from the schools.
Mission Valley ROP - Elisa Martinez
SELPA - Bowen Zhang
Newark & NUSD Liaison Committee - Phuong Nguyen & Terrence Grindall
Newark Teacher Induction Advisory Council (Formally EBBIC) - Elisa Martinez
Audit Committee - Phuong Nguyen & Aiden Hill
Bond/Parcel Tax Committee - Elisa Martinez & Terrence Grindall

Board of Education Requests

Type Action, Discussion, Information

Purpose:
This is an opportunity for the Board of Education to suggest items for placement on future agendas and to review Board requests.
Approval from the majority of the Board will be required for direction to be provided to the Superintendent.

Background:
The following derives directly from the Board approved "Governance Team Handbook"
Authority is Collective, Not Individual:
The only authority to direct action rests with the Board as a whole when seated at a regular or special board meeting.
Outside of this meeting, there is no authority.

A majority Board vote provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction.

Bringing New Ideas Forward

The Board will be open to having "brainstorming" discussions, or study sessions, around any idea that a Trustee may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Trustee, at their initiative or at the request of a constituent, which was previously discussed during a board meeting.

Trustees will first notify the Board President and Superintendent of their interest in bringing forward a new idea at a board meeting.

When initially agendized, the preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.

Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea.

The Superintendent will decide on the delegation of assignments to District staff.

The new idea may be agendized for discussion only. The Board majority will decide if the new idea should be further developed and studied by staff. The Board majority will decide if staff time should be invested in the "fleshing out" of new ideas.

Individual Trustees, in the course of interactions with constituents, will be careful not to make or imply the commitment of the full Board to explore or proceed with implementing new ideas.

Board of Education Recognitions and Announcements

Type Information

Purpose:

The Trustees may acknowledge or recognize specific programs, activities, or personnel at this time.

18 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

Superintendent's Concluding Comments, Updates, and Future Agenda Items

AGENDA REQUESTS

Type Information

Purpose:

This is an opportunity for the Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

19 ADJOURNMENT

PLACEHOLDER - Extend Meeting

Type Action

Recommended The recommendation is that the Board of Education extends the meeting to ____ P.M.

Action

Purpose:

This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

Adjournment

Type Action, Procedural

Recommended The recommendation is that the Board of Education adjourns this meeting.

Action

Purpose:

No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time. This action will conclude the meeting.

Motion & Voting

The recommendation is that the Board of Education adjourns this meeting.

Motion by Bowen Zhang, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Estaina Resendiz-Ortiz

1 CALL TO ORDER

Meeting Practices and Information

Type Information, Procedural

IN-PERSON MEETING INFORMATION

NUSD has opened its boardroom for in-person meetings and will follow the State's and Alameda County's safety guidelines for public gatherings. Please refrain from attending in-person meetings if you have any of the following symptoms:

- Loss of taste/smell
- Difficulty breathing
- Vomiting
- Diarrhea
- Fever
- Cough
- Headache
- Sore Throat
- Runny Nose

For additional COVID-19 information please go to <https://www.newarkunified.org/covid-19> or <https://www.acoe.org/guidance>

OBSERVE THE BOARD OF EDUCATION MEETING

Members of the public 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.

PUBLIC COMMENT

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLI COMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLI COMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

Pledge of Allegiance

Type Procedural

Purpose:

The Governance Team will recite the Pledge of Allegiance

Roll Call

Type Procedural

TRUSTEES

- President Bowen Zhang
 - Vice President/Clerk Phuong Nguyen
 - Member Aiden Hill
 - Member Terrence Grindall
 - Member Alicia Marquez
- STUDENT BOARD MEMBER
- Member Estaina Resendiz Ortiz

2 APPROVAL OF AGENDA

Approval of the Agenda

Type Action

Recommended It is recommended that the Board of Education approve the agenda for this meeting.

Action

Purpose:

Members of the Governance Team may request that the agenda be amended or approved as presented.

Motion & Voting

It is recommended that the Board of Education approve the agenda for this meeting.

Motion by Phuong Nguyen, second by Alicia Marquez.

Final Resolution: Motion Carries

Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Alicia Marquez, Estaina Resendiz-Ortiz

Not Present at Vote: Aiden Hill

3 BOARD WORKSHOP

2021-22 District Goals and Objectives

Type Action, Discussion, Information

Purpose:

The superintendent, Dr. Triplett, will share with the Board a draft of the 2021-22 District Goals and Objectives for the Newark Unified School District.

I. Review Purpose of the Creation and Adoption of Goals and Objectives

1. To provide clear direction, coherence and accountability regarding area(s) of focus for the District.

II. Underlying Assumptions

1. Governance Team and Staff need clear goals and objectives to prioritize resources and effectively measure progress toward goals.

2. Consistency of goals over time is necessary to deepen the work throughout the district, to realize desired outcomes, and to make course corrections based on lessons learned.

3. Corresponding objectives need to be SMARTER (Specific, Measurable, Achievable, Realistic, Time Sensitive, and Equitable)

III. Timeline for Board Approval

1. Superintendent will recommend 2021-22 Goals and Objectives for community and Board input on Wednesday October 27, 2021.
2. Superintendent will make revisions based on community and Board input and present to the Board for approval on November 4, 2021.

Background:

"Each year of the agreement, the Board and the Superintendent shall establish by mutual agreement the Superintendent's performance and benchmarks for the next school year." (Superintendent Contract)

4 ADJOURNMENT

PLACEHOLDER - Extend Meeting

Type Action
 Recommended Action The recommendation is that the Board of Education extends the meeting to ____ P.M.

Purpose: This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

Adjournment

Type Action, Procedural
 Recommended Action The recommendation is that the Board of Education adjourns this meeting.

Purpose: No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time. This action will conclude the meeting.

Motion & Voting

The recommendation is that the Board of Education adjourns this meeting.
 Motion by Bowen Zhang, second by Alicia Marquez.
 Final Resolution: Motion Carries
 Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez, Estaina Resendiz-Ortiz

1 CALL TO ORDER

Meeting Practices and Information

Type Information, Procedural
 IN-PERSON MEETING INFORMATION
 NUSD has opened its boardroom for in-person meetings and will follow the State's and Alameda County's safety guidelines for public gatherings. Please refrain from attending in-person meetings if you have any of the following symptoms:
 Loss of taste/smell
 Difficulty breathing
 Vomiting
 Diarrhea
 Fever
 Cough
 Headache
 Sore Throat
 Runny Nose

For additional COVID-19 information please go to <https://www.newarkunified.org/covid-19> or <https://www.acoe.org/guidance>
 OBSERVE THE BOARD OF EDUCATION MEETING
 Members of the public 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.

PUBLIC COMMENT
 The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLI COMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLI COMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

Roll Call

Type Procedural
 TRUSTEES
 President Bowen Zhang
 Vice President/Clerk Phuong Nguyen
 Member Aiden Hill
 Member Terrence Grindall
 Member Alicia Marquez

STUDENT BOARD MEMBER
Member Estaina Resendiz Ortiz

2 APPROVAL OF AGENDA

Approval of the Agenda

Type Action
Recommended Action It is recommended that the Board of Education approve the agenda for this meeting.

Purpose:
Members of the Governance Team may request that the agenda be amended or approved as presented.

Motion & Voting
It is recommended that the Board of Education approve the agenda for this meeting, with the exception of agenda item 13.1.

Motion by Phuong Nguyen, second by Terrence Grindall.
Final Resolution: Motion Carries
Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill
Not Present at Vote: Estaina Resendiz-Ortiz

3 CLOSED SESSION

Public Comment on Closed Session Items

Type Information

Purpose:
The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board. If a constituent wishes to address the Board on any agenda item, please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org.

RATIFICATION AND APPROVAL OF TK ENROLLMENT: (Ed. Code, 48000 & 35146)

Type Action, Discussion, Information

Purpose:
The Board will review TK enrollment for ratification and approval.

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE (Gov. Code, 54957, subd. (b)(1))

Type Action, Information, Procedural

Purpose:
Information will be provided by the Superintendent and Executive Director of Human Resources.

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a): Employee Organizations - NTA and CSEA

Type Action, Information, Procedural

Purpose:
Information may be provided by the agency negotiator, Executive Director of Human Resources. Assistance from the legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided.
The employee organizations include NTA & CSEA.

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a)): Employee Group - NEWMA, Unrepresented Supervisors, and Contracted Management

Type Action, Information, Procedural

Purpose:
Information may be provided by the agency negotiator, the Executive Director of Human Resources, and the Superintendent. Assistance from legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided.
The employee organizations include NEWMA, Unrepresented Supervisors, and Contracted Management

CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION Significant exposure to litigation pursuant to Gov. Code, 54956.9, subd. (d)[(2) or (3)]

Type Action, Information, Procedural

Purpose:

Information may be provided regarding significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: One case

STUDENT EXPULSION (Ed. Code, 48918)

Type Information, Procedural

Purpose:

For the Board to review the Stipulation Expulsion Agreement and Expulsion.

Background:

A Stipulation Expulsion Agreement meeting was held on October 15, 2021. A Stipulation Expulsion Meeting was conducted in accordance with Board Policy and Administrative Regulation 5144.1 and, if applicable, 5144.2 for students with disabilities. The administration asks for approval of the recommendation for Case# e2122-04. (Ed Code. 48918).
An Expulsion Panel Hearing was held on October 7, 2021. An Expulsion Panel Hearing was conducted in accordance with Board Policy and Administrative Regulation 5144.1 and, if applicable, 5144.2 for students with disabilities. The administration asks for approval of the recommendation for Case# e2122-01. (Ed Code. 48918).

Recess to Closed Session

Type Procedural

Purpose:

The Board will recess to Closed Session, and reconvene to Open Session on or about 7:00 p.m.

4 RECONVENE TO OPEN SESSION

Pledge of Allegiance

Type Procedural

Purpose:

The Governance Team will recite the Pledge of Allegiance

5 REPORT OF CLOSED SESSION ACTIONS

Report of Closed Session Actions

Type Action, Procedural

Purpose:

If available, a report of the closed session will be provided by the Board President.

6 EMPLOYEE ORGANIZATIONS

Employee Organizations

Type Information

Purpose:

At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Background:

Discussion items are limited to updates, celebrations, and upcoming events.

- 1. NTA: Sean Abruzzi
- 2. CSEA: Sue Eustice
- 3. NEWMA: Vicenta Ditto

7 RECOGNITIONS AND CELEBRATIONS

School Spotlight: Coyote Hills Elementary

Type Information

Purpose:

The School Spotlight gives the Board of Education and the public an opportunity to hear the highlights, achievements, and initiatives at each school directly from the principals.

Background:

The presentation and information will be provided by the Coyote Hills Elementary Principal, Jessica Tommasini

8 PUBLIC COMMENT ON NON-AGENDA ITEMS

Public Comment on Non-Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

9 SUPERINTENDENT REPORT

Superintendent Report

Type Information

Purpose:

The superintendent will provide the Board of Education with district information, updates, news, or anything in the jurisdiction of the board or the superintendent.

Background:

The presentation and information will be provided by the Superintendent

10 STUDENT EXPULSION

Expulsion Case# e2122-01

Type Action

Recommended Action The recommendation is that the Board of Education approves the Expulsion Case# e2122-01.

Purpose:

For the Board to review the Stipulation Expulsion Agreement.

Background:

An Expulsion Panel Hearing was held on October 7, 2021. An Expulsion Panel Hearing was conducted in accordance with Board Policy and Administrative Regulation 5144.1 and, if applicable, 5144.2 for students with disabilities. The administration asks for approval of the recommendation for Case# e2122-01. (Ed Code. 48918).

Motion & Voting

The recommendation is that the Board of Education approves the Expulsion Case# e2122-01.

Motion by Bowen Zhang, second by Terrence Grindall.

Final Resolution: Motion Carries

Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

Abstain: Estaina Resendiz-Ortiz

Expulsion Stipulation for Case# e2122-04

Type Action

Recommended Action The recommendation is that the Board of Education approves the Expulsion Stipulation.

Purpose:

For the Board to review the Stipulation Expulsion Agreement.

Background:

A Stipulation Expulsion Agreement meeting was held on October 15, 2021. A Stipulation Expulsion Meeting was conducted in accordance with Board Policy and Administrative Regulation 5144.1 and, if applicable, 5144.2 for students with disabilities. The administration asks for approval of the recommendation for Case# e2122-04. (Ed Code. 48918).

Motion & Voting

The recommendation is that the Board of Education approves the Expulsion Stipulation.

Motion by Bowen Zhang, second by Terrence Grindall.

Final Resolution: Motion Carries

Yea: Bowen Zhang, Terrence Grindall, Aiden Hill

Nay: [Phuong Nguyen](#)
Abstain: Estaina Resendiz-Ortiz

11 OLD BUSINESS

Boundaries for Musick Elementary School Consolidation

Type	Action
Recommended	The recommendation is that the Board of Education approves the new boundaries for the
Action	consolidation of Musick Elementary School effective the 2022-23 school year.

Purpose:
The purpose of this item is for the Board of Education to approve the new boundaries for the consolidation of Musick Elementary School effective the 2022-2023 school year.

Background:
On November 19, 2020, the Board approved to consolidate Musick Elementary School for the 2022-23 school year. At the October 7, 2021, Board meeting, the proposed new boundaries for the consolidation of Musick Elementary School were presented. Students living north of, or on the north side of Thornton Avenue will be assigned to Kennedy Elementary, and students living south of, or on the Southside of Thornton Avenue will be assigned to Birch Grove Primary or Birch Grove Intermediate. Students currently attending Musick will be given a unique option to request their "top 3" choices of schools which will include their new home school as one of the choices. The district will work with families to accommodate requests as much as possible.

File Attachments
[Boundary Change for Consolidation of Musick 2022-23 School Year.pdf](#) (183 KB)
[Current boundaries 21-22.pdf](#) (168 KB)

Motion & Voting
The recommendation is that the Board of Education approves the new boundaries for the consolidation of Musick Elementary School effective the 2022-23 school year.
Motion by Bowen Zhang, second by Phuong Nguyen.
Final Resolution: Motion Carries
Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Estaina Resendiz-Ortiz

ESSER III Expenditure Plan

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$4,178,139.00
Recommended	The recommendation is that the Board of Education approve the ESSER III Expenditure Plan
Action	as presented.

Purpose:
The purpose of this item is to have the Board of Education approve the ESSER III Expenditure Plan.

Background:
A draft of the ESSER III Expenditure Plan was presented at the October 7, 2021, Board meeting. School districts, county offices of education, or charter schools, collectively known as LEAs, that receive Elementary and Secondary School Emergency Relief (ESSER) funds under the American Rescue Plan Act, referred to as ESSER III funds are required to develop a plan for how they will use their ESSER III funds. In the plan, an LEA must explain how it intends to use its ESSER III funds to address students' academic, social, emotional, and mental health needs, as well as any opportunity gaps that existed before, and were worsened by, the COVID-19 pandemic. An LEA may also use its ESSER III funds in other ways, as detailed in the Fiscal Requirements section of the instructions. In developing the plan, the LEA has the flexibility to include community input and/or actions included in other planning documents, such as the Local Control and Accountability Plan (LCAP), provided that the input and actions are relevant to the LEA's plan to support students. The ESSER III Expenditure Plan must be approved by the Board by October 29, 2021.

File Attachments
[ESSER III Expenditure Plan_Final for 10-21-21 Board Mtg.pdf](#) (249 KB)

Motion & Voting
The recommendation is that the Board of Education approve the ESSER III Expenditure Plan as presented.
Motion by Bowen Zhang, second by Phuong Nguyen.
Final Resolution: Motion Carries
Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Estaina Resendiz-Ortiz

12 NEW BUSINESS

Update Administrative Regulation 1220: Citizen Advisory Committee

Type	Action
Fiscal Impact	No

Recommended Action The recommendation is that the Board of Education approves the following CSBA recommended changes to the AR 1220, to align with the current state law.

Purpose:

In accordance with Board ByLaw 9310, which states that "[t]he Board may review and/or approve regulations for the purpose of ensuring conformity with the intent of Board policy," we are seeking approval of the following changes to AR 1220. The proposed revised AR 1220 moves LCAP Parent Advisory into the category of committees that are exempt from the Brown Act. This change is in compliance with Ed Code section 37147, which specifically exempts councils and committees from the requirements of the Brown Act. It explicitly references LCAP parent advisory committees (as defined in Ed Code 52063) as exempt and that these committees shall be governed by the Green Act.

Background:

NUSD supports transparency, accountability, and parent involvement. The updated AR 1220 will continue to ensure that we are in compliance with the state regulations related to public oversight. Ed Code 37147 was updated for the following reasons:

When LCFF was enacted, the Green Act was not updated to apply to LCFF-created parent committees.

The Brown Act regulation undermines the ability of parents on PAC and DELAC committees to organize, plan, and speak out in a meaningful way, undermining the intent through LCFF to empower parents to participate in the LCAP development process.

In at least one district, members of a PAC met outside the formal PAC meetings to discuss how to advocate for more inclusive meeting procedures and received a letter from district counsel that referenced potential criminal prosecution because they had organized outside the PAC meeting.

To ensure that LCFF parent committees operate as intended and to avoid different legal standards for parent advisory committees.

File Attachments

[AR 1220 with Track Edits.pdf](#) (270 KB)

Motion & Voting

The recommendation is that the Board of Education approves the following CSBA recommended changes to the AR 1220, to align with the current state law.

Motion by Terrence Grindall, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Estaina Resendiz-Ortiz

Nay: Aiden Hill

Chromebooks Purchase

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$422,623.00
Budgeted	Yes
Budget Source	ESSER III
Recommended Action	The recommendation is that the Board of Education approves the purchase of 1,100 replacement Chromebooks.

Purpose:

To obtain Board approval for a purchase of Chromebooks and management licenses to support student computing technology by replacing equipment that is no longer usable. See attached quote and NCPA participation agreement for more information.

Background:

The new chromebooks will replace old chromebooks that have reached their end of expected life period.

The Chromebooks on the attached order include a three-year limited warranty and Google Chrome Perpetual EDU License.

School boards have the authority to "piggyback" on another public agency's bid, per Public Contract Code 20118, when it is in the best interest of a district. It is often advantageous to utilize piggyback bids when contract items are identical to the district's specifications. Using piggyback contracts saves time and often provides lower prices than a single jurisdiction would be able to obtain. Per Board Policy 3311, the District may piggyback onto the contract of another public agency or corporation to lease or purchase equipment or supplies to the extent authorized by law. The piggyback contracts utilized for this purchase are attached. Please note Trinity 3 Technology and FireFly Computers merged, launching a new identity as Trafera. The NCPA agreement with FireFly is now available to Trafera.

File Attachments

[Newark Unified School District - HP CBK x 1100 + 3y Warranty.pdf](#) (30 KB)

[NCPA Technology Solutions Contract #01-43.pdf](#) (5,594 KB)

[NCPA Technology Solutions Contract #01-43_Renewal.pdf](#) (823 KB)

Motion & Voting

The recommendation is that the Board of Education approves the purchase of 1,100 replacement Chromebooks.

Motion by Terrence Grindall, second by Bowen Zhang.

Final Resolution: Motion Carries

Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Estaina Resendiz-Ortiz

13 ORGANIZATION OF THE BOARD

Board Committee Assignments

Type Action, Discussion, Information
Fiscal Impact No
Recommended The recommendation is to approve the committee members assigned to the NUSD Board
Action Committees.

Purpose:
For the Board to review the Board Committee Assignments and fill any vacancies.

Background:
With the resignation of Member Martinez, it left vacancies in some committees. The Board will review the committee assignments and fill any vacancies where needed.

File Attachments
[Board Committees - Agenda 21-1021.docx.pdf](#) (46 KB)
[Board Committees Description.pdf](#) (63 KB)

Governance Handbook Amendments

Type Action, Discussion, Information

Purpose:
For the Board to review the Governance Handbook.

Background:
On October 12, 2021, Member Grindall requested to add this item to the agenda to have a discussion on the Board Presidency process and procedures.

File Attachments
[NUSD Governance Team Handbook - REVISED April 15, 2021.pdf](#) (349 KB)

Board Vacancy Procedure

Type Action, Discussion, Information

Purpose:
For the Board to discuss the NUSD Board Vacancy Procedure.

Background:
On October 12, 2021, Member Grindall requested to add this item to the agenda to have a discussion on the process and procedures.

File Attachments
[Bylaw 9223 Filling Vacancies.pdf](#) (74 KB)

14 CONSENT AGENDA: PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type Action
Recommended It is recommended that the Board of Education approve, under one consented vote, the
Action agenda items under Consent-Personnel, except for agenda items:

Purpose:
(This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.)

Background:
Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Personnel Report

Type Action
Absolute Date Oct 21, 2021
Recommended The recommendation is that the Board of Education ratifies the personnel report as presented.
Action

All personnel activities including new hires, changes in status, resignation, leaves, and retirements are routinely submitted to the Board for ratification.

File Attachments

[HR PAL 10-21-2021.pdf](#) (366 KB)

Motion & Voting

The recommendation is that the Board of Education ratifies the personnel report as presented.

Motion by Bowen Zhang, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall

Nay: Aiden Hill

Abstain: Estaina Resendiz-Ortiz

15 CONSENT AGENDA: NON-PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type Action

Recommended It is recommended that the Board of Education approve, under one consented vote, the
Action agenda items under Consent Non-Personnel, except for agenda items:

Purpose:
(This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.)

Background:
Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Motion & Voting

It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent Non-Personnel, except for agenda items: 15.5.

Motion by Bowen Zhang, second by Terrence Grindall.

Final Resolution: Motion Carries

Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Estaina Resendiz-Ortiz

Contract with Welldom Inc. for Special Education Services

Type Action

Absolute Date Oct 21, 2021

Fiscal Impact Yes

Dollar Amount \$65,000.00

Budgeted Yes

Budget Source Resource 6500 - Special Education

Recommended The recommendation is that the Board of Education approves the contract with Welldom Inc.

Action

Goals 1. To provide academic excellence via equity and opportunities for all students.

Purpose:
To approve the contract with Welldom Inc. for physical therapy services for Special Education.

Background:
Welldom Inc. will provide physical therapy services and assessments to ensure compliant practices in supporting students' Individual Education Program (IEP). Physical Therapists are well-trained to design and perform therapeutic interventions, remediation, and prevention strategies and adaptations, focusing on functional mobility and safe, efficient access and participation in educational activities in natural learning environments. Physical therapy services and assessments are legally mandated per Individual Disability Education Act (IDEA). Without Welldom Inc. services, Newark Unified School District would be out of compliance.

File Attachments

[Welldom Inc. Master Contract 21-22.pdf](#) (281 KB)

Warrant Report for September 2021

Type Action

Fiscal Impact No

Recommended The recommendation is that the Board of Education approves the Warrant Report as
Action presented.

Purpose:
The purpose of this item is to present warrants, for the total amount of \$2,324,999.26, made from District funds for September 2021.

Background:
The warrant registers represent a complete listing of all payments made from District funds for a month. Because Newark Unified School District is a fiscally dependent District, each warrant must pass through two separate audits; first by the District's Fiscal Services department, and second by the County Office of Education. No warrant can be paid until such time as it is examined and

approved by the County Office of Education.

[File Attachments](#)

[September 2021_AP Warrant Report.pdf](#) (782 KB)

Monthly Financial Reports - July, August, September 2021

Type	Action
Recommended	The recommendation is that the Board of Education approves the monthly financial reports as
Action	presented.

Purpose:
The purpose is for the Board to review and approve the district's budget information as of July, August and September 2021.

Background:
These reports show, by Fund, the year-to-date status of the district's budget including Revenues, Expenditures, and Fund Balance.
For some months, these Monthly Financial Reports will be presented to the Board as a stand-alone agenda item. For other months, the budget information will be incorporated in the standard reports such as the First and Second Interim Financial Reports.

[File Attachments](#)

[July 2021 Financial Reports.pdf](#) (89 KB)
[August 2021 Financial Reports.pdf](#) (89 KB)
[Sept 2021 Financial Reports.pdf](#) (289 KB)

Quarterly Report on Contracts - FY 2021-22, 1st Quarter

Type	Action
Fiscal Impact	Yes
Budgeted	Yes
Budget Source	General Fund
Recommended	The recommendation is that the Board of Education receives the Quarterly Report on
Action	Contracts.

Purpose:
These quarterly reports on contracts are submitted to the Board for review.

Background:
The Board has requested a report of all contracts for services over \$10,000 be reviewed by the Board on a quarterly basis. This report only includes contracts that have not been previously approved by the Board.
This report lists contracts from the 1st Quarter of FY 2021-22 (July, August, September 2021).
Contracts are on file in the Business Office.

[File Attachments](#)

[Q1 2021 Contracts Over \\$10K.pdf](#) (9 KB)
[Speech Pathology Group_MC 20-21_to Board.pdf](#) (282 KB)
[NOVA_ICA for KS at NJH_2021-22_to the Board.pdf](#) (108 KB)

Williams Uniform Complaint Quarterly Report July 1, 2021 to September 30, 2021

Type	Action
Absolute Date	Oct 21, 2021
Recommended	The recommendation is that the Board of Education approves the Williams Uniform Complaint
Action	Quarterly Report for the period of July 1, 2021 to September 30, 2021.

Purpose:
For the Board to receive and approve the Williams Uniform Complaint Quarterly Report for the period of July 1, 2021, to September 30, 2021.

Background:
Education Code 35186 requires that the Superintendent of a school district report summarized data on the nature and resolution of all complaints filed under the Williams Uniform Complaint Procedures to the local Board of Education and the County Superintendent of Schools on a quarterly basis. The report must include the number of complaints by general area, the number of resolved and unresolved complaints, and be publicly presented at a regularly scheduled Board meeting. The attached report is presented to the Board for the period of July 1, 2021, to September 30, 2021.
During the period of July 1, 2021 - September 30, 2021, there were 27 Williams Uniform Complaint forms submitted with a total of 28 complaints, filed by six teachers.
Of the 17 Textbook/Instructional Materials complaints, six were related to "supplementary" material requests for Special Ed classes, rather than students not having access to standards-aligned textbooks. Therefore, those were all unfounded. The remaining 11 have been resolved.
Of the six Teacher Vacancy complaints, five of the positions are currently filled with substitutes who have an emergency permit from the CTC. We are in compliance with CTC/CDE requirements and those are resolved. We have one 0.2 FTE unfilled/unresolved. We will continue to advertise, interview and otherwise recruit for all vacant positions.
Of the five Facilities complaints, all are resolved.

[File Attachments](#)

[Q222 UCP Report.pdf](#) (206 KB)

Donations Report

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$4,856.94
Budgeted	Yes
Budget Source	General Fund (Fund 010) Donations
Recommended Action	The recommendation is that the Board of Education accepts the Donations Report as presented.

Purpose:

The purpose is to acknowledge receipt of donations to the District.

Background:

Throughout the year community members, groups, parents and other individuals make monetary and in-kind (supplies and equipment) donations to NUSD. The exact nature of the source of the donation is submitted to the Business Office on a standard form. It is critical that any restrictions on the funding be indicated and the budget developed based on the donor restrictions. If there is no indication of the school or use of the funding, any proceeds or cash donations received are placed in the NUSD local revenue in the unrestricted general fund. It is recommended that the donations be processed through the Business Office and ultimately approved by the Board so that the funding can be publicly acknowledged and budgeted properly according to donor restrictions. There is acknowledgment and budgeted properly according to donor restrictions. There is acknowledgment at the public Board meeting and a letter of thanks is sent to the donor by the Business Office for NUSD.

[File Attachments](#)

[Summary of Donations Report 10-21-2021.pdf](#) (18 KB)

Minutes of the October 7, 2021 Regular Meeting of the Board of Education

Type	Action, Minutes
Recommended Action	The recommendation is that the Board of Education approves the minutes of October 7, 2021, Regular Meeting of the Board of Education.

Purpose:

For the board to review and approve the minutes

Background:

The attached minutes are reflective of the October 7, 2021, Regular Meeting of the Board of Education. The exact language is available for viewing on the NUSD YouTube Channel.

16 BOARD OF EDUCATION: COMMITTEE REPORTS, REQUESTS, AND ANNOUNCEMENTS

Board of Education Recognitions and Announcements

Type	Information
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Purpose:

The Trustees may acknowledge or recognize specific programs, activities, or personnel at this time.

Board of Education Committee Reports

Type	Information
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Purpose:

The Trustees will provide an update, if available, on the committees of which they are members.

Background:

Each year the Board of Education members liaise with schools and committees in order to build relationships, hear from staff, students, and families, and act as a conduit for information to and from the schools.

- Mission Valley ROP - Elisa Martinez
- SELPA - Bowen Zhang
- Newark & NUSD Liaison Committee - Phuong Nguyen & Terrence Grindall
- Newark Teacher Induction Advisory Council (Formally EBBIC) - Elisa Martinez
- Audit Committee - Phuong Nguyen & Aiden Hill
- Bond/Parcel Tax Committee - Elisa Martinez & Terrence Grindall

Board of Education Requests

Type	Action, Discussion, Information
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Purpose:

This is an opportunity for the Board of Education to suggest items for placement on future agendas and to review Board requests. Approval from the majority of the Board will be required for direction to be provided to the Superintendent.

Background:

The following derives directly from the Board approved "Governance Team Handbook" Authority is Collective, Not Individual:

The only authority to direct action rests with the Board as a whole when seated at a regular or special board meeting. Outside of this meeting, there is no authority.

A majority Board vote provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction.

Bringing New Ideas Forward

The Board will be open to having "brainstorming" discussions, or study sessions, around any idea that a Trustee may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Trustee, at their initiative or at the request of a constituent, which was previously discussed during a board meeting.

Trustees will first notify the Board President and Superintendent of their interest in bringing forward a new idea at a board meeting.

When initially agendized, the preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.

Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea. The Superintendent will decide on the delegation of assignments to District staff.

The new idea may be agendized for discussion only. The Board majority will decide if the new idea should be further developed and studied by staff. The Board majority will decide if staff time should be invested in the "fleshing out" of new ideas.

Individual Trustees, in the course of interactions with constituents, will be careful not to make or imply the commitment of the full Board to explore or proceed with implementing new ideas.

17 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

Superintendent's Concluding Comments, Updates, and Future Agenda Items

AGENDA REQUESTS

Type Information

Purpose:

This is an opportunity for the Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

18 ADJOURNMENT

PLACEHOLDER - Extend Meeting

Type Action

Recommended The recommendation is that the Board of Education extends the meeting to ____P.M.
Action

Purpose:

This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

Adjournment

Type Action, Procedural

Recommended The recommendation is that the Board of Education adjourns this meeting.
Action

Purpose:

No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time. This action will conclude the meeting.

Motion & Voting

The recommendation is that the Board of Education adjourns this meeting. (8:42pm)

Motion by Bowen Zhang, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Estaina Resendiz-Ortiz

1 CALL TO ORDER

Meeting Practices and Information

Type Information, Procedural
IN-PERSON MEETING INFORMATION

NUSD has opened its boardroom for in-person meetings and will follow the State's and Alameda County's safety guidelines for public gatherings. Please refrain from attending in-person meetings if you have any of the following symptoms:

- Loss of taste/smell
- Difficulty breathing
- Vomiting
- Diarrhea
- Fever
- Cough
- Headache
- Sore Throat
- Runny Nose

For additional COVID-19 information please go to <https://www.newarkunified.org/covid-19> or <https://www.acoe.org/guidance>

OBSERVE THE BOARD OF EDUCATION MEETING

Members of the public 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.

PUBLIC COMMENT

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

Pledge of Allegiance

Type Procedural

Purpose:

The Governance Team will recite the Pledge of Allegiance

Roll Call

Type Procedural

TRUSTEES

- President Bowen Zhang
 - Vice President/Clerk Phuong Nguyen
 - Member Elisa Martinez
 - Member Terrence Grindall
 - Member Aiden Hill
- STUDENT BOARD MEMBER
- Member Estaina Resendiz Ortiz

2 APPROVAL OF AGENDA

Approval of the Agenda

Type Action

Recommended The recommendation is that the Board of Education approves the agenda for this meeting.
Action

Purpose:

Members of the Governance Team may request that the agenda be amended or approved as presented.

Motion & Voting

The recommendation is that the Board of Education approves the agenda for this meeting.

Motion by Bowen Zhang, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Alicia Marquez, Estaina Resendiz-Ortiz

3 CONSENT AGENDA: NON-PERSONNEL ITEMS

Contract with Hop Skip Drive, Inc. for District-Wide Special Education Transportation

Type Action

- Absolute Date Oct 12, 2021
- Fiscal Impact Yes
- Dollar Amount \$274,860.00
- Budgeted Yes

Budget Source Resource 6500 - Special Education

Recommended The recommendation is that the Board of Education approves the contract with HopSkipDrive,

Action Inc.

Goals 1. To provide academic excellence via equity and opportunities for all students.

Purpose:

To approve the contract with HopSkipDrive Inc., for district wide transportation for Special Education students with IEP recommended transportation for the 2021-22 school year.

Background:

There has been challenges associated with driver shortages this school year. Contracting with HopSkipDrive Inc., will provide safe and affordable transportation for students in Special Education identified as needing transportation as a related service to access their Free Appropriate Public Education (FAPE). Special Education transportation is defined in federal regulation [34 CFR Section 300.34(c)(16)] as a related service. Transportation is required to be provided as a related service if it is required to assist a child with a disability to benefit from Special Education.

File Attachments

[HopSkipDrive 21-22 SIGNED.pdf](#) (1,074 KB)

Motion & Voting

The recommendation is that the Board of Education approves the contract with HopSkipDrive, Inc. (with the attachment of the COVID-19 protocols to the contract),

Motion by Terrence Grindall, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Alicia Marquez, Estaina Resendiz-Ortiz

4 BOARD OF EDUCATION: COMMITTEE REPORTS, REQUESTS, AND ANNOUNCEMENTS

Board of Education Recognitions and Announcements

Type Information

Purpose:

The Trustees may acknowledge or recognize specific programs, activities, or personnel at this time.

Board of Education Committee Reports

Type Information

Purpose:

The Trustees will provide an update, if available, on the committees of which they are members.

Background:

Each year the Board of Education members liaise with schools and committees in order to build relationships, hear from staff, students, and families, and act as a conduit for information to and from the schools.

Mission Valley ROP - Elisa Martinez

SELPA - Bowen Zhang

Newark & NUSD Liaison Committee - Phuong Nguyen & Terrence Grindall

Newark Teacher Induction Advisory Council (Formally EBBIC) - Elisa Martinez

Audit Committee - Phuong Nguyen & Aiden Hill

Bond/Parcel Tax Committee - Elisa Martinez & Terrence Grindall

Board of Education Requests

Type Action, Discussion, Information

Purpose:

This is an opportunity for the Board of Education to suggest items for placement on future agendas and to review Board requests.

Approval from the majority of the Board will be required for direction to be provided to the Superintendent.

Background:

The following derives directly from the Board approved "Governance Team Handbook"

Authority is Collective, Not Individual:

The only authority to direct action rests with the Board as a whole when seated at a regular or special board meeting.

Outside of this meeting, there is no authority.

A majority Board vote provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction.

Bringing New Ideas Forward

The Board will be open to having "brainstorming" discussions, or study sessions, around any idea that a Trustee may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Trustee, at their initiative or at the request of a constituent, which was previously discussed during a board meeting.

Trustees will first notify the Board President and Superintendent of their interest in bringing forward a new idea at a board meeting.

When initially agendized, the preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.

Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea.

The Superintendent will decide on the delegation of assignments to District staff.

The new idea may be agendized for discussion only. The Board majority will decide if the new idea should be further

developed and studied by staff. The Board majority will decide if staff time should be invested in the "fleshing out" of new ideas.

Individual Trustees, in the course of interactions with constituents, will be careful not to make or imply the commitment of the full Board to explore or proceed with implementing new ideas.

5 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

Superintendent's Concluding Comments, Updates, and Future Agenda Items

AGENDA REQUESTS

Type Information

Purpose:

This is an opportunity for the Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

6 ADJOURNMENT

Adjournment

Type Action, Procedural

Recommended The recommendation is that the Board of Education adjourns this meeting.

Action

Purpose:

To conclude the meeting.

Background:

BP 9323: Regular Board meetings shall be adjourned at 10:00 p.m. unless extended to a specific time determined by a majority of the Board. The meeting should be extended no more than once and subsequently may be adjourned to a later date.

Motion & Voting

The recommendation is that the Board of Education adjourns this meeting.

Motion by Bowen Zhang, second by Terrence Grindall.

Final Resolution: Motion Carries

Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Alicia Marquez, Estaina Resendiz-Ortiz

1 CALL TO ORDER

1.1 Meeting Practices and Information

Type Information, Procedural

IN-PERSON MEETING INFORMATION

NUSD has opened its boardroom for in-person meetings and will follow the State's and Alameda County's safety guidelines for public gatherings. Please refrain from attending in-person meetings if you have any of the following symptoms:

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- Difficulty breathing
- Vomiting
- Diarrhea
- Fever
- Cough
- Headache
- Sore Throat
- Runny Nose

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PUBLIC COMMENT

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

1.2 Roll Call

Type Procedural

TRUSTEES

President Bowen Zhang

Vice President/Clerk Phuong Nguyen

Member Elisa Martinez

Member Terrence Grindall
Member Aiden Hill
STUDENT BOARD MEMBER
Member Estaina Resendiz Ortiz

2 APPROVAL OF AGENDA

2.1 Approval of the Agenda

Type Action
Recommended Action The recommendation is that the Board of Education approves the agenda for this meeting.

Purpose:
Members of the Governance Team may request that the agenda be amended or approved as presented.

Motion & Voting
The recommendation is that the Board of Education approves the agenda for this meeting.
Motion by Phuong Nguyen, second by Bowen Zhang.
Final Resolution: Motion Carries
Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez

3 CLOSED SESSION

3.1 Public Comment on Closed Session Items

Type Information

Purpose:
The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board. If a constituent wishes to address the Board on any agenda item, please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org.

3.2 PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE (Gov. Code, 54957, subd. (b)(1))

Type Action, Information, Procedural

Purpose:
Information will be provided by the Superintendent and Executive Director of Human Resources.

3.3 CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a): Employee Organizations - NTA and

Type Action, Information, Procedural

Purpose:
Information may be provided by the agency negotiator, Executive Director of Human Resources. Assistance from the legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided.
The employee organizations include NTA & CSEA.

3.4 CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a)): Employee Group - NEWMA, Unrepresented Supervisors, and Contracted Management

Type Action, Information, Procedural

Purpose:
Information may be provided by the agency negotiator, the Executive Director of Human Resources, and the Superintendent. Assistance from legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided.
The employee organizations include NEWMA, Unrepresented Supervisors, and Contracted Management

3.5 CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION Significant exposure to litigation pursuant to Gov. Code, 54956.9, subd. (d)[(2) or (3)]

Type Action, Information, Procedural

Purpose:
Information may be provided regarding significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: One case

3.6 CONFERENCE WITH LEGAL COUNSEL EXISTING LITIGATION (Gov. Code, 54956.9, subd. (d)(1))

Type Action, Information, Procedural

Purpose:

To discuss the following case(s):
Bretz vs Newark Unified School District Keenan Claim # 569505
Christine Clinton v. Newark Unified School District: HG21103262

3.7 STUDENT EXPULSION Stipulation (Ed Code. 48918) - Case# e2122-02.

Type Discussion, Information, Procedural

Purpose:

For the Board to review the Stipulation Expulsion Agreement.

Background:

A Stipulation Expulsion Agreement meeting was held on September 29, 2021. A Stipulation Expulsion Meeting has been conducted in accordance with Board Policy and Administrative Regulation 5144.1 and, if applicable, 5144.2 for students with disabilities. The administration asks for approval of the recommendation for Case# e2122-02. (Ed Code. 48918).

3.8 Recess to Closed Session

Type Procedural

Purpose:

The Board will recess to Closed Session, and reconvene to Open Session on or about 7:00 p.m.

4 RECONVENE TO OPEN SESSION

4.1 Pledge of Allegiance

Type Procedural

Purpose:

The Governance Team will recite the Pledge of Allegiance

5 REPORT OF CLOSED SESSION ACTIONS

5.1 Report of Closed Session Actions

Type Action, Procedural

Purpose:

If available, a report of the closed session will be provided by the Board President.

6 RECOGNITIONS AND CELEBRATIONS

6.1 Ballet Folklorico in Celebration of Latinx Heritage Month

Type Information

Purpose:

The Ballet Folklorico from Schilling Elementary will perform in celebration of Latinx Heritage Month.

6.2 School Spotlight: Schilling Elementary

Type Information

Purpose:

The School Spotlight gives the Board of Education and the public an opportunity to hear the highlights, achievements, and initiatives at each school directly from the principals.

Background:

The presentation and information will be provided by the Schilling Elementary Principal, Dr. Wendy Castaeda-Leal.

6.3 Staff Spotlight

Type Information

Purpose:

To recognize the wonderful accomplishments of our NUSD Team.

Background:

The presentation will be provided by the Superintendent.

7 STUDENT REPORT

7.1 Student Reports from Newark Junior High School, Alternative Education, and Newark Memorial High School

Type Information

Purpose:

At regular Board of Education meetings, a spokesperson of each secondary school may make a brief presentation. Discussion items may include updates, celebrations, and upcoming events.

1. Newark Junior High School - Mohammen Lulu and Poorvi Sharma
2. Alternative Education - Alexis Blanco-Barron
3. Newark Memorial High School - Estaina Resendiz-Ortiz

8 EMPLOYEE ORGANIZATIONS

8.1 Employee Organizations

Type Information

Purpose:

At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Background:

Discussion items are limited to updates, celebrations, and upcoming events.

1. NTA: Sean Abruzzi
2. CSEA: Sue Eustice
3. NEWMA: Vicenta Ditto

9 PUBLIC COMMENT ON NON-AGENDA ITEMS

9.1 Public Comment on Non-Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

10 SUPERINTENDENT REPORT

10.1 Superintendent Report

Type Information

Purpose:

The superintendent will provide the Board of Education with district information, updates, news, or anything in the jurisdiction of the board or the superintendent.

Background:

The presentation and information will be provided by the Superintendent

11 STAFF REPORT

11.1 ACOE Approval of NUSD 2021-22 Adopted Budget and Local Control and Accountability Plan

Type Information

Purpose:

To inform the Board of the approval of NUSD's 2021-22 Adopted Budget and Local Control Accountability Plan (LCAP) by the Alameda County Office of Education (ACOE).

Background:

ACOE approved the District's 2021-22 Adopted Budget and LCAP (see attached letter). Please note in the ACOE letter (page 2), there is a statement regarding a projected deficit in the general fund of \$4.2M in 2021-22. This deficit is in the restricted funds which represents carryover spending from the prior year's restricted fund balance. The unrestricted general fund is projected with a slight surplus of \$381K. A Public Hearing was held on June 3, 2021, on the 2021-22 Local Control and Accountability Plan (LCAP) and the 2021-22 Proposed Budget. At the Special Meeting of the Board on June 29, 2021, both the 2021-22 Local Control Accountability Plan (LCAP) and 2021-22 Adopted Budget were approved.

File Attachments

[NUSD 2021-22 Budget Board Letter Final.pdf](#) (370 KB)

11.2 State and County Updates Impacting Educational Services

Type Information

Purpose:

To provide additional information to the Board of Trustees about recent state shifts impacting educational services, including AB 104, SB 130, SB 167, 5th year senior clarification, SAT/PSAT testing offerings, and state assessments.

Background:

The pandemic has brought new laws, guidance, and testing strategies that impact our students. This presentation will serve to update the Board of Trustees and our community on some of these changes and the impact on educational services in Newark.

File Attachments

[10.7.21 State & County Updates Impacting Educational Services \(1\).pdf](#) (1,314 KB)

12 STUDENT EXPULSION

12.1 Expulsion Stipulation for Case# e2122-02

Type Action
Recommended Action The recommendation is that the Board of Education approves the Expulsion Stipulation.

Purpose:

For the Board to review the Stipulation Expulsion Agreement.

Background:

A Stipulation Expulsion Agreement meeting was held on September 29, 2021. A Stipulation Expulsion Meeting has been conducted in accordance with Board Policy and Administrative Regulation 5144.1 and, if applicable, 5144.2 for students with disabilities. The administration asks for approval of the recommendation for Case# e2122-02. (Ed Code. 48918).

Motion & Voting

The recommendation is that the Board of Education approves the Expulsion Stipulation.

Motion by Bowen Zhang, second by Alicia Marquez.

Final Resolution: Motion Carries

Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez

13 PUBLIC HEARINGS

13.1 Public Hearing: Sufficiency of Instructional Materials

Type Procedural

Purpose:

This Public Hearing will proceed a vote on Resolution 2021.22.07: Sufficiency of Instructional Materials.

Background:

Under EC Section 60119, the governing board of every local educational agency that receives state instructional materials funds must hold an annual public hearing before the end of the eighth week from the first day pupils attend school for that year. At the public hearing, the governing board must make a determination as to whether each pupil in each school has sufficient textbooks or instructional materials, or both, that are aligned to the content standards and are consistent with the content and cycles of the curriculum framework adopted by the State Board of Education in reading/language arts, mathematics, science, and history/social science.

File Attachments

[2021-22 Sufficiency of Materials Public Hearing \(1\).pdf](#) (84 KB)

[2021-22 Sufficiency of Material Resolution 2021.22.07 \(2\).pdf](#) (96 KB)

14 NEW BUSINESS

14.1 Revised Hourly Rate for Translators

Type	Action
Fiscal Impact	Yes
Budget Source	General Fund
Recommended Action	The recommendation is that the Board of Education approve the revised hourly rate for translators effective October 1, 2021.

Purpose:
To increase the hourly rate for translators from \$15.88 to \$25.00 per hour effective October 1, 2021.

Background:
In order to be competitive with surrounding districts, our current translator rate needs to be increased.

Motion & Voting
The recommendation is that the Board of Education approve the revised hourly rate for translators effective October 1, 2021.

Motion by Terrence Grindall, second by Phuong Nguyen.
Final Resolution: Motion Carries
Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Alicia Marquez
Nay: Aiden Hill

14.2 Latinx Heritage Month Resolution

Type	Action
Fiscal Impact	No
Recommended Action	The recommendation is that the Board of Education adopts Resolution 2021.22.08 recognizing Latinx Heritage Month from September 15 - October 15.

Purpose:
To adopt Resolution 2021.22.08 recognizing Latinx Heritage Month from September 15 October 15.

Background:
The proposed NUSD resolution is intended to recognize and celebrate the contributions of our Latinx, Hispanic, and Chicano community members, as well as draw attention to areas of improvement for Newark Unified School District with respect to its service to this community. It was drafted in partnership with the following community representatives:
Newark Memorial High School Students
Bridgepoint High School Students
Newark Unified School District Educational Services Team
Newark Unified School District Staff (Open Invitation)
Community Organizations: Promotores, Avanzando, and Parent Focus Groups, including City Council Representative Sucs Collazo

File Attachments
[National Latinx Heritage Month Resolution 2021.22.08.pdf](#) (108 KB)

Motion & Voting
The recommendation is that the Board of Education adopts Resolution 2021.22.08 recognizing Latinx Heritage Month from September 15 - October 15.

Motion by Bowen Zhang, second by Alicia Marquez.
Final Resolution: Motion Carries
Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez

14.3 Resolution No. 2021.22.06 Week of the School Administrator

Type	Action
Preferred Date	Oct 07, 2021
Recommended Action	The recommendation is that the Board of Education approve Resolution No. 2021.22.06 to honor Newark Unified School District administrators during the second full week in October (October 11 to October 15, 2021).

Purpose:
The purpose is for the Board of Education to approve Resolution No. 2021.22.06 to honor Newark Unified School District administrators during the second full week in October 2021.

Background:
California Education Code Section 44015.1 designates the second full week in October as Week of the School Administrator in all schools, districts, and counties. Highlighting and acknowledging this week is one way the Association of California School Administrators and the Newark Management Association collaborate to celebrate the educators, business leaders, and community groups that work to make our schools succeed and enable students to achieve at their highest levels. The recommendation is that the Board of Education approves this resolution to honor Newark Unified School District

administrators during the second full week in October 2021.

File Attachments

[Res. No. 2021.22.06 Week of the School Administrator.pdf](#) (80 KB)

Motion & Voting

The recommendation is that the Board of Education approve Resolution No. 2021.22.06 to honor Newark Unified School District administrators during the second full week in October (October 11 to October 15, 2021).

Motion by Bowen Zhang, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez

14.4 Proposed Boundaries for Musick Elementary School Consolidation

Type Discussion, Information

Purpose:

To present the proposed boundaries for the consolidation of Musick Elementary School for the 2022-2023 school year.

Background:

On November 19, 2020, the Board approved to consolidate Musick Elementary School for the 2022-23 school year.

The proposed new boundary line is Thornton Avenue. Students living north of, or on the north side of Thornton Avenue will be assigned to Kennedy Elementary, and students living south of, or on the Southside of Thornton Avenue will be assigned to Birch Grove Primary or Birch Grove Intermediate. Students currently attending Musick will be given a unique option to request their "top 3" choices of schools which will include their new home school as one of the choices. The district will work with families to accommodate requests as much as possible.

A recommendation to approve the new boundaries will be presented to the Board at the October 21, 2021, meeting.

File Attachments

[Current boundaries 21-22.pdf](#) (168 KB)

[Boundary option for Musick.pdf](#) (183 KB)

14.5 Draft ESSER III Expenditure Plan

Type Discussion, Information

Purpose:

To present the draft ESSER III Expenditure Plan to the Board. The final draft will be presented for approval at the October 21, 2021 Board meeting.

Background:

School districts, county offices of education, or charter schools, collectively known as LEAs, that receive Elementary and Secondary School Emergency Relief (ESSER) funds under the American Rescue Plan Act, referred to as ESSER III funds, are required to develop a plan for how they will use their ESSER III funds. In the plan, an LEA must explain how it intends to use its ESSER III funds to address students' academic, social, emotional, and mental health needs, as well as any opportunity gaps that existed before, and were worsened by, the COVID-19 pandemic. An LEA may also use its ESSER III funds in other ways, as detailed in the Fiscal Requirements section of the Instructions. In developing the plan, the LEA has flexibility to include community input and/or actions included in other planning documents, such as the Local Control and Accountability Plan (LCAP), provided that the input and actions are relevant to the LEA's Plan to support students.

The ESSER III Expenditure Plan must be approved by the Board by October 29, 2021. Staff will present the District's final plan to the Board at the October 21, 2021 meeting.

File Attachments

[ESSER III Expenditure Plan- Draft for 10-7-21 Board Mtg.pdf](#) (248 KB)

[ESSER III Board Presentation 10.07.21.pdf](#) (1,190 KB)

14.6 Bid Award of the HVAC Units Replacement Project - Phase 1 Increment 2 at Newark Jr High and Newark Memorial High

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$4,233,000.00
Budgeted	Yes
Budget Source	\$620,000 Measure G Bond; \$56,243 Measure B and \$3,556,757 Fund 25
Recommended Action	The recommendation is that the Board of Education accept the withdrawal of bid from A&B Mechanical due to clerical error as provided under California Public Contract Code section 5101b and authorize staff to award the HVAC Units Replacement Project at Newark Junior High School and Newark Memorial High School to the lowest, responsible and responsive bidder, Rodan Builders, Inc. as presented.

Purpose:

To authorize district staff to award the contract to Rodan Builders for the HVAC Units Replacement Project Phase 1 Increment 2 at Newark Junior High School and Newark Memorial High School.

Background:

On February 20, 2020, the Board of Trustees approved a list of projects for the balance of the Measure G Bond proceeds

which included HVAC Replacement projects.

The contract for the HVAC Replacement Project Phase 1 Increment 1, which included BGP, Kennedy, Coyote Hills, and Schilling Elementary Schools, was approved by the Board on August 5, 2021, for \$2,993,000.

These projects have undergone a competitive bidding process. A Notice to Bidders was publicly advertised in the Argus Newspaper on July 30, 2021, and August 6, 2021. Mandatory pre-bid conferences occurred on August 4, 2021 and August 11, 2021, and were placed in industry plan rooms on August 4, 2021. Bids were publicly opened on August 25, 2021.

On August 25, 2021, five (5) bids were received for the HVAC Replacement Project, Phase 1 Increment 2. The first low bidder, A&B Mechanical, withdrew their bid due to clerical errors. The second-lowest qualified bid was submitted by Rodan Builders at \$4,233,000.00.

File Attachments

- [Bid Results- HVAC-2-NJHS & NMHS--.pdf](#) (43 KB)
- [S Bid Form Rodan Builders.pdf](#) (1,392 KB)
- [S Withdrawal Letter-Newark Unified Schools HVAC.pdf](#) (157 KB)

Motion & Voting

The recommendation is that the Board of Education accept the withdrawal of bid from A&B Mechanical due to clerical error as provided under California Public Contract Code section 5101b and authorize staff to award the HVAC Units Replacement Project at Newark Junior High School and Newark Memorial High School to the lowest, responsible and responsive bidder, Rodan Builders, Inc. as presented.

Motion by Bowen Zhang, second by Alicia Marquez.

Final Resolution: Motion Carries

Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez

14.7 Change Order #1 - Landscaping and Irrigation Group 1 at Birch Grove Intermediate, Birch Grove Primary, Kennedy, Lincoln and Schilling

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$9,799.41
Budgeted	Yes
Budget Source	Bond Measure G
Recommended	The recommendation is that the Board of Education approve Change Order #1 for the
Action	Landscape and Irrigation Group 1 Project with Marina Landscape as presented.

Purpose:

Approve Change Order #1 in the amount of \$9,799.41 for a new total contract amount of \$545,199.41 with Marina Landscape for the Landscaping and Irrigation Group 1 Project.

Background:

The Board approved the contract with Marina Landscape for the Landscaping and Irrigation Group 1 Project on June 17, 2021. The base contract awarded to Marina Landscape was \$535,400 which included a \$25,000 contingency for unforeseen items such as this change order. This change is less than a 2% change of the contract and is well within the project budget. This action item is to approve Change Order 1 which entails the following:

1 Seven (7) pink Kangaroo per site request Paws plus irrigation at Birch Grove Primary to infill hedges along Smith Avenue	\$1,013.24
2 Irrigation drawing changes	33,786.17
3 Contract contingency allowance	-25,000.00
4 Total Change Order #1	\$9,799.41

File Attachments

- [CO#1-Marina- Plant & Irrigation-R with backup.pdf](#) (2,739 KB)

Motion & Voting

The recommendation is that the Board of Education approve Change Order #1 for the Landscape and Irrigation Group 1 Project with Marina Landscape as presented.

Motion by Terrence Grindall, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Alicia Marquez

Nay: Aiden Hill

14.8 Declaring the Futility of Public Bidding for Work Arising from Unforeseen Conditions and Approving Change Order to the Agreement with Cal-Pacific for the Stairway Project at Newark Junior High School Project

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$232,032.70
Budgeted	Yes
Budget Source	Fund 25 Capital Facilities Fund
Recommended	The recommendation is that the Board of Education approve Resolution 2021.22.09 Declaring
Action	the Futility of Public Bidding for Work Arising from Unforeseen Conditions and Approving Change Order #2 in the amount of \$232,032.70 to the Agreement with Cal-Pacific for the Stairway Project at Newark Junior High School Project, as presented.

Purpose:

The Board will consider the recommendation from staff to approve Resolution 2021.22.09 and approve Change Order #2

scope adjustments in the amount of \$232,032.70 for the Newark Junior High School Stair Improvement & Barrier Removal Project.

Background:

The Board approved the contract with Cal- Pacific Construction Inc. for the Newark Junior High School Stair Improvement & Barrier Removal Project on June 17, 2021. The base contract awarded to Cal-Pacific was for \$631,000.00. Change Order #1 in the amount of \$21,353.65 was approved on August 5, 2021, for a total contract amount of \$652,353.65.

The Newark Junior High School Stair Improvement & Barrier Removal Project has been under construction since June 2021. Stair #1 has been completed. During the course of the work, there have been significant changes in scope due to unforeseen conditions. Change Order #2 is for additional steel reinforcement, installation of skateboard deterrents, concrete repair work, removal and replacement of staircase 2 and 3 due to unforeseen conditions (the unforeseen conditions will be explained more in detail at the Board meeting), credit for remaining work for pedestrian coating, striping and concrete patchwork and footing at Newark Junior High School, as presented.

Because this Change Order is above 10% of the original contract value the Board needs to approve Resolution 2021.22.09 Declaring the Futility of Public Bidding of Additional Construction Work on the project. The resolution contains recitals to support the findings required under Public Contract Code.

The scope and cost of each COR have been verified and negotiated by the Architect and Construction Manager.

File Attachments

- CO#2-CalPacific-NJHSStairs 1.pdf (67 KB)
Resolution 2021.22 Declaring the Futility of Public Bidding.pdf (65 KB)

Motion & Voting

The recommendation is that the Board of Education approve Resolution 2021.22.09 Declaring the Futility of Public Bidding for Work Arising from Unforeseen Conditions and Approving Change Order #2 in the amount of \$232,032.70 to the Agreement with Cal-Pacific for the Stairway Project at Newark Junior High School Project, as presented.

Motion by Alicia Marquez, second by Phuong Nguyen.
Final Resolution: Motion Carries
Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Alicia Marquez
Nay: Aiden Hill

14.9 2021-22 Local Control Accountability Plan (LCAP) Advisory Membership

Table with 2 columns: Type, Action. Rows include Preferred Date (Oct 07, 2021), Fiscal Impact (No), Recommended (The recommendation is that the Board of Education approves the LCAP membership roster.), Action, and Goals (1a. Student Achievement).

Purpose:

We are seeking approval of the attached proposed membership of the 2021-22 Local Control and Accountability Plan (LCAP) Parent Advisory Committee (PAC). At its first meeting, the Advisory will review its bylaws which will include rules regarding processes and procedures. The Director of Special Projects, Abbey Kerins will facilitate meetings.

LCAP PAC meetings are open to the public; all agendas and minutes will be posted for interested parties to track progress towards the final draft of the LCAP.

Child care, light refreshments, and translation will be provided to support member participation. All meetings will be held from 6:00 pm to 7:30 pm in the Board of Education Training Room: 5715 Musick Ave., Newark. The meetings are scheduled as follows:

- October 26, 2021
December 7, 2021**
January 25, 2022
February 22, 2022
March 22, 2022
April 26, 2022
May 24, 2022

The attachment lists the names of parent/guardian representatives and additional members.

Background:

Visit our LCAP webpage to learn more about the development of the LCAP and read previous years' meeting agendas and minutes, and to view presentations made to the Committee: https://www.newarkunified.org/departments/educational-services/lcap/.

File Attachments

- LCAP PAC Membership 2021-22 For Board Approval (1).pdf (194 KB)

Motion & Voting

The recommendation is that the Board of Education approves the LCAP membership roster.
Motion by Bowen Zhang, second by Alicia Marquez.
Final Resolution: Motion Carries
Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez

15 CONSENT AGENDA: PERSONNEL ITEMS

15.1 PLACEHOLDER - One Consented Vote

Type Action
Recommended Action It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent-Personnel, except for agenda items:

Purpose:
(This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.)

Background:
Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Motion & Voting
It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent-Personnel, except for agenda items: 15.2 and 15.3.
Motion by Bowen Zhang, second by Phuong Nguyen.
Final Resolution: Motion Carries
Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez

15.2 Personnel Report

Type Action
Absolute Date Oct 07, 2021
Recommended Action The recommendation is that the Board of Education ratify the personnel report as presented.
All personnel activities including new hires, changes in status, resignation, leaves, and retirements are routinely submitted to the Board for ratification.

File Attachments
[HR PAL 10-07-2021.pdf](#) (379 KB)

15.3 Revised 2021-22 Department Chair Salary Schedule

Type Action
Recommended Action The recommendation is that the Board of Education approve the revised 2021-22 Department Chair Salary Schedule with updated stipend language.

Purpose:
To clarify the stipend for Department Chairs so that the language is the same as the NTA agreement.

Background:
On August 5, 2021, the salary schedule was approved to read: Stipend Grade 7-8 \$3,150, Grade 9-12 \$3,150.
Per the NTA 2019-2022 Agreement, Appendix G Department Chair Stipends, the base amount is \$1800 plus \$60 per section for both High School and Junior High School. The salary schedule is corrected to read: Grade 7-8 \$1,800 plus \$60/section, Grade 9-12 \$1,800 plus \$60/section.

File Attachments
[NTA Salary Schedules - FY21-22_Dept Chair_rev 9-20-21.pdf](#) (221 KB)

16 CONSENT AGENDA: NON-PERSONNEL ITEMS

16.1 PLACEHOLDER - One Consented Vote

Type Action
Recommended Action It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent Non-Personnel, except for agenda items:

Purpose:
(This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.)

Background:
Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Motion & Voting
It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent Non-Personnel, except for agenda items: 16.3, 16.4, 16.6.
Motion by Bowen Zhang, second by Phuong Nguyen.
Final Resolution: Motion Carries
Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez

16.2 Updated School Lunch Prices 2021-2022

<p>Type Recommended Action</p>	<p>Action The recommendation is that the Board of Education approve the updated fees for school meals, effective for the 2021-2022 school year.</p>
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Purpose:
 Students will continue to receive free meals based on the current USDA guidance of the Summer Seamless Option which allows for free meals to all students no matter their status. There is no guarantee, however, that this program will continue beyond the 2021-2022 school year.
 The USDA Paid Lunch Equity Requirement remain in effect during the Summer Seamless Option. Annually, NUSD Child Nutrition Department uses the Paid Lunch Equity Tool (provided by the US Department of Agriculture) to determine weighted average lunch prices. This tool uses the monthly average of all lunches purchased in October of the prior school year. For the 2021-22 calculations, October 2019 lunch sales numbers were used in order to accurately reflect sales.
 Currently, the NUSD weighted average lunch price is \$3.12. For the 2021-2022 school year, the required weighted average lunch price is \$3.18. In order to be in compliance, NUSD Child Nutrition must increase elementary paid lunch fees for the 2021-2022 School Year.
 Elementary School Lunch Prices will increase from \$2.75 to \$3.00 (\$0.25 increase)
 Newark Jr High School Lunch Prices will remain at \$3.25
 Newark Memorial High School Lunch Prices will remain at \$3.50
 Students eligible for free meals will continue to receive meals at no cost.
 Increasing lunch prices will increase revenues in the National School Lunch Program and that will ensure more monies to the nonprofit school food service account and allow them to avoid impinging on the general fund.

Background:
 Regulation 7 CFR 210.14 (e) requires school food authorities (SFAs) participating in the National School Lunch Program to ensure sufficient funds are provided to the nonprofit school food service account for meals served to students not eligible for free or reduced-price meals. There are two ways to meet this requirement: changing the prices charged for "paid" meals, or through other non-Federal sources provided to the nonprofit school food service account.

16.3 Resolution 2021.22-07 - Sufficiency of Instructional Materials

<p>Type Fiscal Impact Recommended Action Goals</p>	<p>Action No The recommendation is that the Board of Education approves Resolution 2021.22-07 declaring sufficiency of instructional materials for students. 1a. Student Achievement</p>
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Purpose:
 To certify compliance with Education Code Section 60119 (as revised by Chapter 704, Statutes of 2006 and California Code of Regulations (CCR), Title 5, Section 9531). In order to be eligible to receive instructional materials funds, the governing board of each district and county office of education is required to hold an annual public hearing and adopt a resolution stating whether each pupil in the district has sufficient textbooks or instructional materials in specified subjects that are aligned to the academic content standards and consistent with the content and cycles of the curriculum frameworks adopted by the state board. This is an annual process.

Background:
 Under EC Section 60119, the governing board of every local educational agency that receives state instructional materials funds must hold an annual public hearing before the end of the eighth week from the first-day pupils attend school for that year. At the public hearing, the governing board must make a determination as to whether each pupil in each school has sufficient textbooks or instructional materials, or both, that are aligned to the content standards and are consistent with the content and cycles of the curriculum framework adopted by the State Board of Education in reading/language arts, mathematics, science, and history-social science.
 Site principals reviewed site sufficiency of materials and affirm.
 Governing boards that have met the requirements of Education Code Section 60119 and have also certified compliance with the Instructional Materials Funding Realignment Program (IMFRP) requirements regarding the provision of adopted standards-aligned instructional materials for all students (Education Code Section 60422) may spend 100% of any remaining IMFRP funds from that year's allocation for other approved purposes.

- File Attachments**
[2021-22 Sufficiency of Materials Public Hearing .pdf \(80 KB\)](#)
[2021-22 Sufficiency of Material Resolution 2021.22.07 \(2\).pdf \(96 KB\)](#)

Motion & Voting
 The recommendation is that the Board of Education approves Resolution 2021.22-07 declaring sufficiency of instructional materials for students.
 Motion by Bowen Zhang, second by Alicia Marquez.
 Final Resolution: Motion Carries
 Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez

16.4 Contracts and Purchase Orders Authorized under Resolution 2020.21-025 (Delegate Authority to Procure Necessary Materials, Equipment and Services to Provide Distance and/or In-Person Learning for Staff, Teachers, and Students to Mitigate the Effects of Covid-19)

Type	Action
Fiscal Impact	Yes
Budgeted	Yes
Recommended	The recommendation is that the Board of Education accept the update on costs associated
Action	with the implementation of Resolution 2020.21-025 (Resolution of the Board of Education of the Newark Unified School District to Delegate Authority to Procure Necessary Materials, Equipment and Services to Provide Distance and/or In-Person Learning for Staff, Teachers, and Students to Mitigate the Effects of Covid-19)

Purpose:

To update the Board on costs associated with the implementation of Resolution 2020.21-025 (Resolution of the Board of Education of the Newark Unified School District to Delegate Authority to Procure Necessary Materials, Equipment and Services to Provide Distance and/or In-Person Learning for Staff, Teachers, and Students to Mitigate the Effects of Covid-19) from June 1, 2021, through September 30, 2021.

Background:

On April 1, 2021, the Newark Unified School District Board approved Resolution 2020.21-025 delegating authority to the Superintendent or designee to procure necessary materials, equipment, and services that are needed to provide distance and/or in-person learning to mitigate the effects of Covid-19. Language in the resolution states "the Superintendent/Designee shall make periodic reports to the Board of Education and the public regarding implementation of this resolution and the costs associated therewith"; requiring the update provided here. An update was provided to the Board on June 17, 2021, for contracts and purchase orders authorized between April 2, 2021, and May 31, 2021.

On September 16, 2021, Amended Resolution 2020.21-025 was approved. The amendment extends it to on or around June 30, 2022, and states that updates will be presented to the Board at the first Board meeting of each month.

VENDOR	DATE	PONUMBER	DESCRIPTION	AMOUNT
	P21-			
Western Allied Mechanical	6/15/2021	01901	Repairs to district HVAC units	\$155,215.00
Syserco	7/12/2022	P22- 00057	TAB (Testing and Air Balancing) Remediation	\$58,632.00
Edgenuity Inc	7/29/2021	P22-00128	Software for Independent Study Implementation	\$367,500.00
	P22-			
Austin Air	8/11/2021	00203	Purchase of Air Purifiers	\$86,446.34
Forensic Analytical Consulting Services	9/20/2021	P22-00484	Environmental sampling to assess chemical byproducts of bipolar ionization units	\$56,000.00
Wayfair	9/20/2021	P22-00482	Outdoor Tables	\$61,723.52

File Attachments

- [PO Austin Air Healthmade 450 Plus Air Purifiers_10-7-2021.pdf](#) (95 KB)
- [PO Edgenuity Inc_7-29-21.pdf](#) (99 KB)
- [PO Forensic Analytical Consulting Services_10-7-2021.pdf](#) (55 KB)
- [PO Syserco_10-7-2021.pdf](#) (154 KB)
- [PO Wayfair_9-20-21.pdf](#) (56 KB)
- [PO Western Allied_6-15-2021.pdf](#) (402 KB)

Motion & Voting

The recommendation is that the Board of Education accept the update on costs associated with the implementation of Resolution 2020.21-025 (Resolution of the Board of Education of the Newark Unified School District to Delegate Authority to Procure Necessary Materials, Equipment and Services to Provide Distance and/or In-Person Learning for Staff, Teachers, and Students to Mitigate the Effects of Covid-19)

Motion by Terrence Grindall, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Alicia Marquez

Nay: Aiden Hill

16.5 University of San Francisco MOU and Agreement Regarding Teaching and Counseling Experience

Type	Action
Absolute Date	Oct 07, 2021
Recommended	The recommendation is that the Board of Education approve the University of San Francisco
Action	MOU and Agreement Regarding Teaching and Counseling Experience.

Purpose:

The purpose of this item is for the Board of Education to approve the MOU and agreement between the University of San Francisco and Newark Unified School District regarding student teachers and counselors beginning May 1, 2021, and ending June 30, 2026.

Background:

The District works closely with local institutes of higher education (IHE) and supports student teacher placements and interns. Agreements between Newark Unified School District and a university must be in place before a student teacher or intern can be placed at a school site in the District.

Student teachers and interns in training do fieldwork in our schools and are supervised by the administrators who provide supervision and training.

Student teachers and interns are able to learn, practice teaching, and fine-tune their craft under the direct supervision of a master teacher. The opportunity to student teach or intern in the District benefits both the student teacher and the District. As vacancies become available in the district, it is invaluable to have the opportunity to observe directly student teachers and interns who may be eligible to interview for vacancies and observe how well they fit into the culture of Newark.

[File Attachments](#)

[SFU Student Teacher Counseling MOU.pdf](#) (259 KB)

16.6 Contract with Hop Skip Drive, Inc. for District-Wide Special Education Transportation

Type	Action
Absolute Date	Oct 07, 2021
Fiscal Impact	Yes
Dollar Amount	\$274,860.00
Budgeted	Yes
Budget Source	Resource 6500 - Special Education
Recommended	The recommendation is that the Board of Education approves the contract with HopSkipDrive,
Action	Inc.
Goals	1a. Student Achievement

Purpose:
To approve the contract with HopSkipDrive Inc., for district wide transportation for Special Education students with IEP recommended transportation for the 2021-22 school year.

Background:
There has been challenges associated with driver shortages this school year. Contracting with HopSkipDrive Inc., will provide safe and affordable transportation for students in Special Education identified as needing transportation as a related service to access their Free Appropriate Public Education (FAPE). Special Education transportation is defined in federal regulation [34 CFR Section 300.34(c)(16)] as a related service. Transportation is required to be provided as a related service if it is required to assist a child with a disability to benefit from Special Education.

[File Attachments](#)

[HopSkipDrive 21-22 SIGNED.pdf](#) (1,074 KB)

[Motion & Voting](#)

16.7 Amendment to Inspectacon Contract

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$20,000.00
Budgeted	Yes
Budget Source	Fund 40 Special Reserves for Capital Outlay Projects
Recommended	The recommendation is that the Board of Education approve the amendment to the
Action	Inspectacon contract as presented.

Purpose:
To approve the amendment to increase the Inspectacon contract for DSA inspection services for the Newark Junior High (NJHS) Solar Arrays, Newark Memorial High School (NMHS) Solar Arrays, and Newark Memorial High School Battery Storage solar projects.

Background:
Inspectacon is the required DSA inspector for the solar projects at NMHS and NJHS. The amendment to the contract is needed due to unforeseen conditions with the solar project. The original contract was \$47,950 and with this increase, the new total will be \$67,950. Forefront, the solar project contractor, will reimburse the district \$20,000 for the inspection services. The net cost to the district is \$47,950.

[File Attachments](#)

[Solar Projects PI Budget Proposal Rev. #2.pdf](#) (77 KB)

[Inspectacon Corp_IOR for Solar Project Proposal at NJH and NMHS_2021_fully executed.pdf](#) (199 KB)

16.8 Minutes of the September 16, 2021 Regular Meeting of the Board of Education

Type	Action, Minutes
Recommended	The recommendation is that the Board of Education approves the minutes of September 16,
Action	2021, Regular Meeting of the Board of Education.

Purpose:
For the board to review and approve the minutes

Background:
The attached minutes are reflective of the September 16, 2021, Regular Meeting of the Board of Education. The exact language is available for viewing on the NUSD YouTube Channel.

16.9 Minutes of the September 21, 2021 Special Meeting of the Board of Education

Type	Action, Minutes
Recommended	The recommendation is that the Board of Education approves the minutes of September 21,
Action	2021, Special Meeting of the Board of Education.

Purpose:

For the board to review and approve the minutes

Background:

The attached minutes are reflective of the September 21, 2021, Special Meeting of the Board of Education. The exact language is available for viewing on the NUSD YouTube Channel.

17 BOARD OF EDUCATION: COMMITTEE REPORTS, REQUESTS, AND ANNOUNCEMENTS

17.1 Board of Education Recognitions and Announcements

Type Information

Purpose:

The Trustees may acknowledge or recognize specific programs, activities, or personnel at this time.

17.2 Board of Education Committee Reports

Type Information

Purpose:

The Trustees will provide an update, if available, on the committees of which they are members.

Background:

Each year the Board of Education members liaise with schools and committees in order to build relationships, hear from staff, students, and families, and act as a conduit for information to and from the schools.

Mission Valley ROP - Elisa Martinez

SELPA - Bowen Zhang

Newark & NUSD Liaison Committee - Phuong Nguyen & Terrence Grindall

Newark Teacher Induction Advisory Council (Formally EBBIC) - Elisa Martinez

Audit Committee - Phuong Nguyen & Aiden Hill

Bond/Parcel Tax Committee - Elisa Martinez & Terrence Grindall

17.3 Board of Education Requests

Type Action, Discussion, Information

Purpose:

This is an opportunity for the Board of Education to suggest items for placement on future agendas and to review Board requests.

Approval from the majority of the Board will be required for direction to be provided to the Superintendent.

Background:

The following derives directly from the Board approved "Governance Team Handbook"

Authority is Collective, Not Individual:

The only authority to direct action rests with the Board as a whole when seated at a regular or special board meeting.

Outside of this meeting, there is no authority.

A majority Board vote provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction.

Bringing New Ideas Forward

The Board will be open to having "brainstorming" discussions, or study sessions, around any idea that a Trustee may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Trustee, at their initiative or at the request of a constituent, which was previously discussed during a board meeting.

Trustees will first notify the Board President and Superintendent of their interest in bringing forward a new idea at a board meeting.

When initially agendized, the preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.

Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea. The Superintendent will decide on the delegation of assignments to District staff.

The new idea may be agendized for discussion only. The Board majority will decide if the new idea should be further developed and studied by staff. The Board majority will decide if staff time should be invested in the "fleshing out" of new ideas.

Individual Trustees, in the course of interactions with constituents, will be careful not to make or imply the commitment of the full Board to explore or proceed with implementing new ideas.

18 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

18.1 Superintendent's Concluding Comments, Updates, and Future Agenda Items

AGENDA REQUESTS

Type Information

Purpose:

This is an opportunity for the Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

19 ADJOURNMENT

19.1 PLACEHOLDER - Extend Meeting

Type Action

Recommended The recommendation is that the Board of Education extends the meeting to ____ P.M.
Action

Purpose:

This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

Motion & Voting

The recommendation is that the Board of Education extends the meeting to 11:00 pm.

Motion by Bowen Zhang, second by Alicia Marquez.

Final Resolution: Motion Carries

Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Alicia Marquez

19.2 Adjournment

Type Action, Procedural

Recommended The recommendation is that the Board of Education adjourns this meeting.
Action

Purpose:

No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time. This action will conclude the meeting.

1 CALL TO ORDER

Meeting Introduction

Type Information, Procedural

IN-PERSON MEETING INFORMATION

NUSD has opened its boardroom for in-person meetings and will follow the State's and Alameda County's safety guidelines for public gatherings. Please refrain from attending in-person meetings if you have any of the following symptoms:

- Loss of taste/smell
- Difficulty breathing
- Vomiting
- Diarrhea
- Fever
- Cough
- Headache
- Sore Throat
- Runny Nose

For additional COVID-19 information please go to <https://www.newarkunified.org/covid-19> or <https://www.acoe.org/guidance>

OBSERVE THE BOARD OF EDUCATION MEETING

Members of the public 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.

PUBLIC COMMENT

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at PUBLICCOMMENT@newarkunified.org, a written comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org, or with live in-person comments by submitting a speaker-card with the Executive Assistant.

Roll Call

Type Procedural

TRUSTEES

President Bowen Zhang

Vice President/Clerk Phuong Nguyen

Member Terrence Grindall

Member Aiden Hill

Member VACANT

STUDENT BOARD MEMBER

Member Estaina Resendiz-Ortiz

2 APPROVAL OF AGENDA

Approval of the Agenda

Type Action, Discussion

Recommended It is recommended that the Board of Education approve the agenda for this meeting.
Action

Purpose:

Members of the Governance Team may request that the agenda be amended or approved as presented.

Motion & Voting

It is recommended that the Board of Education approve the agenda for this meeting.

Motion by Bowen Zhang, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Estaina Resendiz-Ortiz

3 INTERVIEW AND APPOINTMENT

Candidate Interview

Type Discussion, Information

Purpose:

The Board of Education will have the opportunity to interview the candidates.

Background:

Member Martinez accepted an appointed position on the Ohlone Community College Board and has resigned from the NUSD Board of Education. Her resignation took effect on July 28. The Education Code provides that the Board can decide whether the vacancy is filled by a special election or through an appointment made by the Board. On August 5, 2021, the Board decided to proceed with the appointment process. On August 23, 2021, the applications were made available to the public, with a closing date of September 1, 2021. A Board directive was given to diligently review the board bylaws, and an administrative oversight was discovered. As a result, the application process was re-opened on September 3, 2021, and closed on September 10, 2021. Four applications were submitted, and three candidates confirmed their attendance at the September 21, 2021, Special Board of Education Meeting.

The candidates will be selected at random in order to decide the order of the candidates to be interviewed. The Board members will ask the candidates interview questions, and all candidates will be asked the same questions.

Candidates to be interviewed:

Alicia Marquez

Casper Knoop

James Miguel

File Attachments

[2021-0921 - Board Vacancy Application - Alicia Marquez \(1\).pdf](#) (582 KB)

[2021-0921 - Board Vacancy Application - Casper Knoop \(1\).pdf](#) (786 KB)

[2021-0921 - Board Vacancy Application - Jason Miguel \(1\).pdf](#) (1,017 KB)

Public Comment on the Board Vacancy

Type Discussion, Information

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.

<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

Candidate Selection

Type Action, Discussion

Purpose:

For the Board to score the candidates based on the interview questions, select, and approve one candidate to take the vacant seat on the NUSD Board of Education.

Background:

Per Board direction, the past practices will be followed when scoring and selecting the candidates. Traditionally, candidate selection consists of two rounds. Normally in the first round, the Board members will each select their top three (3) candidates without a number scale or grade, and no more or no less than three will be selected. Per guidance from the Board vacancy sub-committee, the first round can be bypassed due to only being three candidates who will be interviewed. In the second round, the

Board ranks the three candidates using a 3 - 2 - 1 number scale (3 for their first and top choice, 2 for their second choice, and 1 for their third or last choice). All Board members will rank the candidates using a 3, 2, or 1. Each candidate must be given a 3, 2, or 1 score. After a sum of the scores provided by the Board, the candidate with the highest score will be selected to move forward as the candidate selected to join the NUSD Board of Education. A motion and second, with approval from the majority of the Board will affirm the selection.

File Attachments

Sept 21, 2021 - Board Appointment Ranking Sheet.pdf (77 KB)

Motion & Voting

(not specified)

Motion by Bowen Zhang, second by Terrence Grindall.

Final Resolution: Motion Carries

Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Estaina Resendiz-Ortiz

Nay: Aiden Hill

Oath of Office

Type Procedural

Purpose:

The newly appointed NUSD Board of Education Trustee will be sworn in to their new position.

Background:

Oath: "I, _____, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter."

4 ADJOURNMENT

Adjournment

Type Action, Procedural

Recommended The recommendation is that the Board of Education adjourns this meeting.

Action

Purpose:

No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time. This action will conclude the meeting.

Motion & Voting

The recommendation is that the Board of Education adjourns this meeting.

Motion by Bowen Zhang, second by Estaina Resendiz-Ortiz.

Final Resolution: Motion Carries

Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Estaina Resendiz-Ortiz

1 CALL TO ORDER

Virtual Meeting Practices and Information

Type Information, Procedural

VIRTUAL MEETING INFORMATION

The district boardroom will be closed to the public, and in accordance with the Governor's Executive Order N-29-20, Board meetings will be held "virtually" until further notice. These meetings will be accessible to the public by internet or telephone. No physical meeting place will be provided. The Governor of California's Executive Order N-29-20 of March 17th, 2020.

OBSERVE THE BOARD OF EDUCATION MEETING

Members of the public may observe the meeting via the NUSD YouTube Channel, and public comments will be accepted via a Zoom Webinar with advance notice requested by email. Spanish translation will be available via Zoom.

PUBLIC COMMENT

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a LIVE comment or a WRITTEN comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org. Live comments will be transmitted via Zoom with audio-only.

Roll Call

Type Procedural

TRUSTEES

President Bowen Zhang

Vice President/Clerk Phuong Nguyen

Member Elisa Martinez

Member Terrence Grindall
Member Aiden Hill
STUDENT BOARD MEMBER
Member Estaina Resendiz Ortiz

2 APPROVAL OF AGENDA

Approval of the Agenda

Type Action
Recommended It is recommended that the Board of Education approve the agenda for this meeting.
Action

Purpose:
Members of the Governance Team may request that the agenda be amended or approved as presented.

Motion & Voting
It is recommended that the Board of Education approve the agenda for this meeting.
Motion by Phuong Nguyen, second by Terrence Grindall.
Final Resolution: Motion Carries
Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall
Nay: Aiden Hill
Not Present at Vote: Estaina Resendiz-Ortiz

3 CLOSED SESSION

Public Comment on Closed Session Items

Type Information

Purpose:
The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board. If a constituent wishes to address the Board on any agenda item, please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org.

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE (Gov. Code, 54957, subd. (b)(1))

Type Action, Information, Procedural

Purpose:
Information will be provided by the Superintendent and Executive Director of Human Resources.

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a): Employee Organizations - NTA and CSEA

Type Action, Information, Procedural

Purpose:
Information may be provided by the agency negotiator, Executive Director of Human Resources. Assistance from the legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided.
The employee organizations include NTA & CSEA.

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a)): Employee Group - NEWMA, Unrepresented Supervisors, and Contracted Management

Type Action, Information, Procedural

Purpose:
Information may be provided by the agency negotiator, the Executive Director of Human Resources, and the Superintendent. Assistance from legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided.
The employee organizations include NEWMA, Unrepresented Supervisors, and Contracted Management

CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION Significant exposure to litigation pursuant to Gov. Code, 54956.9, subd. (d)[(2) or (3)]

Type Action, Information, Procedural

Purpose:
Information may be provided regarding significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: One case

Recess to Closed Session

Type Procedural

Purpose:

The Board will recess to Closed Session, and reconvene to Open Session on or about 7:00 p.m.

4 RECONVENE TO OPEN SESSION

Pledge of Allegiance

Type Procedural

Purpose:

The Governance Team will recite the Pledge of Allegiance

5 REPORT OF CLOSED SESSION ACTIONS

Report of Closed Session Actions

Type Action, Procedural

Purpose:

If available, a report of the closed session will be provided by the Board President.

6 EMPLOYEE ORGANIZATIONS

Employee Organizations

Type Information

Purpose:

At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Background:

Discussion items are limited to updates, celebrations, and upcoming events.

1. NTA: Sean Abruzzi
2. CSEA: Sue Eustice
3. NEWMA: Vicenta Ditto

7 RECOGNITIONS AND CELEBRATIONS

School Spotlight: Birch Grove Primary

Type Information

Purpose:

The School Spotlight gives the Board of Education and the public an opportunity to hear the highlights, achievements, and initiatives at each school directly from the principals.

Background:

The presentation and information will be provided by:

File Attachments

[BGP School Spotlight Sept. 16th- 2021_22.pdf](#) (5,346 KB)

8 PUBLIC COMMENT ON NON-AGENDA ITEMS

Public Comment on Non-Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.

9 SUPERINTENDENT REPORT

Superintendent Report

Type Information

Purpose:

The superintendent will provide the Board of Education with district information, updates, news, or anything in the jurisdiction of the board or the superintendent.

Background:

The presentation and information will be provided by the Superintendent

10 STAFF REPORT

Dual Language Immersion Program

Type Information

Goals VISION: The Newark Unified School District, in partnership with the community, will be a model of world-class education that develops the unique abilities of every student.
MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens.
1. To provide academic excellence via equity and opportunities for all students.
3. Newark Unified School District will increase our enrollment.

Purpose:

To provide the Board of Trustees an update on the Spanish Dual Language Immersion (DLI) Program, which opened this Fall 2021 on the Schilling Elementary campus.

Background:

NUSD opened a Spanish Dual Language Immersion (DLI) Program this year (2021) on the A. L. Schilling Elementary campus. This is a result of many discussions, explorations, and research that has taken place since 2018. Initiating a DLI program in NUSD was one of many strategies identified by previous district leadership and board members to increase enrollment, support parent choice as required by Proposition 58, support English Learner students as per the CA EL Roadmap, and work towards the mission and goals outlined in the Global California 2030 report. Although the DLI program was scheduled to open last academic school year (2020-21), district leadership decided to suspend implementation for one year due to pandemic related school closures. This presentation will provide an update on the opening of NUSD's new DLI program, tools for program assessment, and next steps for continued program expansion.

File Attachments

[DLI Presentation Update to Board 9_16_21 \(1\).pdf](#) (2,299 KB)

11 OLD BUSINESS

Determination of Interview Process to Fill Board Vacancy and Timeline

Type Action, Discussion

Purpose:

The purpose is to provide any updates regarding the appointment interview process to fill the Trustee vacancy.

Background:

Member Martinez accepted an appointed position on the Ohlone Community College Board and has resigned from the NUSD Board of Education. Her resignation took effect on July 28. The Education Code provides that the Board can decide whether the vacancy is filled by a special election or through an appointment made by the Board. On August 5, 2021, the Board decided to proceed with the appointment process.

APEX Credit Recovery

Type Action, Discussion

Preferred Date Sep 16, 2021

Recommended Action The recommendation is that the Board of Trustees approve the use of APEX as credit recovery platform, combined with site-based accountability structures to ensure rigorous and equitable student access to high quality educational experiences.

Goals MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens.
2. Establish financial stability and fiscal solvency in order to drive continuous improvement.
1. To provide academic excellence via equity and opportunities for all students.

Purpose:

To provide additional information to the Board of Trustees about the background and usage of NUSD's current credit recovery program delivered through APEX, for the purpose of determining the next steps regarding APEX implementation within NUSD. Through this follow-up agenda item, the Board of Trustees will have an opportunity to hear answers to their questions from the previous study sessions and learn more about how APEX is currently utilized in NUSD and what shifts/changes our secondary schools have made to program implementation in response to recent community input.

Background:

This study session was presented upon request at the August 18th and September 2 regular meetings of the Board of Education. At the end of both study sessions, board members requested additional information, which will be presented for the purpose of making a time-sensitive decision regarding APEX credit recovery options for NUSD students in 2021-2022 and beyond. As we continue to explore the benefits and challenges of how to utilize technology in support of student achievement, the Board of Trustees has requested information regarding current APEX implementation in NUSD, to ensure rigorous and equitable student access to high quality educational experiences.

File Attachments

- Credit Recovery (APEX) Board Presentation.pdf (2,374 KB)
Credit Recovery (APEX) 9.16.21.pdf (757 KB)

Motion & Voting

The recommendation is that the Board of Trustees approve the use of APEX as credit recovery platform, combined with site-based accountability structures to ensure rigorous and equitable student access to high quality educational experiences. (staff will continue to research other accountability structure and provide follow up report (possible year follow up) with student input)

Motion by Terrence Grindall, second by Phuong Nguyen.
Final Resolution: Motion Carries
Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Estaina Resendiz-Ortiz
Nay: Aiden Hill

Amend Resolution 2020.21-025 To Delegate Authority to Procure Necessary Materials, Equipment and Services to Provide Distance and/or In-Person Learning for Staff, Teachers, and Students to Mitigate the Effects of COVID-19

Type Action, Discussion
Recommended The recommendation is that the Board adopt Amended Resolution 2020.21-025 To Delegate
Action Authority to Procure Necessary Materials, Equipment and Services to Provide Distance and/or
In-Person Learning for Staff, Teachers, and Students to Mitigate the Effects of COVID-19

Purpose:
To review Resolution 2020.21-025 To Delegate Authority to Procure Necessary Materials, Equipment and Services to Provide Distance and/or In-Person Learning for Staff, Teachers, and Students to Mitigate the Effects of COVID-19 and approve Amended Resolution 2020.21-025 extending it through June 30, 2022.

Background:
Resolution 2020.21-025 was approved by the Board on April 1, 2021. Section 5 of the resolution reads: The Board of Education will review this resolution on or around September 16, 2021 to determine if it shall be terminated or extended. On March 4, 2020, the Governor of California declared a state of emergency due to the outbreak and spread of COVID-19. The state of emergency continues to this date. The safety of students, staff and community against the continued COVID-19 pandemic and emerging variants remains a top priority. According to the Center for Disease Control and Prevention (CDC) website, "The Delta variant causes more infections and spreads faster than early forms of SARS-CoV-2, the virus that causes COVID-19". Amended Resolution 2020.21-025 allows the district to continue to plan for anticipated needs, adapt to ever-changing needs and provide equipment, goods, materials and products needed to continue to combat the spread of COVID-19, the Delta variant and any future variants.

File Attachments

- Amended Resolution 2020.21-.25 Emergency Resolution Re COVID 19_ Resolution Signed 4-1-2021.pdf (73 KB)

Motion & Voting

The recommendation is that the Board adopt Amended Resolution 2020.21-025 To Delegate Authority to Procure Necessary Materials, Equipment and Services to Provide Distance and/or In-Person Learning for Staff, Teachers, and Students to Mitigate the Effects of COVID-19 (modification - monthly report)
Motion by Terrence Grindall, second by Phuong Nguyen.
Final Resolution: Motion Carries
Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Estaina Resendiz-Ortiz
Nay: Aiden Hill

12 CONSENT AGENDA: PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type Action
Recommended It is recommended that the Board of Education approve, under one consented vote, the
Action agenda items under Consent-Personnel, except for agenda items:

Purpose:
(This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.)

Background:

Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Personnel Report

Type Action

Absolute Date Sep 16, 2021

Recommended The recommendation is that the Board of Education ratify the personnel report as presented.

Action All personnel activities including new hires, changes in status, resignation, leaves, and retirements are routinely submitted to the Board for ratification.

File Attachments

HR PAL 09-16-2021.pdf (359 KB)

Motion & Voting

The recommendation is that the Board of Education ratify the personnel report as presented.

Motion by Phuong Nguyen, second by Bowen Zhang.

Final Resolution: Motion Carries

Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Estaina Resendiz-Ortiz

Nay: Aiden Hill

13 CONSENT AGENDA: NON-PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type Action

Recommended It is recommended that the Board of Education approve, under one consented vote, the

Action agenda items under Consent Non-Personnel, except for agenda items:

Purpose:

(This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.)

Background:

Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Motion & Voting

It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent Non-Personnel, except for agenda items: 13.6.

Motion by Bowen Zhang, second by Estaina Resendiz-Ortiz.

Final Resolution: Motion Carries

Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Estaina Resendiz-Ortiz

Resolution 2021.22.04 Declaring Surplus Equipment

Type Action, Discussion

Fiscal Impact No

Recommended The recommendation is that the Board of Education approve Resolution 2021.22.04: Declaring

Action Surplus Equipment

Purpose:

The purpose of this item is to obtain Board approval of Resolution 2021.22.04: Declaring Surplus Equipment, which lists items to be declared as surplus equipment as recommended.

Background:

Surplus materials will be disposed of per Board Policy and Administrative Regulation 3270 Sale And Disposal Of Books, Equipment And Supplies. Education Code, Section 17546 states that if the Governing Board, by a unanimous vote of those members present, finds that the property, whether one or more items, does not exceed the value of \$2,500, it may be sold at private sale without advertising, by a District employee empowered for that purpose by the Board; the property may be donated to a charitable organization, or it may be disposed of in a public disposal facility.

The property as described in Resolution 2021.22.04 includes equipment used at Kennedy Elementary Library. Staff determined that items are obsolete and/or beyond economical repair.

File Attachments

Resolution 2021.22.04 Declaring Surplus Equipment.pdf (11 KB)

MOU with Mark Bishop, Mental Health Clinician

Type Action

Fiscal Impact	Yes
Dollar Amount	\$74,000.00
Budgeted	Yes
Budget Source	SPSA and ESSER Funds
Recommended	The recommendation is that the Board approve the Memorandum of Understanding with Mark
Action	Bishop, Mental Health Clinician for Newark Memorial High School.

Purpose:

Mr. Mark Bishop serves as a Mental Health Clinician supporting the students at Newark Memorial High School. This Memorandum of Understanding (MOU) is for his continued service and work for the 2021-2022 school year.

Background:

Newark Memorial High School (NMHS) will provide individual therapy to students as part of the school's Coordination of Services Team (COST) referral process. Mr. Mark Bishop, a Mental Health Clinician, will provide individual therapy with a caseload of 20-25 students and will also support the school with crisis mental health support for the whole student body along with supporting the referrals from the COST. This work will be accomplished under the direction of the Principal.

File Attachments

[Mark Bishop MOU 2021-22.pdf](#) (489 KB)

Master Contract with ACTS for Special Education Services

Type	Action
Absolute Date	Sep 16, 2021
Fiscal Impact	Yes
Dollar Amount	\$52,000.00
Budgeted	Yes
Budget Source	Resource 6500 - Special Education
Recommended	The recommendation is that the Board of Education ratify the master contract with ACTS.
Action	
Goals	1. To provide academic excellence via equity and opportunities for all students.

Purpose:

For the Board of Education to approve the master contract for ACTS contract in the amount of \$52,000.00 for the 2021-2022 school year.

Background:

ACTS will provide assistive technology assessments and services. A service provider will assess the needs of students with disabilities, assist in the selection of appropriate assistive technology for the student, and provide training in the use of the selected device(s) as well as provide consultation services on a case-by-case basis.

File Attachments

[MC 21-22 ACTS.pdf](#) (283 KB)

Agreement with Jackie Melcher, Mental Health Clinician

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$72,750.00
Budgeted	Yes
Budget Source	Title 1 and LCAP
Recommended	The recommendation is that the Board approve the agreement with Jackie Melcher, Behavioral
Action	Health Consultant, for services at Schilling Elementary.

Purpose:

To provide Schilling Elementary students an onsite mental health clinician who will support Tier I and Tier II needs. The clinician, Ms. Jackie Melcher, will also support the implementation of Positive Behavioral Interventions and Support (PBIS) and work at the school five (5) days a week.

Background:

The Schilling Elementary School Site Council reviewed the school needs and approved to continue this support role to meet the ongoing needs of students and the implementation of PBIS and their Coordination of Services Team (COST). The site is using restricted site funds (Title 1 and LCAP) to add this supplemental service to the school wide program.

File Attachments

[Jackie Melcher_contract for Schilling 2021-22_ICA and MOU.pdf](#) (379 KB)

Warrant Report for August 2021

Type	Action
Fiscal Impact	No
Recommended	The recommendation is that the Board of Education approves the Warrant Report as
Action	presented.

Purpose:

The purpose of this item is to present warrants, for the total amount of \$3,123,976.94, made from District funds for August 2021.

Background:

The warrant registers represent a complete listing of all payments made from District funds for a month. Because Newark Unified School District is a fiscally dependent District, each warrant must pass through two separate audits; first by the District's Fiscal Services department, and second by the County Office of Education. No warrant can be paid until such time as it is examined and approved by the County Office of Education.

File Attachments

[Warrant Report_2021 August.pdf](#) (352 KB)

Motion & Voting

The recommendation is that the Board of Education approves the Warrant Report as presented.

Motion by Terrence Grindall, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall

Nay: Aiden Hill

Abstain: Estaina Resendiz-Ortiz

Minutes of the September 2, 2021 Regular Meeting of the Board of Education

Type Action, Discussion, Minutes

Recommended Action The recommendation is that the Board of Education approves the minutes of September 2, 2021, Regular Meeting of the Board of Education.

Purpose:

For the board to review and approve the minutes

Background:

The attached minutes are reflective of the September 2, 2021, Regular Meeting of the Board of Education. The exact language is available for viewing on the NUSD YouTube Channel.

14 BOARD OF EDUCATION: COMMITTEE REPORTS, REQUESTS, AND ANNOUNCEMENTS

Board of Education Recognitions and Announcements

Type Information

Purpose:

The Trustees may acknowledge or recognize specific programs, activities, or personnel at this time.

Board of Education Committee Reports

Type Information

Purpose:

The Trustees will provide an update, if available, on the committees of which they are members.

Background:

Each year the Board of Education members liaise with schools and committees in order to build relationships, hear from staff, students, and families, and act as a conduit for information to and from the schools.

Mission Valley ROP - VACANT

SELPA - Bowen Zhang

Newark & NUSD Liaison Committee - Phuong Nguyen & Terrence Grindall

Newark Teacher Induction Advisory Council (Formally EBBIC) - VACANT

Audit Committee - Phuong Nguyen & Aiden Hill

Bond/Parcel Tax Committee - VACANT & Terrence Grindall

Board of Education Requests

Type Action, Discussion, Information

Purpose:

This is an opportunity for the Board of Education to suggest items for placement on future agendas and to review Board requests.

Approval from the majority of the Board will be required for direction to be provided to the Superintendent.

Background:

The following derives directly from the Board approved "Governance Team Handbook"

Authority is Collective, Not Individual:

The only authority to direct action rests with the Board as a whole when seated at a regular or special board meeting.

Outside of this meeting, there is no authority.

A majority Board vote provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction.

Bringing New Ideas Forward

The Board will be open to having "brainstorming" discussions, or study sessions, around any idea that a Trustee may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Trustee, at their initiative or at the request of a constituent, which was previously discussed during a board meeting.

Trustees will first notify the Board President and Superintendent of their interest in bringing forward a new idea at a board meeting.

When initially agendized, the preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.

Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea.

The Superintendent will decide on the delegation of assignments to District staff.

The new idea may be agendized for discussion only. The Board majority will decide if the new idea should be further developed and studied by staff. The Board majority will decide if staff time should be invested in the "fleshing out" of new ideas.

Individual Trustees, in the course of interactions with constituents, will be careful not to make or imply the commitment of the full Board to explore or proceed with implementing new ideas.

15 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

Superintendent's Concluding Comments, Updates, and Future Agenda Items

AGENDA REQUESTS

Type Information

Purpose:

This is an opportunity for the Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

16 ADJOURNMENT

PLACEHOLDER - Extend Meeting

Type Action

Recommended The recommendation is that the Board of Education extends the meeting to ____ P.M.

Action

Purpose:

This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

Motion & Voting

The recommendation is that the Board of Education extends the meeting to 10:15 P.M.

Motion by Bowen Zhang, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Estaina Resendiz-Ortiz

Adjournment

Type Action, Procedural

Recommended The recommendation is that the Board of Education adjourns this meeting at ____.

Action

Purpose:

No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time.

This action will conclude the meeting.

Motion & Voting

The recommendation is that the Board of Education adjourns this meeting at ____.

Motion by Bowen Zhang, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Estaina Resendiz-Ortiz

1 CALL TO ORDER

Virtual Meeting Practices and Information

Type Information, Procedural

VIRTUAL MEETING INFORMATION

The district boardroom will be open to the public, and the Board meetings will also be held "virtually" until further notice.

These meetings will be accessible to the public by internet or telephone or in-person.

OBSERVE THE BOARD OF EDUCATION MEETING

Members of the public may observe the meeting via the NUSD YouTube Channel, and public comments will be accepted via a

Zoom Webinar with advance notice requested by email or in person by submitting a speaking card at the start of the meeting. Spanish translation will be available via Zoom.

PUBLIC COMMENT

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a LIVE comment via Zoom and with a WRITTEN comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org or by in-person by handing a Speaker Card the Executive Assistant at the start of the meeting. Live comments will be transmitted via Zoom will be audio-only.

Roll Call

Type Procedural
TRUSTEES
President Bowen Zhang
Vice President/Clerk Phuong Nguyen
Member Elisa Martinez
Member Terrence Grindall
Member Aiden Hill
STUDENT BOARD MEMBER
Member Estaina Resendiz Ortiz

2 APPROVAL OF AGENDA

Approval of the Agenda

Type Action
Recommended It is recommended that the Board of Education approve the agenda for this meeting.
Action

Purpose:
Members of the Governance Team may request that the agenda be amended or approved as presented.

Motion & Voting
It is recommended that the Board of Education approve the agenda for this meeting.
Motion by Phuong Nguyen, second by Bowen Zhang.
Final Resolution: Motion Carries
Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill
Not Present at Vote: Estaina Resendiz-Ortiz

3 STUDY SESSION

Continuation of APEX Credit Recovery

Type Discussion, Information

Purpose:
To provide additional information to the Board of Trustees about the background and usage of NUSD's current credit recovery program delivered through APEX. Through this follow up a study session, the Board of Trustees will have an opportunity to hear answers to their questions from the previous study session and learn more about how APEX is currently utilized in NUSD and what shifts/changes our secondary schools have made to program implementation in response to recent community input.

Background:
This study session is presented upon request at the August 18th regular meeting of the board of education. At the end of the study session, board members requested additional information and data, which will be presented along with more information from NMHS stakeholders, at this follow-up study session.
To reiterate, as we continue to explore the benefits and challenges of how to utilize technology in support of student achievement, the Board of Trustees has requested information regarding current APEX implementation in NUSD, so as to ensure rigorous and equitable student access to high-quality educational experiences.

File Attachments
[Credit Recovery \(APEX\) Board Presentation 8.18.21.pdf](#) (2,374 KB)

4 CLOSED SESSION

Public Comment on Closed Session Items

Type Information

Purpose:
The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board. If a constituent wishes to address the Board on any agenda item, please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org or by submitting a Speaker Card in person at the beginning of

the meeting.

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE (Gov. Code, 54957, subd. (b)(1))

Type Action, Information, Procedural

Purpose:
Information will be provided by the Superintendent and Executive Director of Human Resources.

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a): Employee Organizations - NTA and CSEA

Type Action, Information, Procedural

Purpose:
Information may be provided by the agency negotiator, Executive Director of Human Resources. Assistance from the legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided. The employee organizations include NTA & CSEA.

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a)): Employee Group - NEWMA, Unrepresented Supervisors, and Contracted Management

Type Action, Information, Procedural

Purpose:
Information may be provided by the agency negotiator, the Executive Director of Human Resources, and the Superintendent. Assistance from legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided. The employee organizations include NEWMA, Unrepresented Supervisors, and Contracted Management

CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION Significant exposure to litigation pursuant to Gov. Code, 54956.9, subd. (d)[(2) or (3)]

Type Action, Information, Procedural

Purpose:
Information may be provided regarding significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: One case

Recess to Closed Session

Type Procedural

Purpose:
The Board will recess to Closed Session, and reconvene to Open Session on or about 7:00 p.m.

5 RECONVENE TO OPEN SESSION

Pledge of Allegiance

Type Procedural

Purpose:
The Governance Team will recite the Pledge of Allegiance

6 REPORT OF CLOSED SESSION ACTIONS

Report of Closed Session Actions

Type Action, Procedural

Purpose:
If available, a report of the closed session will be provided by the Board President.

7 STUDENT REPORT

Student Reports from Newark Junior High School, Alternative Education, and Newark Memorial High School

Type Information

Purpose:
At regular Board of Education meetings, a spokesperson of each secondary school may make a brief presentation.

Discussion items may include updates, celebrations, and upcoming events.

1. Newark Junior High School - Mohammen Lulu and Poorvi Sharma
2. Alternative Education - Alexis Blanco-Barron
3. Newark Memorial High School - Estaina Resendiz Ortiz

8 EMPLOYEE ORGANIZATIONS

Employee Organizations

Type Information

Purpose:

At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Background:

Discussion items are limited to updates, celebrations, and upcoming events.

1. NTA: Sean Abruzzi
2. CSEA: Sue Eustice
3. NEWMA: Vicenta Ditto

9 RECOGNITIONS AND CELEBRATIONS

Staff Spotlight

Type Information

Purpose:

To recognize the wonderful accomplishments of our NUSD Team.

Background:

The presentation will be provided by the Superintendent.

10 PUBLIC COMMENT ON NON-AGENDA ITEMS

Public Comment on Non-Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

11 SUPERINTENDENT REPORT

Superintendent Report

Type Information

Purpose:

The superintendent will provide the Board of Education with district information, updates, news, or anything in the jurisdiction of the board or the superintendent.

Background:

The presentation and information will be provided by the Superintendent

12 STAFF REPORT

NUSD Safety Plan and COVID-19 Update

Type Discussion, Information

Purpose:

To provide the Board and the community an update on the NUSD Safety Plan and COVID-19 protocols.

Background:

We have created this plan to aid in navigating the Covid-19 global pandemic so that our students, staff, and families feel safe and to reduce the impact of COVID-19 conditions upon returning to in-person learning. The guidelines referenced in this plan are based on guidance from the Centers for Disease Control and Prevention (CDC), California Department of Public Health (CDPH), and Alameda County Public Health Commission (ACPHC). Regular updates will be made to this plan based on information provided by the CDC, CDPH, ACPHC, and applicable federal, state, and local agencies.

Newark Unified School District is committed to creating an environment in which our students can return to in-person learning while ensuring the safety and health of our students, staff and families. Due diligence and proper planning will be the strategy that will guide our work. To do this, we will continue to work together to reduce the number of COVID-19 cases by observing all the precautions, guidance, and requirements from health experts. Given the reality that COVID-19 will remain a very real threat for the foreseeable future, we stand committed to a plan of what will get us through this period by working together.

[File Attachments](#)

[NUSD 2021-22 Safety Plan 8.27.21.pdf](#) (2,311 KB)

[Townhall 8.31.21 English.pdf](#) (3,725 KB)

HVAC Air Balancing Services Report

Type Discussion, Information

Purpose:

To provide information about COVID readiness preparations of the District's HVAC mechanical systems.

Background:

In addition to extraordinary COVID readiness measures the District has been undertaking as a part of our preparations to return to in classroom learning, over the past several months we have been aggressively inspecting, testing, repairing, upgrading, adjusting the equipment and outside air intake, air flow balancing and commissioning all of the District's HVAC and air handling equipment, energy management control systems and thermostats.

These measures have been undertaken by:

Cypress Engineering, Inc - Commissioning Agent and Equipment Balancing Certifications

Alpha Air Balancing Agency, Inc Testing and Air Balancing

Western Allied, HVAC Contractor Tune up and Repairs

Syserco Energy Solutions - Building Energy Management Controls Systems

Most of these associated costs will be covered by Covid-19 related funds (i.e. CARES Act, ESSER, In-Person Instruction Grant). These measures were coordinated by the Director of MOT and the District's HVAC technician along with administrative support and oversight by the Chief Business Official and RGM Kramer.

At this Board of Education meeting, Cypress Engineering, Inc, commissioning agent, will report on the District's efforts, results, and certifications of the District-wide mechanical systems.

[File Attachments](#)

[HVAC Air Balancing Project Report.pdf](#) (1,665 KB)

[HVAC Air Balancing Project Report ppt.pdf](#) (420 KB)

Bond Projects Update

Type Discussion, Information

Purpose:

RGM Kramer, the district's Bond Project Manager, and the CBO will provide an update on the Measure G Bond projects.

Background:

An update on the projects and a revised budget was presented at the April 15, 2021 board meeting.

The Board approved a list of Measure G priority projects on October 16, 2018.

A Board Study Session was held on February 6, 2020 to review the status of the Measure G bond projects and the amount of remaining funds. There was approximately \$7,800,000 remaining in Measure G funds.

The Board asked staff to review facilities needs and get input on priorities from Principals.

The Superintendent and CBO met with the Principals on February 12, 2020 to gather input.

A list of projects and a budget was approved by the Board on February 20, 2020. Projects included HVAC system upgrades, new flooring, landscaping improvements, plumbing and irrigation repairs, roof repairs, and security fencing.

The budget was revised on September 17, 2020 and October 6, 2020

Budget revisions and project changes will be submitted to the Board for approval as needed.

[File Attachments](#)

[NUSD Facilities Update 08 24 21r.pdf](#) (1,511 KB)

[Bond Projects_Budget update 9-2-21 Board meeting.pdf](#) (110 KB)

13 OLD BUSINESS

Determination of Interview Process to Fill Board Vacancy and Timeline

Type Action, Discussion

Purpose:

The purpose is to provide the Board of Education the opportunity to provide input and suggestions to the subcommittee regarding the appointment interview process to fill the Trustee vacancy.

Background:

Member Martinez accepted an appointed position on the Ohlone Community College Board and has resigned from the NUSD Board of Education. Her resignation took effect on July 28. The Education Code provides that the Board can decide whether the vacancy is filled by a special election or through an appointment made by the Board.

On August 5, 2021, the Board decided to proceed with the appointment process. On August 23, 2021, the application became available to the public and was due on September 1, 2021.

14 NEW BUSINESS

2020-21 Unaudited Actuals Financial Report

Type Action, Discussion

Absolute Date Sep 02, 2021

Fiscal Impact No

Recommended The recommendation is that the Board approve the 2020-21 Unaudited Actuals Financial Report

Purpose:

The purpose of this item is for the Board to review and approve the 2020-21 Unaudited Actuals Financial Report.

Background:

Assembly Bill 1200 requires that the prior year unaudited actuals of revenues and expenditures be approved by the Board of Trustees (EC 42100). The unaudited actuals will be reviewed by independent auditors and presented in an annual independent audit report. The report includes the actual results of 2020-21 operations for all funds of the District, and includes various supplemental schedules that are used to convert the District's fund level statements into entity-wide statements in compliance with Governmental Accounting Standards Board Statement #34 (GASB 34).

The District is required to close its books for the 2020-21 fiscal year by September 15, 2021, and submit the financial statement to the Alameda County Office of Education who will review the information and forward it to the state.

This report is prepared using the state software in a format approved by the California Department of Education (Standardized Account Code Structure, known as SACS). Individual SACS report forms are prepared for each of the District's funds. The financials present the 2020-21 revenues, expenses, assets, liabilities and fund balances by fund.

File Attachments

2020-21 Unaudited Actuals_rev.pdf (4,238 KB)

2020-21 Unaudited Actuals presentation.pptx.pdf (1,487 KB)

Motion & Voting

The recommendation is that the Board approve the 2020-21 Unaudited Actuals Financial Report

Motion by Bowen Zhang, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Estaina Resendiz-Ortiz

15 CONSENT AGENDA: PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type Action

Recommended It is recommended that the Board of Education approve, under one consented vote, the

Action agenda items under Consent-Personnel, except for agenda items:

Purpose:

(This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.)

Background:

Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Personnel Report

Type Action, Discussion

Absolute Date Sep 02, 2021

Recommended The recommendation is that the Board of Education ratify the personnel report as

Action presented.

All personnel activities including new hires, changes in status, resignation, leaves, and retirements are routinely submitted to the Board for ratification.

File Attachments

HR PAL 09-02-2021.pdf (385 KB)

Motion & Voting

The recommendation is that the Board of Education ratify the personnel report as presented.

Motion by Bowen Zhang, second by Terrence Grindall.
Final Resolution: Motion Carries
Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall
Nay: Aiden Hill
Abstain: Estaina Resendiz-Ortiz

16 CONSENT AGENDA: NON-PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type Action
Recommended It is recommended that the Board of Education approve, under one consented vote, the
Action agenda items under Consent Non-Personnel, except for agenda items:

Purpose:
(This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.)

Background:
Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Motion & Voting
It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent Non-Personnel, agenda items:16.3-16.7.

Motion by Bowen Zhang, second by Phuong Nguyen.
Final Resolution: Motion Carries
Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Estaina Resendiz-Ortiz

Resolution 2021.22.05 Gann Limit

Type Action, Discussion
Fiscal Impact No
Recommended Staff recommends the Board adopt Resolution No. 2021.22.05 for the 2020-21 and 2021-
Action 22 Gann Limit.

Purpose:
The purpose of this item is for the Board to approve Resolution No. 2021.22.05, adopting the 2020-21 and 2021-22 Gann Limit.

Background:
Each year local jurisdictions in the State of California must determine that certain appropriations and revenues are within the guidelines set forth in Article XII, Section B of the State Constitution commonly known as the Gann Amendments (Proposition 4, 1979). These calculations are based upon expenditures in the base year of 1978-79. The provisions of that Article establish maximum appropriation limitations for public agencies, including school districts. Newark Unified School District must establish a revised Gann limit for the 2020-21 fiscal year and a projected Gann limit for the 2021-22 fiscal year in accordance with the provisions of Article XII B and applicable statutory law. A School Services of California article is attached for reference and information on the Gann Limit.

File Attachments
[Gann Limit_Resolution No. 2021.22.05.pdf](#) (160 KB)
[It's Time to Calculate Your Gann Limit _ SSC.pdf](#) (47 KB)

Motion & Voting
Staff recommends the Board adopt Resolution No. 2021.22.05 for the 2020-21 and 2021-22 Gann Limit.

Motion by Bowen Zhang, second by Terrence Grindall.
Final Resolution: Motion Carries
Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Estaina Resendiz-Ortiz

Master Contract with Ascend Rehab Services Inc. for Special Education Services

Type Action, Discussion
Absolute Date Sep 02, 2021
Fiscal Impact Yes
Dollar Amount \$966,890.00
Budgeted Yes
Budget Source Resource 6500 - Special Education
Recommended The recommendation is that the Board of Education ratifies the master contract with Ascend
Action Rehab Services Inc.
Goals 1. To provide academic excellence via equity and opportunities for all students.

Purpose:
For the Board of Education to approve the master contract for Ascend Rehab Services Inc. contract in the amount

of \$966,890.00 for the 2021-2022 school year.

Background:

The District contracts with nonpublic agencies when necessary to provide related services to students with Individual Education Programs (IEPs). For the upcoming school year Ascend Rehab Services, Inc. will provide the following personnel to support related services for occupational therapy & speech therapy to Students With Disabilities (SWDs):

- .2 FTE Occupational Therapist (OT)
- 6 FTE Speech-Language Pathologists (SLP)
- 1 Speech-Language Assistant (SLPA)
- 1 Assistive Technology Professional (ATP)

The above positions will cover the needs of unfilled positions for the 2021-2022 school year. Additionally, Ascend Rehab Services, Inc. will provide Extended School Year (ESY) related services, and summer assessment services to students to determine eligibility for special education-related services. This past school year the Special Education Department had to add additional Speech-Language Pathologists support due to the number of students requiring assessments and related speech services for speech.

Assistive Technology Professional (ATP)

Ascend Rehab Services Inc. will provide assistive technology assessments and services. A service provider will assess the needs of students with disabilities, assist in the selection of appropriate assistive technology for the student, and provide training in the use of the selected device(s).

Students served through Individualized Education Programs (IEPs) and identified as needing speech and occupational therapy-related services are legally mandated to receive these required services. Without the agency's therapists, Newark Unified School District would be out of compliance in providing these necessary related services. The District has actively recruited to fill these FTE positions and has only been able to fill 1 SLP for the 21/22 school year. The District requires speech-related services to fulfill the District's obligation to serve special education students. The ongoing shortage of special education personnel nationally requires the District to act with a sense of urgency to ensure service providers are in place at the commencement of the school year. Districts throughout California have similar challenges to Newark Unified School District in securing qualified personnel to serve special education students' speech services. The shortage of Speech-Language Pathologists is part due to the limited number of graduate programs, along with an increasing number of students qualifying for speech-related services.

For the 21/22 school year, Newark Unified School District has the following employees serving students requiring speech-related services:

- 2.2 FTE Speech-Language Pathologists
- 1 FTE Speech-Language Assistant (SLPA).

For the upcoming school year, Ascend Rehab Services Inc. will support the District with the following additional speech & occupational therapy personnel:

- .2 FTE Occupational Therapist (OT)
- 6 FTE Speech-Language Pathologists (SLP)
- 1 Speech-Language Assistant (SLPA)
- 1 Assistive Technology Professional (ATP)

The speech FTE is an increase of .4 FTE from the previous school year. The increase is due to the number of students qualifying for speech-related services. Students' speech services may include 1:1 intense services, along with group services, depending on the unique needs of the student. In recent years the increase of students qualifying for special education-related services under the primary eligibility of autism has further impacted the number of students that require speech-related services to meet students' unique needs. Moreover, the District is required to ensure caseloads of providers are within the recommended Education Code- EDC requirements. These requirements are as follows:

56363.3.

The average caseload for language, speech, and hearing specialists in special education local plan areas shall not exceed 55 cases unless the local plan specifies a higher average caseload and the reasons for the greater average caseload.

(Amended by Stats. 2007, Ch. 56, Sec. 58. Effective January 1, 2008.)

56441.7.

(a) The maximum caseload for a speech and language specialist providing services exclusively to individuals with exceptional needs, between the ages of three and five years, inclusive, as defined in Section 56441.11 or 56026, shall not exceed a count of 40.

(b) The superintendent shall issue caseload guidelines or proposed regulations to local educational agencies for individuals with exceptional needs between the ages of three and five years, inclusive, by January 1, 1988.

(Added by Stats. 1987, Ch. 311, Sec. 6.5. Effective July 30, 1987.)

OT services function as "related services" under IDEA 2004

EC 56363.3 Caseload for language, speech, and hearing specialist

File Attachments

[Ascend Rehab Master Contract 2021-22.pdf](#) (282 KB)

California State University MOU and Agreement Regarding CalStateTEACH Student Teacher Placements

Type	Action, Discussion
Preferred Date	Sep 02, 2021
Absolute Date	Sep 02, 2021
Recommended Action	The recommendation is that the Board of Education approve the California State University MOU and Agreement regarding CalStateTEACH student teacher placements.

Purpose:

The purpose of this item is for the Board of Education to approve the MOU and agreement between California State University and Newark Unified School District regarding CalStateTEACH student teacher placements beginning August 1, 2021 and ending July 31, 2024.

Background:

The District works closely with local institutes of higher education (IHE) and supports student teacher placements and interns. Agreements between Newark Unified School District and a university must be in place before a student teacher or intern can be placed at a school site in the District.

Student teachers and interns in training do fieldwork in our schools and are supervised by the administrators who provide

supervision and training.

Student teachers and interns are able to learn, practice teaching, and fine-tune their craft under the direct supervision of a master teacher. The opportunity to student teach or intern in the District benefits both the student teacher and the District. As vacancies become available in the district, it is invaluable to have the opportunity to observe directly student teachers and interns who may be eligible to interview for vacancies and observe how well they fit into the culture of Newark

[File Attachments](#)

[CSU Student Teacher MOU.pdf](#) (740 KB)

Minutes of the August 5, 2021 Special Meeting of the Board of Education

Type Action, Discussion, Minutes

Recommended The recommendation is that the Board of Education approve the minutes of August 5, 2021,

Action Special Meeting of the Board of Education

Purpose:

For the board to review and approve the minutes

Background:

The attached minutes are reflective of the August 5, 2021 Special Meeting of the Board of Education. The exact language is available for viewing on the NUSD YouTube Channel.

Minutes of the August 5, 2021 Regular Meeting of the Board of Education

Type Action, Discussion, Minutes

Recommended The recommendation is that the Board of Education approve the minutes of August 5, 2021,

Action Regular Meeting of the Board of Education

Purpose:

For the board to review and approve the minutes

Background:

The attached minutes are reflective of the August 5, 2021, Regular Meeting of the Board of Education. The exact language is available for viewing on the NUSD YouTube Channel.

Minutes of the August 18, 2021 Regular Meeting of the Board of Education

Type Action, Discussion, Minutes

Recommended The recommendation is that the Board of Education approve the minutes of August 18,

Action 2021, Regular Meeting of the Board of Education

Purpose:

For the board to review and approve the minutes

Background:

The attached minutes are reflective of the August 18, 2021, Regular Meeting of the Board of Education. The exact language is available for viewing on the NUSD YouTube Channel.

17 BOARD OF EDUCATION: COMMITTEE REPORTS, REQUESTS, AND ANNOUNCEMENTS

Board of Education Recognitions and Announcements

Type Information

Purpose:

The Trustees may acknowledge or recognize specific programs, activities, or personnel at this time.

Board of Education Committee Reports

Type Information

Purpose:

The Trustees will provide an update, if available, on the committees of which they are members.

Background:

Each year the Board of Education members liaise with schools and committees in order to build relationships, hear from staff, students, and families, and act as a conduit for information to and from the schools.

Mission Valley ROP - VACANT

SELPA - Bowen Zhang

Newark & NUSD Liaison Committee - Phuong Nguyen & Terrence Grindall

Newark Teacher Induction Advisory Council (Formerly EBBIC) - VACANT

Audit Committee - Phuong Nguyen & Aiden Hill

Bond/Parcel Tax Committee - VACANT & Terrence Grindall

Board of Education Requests

Type Action, Discussion, Information

Purpose:

This is an opportunity for the Board of Education to suggest items for placement on future agendas and to review Board requests. Approval from the majority of the Board will be required for direction to be provided to the Superintendent.

Background:

The following derives directly from the Board approved "Governance Team Handbook"

Authority is Collective, Not Individual:

The only authority to direct action rests with the Board as a whole when seated at a regular or special board meeting.

Outside of this meeting, there is no authority.

A majority Board vote provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction.

Bringing New Ideas Forward

The Board will be open to having "brainstorming" discussions, or study sessions, around any idea that a Trustee may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Trustee, at their initiative or at the request of a constituent, which was previously discussed during a board meeting.

Trustees will first notify the Board President and Superintendent of their interest in bringing forward a new idea at a board meeting.

When initially agendized, the preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.

Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea. The Superintendent will decide on the delegation of assignments to District staff.

The new idea may be agendized for discussion only. The Board majority will decide if the new idea should be further developed and studied by staff. The Board majority will decide if staff time should be invested in the "fleshing out" of new ideas.

Individual Trustees, in the course of interactions with constituents, will be careful not to make or imply the commitment of the full Board to explore or proceed with implementing new ideas.

18 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

Superintendent's Concluding Comments, Updates, and Future Agenda Items

FUTURE AGENDA REQUESTS

Type Information

Purpose:

This is an opportunity for the Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

19 ADJOURNMENT

PLACEHOLDER - Extend Meeting

Type Action

Recommended The recommendation is that the Board of Education extends the meeting to ____P.M.
Action

Purpose:

This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

Adjournment

Type Action, Procedural

Recommended The recommendation is that the Board of Education adjourns this meeting.
Action

Purpose:

No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time. This action will conclude the meeting.

Motion & Voting

The recommendation is that the Board of Education adjourns this meeting.

Motion by Bowen Zhang, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Estaina Resendiz-Ortiz

1 CALL TO ORDER

Virtual Meeting Practices and Information

Type Information, Procedural
VIRTUAL MEETING INFORMATION

The district boardroom will be closed to the public, and in accordance with the Governor's Executive Order N-29-20, Board meetings will be held "virtually" until further notice. These meetings will be accessible to the public by internet or telephone. No physical meeting place will be provided. The Governor of California's Executive Order N-29-20 of March 17th, 2020.

OBSERVE THE BOARD OF EDUCATION MEETING

Members of the public may observe the meeting via the NUSD YouTube Channel, and public comments will be accepted via a Zoom Webinar with advance notice requested by email. Spanish translation will be available via Zoom.

PUBLIC COMMENT

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a LIVE comment or a WRITTEN comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org. Live comments will be transmitted via Zoom with audio-only.

Roll Call

Type Procedural
TRUSTEES
President Bowen Zhang
Vice President/Clerk Phuong Nguyen
Member Elisa Martinez
Member Terrence Grindall
Member Aiden Hill
STUDENT BOARD MEMBER
Member Estaina Resendiz Ortiz

2 APPROVAL OF AGENDA

Approval of the Agenda

Type Action
Recommended It is recommended that the Board of Education approve the agenda for this meeting.
Action

Purpose:
Members of the Governance Team may request that the agenda be amended or approved as presented.

Motion & Voting
It is recommended that the Board of Education approve the agenda for this meeting.
Motion by Bowen Zhang, second by Terrence Grindall.
Final Resolution: Motion Carries
Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

3 STUDY SESSION

APEX Credit Recovery

Type Discussion, Information

Purpose:
To provide information to the Board of Trustees about the background of NUSD's current credit recovery program delivered through APEX. Through this study session, the Board of Trustees will have an opportunity to learn more about how APEX is currently utilized in NUSD and what shifts/changes our secondary schools have made to program implementation in response to recent community input.

Background:
This study session is presented upon request. As we continue to explore the benefits and challenges of how to utilize technology in support of student achievement, the Board of Trustees has requested information regarding current APEX implementation

File Attachments
[Credit Recovery \(APEX\) Board Presentation 8.18.21 \(1\).pdf](#) (1,607 KB)

4 CLOSED SESSION

Public Comment on Closed Session Items

Type Information, Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board. If a constituent wishes to address the Board on any agenda item, please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org.

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE (Gov. Code, 54957, subd. (b)(1))

Type Action, Discussion, Information, Procedural

Purpose:
Information will be provided by the Superintendent and Executive Director of Human Resources.

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a): Employee Organizations - NTA and CSEA

Type Action, Discussion, Information, Procedural

Purpose:
Information may be provided by the agency negotiator, Executive Director of Human Resources. Assistance from the legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided.
The employee organizations include NTA & CSEA.

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, 54957.6, subd. (a)): Employee Group - NEWMA, Unrepresented Supervisors, and Contracted Management

Type Action, Discussion, Information, Procedural

Purpose:
Information may be provided by the agency negotiator, the Executive Director of Human Resources, and the Superintendent. Assistance from legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided.
The employee organizations include NEWMA, Unrepresented Supervisors, and Contracted Management

CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION Significant exposure to litigation pursuant to Gov. Code, 54956.9, subd. (d)[(2) or (3)]

Type Action, Discussion, Information, Procedural

Purpose:
Information may be provided regarding significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: One

CONFERENCE WITH LEGAL COUNSEL EXISTING LITIGATION (Gov. Code, 54956.9, subd. (d)(1))

Type Action, Discussion, Information, Procedural

Purpose:
To discuss the following case(s):
Christine Clinton v. Newark Unified School District: HG21103262

Recess to Closed Session

Type Procedural

Purpose:
The Board will recess to Closed Session, and reconvene to Open Session on or about 7:00 p.m.

5 RECONVENE TO OPEN SESSION

Pledge of Allegiance

Type Procedural

Purpose:
The Governance Team will recite the Pledge of Allegiance

6 REPORT OF CLOSED SESSION ACTIONS

Report of Closed Session Actions

Type Action, Procedural

Purpose:
If available, a report of the closed session will be provided by the Board President.

7 EMPLOYEE ORGANIZATIONS

Employee Organizations

Type Information

Purpose:

At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Background:

Discussion items are limited to updates, celebrations, and upcoming events.

1. NTA: Sean Abruzzi
2. CSEA: Sue Eustice
3. NEWMA: Vicenta Ditto

8 PUBLIC COMMENT ON NON-AGENDA ITEMS

Public Comment on Non-Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

9 SUPERINTENDENT REPORT

Superintendent Report

Type Information

Purpose:

The superintendent will provide the Board of Education with district information, updates, news, or anything in the jurisdiction of the board or the superintendent.

Background:

The presentation and information will be provided by the Superintendent

10 PUBLIC HEARINGS

Public Hearing on Interfund Borrowing

Type Discussion, Information, Procedural

Purpose:

Hold a public hearing on inter-fund borrowing. The 2020-21 state-enacted budget included an increase in the inter-fund borrowing limits from 75% to 85% for the 2020-21 and 2021-22 fiscal years. This increase allows school districts to borrow more, in the face of uncertain financial exposure and funding challenges, as a result of the COVID-19 pandemic, including cash deferrals from the State.

The staff will recommend passing the attached Resolution 2021.22-002, Temporary Borrowing Between Funds, later in this meeting.

Background:

In accordance with Education Code Section 42603, the governing board of any school district may direct that moneys held in any fund or account may be temporarily transferred to another fund or account of the district for payment of obligations. This temporary transfer of funds will be accounted for as temporary borrowing between funds and will not be available for appropriation or be considered revenue to the borrowing fund or account. Amounts transferred must be repaid either in the same fiscal year or in the following fiscal year if the transfer occurs within the final 120 calendar days of a fiscal year.

Borrowing will occur only when the fund or account receiving the money will earn sufficient revenue, during the current fiscal year, to repay the amount transferred. Normally, no more than 75% of the maximum of moneys held in any fund or account during a fiscal year may be transferred; however, for fiscal years 2020-21 and 2021-22, the State has increased this limit to 85% (per Education Code section 42603.1).

File Attachments

[21-22 Interfund Borrowing Public Hearing Notice_Eng & Sp Posting in Windows.pdf](#) (40 KB)

[Resolution No. 2021.22.02_Temporary Borrowing Between Funds.pdf](#) (66 KB)

11 OLD BUSINESS

Determination to Fill Board Vacancy and Timeline

Type Action, Discussion

Purpose:

The purpose is to provide the Board of Education the opportunity to provide input and suggestions to the subcommittee regarding the appointment process to fill the Trustee vacancy.

Background:

Member Martinez has accepted an appointed position on the Ohlone Community College Board and has resigned from the NUSD Board of Education. Her resignation took effect on July 28. The Education Code provides that the Board can decide whether the vacancy is filled by a special election or through an appointment made by the Board. On August 5, 2021, the Board decided to proceed with the appointment process.

Resolution 2021.22.03 - NUSD Board Member Vacancy

Type Action, Discussion, Information

Absolute Date Aug 18, 2021

Recommended The recommendation is that the Board of Education approves the Resolution 2021.22.03 -

Action NUSD Board Member Vacancy

Purpose:

The purpose is for the Board to review and approve Resolution 2021.22.03 - NUSD Board Member Vacancy

Background:

Member Martinez has accepted an appointed position on the Ohlone Community College Board and has resigned from the NUSD Board of Education. Her resignation took effect on July 28. The Education Code provides that the Board can decide whether the vacancy is filled by a special election or through an appointment made by the Board. On August 5, 2021, the Board decided to proceed with the appointment process. As requested, this resolution is being brought forward regarding the Board decision to proceed with the appointment process.

File Attachments

[Resolution 2021.22.003 - NUSD Board Member Vacancy.pdf](#) (99 KB)

Motion & Voting

The recommendation is that the Board of Education approves the Resolution 2021.22.03 - NUSD Board Member Vacancy by Sept 23

Motion by Bowen Zhang, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

12 NEW BUSINESS

Resolution 2021.22.02 Interfund Borrowing

Type Action, Discussion

Fiscal Impact No

Recommended The recommendation is that the Board of Education adopts Resolution No. 2021.22.02

Action Interfund Borrowing

Purpose:

To adopt this Resolution allowing temporary borrowing between funds (a.k.a., Interfund Borrowing).

Background:

In accordance with Education Code Section 42603, the governing board of any school district may direct that moneys held in any fund or account may be temporarily transferred to another fund or account of the district for payment of obligations. This temporary transfer of funds will be accounted for as temporary borrowing between funds and will not be available for appropriation or be considered revenue to the borrowing fund or account. Amounts transferred must be repaid either in the same fiscal year or in the following fiscal year if the transfer occurs within the final 120 calendar days of a fiscal year. Borrowing will occur only when the fund or account receiving the money will earn sufficient revenue, during the current fiscal year, to repay the amount transferred. Normally, no more than 75% of the maximum of moneys held in any fund or account during a fiscal year may be transferred; however, for fiscal years 2020-21 and 2021-22, the State has increased this limit to 85% (per Education Code 42603.1).

File Attachments

[Resolution No. 2021.22.02_Temporary Borrowing Between Funds.pdf](#) (66 KB)

Motion & Voting

The recommendation is that the Board of Education adopts Resolution No. 2021.22.02 Interfund Borrowing

Motion by Terrence Grindall, second by Bowen Zhang.

Final Resolution: Motion Carries

Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall
Nay: Aiden Hill

Board Policy and Administrative Regulation 4112.42, 4212.42, 4312.42 - Drug and Alcohol Testing for School Bus Drivers

Type Action, Discussion
Preferred Date Aug 19, 2021
Recommended The recommendation is that the Board of Education approves the updated board policies
Action and administrative regulations: 4112.42, 4212.42, 4312.42 - Drug and Alcohol Testing for School Bus Drivers

Purpose:
For the board to review the updates to the board policy and administrative regulations provided by CSBA.

Background:
This is the first reading for the attached BP & AR (4112.42, 4212.42, 4312.42 Drug and Alcohol Testing for School Bus Drivers). The language is sanctioned by the California School Board Association. The administration has reviewed this document for accuracy and made revisions to reflect district practice. If any revisions are recommended, the document will be brought back to the Board of Education for a second reading.

File Attachments
BP 4112 Drug and Alcohol Testing.pdf (406 KB)
AR 4112 Drug and Alcohol Testing.pdf (409 KB)

Motion & Voting
The recommendation is that the Board of Education approves the updated board policies and administrative regulations: 4112.42, 4212.42, 4312.42 - Drug and Alcohol Testing for School Bus Drivers
Motion by Phuong Nguyen, second by Terrence Grindall.
Final Resolution: Motion Carries
Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

Citizens' Bond Oversight Committee (CBOC) 2019-20 Annual Report

Type Action, Discussion
Recommended The recommendation is that the Board of Education accepts the 2019-20 Citizens' Bond
Action Oversight Committee Annual Report as presented.

Purpose:
The Citizens' Bond Oversight Committee (CBOC) Chair, Richard Watters will present the Annual Report for the 2019-20 school year.

Background:
Measure G requires an annual report from the Citizens' Bond Oversight Committee.

File Attachments
CBOC Annual Report 2019-2020.pdf (717 KB)

Motion & Voting
The recommendation is that the Board of Education accepts the 2019-20 Citizens' Bond Oversight Committee Annual Report as presented.
Motion by Bowen Zhang, second by Phuong Nguyen.
Final Resolution: Motion Carries
Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

Authorize Project and Budget for Coyote Hills Security Fence and Gate Project

Type Action, Discussion
Fiscal Impact Yes
Dollar Amount \$277,625.00
Budget Source Fund 25 Capital Facilities Fund
Recommended The recommendation is that the Board of Education approve the Coyote Hills Fence and
Action Gate Project, preliminary project budget, and architect contract to provide safety and security for the campus, as presented.

Purpose:
To approve the Coyote Hills fencing project and preliminary budget to provide safety and security for the campus and authorize staff to proceed with consulting agreements, planning, design, and DSA approval. Construction bids will be brought back to the board.

Background:
It is the District's responsibility to keep all students safe on campus. The site has been experiencing vandalism from people climbing existing chain link fencing to tamper with mechanical units. Currently, students sometimes exit the cafeteria and access the parking lot. This project will remedy these issues. The scope of work for this project is the design and installation of an ornamental fence with gates, including a designated entry onto the campus. The entry gate will provide a single point of entry to the campus during school hours and will include a video surveillance camera with a doorbell, so an office attendant

can admit visitors.

The project is required to have the Division of the State Architect review for Access Compliance and therefore architectural services are needed to provide design and DSA regulatory approval. The project will be publicly bid upon DSA review. Planning and appurtenant costs include architectural fees, DSA fees, testing and inspection, and contingency allowances for design and construction.

A Request for Proposal was issued for architectural services for the project. We received two (2) proposals. Gelfand Partners provided the best value and staff requests approval of their contract in the amount of \$40,309 which is within the project budget.

[File Attachments](#)

[2021-07.20 NUSD Coyote Hills ES_Fence Project Gelfand Proposal.pdf](#) (849 KB)

[Coyote Hills ES_Fence Project diagram 08 10 2021 R3.pdf](#) (212 KB)

[Preliminary Budget - Coyote Hills Fence Project 8-12-2021.pdf](#) (57 KB)

[Motion & Voting](#)

The recommendation is that the Board of Education approve the Coyote Hills Fence and Gate Project, preliminary project budget, and architect contract to provide safety and security for the campus, as presented.

Motion by Terrence Grindall, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall

Nay: Aiden Hill

13 CONSENT AGENDA: PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type Action

Recommended It is recommended that the Board of Education approve, under one consented vote, the
Action agenda items under Consent-Personnel, except for agenda items:

[Purpose:](#)

(This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.)

[Background:](#)

Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Personnel Report

Type Action, Discussion

Absolute Date Aug 19, 2021

Recommended The recommendation is that the Board of Education ratify the personnel report as
Action presented.

All personnel activities including new hires, changes in status, resignation, leaves, and retirements are routinely submitted to the Board for ratification.

[File Attachments](#)

[HR PAL 08-18-2021.pdf](#) (153 KB)

[Motion & Voting](#)

The recommendation is that the Board of Education ratify the personnel report as presented.

Motion by Bowen Zhang, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

14 CONSENT AGENDA: NON-PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type Action

Recommended It is recommended that the Board of Education approve, under one consented vote, the
Action agenda items under Consent Non-Personnel, except for agenda items:

[Purpose:](#)

(This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.)

[Background:](#)

Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

[Motion & Voting](#)

It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent Non-Personnel, except for agenda items: approve 14.2, 14.3, 14.4

Motion by Bowen Zhang, second by Phuong Nguyen.

Final Resolution: Motion Fails

Not Present at Vote: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

2021-2022 Revised School and Classified Work Calendars

Type Action, Discussion
Absolute Date Aug 18, 2021
Recommended Action The recommendation is that the Board of Education approves the revised 2021-2022 school and classified work calendars.

Purpose:
The purpose of this item is for the Board of Education to approve the 2021-2022 revised school and classified work calendars.

Background:
The Board of Education approved the 2019-2020, 2020-2021, 2021-2022 calendars on June 19, 2018. President Biden signed legislation to make Juneteenth a federal holiday, enshrining June 19 as the national day to commemorate the end of slavery in the United States. The 2021-2022 school and classified work calendars have been revised to add June 20 as a holiday in observance of Juneteenth.

File Attachments
[NUSD School Calendar 2021-2022 Revised.pdf](#) (60 KB)
[CSEA Calendar 2021-22 Revised.pdf](#) (61 KB)

Contract with Shalom Staffing for Special Education Teacher

Type Action, Discussion
Absolute Date Aug 18, 2021
Fiscal Impact Yes
Dollar Amount \$126,480.00
Budgeted Yes
Budget Source Resource 6500 - Special Education
Recommended Action The recommendation is that the Board of Education ratifies a contract with Shalom Staffing.
Goals 1. To provide academic excellence via equity and opportunities for all students.

Purpose:
For the Board of Education to approve a contract agreement with Shalom Staffing to provide 1.0 FTE RSP Teacher at Newark Memorial High School required for an unfilled position for the 2021-2022 school year.

Background:
Despite intensive efforts, the District has not been able to hire for this unfilled position. This contracted teacher is intended to fill the RSP position for the 2021-2022 school year only. Although there is a national shortage of Special Education Teachers, School Psychologists, and Speech and Language Therapists, the District will continue to look at more effective ways to recruit and retain Special Education teachers.

File Attachments
[ICA 21-22 Shalom Staffing RSP Teacher NMHS.pdf](#) (95 KB)

Master Contract with Ed Sped Solutions Inc. for Special Education Services

Type Action, Discussion
Absolute Date Aug 18, 2021
Fiscal Impact Yes
Dollar Amount \$987,640.00
Budgeted Yes
Budget Source Resource 6500 - Special Education
Recommended Action The recommendation is that the Board of Education ratifies a master contract with Ed Sped Solutions Inc.
Goals 1. To provide academic excellence via equity and opportunities for all students.

Purpose:
For the Board of Education to approve the master contract for Ed Sped Solutions, Inc. contract in the amount of \$987,640.00 for the 2021/2022 school year.

Background:
Related services and assessments are legally mandated per Individual Disability Education Act (IDEA). Without Ed Sped Solutions Inc. services Newark Unified School District would be out of compliance. Ed Sped Solutions Inc. will provide a variety of related services and assessments to ensure compliant practices in supporting students' Individual Education Program (IEP). The services provided to Newark Unified School District are as follows:
Mental Health Therapist
Ed Sped Solutions Inc. will provide therapeutic support to students per their IEP. Ed Sped Solutions Inc. will provide fully credentialed

mental health therapists with a PPS Counseling license. The mental health therapists will have acquired the expertise to provide individual, group, and family therapy. The total cost for two Mental Health Therapists will be in the amount of \$264,600.

Assistive Technology Professional (ATP)

Ed Sped Solutions Inc. will provide assistive technology assessments and services for students with disabilities. A service provider will assess the needs of the students with disabilities, assist in the selection of appropriate assistive technology for the student, and provide training in the use of the selected device(s). The total cost for ATP services will be in the amount of \$50,000.

Instructional Assistants

Ed Sped Solutions Inc. will provide Instructional Assistants (IA) to support students with disabilities. Instructional Assistants provide both program support within the classroom setting and one-to-one support for high-needs students per students' IEPs. A total of seven Instructional Assistants are required to support special education programs throughout the District for unfilled positions. The total cost for the seven Instructional Assistants is \$291,600. Additionally, two 1:1 Instructional Assistants are needed for two students that require 1:1 support per their IEP. The total cost for the two 1:1 Instructional Assistants is \$118,800. The total cost of nine Instructional Assistants including the 1:1 Instructional Assistants will be in the amount of \$410,400.

Board Certified Behavior Analyst (BCBA)

Ed Sped Solutions Inc. will provide a licensed Board Certified Behavior Analyst (BCBA) to provide services and program support at school sites as needed for an unfilled position. The total cost for one BCBA will be in the amount of \$132,300.

Credentialed Preschool Teacher

Ed Sped Solutions Inc. will provide a fully credentialed preschool teacher to provide assessments and support to the preschool assessment team as needed for an unfilled position.

The total cost for one Credentialed Preschool Teacher will be in the amount of \$130,340.

[File Attachments](#)

[Ed Sped Solutions Master Contract 2021-22 \(4\).pdf](#) (352 KB)

Warrant Report for July 2021

Type Action, Discussion

Fiscal Impact No

Recommended Action The recommendation is that the Board of Education approves the Warrant Report as presented.

Purpose:

The purpose of this item is to present warrants, for the total amount of \$1,598,022.51 made from District funds for July 2021.

Background:

The warrant registers represent a complete listing of all payments made from District funds for a month. Because Newark Unified School District is a fiscally dependent District, each warrant must pass through two separate audits; first by the District's Fiscal Services department, and second by the County Office of Education. No warrant can be paid until such time as it is examined and approved by the County Office of Education.

[File Attachments](#)

[Warrant Report_July 2021.pdf](#) (388 KB)

Motion & Voting

The recommendation is that the Board of Education approves the Warrant Report as presented.

Motion by Bowen Zhang, second by Terrence Grindall.

Final Resolution: Motion Carries

Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall

Nay: Aiden Hill

Quarterly Report on Contracts - FY 2020-21, 4th Quarter

Type Action, Discussion

Fiscal Impact Yes

Dollar Amount \$92,347.00

Budgeted Yes

Budget Source General Fund

Recommended Action The recommendation is that the Board of Education receives the Quarterly Report on Contracts.

Purpose:

These quarterly reports on contracts are submitted to the Board for review.

Background:

The Board has requested a report of all contracts for services over \$10,000 be reviewed by the Board on a quarterly basis.

This report only includes contracts that have not been previously approved by the Board.

This report lists contracts from the 4th Quarter of FY 2020-21 (April, May, June 2021).

Contracts are on file in the Business Office.

[File Attachments](#)

[FY20-2-1.PDF](#) (10 KB)

[SCHOOL-1.PDF](#) (8,196 KB)

[THERAP-2.PDF](#) (175 KB)

[Miri Center \(SpEd MC\)_2020-21_fully executed.pdf](#) (480 KB)

Motion & Voting

The recommendation is that the Board of Education receives the Quarterly Report on Contracts.

Motion by Terrence Grindall, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall

Nay: Aiden Hill

Minutes of the August 5, 2021 Regular Meeting of the Board of Education

Type Action, Minutes

Recommended The recommendation is that the Board of Education approve the minutes of June 29, 2021,
Action Special Meeting of the Board of Education

Purpose:
For the board to review and approve the minutes

Background:
The attached minutes are reflective of the August 5, 2021, Regular Meeting of the Board of Education. The exact language is available for viewing on the NUSD YouTube Channel.

Minutes of the August 5, 2021 Special Meeting of the Board of Education

Type Action, Minutes

Recommended The recommendation is that the Board of Education approve the minutes of June 29, 2021,
Action Special Meeting of the Board of Education

Purpose:
For the board to review and approve the minutes

Background:
The attached minutes are reflective of the August 5, 2021 Special Meeting of the Board of Education. The exact language is available for viewing on the NUSD YouTube Channel.

15 BOARD OF EDUCATION: COMMITTEE REPORTS, REQUESTS, AND ANNOUNCEMENTS

Board of Education Committee Reports

Type Information

Purpose:
The Trustees will provide an update, if available, on the committees of which they are members.

Background:
Each year the Board of Education members liaise with schools and committees in order to build relationships, hear from staff, students, and families, and act as a conduit for information to and from the schools.
Mission Valley ROP - Elisa Martinez
SELPA - Bowen Zhang
Newark & NUSD Liaison Committee - Phuong Nguyen & Terrence Grindall
Newark Teacher Induction Advisory Council (Formally EBBIC) - Elisa Martinez
Audit Committee - Phuong Nguyen & Aiden Hill
Bond/Parcel Tax Committee - Elisa Martinez & Terrence Grindall

Board of Education Recognitions and Announcements

Type Information

Purpose:
The Trustees may acknowledge or recognize specific programs, activities, or personnel at this time.

Board of Education Requests

Type Action, Discussion, Information

Purpose:
This is an opportunity for the Board of Education to suggest items for placement on future agendas and to review Board requests.
Approval from the majority of the Board will be required for direction to be provided to the Superintendent.

Background:
The following derives directly from the Board approved "Governance Team Handbook"
Authority is Collective, Not Individual:
The only authority to direct action rests with the Board as a whole when seated at a regular or special board meeting.
Outside of this meeting, there is no authority.

A majority Board vote provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction.

Bringing New Ideas Forward

The Board will be open to having "brainstorming" discussions, or study sessions, around any idea that a Trustee may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Trustee, at their initiative or at the request of a constituent, which was previously discussed during a board meeting.

Trustees will first notify the Board President and Superintendent of their interest in bringing forward a new idea at a board meeting.

When initially agendized, the preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.

Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea. The Superintendent will decide on the delegation of assignments to District staff.

The new idea may be agendized for discussion only. The Board majority will decide if the new idea should be further developed and studied by staff. The Board majority will decide if staff time should be invested in the "fleshing out" of new ideas.

Individual Trustees, in the course of interactions with constituents, will be careful not to make or imply the commitment of the full Board to explore or proceed with implementing new ideas.

16 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

Superintendent's Concluding Comments, Updates, and Future Agenda Items

FUTURE AGENDA REQUESTS

Type Information

Purpose:

This is an opportunity for the Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

17 ADJOURNMENT

PLACEHOLDER - Extend Meeting

Type Action

Recommended The recommendation is that the Board of Education extends the meeting to ____ P.M.
Action

Purpose:

This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

Adjournment

Type Action, Procedural

Recommended The recommendation is that the Board of Education adjourns this meeting.
Action

Purpose:

No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time. This action will conclude the meeting.

Motion & Voting

The recommendation is that the Board of Education adjourns this meeting.

Motion by Bowen Zhang, second by Phuong Nguyen.

Final Resolution: Motion Fails

Not Present at Vote: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

1 CALL TO ORDER

Virtual Meeting Practices and Information

Type Information, Procedural

VIRTUAL MEETING INFORMATION

The district boardroom will be closed to the public, and in accordance with the Governor's Executive Order N-29-20, Board meetings will be held "virtually" until further notice. These meetings will be accessible to the public by internet or telephone. No physical meeting place will be provided. The Governor of California's Executive Order N-29-20 of March 17th, 2020.

OBSERVE THE BOARD OF EDUCATION MEETING

Members of the public may observe the meeting via the NUSD YouTube Channel, and public comments will be accepted via a Zoom Webinar with advance notice requested by email. Spanish translation will be available via Zoom.

PUBLIC COMMENT

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a LIVE comment or a WRITTEN comment by submitting a speaking card via email at PUBLICCOMMENT@newarkunified.org. Live comments will be transmitted via Zoom with audio-only.

Roll Call

Type Procedural
TRUSTEES
President Bowen Zhang
Vice President/Clerk Phuong Nguyen
Member Elisa Martinez
Member Terrence Grindall
Member Aiden Hill
STUDENT BOARD MEMBER
Member Estaina Resendiz Ortiz

2 APPROVAL OF AGENDA

Approval of the Agenda

Type Action
Recommended It is recommended that the Board of Education approve the agenda for this meeting.
Action

Purpose:
Members of the Governance Team may request that the agenda be amended or approved as presented.

Motion & Voting
It is recommended that the Board of Education approve the agenda for this meeting.
Motion by Bowen Zhang, second by Aiden Hill.
Final Resolution: Motion Carries
Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

3 CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: One case

Type Action, Discussion, Information, Procedural

Purpose:
Information will be provided by the Superintendent and Executive Director of Human Resources.

Motion & Voting
(Lucia add motion)
Motion by Bowen Zhang, second by Phuong Nguyen.
Final Resolution: Motion Carries
Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

Recess to Closed Session

Type Procedural

Purpose:
The Board will recess to Closed Session, and reconvene to Open Session on or about 7:00 p.m.

4 NEW BUSINESS

Approval of Brown Act Commitment

Type Action, Discussion
Recommended The recommendation is that the Board of Education approve the Brown Act Commitment
Action pursuant to Government Code, section 54960.2(c)(1) and provide notification in response to the cease and desist letter.

Purpose:
To respond to a cease and desist letter alleging violation of the Ralph M. Brown Act.

Background:
The Board of Education of the Newark Unified School District (Board) has received a cease and desist letter alleging that the following described past action of the legislative body violates the Ralph M. Brown Act: during the "Superintendent Report" agenda item, Board discussion beyond a reference to staff or other resources for factual information, request for staff to report back to the Board at a subsequent meeting concerning any matter, or direction to staff to place a matter of business on a future agenda.
In order to avoid unnecessary litigation and without admitting any violation of the Ralph M. Brown Act, pursuant to

Government Code, section 54960.2(c)(1), the Board may unconditionally commit that it will cease, desist from, and not repeat the challenged past action as described above and will provide notification of its commitment in response to the cease and desist letter.

Motion & Voting

The recommendation is that the Board of Education approve the Brown Act Commitment pursuant to Government Code, section 54960.2(c)(1) and provide notification in response to the cease and desist letter.

Motion by Bowen Zhang, second by Bowen Zhang.

Final Resolution: Motion Carries

Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

5 ADJOURNMENT

Adjournment

Type Action, Procedural

Recommended The recommendation is that the Board of Education adjourns this meeting.

Action

Purpose:

This action will conclude the meeting.

1 CALL TO ORDER

Virtual Meeting Practices and Information

Type Information, Procedural

VIRTUAL MEETING INFORMATION

The district boardroom will be closed to the public, and in accordance with the Governor's Executive Order N-29-20, Board meetings will be held "virtually" until further notice. These meetings will be accessible to the public by internet or telephone.

No physical meeting place will be provided. The Governor of California's Executive Order N-29-20 of March 17th, 2020.

OBSERVE THE BOARD OF EDUCATION MEETING

Members of the public may observe the meeting via the NUSD YouTube Channel, and public comments will be accepted via a Zoom Webinar with advance notice requested by email. Spanish translation will be available via Zoom.

PUBLIC COMMENT

The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a LIVE comment or a WRITTEN comment by submitting a speaking card via email

at PUBLICCOMMENT@newarkunified.org. Live comments will be transmitted via Zoom with audio-only.

Roll Call

Type Procedural

TRUSTEES

President Bowen Zhang

Vice President/Clerk Phuong Nguyen

Member Elisa Martinez

Member Terrence Grindall

Member Aiden Hill

STUDENT BOARD MEMBER

Member Estaina Resendiz Ortiz

2 APPROVAL OF AGENDA

Approval of Agenda

Type Action, Discussion

The recommendation is that the Board of Education approve the agenda for this meeting.

Recommended

Action

Purpose:

Members of the Governance Team may request that the agenda be amended or approved as presented.

Motion & Voting

The recommendation is that the Board of Education approve the agenda for this meeting.

Motion by Bowen Zhang, second by Terrence Grindall.

Final Resolution: Motion Carries

Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall

Not Present at Vote: Aiden Hill

3 CLOSED SESSION

Public Comment on Closed Session Item

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board. If a constituent wishes to address the Board on any agenda item, please fill out a virtual speaker card via email at PUBLICCOMMENT@newarkunified.org.

Public Employee Discipline/Dismissal/ Release (GC54957)

Type Action, Discussion, Information, Procedural

Purpose:

Information will be provided by the Superintendent and Executive Director of Human Resources.

Conference with Labor Negotiator (GC54957.6(a)): Employee Organizations - NTA & CSEA

Type Action, Discussion, Information, Procedural

Purpose:

Information may be provided by the agency negotiator, Executive Director of Human Resources. Assistance from the legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided. The employee organizations include NTA & CSEA.

Conference with Labor Negotiator (GC54957.6(a)): Employee Group - NEWMA, Unrepresented Supervisors & Contracted Management [Superintendent]

Type Action, Discussion, Information, Procedural

Purpose:

Information may be provided by the agency negotiator, the Executive Director of Human Resources, and the Superintendent. Assistance from legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided. The employee organizations include NEWMA, Unrepresented Supervisors, and Contracted Management

Conference with Legal Counsel - Anticipated Litigation (GC 54956.9(d)(4))

Type Action, Discussion, Procedural

Purpose:

Information may be provided regarding significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: One case

Conference with Legal Counsel - Existing Litigation (GC 54956.9(d)(1))

Type Action, Discussion, Information, Procedural

Purpose:

To discuss the following case(s):
OAH Case No. 2021050215
Bretz v Newark Unified School District Keenan Claim # 569505

Recess to Closed Session

Type Procedural

Purpose:

The Board will recess to Closed Session, and reconvene to Open Session on or about 7:00 p.m.

4 RECONVENE TO OPEN SESSION

Pledge of Allegiance

Type Procedural

Purpose:

The Governance Team will recite the Pledge of Allegiance

5 REPORT OF CLOSED SESSION ACTIONS

Report of Closed Session Actions

Type Action, Procedural

Purpose:

If available, a report of the closed session will be provided by the Board President.

6 EMPLOYEE ORGANIZATIONS

Employee Organizations

Type Information

Purpose:

At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Background:

Discussion items are limited to updates, celebrations, and upcoming events.

1. NTA: Sean Abruzzi
2. CSEA: Sue Eustice
3. NEWMA: Vicenta Ditto

7 RECOGNITIONS AND CELEBRATIONS

Staff Spotlight

Type Information

Purpose:

To recognize the wonderful accomplishments of our NUSD Team.

Background:

The presentation will be provided by the Superintendent.

8 PUBLIC COMMENT ON NON-AGENDA ITEMS

Public Comment on Non-Agenda Items

Type Procedural

Purpose:

The Board of Education encourages the community's participation in its deliberations and has tried to make it convenient to express their views to the Board.

Background:

Please see the instructions on the link below for public comment information on non-agenda items and agenda items.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=C4Q2D4019F40>

9 SUPERINTENDENT REPORT

Superintendent Report

Type Information

Purpose:

The superintendent will provide the Board of Education with district information, updates, news, or anything in the jurisdiction of the board or the superintendent.

Background:

The presentation and information will be provided by the Superintendent

10 STAFF REPORT

LCAP Local Indicators Presentation 2020-2021

Type Discussion, Information

Purpose:

The purpose of this agenda item is to report out the local indicator results related to NUSD's 2020-2021 Local Control and Accountability Plan (LCAP).

Background:

The State Board of Education (SBE) approved standards for the local indicators that support a local educational agency (LEA) in measuring and reporting progress within the appropriate priority area. The approved performance standards require an LEA to do the following.

- Annually measure its progress.
- Report the results as part of a non-consent item at a regularly scheduled public meeting of the local governing board/body.
- Report results to the public through the CA School Dashboard for each local indicator.

File Attachments

[2020-2021 Local Indicators Board Presentation 8.5.21.pdf](#) (930 KB)

Update on ForeFront Power Solar Projects at Newark Memorial High School and Newark Jr High School

Type Discussion, Information

Purpose:

To provide the Board with an update on the progress of the solar projects at Newark Memorial High School and Newark Jr High School.

Background:

The last update on the Solar Project provided to the Board was on March 18, 2021, and prior to that December 3, 2020. On November 7, 2019, the Board approved the Power Purchase Agreement (PPA) between Newark Unified School District & ForeFront Power for solar facilities and battery energy storage systems at Newark Memorial High School and Newark Junior High School including the option for the district to incorporate costs such as, but not limited to, inspector fees, DSA fees, PG&E upgrades, and ADA compliance requirements, currently estimated at \$100,000 for both sites.

ForeFront Power gave presentations to the Board on May 16, 2017, and August 1, 2019. Inspector fees (estimated cost \$20,000 per site), DSA fees, PG&E upgrades and ADA compliance upgrades (estimated cost if needed is \$30,000 per site) are the district's upfront costs; however, the PPA will incorporate these costs and the district will be reimbursed or ForeFront will pay for them directly. ForeFront Power worked with NUSD in 2017 to submit interconnection applications to get the District grandfathered on lucrative Time of Use rates.

SPURR, the Joint Powers Authority, ran a statewide RFP (Request for Proposal) process in 2017 for solar and storage systems that K12 Districts can "piggyback" off to procure solar facilities, storage systems, and EVCS (Electric Vehicle Charging Stations). Eight companies submitted proposals and the RFP was awarded to ForeFront Power.

ForeFront Power has updated the numbers since 2017 and presented a district wide solution in the Board Study Session on August 1, 2019.

After careful consideration, the District determined that as Phase I of this project, Newark Memorial High School and Newark Junior High School would be the best locations to initially install solar facilities to start this project. Initial estimates indicated that the District could save \$145K (25%) in year 1, and \$4.6 million over 20 years with this solar solution, using very conservative assumptions. Phase II of this project would potentially include other school locations in the future.

The PPA includes a buyout option after year 5.

Other Districts who have partnered with ForeFront Power through the use of the SPURR REAP (Renewable Energy Aggregated Procurement) RFP include:

- Central USD (in Fresno)
- Stockton USD
- Fresno USD (4th largest school district in the state)
- Shasta Union High School District
- Paso Robles JUSD
- South Monterey County JUHSD
- Bakersfield CSD
- Sierra CCD
- State Center CCD
- Kings Canyon USD

File Attachments

[ForeFront Presentation 7.30.21 BT 8-5-21 Board Meeting.pdf](#) (2,535 KB)

11 BOARD OF EDUCATION AGENDA REQUESTS

Addendum to Employment Agreement between Newark Unified School District and District Superintendent

Type Action, Discussion

Fiscal Impact	Yes
Dollar Amount	\$4,400.00
Budgeted	No
Budget Source	General Fund
Recommended	The recommendation is that the Board of Education approve the addendum to the

Action employment agreement between Newark Unified School District and District Superintendent for a 2% one-time, lump-sum payment for the 2020-21 school year.

Purpose:

The Board of Education will consider approval of the addendum to the employment agreement between Newark Unified School District and District Superintendent for a 2% one-time, lump-sum payment for the 2020-21 school year.

Background:

The Superintendent's Employment Agreement became effective July 2, 2020, and is for a 3-year term, ending on June 30, 2023. The agreement states that "At the discretion of the Board, and based on Superintendent's merit, job performance, District fiscal considerations, and any other criteria determined relevant by the Board, the Board may grant a compensation increase for any year of the Agreement. Specific Board action, approving a written amendment to this Agreement in open session, is required to approve any such salary increase. Any salary increase shall not be considered either as entering into a new Agreement or extending the term of this Agreement." After the Board conducted the Superintendent's evaluation, the Board requested this agenda item be brought forth to consider approval of an addendum to the employment agreement between Newark Unified School District and District Superintendent for a 2% one-time, lump-sum payment for the 2020-21 school year.

File Attachments

Contract_Addendum_Superintendent 20-21 2 pct lump sum payment.pdf (15 KB)

Motion & Voting

The recommendation is that the Board of Education approve the addendum to the employment agreement between Newark Unified School District and District Superintendent for a 2% one-time, lump-sum payment for the 2020-21 school year.

Motion by Bowen Zhang, second by Phuong Nguyen.
Final Resolution: Motion Carries
Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall
Nay: Aiden Hill

12 OLD BUSINESS

Public Disclosure of NEWMA 2021-22 Salary Increase

Type Discussion, Information

Purpose:

To provide the Board additional information on the 2021-22 salary increase for NEWMA (Newark Management Association) per Alameda County Office of Education (ACOE) guidance and FCMAT (Fiscal Crisis Management Assistance Team) recommendation.

Background:

On June 3, 2021, the Board approved a 2021-22 salary increase for NEWMA. NEWMA includes Certificated Management, Classified Management, Confidential, Classified Supervisory, Behavioral Specialists, and Occupational Therapists. The NEWMA salary increase on the salary schedules for 2021-22 is 1% effective July 1, 2021, and 1.5% effective February 1, 2022. The fiscal impact on the General Fund is \$79,011 for 2021-22. Although not specifically required by Government Code and Education Code provisions, ACOE and FCMAT recommend that it is best practice to provide information on the impact of salary increases for unrepresented employees, such as NEWMA.

File Attachments

AB 1200 form_NEWMA 21-22_8-5-21 Board Mtg.pdf (93 KB)

13 NEW BUSINESS

Independent Study Board Policy Revision to Meet New State Regulations AB/SB 130

Type Action, Discussion
Absolute Date Aug 05, 2021
Fiscal Impact No
Recommended The recommendation is that the Board of Education approve the updated Board Policy 6158
Action and Administrative Regulation 6158 (Independent Study).

Purpose:

The purpose of this agenda item is to update Board Policy 6158 and Administrative Regulation 6158 (Independent Study), regarding the independent study program and its alignment with new AB/SB 130 regulations.

Background:

Governor Gavin Newsom signed Assembly Bill (AB) 130 into law on July 9, 2021. This bill makes changes to the independent study (IS) program, and establishes IS programming as an alternative educational option to in-person instruction. Some important changes include the Independent Study offering requirements, a provision for waivers of the offering requirements, as well as required parent notification, pupil-parent-educator conferences, and additions to board policies and written agreements.

File Attachments

[AR 6158 Track Changes.pdf](#) (378 KB)

[BP 6158 Track Changes.pdf](#) (494 KB)

Motion & Voting

The recommendation is that the Board of Education approve the updated Board Policy 6158 and Administrative Regulation 6158 (Independent Study).

Motion by Terrence Grindall, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall

Nay: Aiden Hill

45-Day Budget Revision 2021-22

Type Action, Discussion

Recommended The recommendation is that the Board of Education accept and approve the report on the

Action 45-day budget revision as presented.

Purpose:

The purpose is to advise the Board, and the public, concerning the impact of the State Enacted Budget on the District's Adopted Budget.

Background:

The Board approved and adopted the District's 2021-22 budget on June 29, 2021.

The 2021-22 State Budget was signed by the Governor on June 28, 2021. Not later than 45 days after the governor signs the Budget Act, school districts must make available to the public any budget revisions made to include the funding made available by that Budget Act [E.C. 42127].

File Attachments

[2021-22 45 day budget revision.pdf](#) (173 KB)

Motion & Voting

The recommendation is that the Board of Education accept and approve the report on the 45-day budget revision as presented.

Motion by Bowen Zhang, second by Aiden Hill.

Final Resolution: Motion Carries

Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

Change Order #1 and Change in Funding Source for NJHS Stairs Project

Type Action, Discussion

Fiscal Impact Yes

Dollar Amount \$21,353.65

Budgeted Yes

Budget Source Fund 25 Capital Facilities Fund

Recommended The recommendation is that the Board of Education approve Change Order #1 and the

Action change in funding source for the Newark Junior High School Stairs Project from Fund 40 to

Fund 25 as presented.

Purpose:

To approve Cal Pacific Change Order #1 scope adjustments in the amount of \$21,353.65 for the Newark Junior High School (NJHS) Stairs Project and to change the funding source from Fund 40 Special Reserve for Capital Outlay Projects to Fund 25 Capital Facilities Fund.

Background:

The Board approved the contract with Cal-Pacific Construction Inc. for the NJHS Stairs Project on June 17, 2021. The base contract awarded to Cal-Pacific was for \$631,000.00. The approved budget included a \$37,142 contingency for unforeseen items such as these.

This action item is to approve Change Order #1 which entails the following:

- 1 Time and material work performed on 7/13/21 to fix existing 4" transit pipe per RFI#5\$ 2,369.08
- Additional cost to provide AGAVE Bracteosa plants 5
- 2 gal per comments on submittal #15 request for the quantity. \$ 2,169.42
- 3 Additional cost for the scope of work to remove and replace areas that are not ADA compliant per RFI #3\$ 3,609.29
- 5 Time & Material cost to repair unforeseen damaged 4" transit pipe per RFI#7\$ 1,975.84
- 6 Time and Material for new irrigation line per ASI # 1 \$ 9,086.56
- 7 T & M for work on 7/23/21 to fix existing unforeseen 4" transit pipe per RFI # 7\$ 2,143.46
- TOTAL \$ 21,353.65

The Board approved the project under Fund 40 Special Reserve for Capital Outlay Projects; however, after consultation with legal counsel, it was determined that the project could be funded with Capital Facilities Fund (Fund 25). The fund balance in Fund 25 is \$19.4M and \$10.2M in Fund 40.

Motion & Voting

The recommendation is that the Board of Education approve Change Order #1 and the change in funding source for the Newark Junior High School Stairs Project from Fund 40 to Fund 25 as presented.

Motion by Phuong Nguyen, second by Terrence Grindall.

Final Resolution: Motion Carries
 Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

Bid Award of Landscaping and Irrigation Project: Group 2 Schools

Type	Action, Discussion
Fiscal Impact	Yes
Dollar Amount	\$1,254,414.00
Budgeted	Yes
Budget Source	Bond Measure G and Fund 40 Special Reserve for Capital Outlay Projects
Recommended Action	The recommendation is that the Board of Education authorize staff to award the base bid and select alternates to the lowest, responsible and responsive bidder, Bortolussi & Watkin Inc for the Planting & Irrigation Project: Group 2 at Coyote Hills, Musick, Newark Memorial High School, Macgregor and the District Office as presented.

Purpose:
 To authorize district staff to award the contract to the lowest, responsible and responsive bidder for the Landscaping and Irrigation Project: Group 2 Schools at Coyote Hills, Musick, Newark Memorial High School, MacGregor Campus, and the District Office.

Background:
 On February 20, 2020, the Board of Trustees approved a list of projects for the balance of the Measure G Bond proceeds which included landscaping and irrigation projects. On August 20, 2020, the Board approved a list of landscaping and irrigation improvements at Birch Grove Primary, Birch Grove Intermediate, Graham (now known as Coyote Hills), Kennedy, Schilling, Lincoln, Musick, Newark Memorial High School, and MacGregor. Projects will bid in two increments. On June 17, 2021, the Board approved the Landscaping and Irrigation Project Group 1, to Marina for a base bid of \$535,400, which includes Birch Grove Primary, Birch Grove Intermediate, Kennedy, Schilling, and Lincoln Elementary Schools. These projects have undergone a competitive bidding process. A Notice to Bidders was publicly advertised in the Argus Newspaper on June 25, 2021, and July 2, 2021. Mandatory pre-bid conferences occurred on July 7, 2021, and July 9, 2021. Plans were placed in industry plan rooms on July 12, 2021. Bids were publicly opened on July 27, 2021. On July 27, 2021, three (3) bids were received. The lowest bid was submitted by Bortolussi & Watkin Inc. at \$1,254,414 which includes a base bid of \$559,141 and Alternates 1, 2-1, 3-1, 3-2, 3-3, 3-4, 4-1, 4-2, and 5-1 totaling \$695,273. The total construction cost for the Landscaping and Irrigation Projects Group 1 and Group 2 Schools is \$1,789,814 which is within the budget reviewed by the Board on April 15, 2021. The total budget for landscaping and irrigation is \$3,468,753 (\$1,468,753 from Measure G and \$2,000,000 from Fund 40 Special Reserve for Capital Outlay Projects).

- This action item is:
- To authorize staff to award the contract to the lowest, responsive, responsible bidder, Bortolussi & Watkin Inc. in the Base Bid amount of \$559,141; and to review and consider an award of select Additive Bid Alternates:
 - Alternate 1Graham-N/A: \$1
 - Alternate 2-1 Musick- Planting & Irrigation Area 2: \$68,411
 - Alternate 3-1 NMHS -Planting & Irrigation Area 5: \$ 72,315
 - Alternate 3-2 NMHS -Planting & Irrigation Area 6: \$ 46,515
 - Alternate 3-3 NMHS -Planting & Irrigation Area 7: \$ 100,814
 - Alternate 3-4 NMHS -Planting & Irrigation Area 1: \$ 90,015
 - Alternate 4-1 MacGregor NMHS -Planting & Irrigation Area 1& 2: \$ 116,829
 - Alternate 4-2 - MacGregor NMHS -Planting & Irrigation Area 7,8A & 8B: \$ 81,096
 - Alternate 5-1 - District Office Planting & Irrigation Areas 2,3, & 4: \$ 119,277
- For a total bid contract amount of \$1,254,414.00 (base bid plus alternates)
 Attachments: Bid Results, Site Plans, Measure G Budget

- File Attachments**
[Plans for choosing alternates-Group 2 Schools Planting & Irrigation Key Plans.pdf](#) (1,596 KB)
[Bid Results Planting & Irrigation Grp 2 NUSD.pdf](#) (53 KB)
[Measure G Budget Update 4-15-2021.pdf](#) (88 KB)

Motion & Voting
 The recommendation is that the Board of Education authorize staff to award the base bid (with anticipation of the credit for Musick) and select alternates to the lowest, responsible and responsive bidder, Bortolussi & Watkin Inc for the Planting & Irrigation Project: Group 2 at Coyote Hills, Newark Memorial High School, Macgregor, and the District Office as presented.

Motion by Bowen Zhang, second by Terrence Grindall.
 Final Resolution: Motion Carries
 Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

HVAC Equipment Purchase Authorized under Resolution 2020.21-030 Authorizing Staff to Acquire Equipment Using Sole

Type	Action, Discussion
Fiscal Impact	Yes
Dollar Amount	\$673,462.22
Budgeted	Yes
Budget Source	Measure G Bond
Recommended Action	The recommendation is that the Board of Education accept the update on costs associated with the implementation of Resolution 2020.21-030 Authorizing Staff to Acquire Equipment Using Sole Source.

Purpose:

To update the Board on costs associated with the implementation of Resolution 2020.21-030 Authorizing Staff to Acquire Equipment Using Sole Source.

Background:

On May 20, 2021, the Newark Unified School District Board approved Resolution 2020.21-030 authorizing staff to acquire equipment using Sole Source. The resolution states, in part: The Board hereby finds and determines that appropriate Carrier HVAC units and Alerton Controls be the sole HVAC and EMS control brands used on the Project and that doing so is in the best interests of the District, its students, and the community; and the Superintendent, or designee thereof, is authorized to take all other actions as necessary to effectuate the intent of this Resolution.

The district purchased 99 WeatherMaster Gas/Electric Rooftop units for elementary school sites: Birch Grove Primary, Coyote Hills, Kennedy and Schilling. These items were purchased from Russell Sigler using a CMAS contract.

File Attachments

- [Resolution 2020.21-030 for HVAC Project Sole Source_signed.pdf](#) (156 KB)
- [SIGLER~2.PDF](#) (466 KB)
- [Carrier Corp Contract - CMAS Award.pdf](#) (380 KB)
- [P21-01948_Russell Sigler.pdf](#) (56 KB)

Motion & Voting

The recommendation is that the Board of Education accept the update on costs associated with the implementation of Resolution 2020.21-030 Authorizing Staff to Acquire Equipment Using Sole Source.

Motion by Phuong Nguyen, second by Terrence Grindall.

Final Resolution: Motion Carries

Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

Bid Award of the HVAC Units Replacement Project at Birch Grove Primary, Kennedy Elementary, Coyote Hills Elementary, and Schilling Elementary

Type	Action, Discussion
Fiscal Impact	Yes
Dollar Amount	\$2,993,000.00
Budgeted	Yes
Budget Source	Bond Measure G
Recommended Action	The recommendation is that the Board of Education accept the withdrawal of bid from Trahan Mechanical due to clerical error as provided under the Public Contract Code, and authorize staff to award the HVAC Units Replacement Project to the lowest, responsible, and responsive bidder, S&H Construction as presented.

Purpose:

To authorize district staff to award the contract to S&H Construction for the HVAC Units Replacement Project at Birch Grove Primary, Kennedy Elementary, Coyote Hills Elementary, and Schilling Elementary.

Background:

On February 20, 2020, the Board of Trustees approved a list of projects for the balance of the Measure G Bond proceeds which included HVAC Replacement projects.

The Project includes replacement of 99 HVAC units at Birch Grove Primary (23 units), Kennedy Elementary (21 units), Coyote Hills Elementary (27 units), and Schilling Elementary (28 units),

This project has undergone a competitive bidding process. A Notice to Bidders was publicly advertised in the Argus Newspaper on June 25, 2021 and July 2, 2021. Mandatory pre-bid conferences occurred on July 8, 2021 and July 13, 2021 and placed in industry plan rooms on July 7, 2021. Bids were publicly opened on July 27, 2021.

On July 27, 2021, three (3) bids were received. The first low bidder, Trahan Mechanical, withdrew their bid due to clerical errors. The second lowest qualified bid was submitted by S & H Construction at \$2,993,000.00.

The total construction cost for the equipment purchase and the labor to install the units for this phase of the HVAC project is \$3,666,462 which is within the Measure G budget of \$4,788,938.

This action item is:

To authorize staff to award the contract to the lowest, responsive, responsible bidder S & H in the Base Bid amount of \$2,993,000; and to reject the Additive Bid Alternates to reinstall the GPS Ionization devices, which can be reinstalled at a later date if so determined.

File Attachments

- [Bid Results HVAC 1 District Wide.pdf](#) (56 KB)
- [Measure G Budget Update 4-15-2021.pdf](#) (88 KB)

Motion & Voting

The recommendation is that the Board of Education accept the withdrawal of bid from Trahan Mechanical due to clerical error as provided under the Public Contract Code, and authorize staff to award the HVAC Units Replacement Project to the lowest, responsible, and responsive bidder, S&H Construction as presented.

Motion by Terrence Grindall, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

Determination to Fill Board Vacancy and Timeline

Type	Action, Discussion
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Recommended Action The recommendation is that the Board of Education select _____ to fill the Board vacancy.

Purpose:

The purpose is to determine which process, special election or appointment, will be used to fill the vacancy on the Board of Education.

Background:

Member Martinez has accepted an appointed position on the Ohlone Community College Board and has resigned from the NUSD Board of Education. Her resignation took effect on July 28. The Education Code provides that the Board can decide whether the vacancy is filled by a special election or through an appointment made by the Board. The decision to call a special election or the Board's selection of the appointee must be completed within 60 days from the date of the board member's resignation. Depending on the Board's action, staff will return with a resolution calling a special election or begin an appointment process.

Board Bylaw 9223:

Events Causing a Vacancy

A vacancy on the Governing Board may occur for any of the following events:

1. The death of an incumbent (Government Code 1770)
2. The adjudication pursuant to a quo warrant proceeding declaring that an incumbent is physically or mentally incapacitated due to disease, illness, or accident and that there is reasonable cause to believe that the incumbent will not be able to perform the duties of his/her office for the remainder of his/her term (Government Code 1770)
3. A Board member's resignation (Government Code 1770)

A vacancy resulting from resignation occurs when the written resignation is filed with the County Superintendent of Schools having jurisdiction over the district, except where a deferred effective date is specified in the resignation so filed, in which case the resignation shall become operative on that date. A Board member may not defer the effective date of his/her resignation for more than 60 days after he/she files the resignation with the County Superintendent. Upon being filed with the County Superintendent, a written resignation, whether specifying a deferred effective date or otherwise, shall be irrevocable. (Education Code 5090, 5091)

4. A Board member's removal from office, including by recall (Elections Code 11384; Government Code 1770)
5. A Board member's ceasing to be a resident of the district (Government Code 1770)
6. A Board member's absence from the state for more than 60 days, except in the following situations: (Government Code 1064, 1770)

a. Upon district business with the approval of the Board

b. With the consent of the Board for an additional period not to exceed a total absence of 90 days

In the case of illness or other urgent necessity, and upon a proper showing thereof, the time limited for absence from the state may be extended by the Board.

c. For federal military deployment, not to exceed an absence of a total of six months, as a member of the armed forces of the United States or the California National Guard

If the absence of the Board member for this purpose exceeds six months, the Board may approve an additional six-month absence upon a showing that there is a reasonable expectation that the member will return within the second six-month period, and the Board may appoint an interim member to serve in his/her absence. If two or more members of the Board are absent by reason of these circumstances, and those absences result in the inability to establish a quorum at a regular meeting, the Board may immediately appoint one or more interim members as necessary to enable the Board to conduct business and discharge its responsibilities. The term of an interim member appointed in these circumstances shall not extend beyond the return of the absent Board member or beyond the next regularly scheduled election for that office, whichever occurs first.

7. A Board member's ceasing to discharge the duties of his/her office for the period of three consecutive months, except when prevented by illness or when absent from the state with the permission required by law (Government Code 1770)

8. A Board member's conviction of a felony or any offense involving a violation of his/her official duties or conviction of a designated crime resulting in a forfeiture of office (Government Code 1770, 3000-3003)

9. A Board member's refusal or neglect to file his/her required oath or bond within the time prescribed (Government Code 1770)

(cf. 9224 - Oath or Affirmation)

10. The decision of a competent tribunal declaring void a Board member's election or appointment (Government Code 1770)

11. The making of an order vacating a Board member's office or declaring the office vacant when the Board member fails to furnish an additional or supplemental bond (Government Code 1770)

12. A Board member's commitment to a hospital or sanitarium as a drug addict, dipsomaniac, inebriate, or stimulant addict by a court of competent jurisdiction, in which case the office shall not be deemed vacant until the order of commitment has become final (Government Code 1770)

13. A "failure to elect" in which no candidate or an insufficient number of candidates have filed to run for a Board seat(s) (Education Code 5090, 5326, 5328)

Timelines for Filling a Vacancy

When a vacancy occurs, the Board shall take the following action, as appropriate:

1. When a vacancy occurs within four months of the end of a Board member's term, the Board shall take no action. (Education Code 5093)

2. When a vacancy occurs longer than four months before the end of a Board member's term, the Board shall, within 60 days of the date of the vacancy or the filing of the member's deferred resignation, either order an election or make a provisional appointment, unless a special election is mandated as described in item #3 below. (Education Code 5091, 5093)

3. When a vacancy occurs from six months to 130 days before a regularly scheduled Board election at which the position is not scheduled to be filled a special election to fill the position shall be consolidated with the regular election. The person so elected shall take office at the first regularly scheduled Board meeting following the certification of the election and shall serve only until the end of the term of the position which he/she was elected to fill. (Education Code 5093)

Eligibility

In order to be appointed or elected to fill a vacancy on the Board, a person must meet the eligibility requirements specified in Education Code 35107.

(cf. 9220 - Governing Board Elections)

Provisional Appointments

When authorized by law to make a provisional appointment to fill a vacancy on the Board, the Board shall advertise in the local media to solicit candidate applications or nominations. A committee consisting of less than a quorum of the Board shall ensure that applicants are eligible for Board membership and announce the names of the eligible candidates. The Board shall interview the candidates at a public meeting, accept oral or written public input, and select the provisional appointee by a majority vote.

(cf. 9130 - Board Committees)
(cf. 9323.2 - Actions by the Board)

Within 10 days after the appointment is made, the Board shall post notices of the actual vacancy, or the filing of a deferred resignation, and the provisional appointment. The notice shall be published in the local newspaper pursuant to Government Code 6061 and posted in at least three public places within the district. (Education Code 5092)

The notice shall contain: (Education Code 5092)

1. The date of the occurrence of the vacancy or the date of the filing of, and the effective date of, the resignation
2. The full name of the appointee.
3. The date of appointment.
4. A statement notifying the voters that the provisional appointment shall become effective immediately and shall continue unless a petition calling for a special election pursuant to Education Code 5091 is filed in the office of the County Superintendent of Schools within 30 days of the provisional appointment. A statement notifying the voters that unless a petition calling for a special election pursuant to Education Code 5091 is filed in the office of the County Superintendent within 30 days of the provisional appointment, it shall become an effective appointment.

The person appointed shall hold office until the next regularly scheduled election for district Board members and shall be afforded all the powers and duties of a Board member upon appointment. (Education Code 5091)

Appointment Due to Failure to Elect

When a vacancy occurs because no candidate or an insufficient number of candidates have been nominated (i.e., a failure to elect) and a district election will not be held, the Board shall appoint a qualified person to the office. This appointment shall be made at a meeting prior to the day fixed for the election and the appointee shall be seated at the organizational meeting as if elected at the district election. (Education Code 5328)

(cf. 9100 - Organization)

When an appointment is being made because of a failure to elect, the district shall publish a notice once in a newspaper of general circulation published in the district, or if no such newspaper exists, in a newspaper having general circulation within the district. This notice shall state that the Board intends to make an appointment and shall inform persons of the procedure available for applying for the appointment. (Education Code 5328.5)

The procedure for selecting and interviewing candidates shall be the same as the procedures for "Provisional Appointments," as specified above.

Motion & Voting

The recommendation is that the Board of Education selects an appointment to fill the Board vacancy and bring forward a resolution.

Motion by Terrence Grindall, second by Phuong Nguyen.
Final Resolution: Motion Carries
Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

14 CONSENT AGENDA - PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type	Action
Recommended	It is recommended that the Board of Education approve, under one consented vote, the
Action	agenda items under Consent-Personnel, except for agenda items:

Purpose:
(This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.)

Background:
Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Motion & Voting

It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent Agenda - Personnel Items.

Motion by Terrence Grindall, second by Phuong Nguyen.
Final Resolution: Motion Carries
Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall
Nay: Aiden Hill

2021-22 CSEA and NTA Salary Schedules

Type	Action, Discussion
Recommended	The recommendation is that the Board of Education ratify the 2021-22 CSEA and NTA
Action	Salary Schedules effective July 1, 2021 and February 1, 2022 as presented.

Purpose:
For the Board of Education to ratify the 2021-22 Classified (CSEA) Salary Schedules and the NTA Salary Schedules effective July 1, 2021 and February 1, 2022.

Background:

California School Employee Association (CSEA) Background

On July 14, 2020, the Board approved the ratification of a 3-year tentative agreement for CSEA members to receive the following compensation:

2019-2020 School Year: 1% increase retroactive to July 1, 2019. Effective February 1, 2020, all bargaining unit salary schedules shall be increased by an additional 1%.

2020-2021 School Year: Effective July 1, 2020, all bargaining unit salary schedules shall be increased by 1%.

2021-2022 School Year: Effective July 1, 2021, all bargaining unit salary schedules shall be increased by 1%. Effective February 1, 2022, all bargaining unit salary schedules shall be increased by an additional 1.5%.

Newark Teacher Association (NTA) Background

On May 1, 2020, the Board approved the ratification of a 3-year tentative agreement for NTA members to receive the following compensation:

2019-2020 School Year: 1% increase retroactive to July 1, 2019. Effective February 1, 2020 all bargaining unit salary schedules shall be increased by an additional 1%.

2020-2021 School Year: Effective July 1, 2020 all bargaining unit salary schedules shall be increased by 1%.

2021-2022 School Year: Effective July 1, 2021 all bargaining unit salary schedules shall be increased by 1%. Effective February 1, 2022 all bargaining unit salary schedules shall be increased by an additional 1.5%

File Attachments

- CSEA Salary schedule -FY21-22.pdf (63 KB)
CSEA Salary schedule -FY21-22_Sal Sch Ranges.pdf (43 KB)
NTA Salary Schedules - FY21-22_Program Specialist.pdf (32 KB)
NTA Salary Schedules - FY21-22_Cert Teacher.pdf (41 KB)
NTA Salary Schedules - FY21-22_Counselor.pdf (41 KB)
NTA Salary Schedules - FY21-22_Dept Chair.pdf (43 KB)
NTA Salary Schedules - FY21-22_Lead Teacher.pdf (42 KB)

Personnel Report

Type Action, Discussion

Recommended The recommendation is that the Board of Education ratify the personnel report as

Action presented. All personnel activities including new hires, changes in status, resignation, leaves, and retirements are routinely submitted to the Board for ratification.

File Attachments

- HR PAL 08-05-2021.pdf (381 KB)

15 CONSENT AGENDA - NON-PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type Action

Recommended It is recommended that the Board of Education approve, under one consented vote, the

Action agenda items under Consent Non-Personnel, except for agenda items:

Purpose:

(This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.)

Background:

Items within the Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion and action. There will not be a separate discussion of these items; however, any item may be pulled from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Motion & Voting

It is recommended that the Board of Education approve, under one consented vote, the agenda items under Consent Non-Personnel, except for agenda items 15.22, 15.23, 15.9, 15.10.

Motion by Bowen Zhang, second by Terrence Grindall.

Final Resolution: Motion Carries

Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

Resolution 2021.22.01 Declaring Surplus Equipment

Type Action, Discussion

Fiscal Impact No

Recommended The recommendation is that the Board of Education approve Resolution 2021.22.01:

Action Declaring Surplus Equipment

Purpose:

The purpose of this item is to obtain Board approval of Resolution 2021.22.01: Declaring Surplus Equipment, which lists items to be declared as surplus equipment as recommended.

Background:

Surplus materials will be disposed of per Board Policy and Administrative Regulation 3270 Sale And Disposal Of Books,

Equipment And Supplies (Personal Property). Education Code, Section 17546 states that if the Governing Board, by a unanimous vote of those members present, finds that the property, whether one or more items, does not exceed the value of \$2,500, it may be sold at private sale without advertising, by a District employee empowered for that purpose by the Board; the property may be donated to a charitable organization, or it may be disposed of in a public disposal facility. The personal property as described in Resolution 2021.22.01 includes equipment used in the Child Nutrition Services Department and the IT Department. Staff determined that items are obsolete and/or beyond economic repair.

[File Attachments](#)

[Resolution 2021.22-01 Declaring Surplus Equipment.pdf](#) (12 KB)

Addendum to Moving Services Contract

Type	Action, Discussion
Fiscal Impact	Yes
Dollar Amount	\$4,188.00
Budgeted	Yes
Budget Source	Fund 40 Special Reserve for Capital Outlay Projects
Recommended	The recommendation is that the Board of Education ratify the addendum to the contract for
Action	Waters Moving & Storage, Inc.

Purpose:

To ratify an increase to the moving services contract for the move related to the Snow/Graham merger.

Background:

The board approved the contract for moving services on May 20, 2021, for the amount of \$85,719. An increase of \$4,188 was necessary to cover the cost of disposal services and additional items moved that were not included in the original scope of work.

[File Attachments](#)

[P22-00104 Waters Moving & Storage, Inc.pdf](#) (78 KB)

Refrigerated Truck for Child Nutrition Services

Type	Action, Discussion
Fiscal Impact	Yes
Dollar Amount	\$80,000.00
Budgeted	Yes
Budget Source	Child Nutrition Services Fund 130
Recommended	The recommendation is that the Board of Education approve the purchase of a new or used,
Action	refrigerated truck in order to transport our school meals from the central kitchen out to school sites. This purchase is not to exceed \$80,000.

Purpose:

To get pre-approval from the Board to purchase a new, or used, refrigerated truck for Child Nutrition Services to reliably transport food at a constant temperature.

Background:

The refrigerated truck currently in use is no longer legal to register based on the California Air Resources Board's (CARB) Truck and Bus Regulation. The regulation states that any vehicle, heavier than 26,000 lbs. Gross Vehicle Weight Rating (GVWR) is a vehicle model year between 2001-2005, the DMV is supposed to verify compliance as of January 1, 2021.

To confirm compliance with using Child Nutrition funds to purchase a vehicle, a formal request must go through the California Department of Education (CDE). The CDE reviews the request to see if the item is allowable under federal and state regulations and laws. On July 20, 2021, Child Nutrition was notified, by email, that their request had been approved.

Efforts to replace the existing refrigerated truck are currently being researched. Such vehicles are not easily found and, therefore, are purchased quickly when they become available. Recent advertisements for used refrigerated trucks (of various sizes), with over 140,000 miles, range from \$63,000 to \$83,000. An exact cost, including taxes and fees, is not currently available, therefore, the request is to not exceed \$80,000.00.

Contract Amendment #1 with Integrated Design Studio for the Irrigation & Planting projects at multiple sites

Type	Action, Discussion
Fiscal Impact	Yes
Dollar Amount	\$9,000.00
Budgeted	Yes
Budget Source	Fund 21 Measure G Bond and Fund 40 Special Reserve for Capital Outlay Projects
Recommended	The recommendation is that the Board of Education approve contract amendment #1 for
Action	Integrated Design Studio in the amount of \$9,000 to provide additional design services, bidding, and construction administration services for the Irrigation and Planting Projects.

Purpose:

To approve contract amendment #1 with Integrated Design Studio to provide additional design services, bidding and construction administration services for Irrigation and Planting Projects.

Background:

On October 21, 2020, the Board of Education approved a contract in the amount of \$94,500 with Integrated Design Studio to provide landscape design services at the following sites: Birch Grove Intermediate, Birch Grove Primary, Kennedy, Lincoln, Schilling, Coyote Hills/Graham, Musick, Newark Memorial High School, MacGregor Campus and District Office.

The original contract (see attached) was for design services only and did not include bidding and construction administration support. It is necessary for the landscape architect to review submittals and answer questions from the contractor to ensure the projects are successful. Also, after review of the designs with the sites, some changes were requested which required IDS to modify the drawings. This work will be performed on a time and material basis not to exceed \$9,000 (see attached). The budget included contingencies and costs that was within the overall master budget.

File Attachments

- [Integrated Design Studio_2020 Landscape & Irrigation Contract_2020.10.23_fully executed.pdf](#) (618 KB)
- [IDS-NUSD-ASA-1_07-07-21_Amendment 1.pdf](#) (106 KB)

Consolidated Application and Reporting System 2020-2021 Spring Data Collection

Type	Action, Discussion
Fiscal Impact	No
Recommended Action	The recommendation is that the Board of Education ratify the Consolidated Application and Reporting System (CARS) 2020-21 Spring Data Collection.

Purpose:
 The purpose of this item is to provide the California Department of Education with the information needed to fund a wide variety of federal and state programs that bring supplementary funding into the school district.

Background:
 The Consolidated Application and Reporting System (CARS) -- formerly known as Consolidated Application or "Con App" for short -- is the state's mechanism for both funding of identified state and federal categorical programs and required reporting for many of them. It provides the entitlement amounts of these programs as well as required considerations for expenditures. Each year, the programs included in the CARS change based on federal/state mandates and different methods of gaining or disseminating information. This is the 2020-21 Spring Data Collection.
 CARS brings funds into the school district for a variety of programs including Title I, Title II, and Title III. Each of the identified programs has specified guidelines or requirements for their expenditure. All titled programs are federally funded. Title I, Part A dollars are used to support the increased achievement of at-risk students, primarily in reading and math. Title II, Part A (Teacher Quality) monies are used to support teacher evaluation, as well as teacher professional development. Title III English Learner and Immigrant are used to support our English language learners.

- File Attachments**
- [CARS 7.2021_attachment for 8-5-21 Board mtg.pdf](#) (1,016 KB)

2021-22 Lease Agreements between Kidango, Inc. and NUSD

Type	Action, Discussion
Recommended Action	The recommendation is that the Board of Education approve the 2021-22 lease agreements for Kidango locations at Coyote Hills Elementary and Schilling Elementary.

Purpose:
 To enter into lease agreements for two Kidango locations at Coyote Hills Elementary and Schilling Elementary for the 2021-22 fiscal year.

Background:
 Kidango is a non-profit early childhood, preschool and childcare program for low-income families. Kidango's current lease agreements at both Coyote Hills and Schilling expired on June 30, 2021. Kidango agrees to a 2% rent increase that is imposed every July 1. Kidango has been a partner with NUSD since 1993. They had a location at Ruschin Elementary for many years before Ruschin closed. The location at Graham (now Coyote Hills) opened in 2014 and the location at Schilling opened in 2015. Kidango leases one portable at Coyote Hills and two portables at Schilling.

- File Attachments**
- [Kidango at Schilling_2021-2022.pdf](#) (189 KB)
 - [Kidango at Coyote Hills_2021-2022.pdf](#) (176 KB)

Agreement with Think Together for ASES for 2021-2022, 2022-2023, 2023- 2024

Type	Action, Discussion
Fiscal Impact	Yes
Dollar Amount	\$323,319.32
Budgeted	Yes
Budget Source	After School Education and Safety Grant (Fund 010 - Resource 6010)
Recommended Action	The recommendation is that the Board of Education approve the renewal of the agreement with Think Together for ASES (After School Educational and Safety) for 2021-2022, 2022-2023, 2023-2024 (3 years).

Purpose:
 The purpose is to approve the renewal of the agreement with Think Together for running the ASES (After School Educational

and Safety) program for 2021-22, 2022-23, 2023-24 (3 years) at Schilling, Coyote Hills, and NJHS.

Background:

NUSD has contracted with Think Together to run the ASES (After School Educational and Safety) program since 2013-14. Students at the three identified schools take part in a daily program that starts after classes end for the day until 6 pm. Students take part in STEAM related activities along with time to complete homework and also take a nutrition break. This year, Think Together has secured additional grant funding to offset increasing costs, and based on this, there is no charge to students for the 2021-2022 school year.

This school year, Think Together served students after school each day, and we are projecting the same number for this coming school year, per the grant allocation:

- Schilling Elementary - 70 students
- Coyote Hill Elementary - 84 students
- Newark Jr. High School - 69 students

File Attachments

[ASES Contract 2021-2024.pdf](#) (226 KB)

Master Contract with Solstice Residential Treatment Center

Type	Action, Discussion
Absolute Date	Aug 05, 2021
Fiscal Impact	Yes
Dollar Amount	\$206,350.00
Budgeted	No
Budget Source	Special Education
Recommended	The recommendation is that the Board of Education ratify the master contract.
Action	

Purpose:

To ratify the Master Contract with Solstice Residential Treatment Center (RTC) for residential treatment services for the 2021-2022 school year.

Background:

NUSD requires a highly intensive individualized residential program in order to meet students' unique needs per the consented Individualized Education Programs (IEPs).

File Attachments

[Master Contract Solstice 21-22.pdf](#) (343 KB)

Motion & Voting

The recommendation is that the Board of Education ratify the master contract.

- Motion by Bowen Zhang, second by Phuong Nguyen.
- Final Resolution: Motion Carries
- Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

Individual Service Agreement with Solstice - ISA 22-01a

Type	Action, Discussion
Absolute Date	Aug 05, 2021
Fiscal Impact	Yes
Dollar Amount	\$206,350.00
Budgeted	No
Budget Source	Special Education
Recommended	The recommendation is that the Board of Education ratify the agreement.
Action	

Purpose:

Newark Unified School District student's least restrictive environment per Individuals with Disabilities Education Act (IDEA) was determined to be a placement in a Non-Public School (NPS) setting a residential treatment center (RTC). This is due to a significant disability, behavioral, or programmatic need that has impacted the student's current ability to be successful within the general education setting. (Education Code 56342.1 & EC 56366) <http://www.gamutonline.net/district/newark/DisplayPolicy/137894/> This proposed action is consistent with the existing Board of Education Policy 0200.

Background:

As part of the U.S. Individuals with Disabilities Education Act (IDEA), the least restrictive environment is identified as one of the six (6) principles that govern the education of students with disabilities and other special needs. By law, schools are required to provide a Free Appropriate Public Education (FAPE) in the least restrictive environment that is appropriate to the individual student's needs. "Least restrictive environment"(LRE) means that a student who has a disability should have the opportunity to be educated with non-disabled peers, to the greatest extent appropriate. Students with disabilities should have access to the general education curriculum, extracurricular activities, or any other program that non-disabled peers would be able to access. Students with disabilities should be provided with supplementary aids and services necessary to achieve educational goals if placed in a setting with non-disabled peers. Should the nature or severity of the student's disability prevent the student from achieving these goals in a regular education setting, the student would then be placed in a more restrictive environment, such as a Resource Program, separate classroom with specialized academic instruction (Special Day Class), or a non-public school or residential treatment center. To determine what an appropriate setting is for a student, an IEP (Individualized Education Program) team reviews the student's needs

and interests. The types of educational settings for students with disabilities will vary. With the differences in needs and interests among students with disabilities, there is no single definition of what an LRE will be for all students.

[File Attachments](#)

[ISA 22-01a Solstice_redacted.pdf](#) (260 KB)

[Motion & Voting](#)

The recommendation is that the Board of Education ratify the agreement.

Motion by Bowen Zhang, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

[Independent Contractor Agreement with Therapy Travelers for School Nurse](#)

Type	Action, Discussion
Absolute Date	Aug 05, 2021
Fiscal Impact	Yes
Dollar Amount	\$124,215.00
Budgeted	Yes
Budget Source	Resource 7422
Recommended	The recommendation is that the Board of Education ratify the agreement.
Action	

[Purpose:](#)

For the Board of Education to approve the master contract for the Therapy Travelers contract in the amount of \$124,215 for the 21/22 school year.

[Background:](#)

Nurse practitioners improve children's health in the educational setting by performing physical examinations, developmental assessments, and management of common pediatric illnesses. These services enhance children's attendance in school and assist families to meet their health care needs. A nurse practitioner is required by the district to provide essential health functions. These functions include but are not limited to the following:

- Provide health maintenance care for children, including well-child examinations
- Perform routine developmental screenings i.e. vision/hearing
- Provide childhood immunizations for school requirements
- Record and maintain an accurate, cumulative health record for each examined child
- Participate in a multidisciplinary team approach by collaborating with other health care providers in the delivery of health care
- Function as a resource person in health-related issues
- Monitor and interpret public health and communicable disease issues, which impact the delivery of health care for children

[File Attachments](#)

[ICA 21-22 Therapy Travelers_Nurse.docx_Redacted.pdf](#) (135 KB)

[Master Contract with AchieveKids](#)

Type	Action, Discussion
Absolute Date	Aug 05, 2021
Fiscal Impact	Yes
Dollar Amount	\$215,328.00
Budgeted	Yes
Budget Source	Special Education
Recommended	The recommendation is that the Board of Education ratify the master contract with
Action	AchieveKids.

[Purpose:](#)

To ratify the Master Contract with AchieveKids for day treatment services for the 2021-2022 school year.

[Background:](#)

NUSD students require a lower student to staff ratio in a highly intensive individualized program in order to meet the students' unique needs per the consented Individualized Education Programs (IEPs).

[File Attachments](#)

[AchieveKids Master Contract 2021-22.pdf](#) (283 KB)

[Individual Service Agreement with AchieveKids - ISA 22-03a](#)

Type	Action, Discussion
Absolute Date	Aug 05, 2021
Fiscal Impact	Yes
Dollar Amount	\$92,532.00
Budgeted	Yes
Budget Source	Special Education
Recommended	The recommendation is that the Board of Education ratify the Individual Service Agreement

Action with AchieveKids.

Purpose:

NUSD student's least restrictive environment per IDEA was determined to be placed in a Non-Public School (NPS) setting due to a significant disability, behavioral or programmatic need that has impacted their current ability to be successful within the general education setting. (Education Code 56342.1 & EC 56366)
<http://www.gamutonline.net/district/newark/DisplayPolicy/137894/>
 This proposed action is consistent with the existing Board of Education Policy 0200.

Background:

As part of the U.S. Individuals with Disabilities Education Act (IDEA), the least restrictive environment is identified as one of the six (6) principles that govern the education of students with disabilities and other special needs. By law, schools are required to provide a Free Appropriate Public Education (FAPE) in the least restrictive environment that is appropriate to the individual student's needs.

"Least restrictive environment" (LRE) means that a student who has a disability should have the opportunity to be educated with non-disabled peers, to the greatest extent appropriate. They should have access to the general education curriculum, extracurricular activities, or any other program that non-disabled peers would be able to access. The student should be provided with supplementary aids and services necessary to achieve educational goals if placed in a setting with non-disabled peers. Should the nature or severity of his or her disability prevent the student from achieving these goals in a regular education setting, the student would then be placed in a more restrictive environment, such as a Resource Program, separate classroom with specialized academic instruction (Special Day Class), or a non-public school.

To determine what an appropriate setting is for a student, an IEP (Individualized Education Program) team reviews the student's needs and interests. The types of educational settings for students with disabilities will vary. With the differences in needs and interests among students with disabilities, there is no single definition of what a LRE will be for all students.

File Attachments

[ISA 22-03a Redacted.pdf](#) (227 KB)

Individual Service Agreement with AchieveKids - ISA 22-03b

Type	Action, Discussion
Absolute Date	Aug 05, 2021
Fiscal Impact	Yes
Dollar Amount	\$122,796.00
Budgeted	Yes
Budget Source	Special Education
Recommended Action	The recommendation is that the Board of Education ratify the Individual Service Agreement with AchieveKids.

Purpose:

NUSD student's least restrictive environment per IDEA was determined to be placed in a Non-Public School (NPS) setting due to a significant disability, behavioral or programmatic need that has impacted their current ability to be successful within the general education setting. (Education Code 56342.1 & EC 56366)
<http://www.gamutonline.net/district/newark/DisplayPolicy/137894/>
 This proposed action is consistent with the existing Board of Education Policy 0200.

Background:

As part of the U.S. Individuals with Disabilities Education Act (IDEA), the least restrictive environment is identified as one of the six (6) principles that govern the education of students with disabilities and other special needs. By law, schools are required to provide a Free Appropriate Public Education (FAPE) in the least restrictive environment that is appropriate to the individual student's needs.

"Least restrictive environment" (LRE) means that a student who has a disability should have the opportunity to be educated with non-disabled peers, to the greatest extent appropriate. They should have access to the general education curriculum, extracurricular activities, or any other program that non-disabled peers would be able to access. The student should be provided with supplementary aids and services necessary to achieve educational goals if placed in a setting with non-disabled peers. Should the nature or severity of his or her disability prevent the student from achieving these goals in a regular education setting, the student would then be placed in a more restrictive environment, such as a Resource Program, separate classroom with specialized academic instruction (Special Day Class), or a non-public school.

To determine what an appropriate setting is for a student, an IEP (Individualized Education Program) team reviews the student's needs and interests. The types of educational settings for students with disabilities will vary. With the differences in needs and interests among students with disabilities, there is no single definition of what a LRE will be for all students.

File Attachments

[ISA 22-03b Redacted.pdf](#) (227 KB)

Master Contract with Anova Center for Education

Type	Action, Discussion
Absolute Date	Aug 05, 2021
Fiscal Impact	Yes
Dollar Amount	\$57,750.00
Budgeted	Yes
Budget Source	Special Education
Recommended Action	The recommendation is that the Board of Education ratify the master contract with Anova.

Goals 1. To provide academic excellence via equity and opportunities for all students.

Purpose:

To ratify the Master Contract with Anova for day treatment services for the 2021-2022 school year.

Background:

NUSD students require a lower student to staff ratio in a highly intensive individualized program in order to meet the students' unique needs per the consented Individualized Education Programs (IEPs).

File Attachments

[Anova Master Contract 2021-22.pdf](#) (283 KB)

Individual Service Agreement with Anova - ISA 22-04a

Type	Action, Discussion
Absolute Date	Aug 05, 2021
Fiscal Impact	Yes
Dollar Amount	\$57,750.00
Budgeted	Yes
Budget Source	Special Education
Recommended	The recommendation is that the Board of Education ratify the Individual Service Agreement
Action	with Anova.

Purpose:

NUSD student's least restrictive environment per IDEA was determined to be placed in a Non-Public School (NPS) setting due to a significant disability, behavioral or programmatic need that has impacted their current ability to be successful within the general education setting. (Education Code 56342.1 & EC 56366)

<http://www.gamutonline.net/district/newark/DisplayPolicy/137894/>

This proposed action is consistent with the existing Board of Education Policy 0200.

Background:

As part of the U.S. Individuals with Disabilities Education Act (IDEA), the least restrictive environment is identified as one of the six (6) principles that govern the education of students with disabilities and other special needs. By law, schools are required to provide a Free Appropriate Public Education (FAPE) in the least restrictive environment that is appropriate to the individual student's needs.

"Least restrictive environment" (LRE) means that a student who has a disability should have the opportunity to be educated with non-disabled peers, to the greatest extent appropriate. They should have access to the general education curriculum, extracurricular activities, or any other program that non-disabled peers would be able to access. The student should be provided with supplementary aids and services necessary to achieve educational goals if placed in a setting with non-disabled peers. Should the nature or severity of his or her disability prevent the student from achieving these goals in a regular education setting, the student would then be placed in a more restrictive environment, such as a Resource Program, separate classroom with specialized academic instruction (Special Day Class), or a non-public school.

To determine what an appropriate setting is for a student, an IEP (Individualized Education Program) team reviews the student's needs and interests. The types of educational settings for students with disabilities will vary. With the differences in needs and interests among students with disabilities, there is no single definition of what an LRE will be for all students.

File Attachments

[ISA 22-04a Redacted.pdf](#) (222 KB)

Master Contract with Esther B. Clark

Type	Action, Discussion
Absolute Date	Aug 05, 2021
Fiscal Impact	Yes
Dollar Amount	\$186,640.00
Budgeted	Yes
Budget Source	Special Education
Recommended	The recommendation is that the Board of Education ratify the master contract with Esther
Action	B. Clark.

Purpose:

To ratify the Master Contract with Esther B. Clark for day treatment services for the 2021-2022 school year.

Background:

NUSD students require a lower student to staff ratio in a highly intensive individualized program in order to meet the students' unique needs per the consented Individualized Education Programs (IEPs).

File Attachments

[Esther B. Clark Master Contract 2021-22.pdf](#) (283 KB)

Individual Service Agreement with Esther B. Clark - ISA 22-05a

Type	Action, Discussion
Absolute Date	Aug 05, 2021
Fiscal Impact	Yes

Dollar Amount \$92,540.00
 Budgeted Yes
 Budget Source Special Education
 Recommended The recommendation is that the Board of Education ratify the Individual Service Agreement
 Action with Esther B. Clark.

Purpose:

NUSD student's least restrictive environment per IDEA was determined to be placed in a Non-Public School (NPS) setting due to a significant disability, behavioral or programmatic need that has impacted their current ability to be successful within the general education setting. (Education Code 56342.1 & EC 56366)
<http://www.gamutonline.net/district/newark/DisplayPolicy/137894/>
 This proposed action is consistent with the existing Board of Education Policy 0200.

Background:

As part of the U.S. Individuals with Disabilities Education Act (IDEA), the least restrictive environment is identified as one of the six (6) principles that govern the education of students with disabilities and other special needs. By law, schools are required to provide a Free Appropriate Public Education (FAPE) in the least restrictive environment that is appropriate to the individual student's needs.

"Least restrictive environment" (LRE) means that a student who has a disability should have the opportunity to be educated with non-disabled peers, to the greatest extent appropriate. They should have access to the general education curriculum, extracurricular activities, or any other program that non-disabled peers would be able to access. The student should be provided with supplementary aids and services necessary to achieve educational goals if placed in a setting with non-disabled peers. Should the nature or severity of his or her disability prevent the student from achieving these goals in a regular education setting, the student would then be placed in a more restrictive environment, such as a Resource Program, separate classroom with specialized academic instruction (Special Day Class), or a non-public school.

To determine what an appropriate setting is for a student, an IEP (Individualized Education Program) team reviews the student's needs and interests. The types of educational settings for students with disabilities will vary. With the differences in needs and interests among students with disabilities, there is no single definition of what a LRE will be for all students.

File Attachments

[ISA 22-05a Redacted.pdf](#) (232 KB)

Individual Service Agreement with Esther B. Clark - ISA 22-05b

Type Action, Discussion
 Absolute Date Aug 05, 2021
 Fiscal Impact Yes
 Dollar Amount \$94,100.00
 Budgeted Yes
 Budget Source Special Education
 Recommended The recommendation is that the Board of Education ratify the Individual Service Agreement
 Action with Esther B. Clark.

Purpose:

NUSD student's least restrictive environment per IDEA was determined to be placed in a Non-Public School (NPS) setting due to a significant disability, behavioral or programmatic need that has impacted their current ability to be successful within the general education setting. (Education Code 56342.1 & EC 56366)
<http://www.gamutonline.net/district/newark/DisplayPolicy/137894/>
 This proposed action is consistent with existing Board of Education Policy 0200.

Background:

As part of the U.S. Individuals with Disabilities Education Act (IDEA), the least restrictive environment is identified as one of the six (6) principles that govern the education of students with disabilities and other special needs. By law, schools are required to provide a Free Appropriate Public Education (FAPE) in the least restrictive environment that is appropriate to the individual student's needs.

"Least restrictive environment" (LRE) means that a student who has a disability should have the opportunity to be educated with non-disabled peers, to the greatest extent appropriate. They should have access to the general education curriculum, extracurricular activities, or any other program that non-disabled peers would be able to access. The student should be provided with supplementary aids and services necessary to achieve educational goals if placed in a setting with non-disabled peers. Should the nature or severity of his or her disability prevent the student from achieving these goals in a regular education setting, the student would then be placed in a more restrictive environment, such as a Resource Program, separate classroom with specialized academic instruction (Special Day Class), or a non-public school.

To determine what an appropriate setting is for a student, an IEP (Individualized Education Program) team reviews the student's needs and interests. The types of educational settings for students with disabilities will vary. With the differences in needs and interests among students with disabilities, there is no single definition of what an LRE will be for all students.

File Attachments

[ISA 22-05b Redacted.pdf](#) (223 KB)

Master Contract Between Pacific Autism Center for Education (PACE) and NUSD

Type Action, Discussion
 Absolute Date Aug 05, 2021
 Fiscal Impact Yes
 Dollar Amount \$126,758.00

Budgeted Yes
 Budget Source Special Education
 Recommended Action The recommendation is that the Board of Education ratify the master contract with Pacific Autism Center for Education.

Purpose:
 To ratify the Master Contract with Pacific Autism Center for Education (PACE) for day treatment services for the 2021-2022 school year.

Background:
 These NUSD students require a lower student-to-staff ratio in a highly intensive individualized program in order to meet the students' unique needs, per the consented Individualized Education Programs (IEPs).

File Attachments
[MC PACE_NUSD 21-22.pdf](#) (349 KB)

Individual Service Agreement with Pacific Autism Center for Education (PACE) - ISA 22-02a

Type Action, Discussion
 Absolute Date Aug 05, 2021
 Fiscal Impact Yes
 Dollar Amount \$126,758.00
 Budgeted Yes
 Budget Source Special Education
 Recommended Action The recommendation is that the Board of Education ratify the Individual Service Agreement with PACE.

Purpose:
 This NUSD student's least restrictive environment per IDEA was determined to be placed in a Non-Public School (NPS) setting due to a significant disability, behavioral or programmatic need that has impacted their current ability to be successful within the general education setting. (Education Code 56342.1 & EC 56366)
<http://www.gamutonline.net/district/newark/DisplayPolicy/137894/>
 This proposed action is consistent with the existing Board of Education Policy 0200.

Background:
 As part of the U.S. Individuals with Disabilities Education Act (IDEA), the least restrictive environment is identified as one of the six (6) principles that govern the education of students with disabilities and other special needs. By law, schools are required to provide a Free Appropriate Public Education (FAPE) in the least restrictive environment that is appropriate to the individual student's needs.
 "Least restrictive environment" (LRE) means that a student who has a disability should have the opportunity to be educated with non-disabled peers, to the greatest extent appropriate. They should have access to the general education curriculum, extracurricular activities, or any other program that non-disabled peers would be able to access. The student should be provided with supplementary aids and services necessary to achieve educational goals if placed in a setting with non-disabled peers. Should the nature or severity of his or her disability prevent the student from achieving these goals in a regular education setting, the student would then be placed in a more restrictive environment, such as a Resource Program, separate classroom with specialized academic instruction (Special Day Class), or a non-public school.
 To determine what an appropriate setting is for a student, an IEP (Individualized Education Program) team reviews the student's needs and interests. The types of educational settings for students with disabilities will vary. With the differences in needs and interests among students with disabilities, there is no single definition of what an LRE will be for all students.

File Attachments
[ISA PACE 22-02a Redacted.pdf](#) (220 KB)

Contract with ATX Learning for Special Education Teacher at Birch Grove Primary

Type Action, Discussion
 Absolute Date Aug 05, 2021
 Fiscal Impact Yes
 Dollar Amount \$124,440.00
 Budgeted Yes
 Budget Source Expanded Learning Opportunity Grant-Resource 7425
 Recommended Action The recommendation is that the Board of Education ratify the contract with ATX Learning.

Purpose:
 ATX Learning will provide 1.0 FTE Moderate/Severe Teacher at Birch Grove Primary needed for the unfilled position for the 2021-2022 school year.

Background:
 Despite intensive efforts, the District has not been able to hire for this position this school year. This contracted teacher is intended to fill this open position for the 2021-2022 school year only. The District is continuing to look at more effective ways to recruit Special Education teachers. There is a national shortage of Special Education Teachers, School Psychologists, and Speech and Language Therapists.

File Attachments
[ATX_NUSD Contract 21-22 MS BGP.pdf](#) (401 KB)

Motion & Voting

The recommendation is that the Board of Education ratify the contract with ATX Learning.

Motion by Bowen Zhang, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

Contract with ATX Learning for Special Education Teacher at Newark Memorial High School

Type	Action, Discussion
Absolute Date	Aug 05, 2021
Fiscal Impact	Yes
Dollar Amount	\$124,440.00
Budgeted	Yes
Budget Source	Expanded Learning Opportunity Grant-Resource 7425
Recommended	The recommendation is that the Board of Education ratify the contract with ATX Learning.
Action	

Purpose:

ATX Learning will provide 1.0 FTE Moderate/Severe Teacher at Newark Memorial High School needed for the unfilled position for the 2021-2022 school year.

Background:

Despite intensive efforts, the District has not been able to hire for this position for the upcoming school year. This contracted teacher is intended to fill this open position for the 2021-2022 school year only. The District is continuing to look at more effective ways to recruit Special Education teachers. There is a national shortage of Special Education Teachers, School Psychologists, and Speech and Language Therapists.

File Attachments

ATX_NUSD Contract 21-22 MS NMHS.pdf (223 KB)

Motion & Voting

The recommendation is that the Board of Education ratify the contract with ATX Learning.

Motion by Bowen Zhang, second by Terrence Grindall.

Final Resolution: Motion Carries

Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

Dannis Woliver Kelley Attorneys at Law - Agreement for Legal Services 2021-2022

Type	Action, Discussion
Fiscal Impact	Yes
Budgeted	Yes
Budget Source	General Fund
Recommended	The recommendation is that the Board of Education approve the Agreement for Legal
Action	Services for Dannis Wolliver Kelley Attorneys at Law for 2021-2022.

Purpose:

To renew the legal service agreement with Dannis Woliver Kelley Attorneys at Law for legal services in the 2021-2022 fiscal year.

Background:

Dannis Woliver Kelley Attorneys at Law have been providing legal services to the District since 2010. They have provided NUSD with legal counsel in a wide variety of areas, including general legal services, business and contract services, construction advice and litigation, developer fees, litigation, procurement, and governance. No changes have been made to the billing ranges. The individual rate for Gregory J. Dannis has increased to \$425 per hour.

File Attachments

Dannis Woliver Kelley (DWK) 2021-22.pdf (157 KB)

Atkinson, Andelson, Loya, Ruud & Romo Attorneys at Law - Agreement for Legal Services 2021-2022

Type	Action, Discussion
Fiscal Impact	Yes
Budgeted	Yes
Budget Source	General Fund
Recommended	The recommendation is that the Board of Education approve the Agreement for Legal
Action	Services with Atkinson, Andelson, Loya, Ruud & Romo Attorneys at Law for 2021-2022.

Purpose:

To renew the legal service agreement with Atkinson, Andelson, Loya, Ruud & Romo Attorneys at Law for legal services in the 2021-2022 fiscal year.

Background:

Atkinson, Andelson, Loya, Ruud & Romo have provided legal and, upon request, non-legal consultant services on the District's

behalf. Updates to the contract include a rate increase of \$10 per hour, and revisions to paragraph IV, which provides a more in-depth description of Binding Arbitration than the prior agreement.

[File Attachments](#)

[Atkinson, Andelson, Loya, Ruud & Romo 2021-2022.pdf](#) (119 KB)

[Fagen Friedman & Fulfroost, LLP - Agreement for Legal Services 2021-2022](#)

Type	Action, Discussion
Fiscal Impact	Yes
Budgeted	Yes
Budget Source	General Fund
Recommended	The recommendation is that the Board of Education approve the Agreement for Legal
Action	Services with Fagen Friedman & Fulfroost, LLP for 2021-2022.

Purpose:
To renew the legal service agreement with Fagen Friedman & Fulfroost, LLP for legal services in the 2021-2022 fiscal year.

Background:
The District started using Fagen Friedman & Fulfroost, LLP in 2020-2021. They have provided NUSD with legal counsel in a wide variety of areas, including general legal services, business and contract services, construction advice, developer fees, litigation, procurement, and governance. The rates remain the same as the previous year. There were no changes to the standard hourly rates.

[File Attachments](#)

[Fagen Friedman & Fulfroost, LLP_Agreement_2021-22.pdf](#) (180 KB)

[Lozano Smith Attorneys at Law - Agreement for Legal Services 2021-2022](#)

Type	Action, Discussion
Fiscal Impact	Yes
Budgeted	Yes
Budget Source	General Fund
Recommended	The recommendation is that the Board of Education approve the Agreement for Legal
Action	Services for Lozano Smith Attorneys at Law for 2021-2022

Purpose:
To renew the legal services agreement with Lozano Smith Attorneys at Law for legal services in the 2021-2022 fiscal year.

Background:
Lozano Smith has served as the District's legal counsel for 22 years. They have provided NUSD with legal counsel in a wide variety of areas, including general legal services, business and contract services, construction advice, developer fees, litigation, procurement, and governance. There were no changes to the hourly rate schedule.

[File Attachments](#)

[LozanoSmith 21-22 Agreement.pdf](#) (334 KB)

[Williams Uniform Complaint Quarterly Report April 1 to June 30, 2021](#)

Type	Action, Discussion
Recommended	The recommendation is that the Board of Education approve the Williams Uniform
Action	Complaint Quarterly Report for the period of April 1, 2021 to June 30, 2021.

Purpose:
For the Board to receive and approve the Williams Uniform Complaint Quarterly Report for the period of April 1, 2021, to June 30, 2021.

Background:
Education Code 35186 requires that the Superintendent of a school district report summarized data on the nature and resolution of all complaints filed under the Williams Uniform Complaint Procedures to the local Board of Education and the County Superintendent of Schools on a quarterly basis. The report must include the number of complaints by general area, the number of resolved and unresolved complaints, and be publicly presented at a regularly scheduled Board meeting. The attached report is presented to the Board for the period of April 1, 2021, to June 30, 2021.

[File Attachments](#)

[Q122 UCP Report.pdf](#) (203 KB)

[Warrant Report for June 2021](#)

Type	Action, Discussion
Fiscal Impact	No
Recommended	The recommendation is that the Board of Education approve the Warrant Report as
Action	presented.

Purpose:

The purpose of this item is to present warrants, for the total amount of \$2,264,907.65 made from District funds for June 2021.

Background:

The warrant registers represent a complete listing of all payments made from District funds for a month. Because Newark Unified School District is a fiscally dependent District, each warrant must pass through two separate audits; first by the District's Fiscal Services department, and second by the County Office of Education. No warrant can be paid until such time as it is examined and approved by the County Office of Education.

File Attachments

[June 2021 AP Warrant Board Report.pdf](#) (374 KB)

Donations Report

Type	Action, Discussion
Fiscal Impact	Yes
Budget Source	General Fund (Fund 010) Donations
Recommended Action	The recommendation is that the Board of Education accept the Donations Report as presented.

Purpose:

The purpose is to acknowledge receipt of donations to the District.

Background:

Throughout the year community members, groups, parents and other individuals make monetary and in-kind (supplies and equipment) donations to NUSD. The exact nature of the source of the donation is submitted to the Business Office on a standard form. It is critical that any restrictions on the funding be indicated and the budget developed based on the donor restrictions. If there is no indication of the school or use of the funding, any proceeds or cash donations received are placed in the NUSD local revenue in the unrestricted general fund. It is recommended that the donations be processed through the Business Office and ultimately approved by the Board so that the funding can be publicly acknowledged and budgeted properly according to donor restrictions. There is acknowledged and budgeted properly according to donor restrictions. There is acknowledgment at the public Board meeting and a letter of thanks is sent to the donor by the Business Office for NUSD.

File Attachments

[Donation Report_8-5-2021.pdf](#) (17 KB)

Minutes of the June 15, 2021 Special Meeting of the Board of Education

Type	Action, Minutes
Recommended Action	The recommendation is that the Board of Education approve the minutes of June 15, 2021, Special Meeting of the Board of Education

Purpose:

For the board to review and approve the minutes

Background:

The attached minutes are reflective of the June 15, 2021, Special Meeting of the Board of Education. The exact language is available for viewing on the NUSD YouTube Channel.

Minutes of the June 17, 2021 Regular Meeting of the Board of Education

Type	Action, Minutes
Recommended Action	The recommendation is that the Board of Education approve the minutes of June 17, 2021, Regular Meeting of the Board of Education

Purpose:

For the board to review and approve the minutes

Background:

The attached minutes are reflective of the June 17, 2021, Regular Meeting of the Board of Education. The exact language is available for viewing on the NUSD YouTube Channel.

Minutes of the June 29, 2021 Special Meeting of the Board of Education

Type	Action, Minutes
Recommended Action	The recommendation is that the Board of Education approve the minutes of June 29, 2021, Special Meeting of the Board of Education

Purpose:

For the board to review and approve the minutes

Background:

The attached minutes are reflective of the June 29, 2021, Special Meeting of the Board of Education. The exact language is

available for viewing on the NUSD YouTube Channel.

16 BOARD OF EDUCATION - COMMITTEE REPORTS, ANNOUNCEMENTS, REQUESTS, DEBRIEF

Board of Education Committee Reports

DEBRIEF AND DISCUSSION

Type Information

Purpose:

The Trustees will provide an update, if available, on the committees of which they are members.

Background:

Each year the Board of Education members liaise with schools and committees in order to build relationships, hear from staff, students, and families, and act as a conduit for information to and from the schools.

Mission Valley ROP - Elisa Martinez

SELPA - Bowen Zhang

Newark & NUSD Liaison Committee - Phuong Nguyen & Terrence Grindall

Newark Teacher Induction Advisory Council (Formally EBBIC) - Elisa Martinez

Audit Committee - Phuong Nguyen & Aiden Hill

Bond/Parcel Tax Committee - Elisa Martinez & Terrence Grindall

Board of Education Requests

DEBRIEF AND DISCUSSION

Type Discussion, Information

Purpose:

This is an opportunity for the Board of Education to suggest items for placement on future agendas and to review Board requests.

Approval from the majority of the Board will be required for direction to be provided to the Superintendent.

Background:

The following derives directly from the Board approved "Governance Team Handbook"

Authority is Collective, Not Individual:

The only authority to direct action rests with the Board as a whole when seated at a regular or special board meeting. Outside of this meeting, there is no authority.

A majority Board vote provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction.

Bringing New Ideas Forward

The Board will be open to having "brainstorming" discussions, or study sessions, around any idea that a Trustee may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Trustee, at their initiative or at the request of a constituent, which was previously discussed during a board meeting.

Trustees will first notify the Board President and Superintendent of their interest in bringing forward a new idea at a board meeting.

When initially agendized, the preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.

Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea. The Superintendent will decide on the delegation of assignments to District staff.

The new idea may be agendized for discussion only. The Board majority will decide if the new idea should be further developed and studied by staff. The Board majority will decide if staff time should be invested in the "fleshing out" of new ideas.

Individual Trustees, in the course of interactions with constituents, will be careful not to make or imply the commitment of the full Board to explore or proceed with implementing new ideas.

Board of Education Recognitions and Announcements

DEBRIEF AND DISCUSSION

Type Information

Purpose:

The Trustees may acknowledge or recognize specific programs, activities, or personnel at this time.

17 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

Superintendent's Concluding Comments, Updates for the Board, and Future Agenda Requests

FUTURE AGENDA REQUESTS

Type Discussion, Information

Purpose:

This is an opportunity for the Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

18 ADJOURNMENT

PLACEHOLDER - Extend Meeting

Type Action
Recommended The recommendation is that the Board extend the meeting to ____PM
Action

Purpose:
This is a placeholder, only to be used if the Board adds a motion and action to extend the meeting.

Motion & Voting
The recommendation is that the Board extend the meeting to 11:00 PM
Motion by Bowen Zhang, second by Phuong Nguyen.
Final Resolution: Motion Carries
Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

Adjournment

Type Action, Procedural
Recommended The recommendation is that the Board of Education adjourns this meeting.
Action

Purpose:
No items will be considered after 10:00 p.m. unless it is determined by a majority of the Board to extend to a specific time.
This action will conclude the meeting.

Motion & Voting
The recommendation is that the Board of Education adjourns this meeting. (10:41pm)
Motion by Bowen Zhang, second by Phuong Nguyen.
Final Resolution: Motion Carries
Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

1 Live Comments: Join with an Internet-connected device (tablet, computer, phone, etc.)

Virtual Meeting Practices & Connection Information

Type Information, Procedural
In accordance with the Governor's Executive Order N-29-20, Board meetings will be held "virtually" until further notice. These meetings will be accessible to the public by internet or telephone. No physical meeting place will be provided. Meetings will live-streamed on the NUSD YouTube on the internet. Public comment opportunities will be available through the virtual meeting. Please see the public comment instructions provided here.
As always, we encourage you to contact the entire Board by email at "board@newarkunified.org." This address goes directly to the Board members, who check their emails frequently.

Roll Call

Type Procedural
Board Members:
President Bowen Zhang
Member Phuong Nguyen
Member Elisa Martinez
Member Terrence Grindall
Member Aiden Hill

Student Board Member:
Member Wahhab Salemi
2. APPROVAL OF AGENDA

Approval of Agenda

Type Action
Recommended Recommendation is that the Board of Education approve the agenda for this meeting.
Action

Purpose:
Members of the Board may request that the agenda be approved as presented or amended.

Motion & Voting
Recommendation is that the Board of Education approve the agenda for this meeting.
Motion by Bowen Zhang, second by Phuong Nguyen.

Final Resolution: Motion Carries
Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall
Nay: Aiden Hill

3 CLOSED SESSION

Public Employee Discipline/Dismissal/ Release (GC54957)

Type Action, Procedural
Information will be provided by the Superintendent and Executive Director of Human Resources.

Conference with Labor Negotiator (GC54957.6(a)): Employee Organizations - NTA & CSEA

Type Action, Procedural
Information will be provided by the agency negotiator, Executive Director of Human Resources. Assistance from legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided.
The employee organizations include NTA & CSEA.

Conference with Labor Negotiator (GC54957.6(a)): Employee Group - NEWMA, Unrepresented Supervisors & Contracted

Type Action, Procedural
Information will be provided by the agency negotiator, Executive Director of Human Resources, and the Superintendent. Assistance from legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided.
The employee organizations include NEWMA, Unrepresented Supervisors, and Contracted Management

Conference with Legal Counsel - Anticipated Litigation (GC 54956.9(d)(4))

Type Action, Procedural
Information will be provided regarding:
Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: One case

Recess to Closed Session

Type Procedural
Purpose:
The Board will recess to Closed Session, and reconvene to Open Session on or about 7pm.

4 RECONVENE TO OPEN SESSION

Pledge of Allegiance

Type Procedural

5 REPORT OF CLOSED SESSION ACTIONS

Report of Closed Session Actions

Type Action, Procedural
Purpose:
If available, a report of closed session will be provided by the Board President.

6 OLD BUSINESS

Approval of the 2021-22 Local Control and Accountability Plan (LCAP)

Type Action
Recommended Action Staff recommends the Board of Education approve the 2021-22 Local Control and Accountability Plan as presented.

Purpose:
The administration presents the 2021-22 Local Control and Accountability Plan (LCAP) for approval.

Background:
On June 17, 2021, the Board approved the 2021-22 Local Control and Accountability Plan (LCAP). After a review of the procedures, the LCAP is being brought back to the Board for approval.
Education Code 52062(b)(2) A governing board of a school district shall adopt an LCAP or annual update to the LCAP in a public meeting. This meeting shall be held after, but not on the same day as, the public hearing held pursuant to paragraph

(1). This meeting shall be the same meeting as that during which the governing board of the school district adopts a budget pursuant to Education Code 42127 (a)(2).

Our district has conducted the following meetings in 2020-21:

- February 23, 2021 6:00 pm - 7:00 pm - LCAP Advisory Committee
- March 23, 2021 6:00 pm - 7:00 pm - LCAP Advisory Committee
- March 30, 2021 2:30 pm - 4:00 pm - Ed Services Team
- April 13, 2021 2:30 pm - 4:00 pm - Ed Services Team
- April 14, 2021 12:45 pm - 2:45 pm - Learning Leadership Academy
- April 15, 2021 Board Study Session
- April 21, 2021 9:00 am - 10:00 am - DELAC
- April 27, 2021 6:00 pm - 7:00 pm - LCAP Advisory Committee (Expanded Learning Opportunity)
- May 14, 2021 (2 sessions) 12:15 pm and 1:15 pm- NMHS Student Input
- May 19, 2021 9:00 am - 10:00 am - DELAC
- May 25, 2021 6:00 pm - 7:00 pm -LCAP Advisory Committee
- March - April 2021 - School Site Council Meetings
- June 3, 2021 - Board of Education Public Hearing

File Attachments

[2021-22 LCAP_Newark Unified School District_6-17-2021 r 1 \(4\).pdf](#) (2,120 KB)

Motion & Voting

Staff recommends the Board of Education approve the 2021-22 Local Control and Accountability Plan as presented.

- Motion by Bowen Zhang, second by Elisa Martinez.
- Final Resolution: Motion Carries
- Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

Resolution 2020.21-041: 2021-22 Budget Adoption and Public Hearing Reserve Disclosure Certificate

Type	Action
Preferred Date	Jun 29, 2021
Absolute Date	Jun 30, 2021
Recommended	Staff recommends that the Board of Education adopt Resolution 2020.21-041 2021-22
Action	Budget Adoption and the Public Hearing Reserve Disclosure Certificate and certify that the budget was developed using the state-adopted Criteria and Standards.

Purpose:
The purpose of this item is for the Board of Education to adopt the 2021-22 Proposed Budget prior to July 1, 2021.

Background:
Following a mandated public hearing, held June 3, 2021, on the 2021-22 Proposed Budget, the Board will consider adopting the District budget. The most significant items that will impact this budget are the actual closing of the books on 2020-21, and the actual 2021-22 enrollment and attendance in Newark Unified School District.
On June 17, 2021, the Board approved Resolution 2020.21-032 2021-22 Budget Adoption and Public Hearing Reserve Disclosure Certificate. The approval of the 2021-22 Local Control Accountability Plan (LCAP) is being presented to the Board on this June 29, 2021, meeting agenda. Consequently, Board approval of Resolution 2020.21-041 2021-22 Budget Adoption will replace Resolution 2020.21-032 2021-22 Budget Adoption. Per Education Code 52062(b)(2), a governing board of a school district shall adopt an LCAP or annual update to the LCAP in a public meeting. This meeting shall be held after, but not on the same day as, the public hearing held pursuant to paragraph (1). This meeting shall be the same meeting as that during which the governing board of the school district adopts a budget pursuant to Education Code 42127 (a)(2). Education Code 42127 requires the governing board of each school district to adopt a budget on or before July 1 of each year for the upcoming fiscal year. Staff recommends the Board adopt the 2021-22 budgets for the following funds: General Fund; Adult Education Fund; Child Development Fund; Cafeteria Fund; Special Reserve for Other Than Capital Outlay Fund; Building Fund; Capital Facilities Fund; Special Reserve Fund for Capital Outlay Projects; Bond Interest and Redemption Fund; and Self-Insurance Fund.
Once the Legislature reaches a compromise on the 202122 State Budget Act, each house will need to approve the budget bill by June 15. The Governor will then have 12 days to sign the budget bill as presented, approve the budget bill with line-item reductions, or veto the budget bill and send it back to the Legislature. The District will have 45 days from the date the Governor signs the budget to make public any significant revisions it decides to make to the Adopted Budget based upon the State's enacted budget.

File Attachments

- [21-22 Adopted Budget Full Book-rev6-1-21.pdf](#) (3,879 KB)
- [2021-22 A7 Public Hearing Reserve Disclosure Certificate.pdf](#) (147 KB)
- [Resolution 2020.21-041_Budget Adoption for 2021-22_6-29-21.pdf](#) (14 KB)

Motion & Voting

- Staff recommends that the Board of Education adopt Resolution 2020.21-041 2021-22 Budget Adoption and the Public Hearing Reserve Disclosure Certificate and certify that the budget was developed using the state-adopted Criteria and Standards.
- Motion by Bowen Zhang, second by Terrence Grindall.
- Final Resolution: Motion Carries
- Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

7 CONSENT AGENDA - PERSONNEL ITEMS

Personnel Report

Type Action

Recommended Staff recommends the Board of Education ratify the personnel report as presented.

Action
All personnel activities including new hires, changes in status, resignation, leaves, and retirements are routinely submitted to the Board for ratification.

File Attachments

[HR PAL 06-29-21.pdf](#) (376 KB)

Motion & Voting

Staff recommends the Board of Education ratify the personnel report as presented.

Motion by Phuong Nguyen, second by Elisa Martinez.

Final Resolution: Motion Carries

Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

8 CONSENT AGENDA - NON-PERSONNEL ITEMS

Addendum to Contract with Ed Sped Solutions, Inc

Type Action

Absolute Date Jun 29, 2021

Fiscal Impact Yes

Dollar Amount \$98,200.00

Budgeted No

Budget Source Special Education

Recommended The staff recommends that the Board of Education ratify the addendum to the master

Action contract for Ed Sped Solutions.

Goals 1. To provide academic excellence via equity and opportunities for all students.

Purpose:

For the Board of Education to approve the addendum to the master contract for Ed Sped Solutions, Inc contract in the amount of \$98,200. The services provided by Ed Sped Solution, Inc. are essential services for ensuring compliance requirements are met for Students With Disabilities, that includes assessment timelines, and related services are provided per the student's IEP.

Background:

Related services and assessments are legally mandated per Individual Disability Education Act (IDEA). Without Ed Sped Solutions, Inc. services, Newark Unified School District would be out of compliance.

The master contract for Ed Sped Solutions, Inc. was approved by the Board of Education on August 6, 2020, in the amount of \$333,000.

Addendum to the master contract was approved by the Board of Education on September 9, 2020, in the amount of \$180,223 for a Board Certified Behavior Analyst & Resource Specialist Program teacher at NJHS.

Addendum to the master contract was approved by the Board of Education on March 18, 2021, in the amount of \$59,250 for a Program Specialist position.

The total amount for the Ed Sped Solutions, Inc. contract for the 20/21 school year including the proposed addendum is in the amount of \$670,673.

Ed Sped Solutions, Inc. will continue to provide the following services with the Board's approval.

1. Educationally Related Mental Health Services (ERMHS) are IEP driven counseling services (group and Individual). The District has two therapeutic Special Day Class (SDC) programs (one at the Junior High and one at the High school) serving 30 students that require counseling services. Due to two school psychologists' absence, Ed Sped Solutions, Inc provided counseling services to students per their IEPs. Ed Sped Solution, Inc will continue to serve special education students during Extended School Year (ESY) with counseling services per the student's IEP. The total cost for these services is \$15,000.
2. Psycho-educational assessments for initial Special Education eligibility, triennial assessment of continued eligibility, and Educationally Related Mental Health assessments & academic assessments. The district has had two psychologists absent for an extended period of time resulting in the need for the Special Education Dept. to acquire services from Ed Sped Solution, Inc to remain compliant and meet the unique needs of students. The total cost for these services is \$64,000.
3. Instructional Assistants (IA) are necessary personnel to support students with disabilities. Instructional Assistants provide both program support within the classroom setting and one-to-one support for high-needs students per the student's IEP. Ed Sped Solution, Inc will provide IA support during the Extended School Year (ESY) program. The total cost for these services is \$19,200.

File Attachments

[Ed Sped Master Contract 2020-2021 SIGNED.pdf](#) (719 KB)

[Addendum to Master Contract 2020-21 Ed Sped SIGNED.pdf](#) (281 KB)

[Addendum to Ed Sped Contract for Program Specialist SIGNED.pdf](#) (198 KB)

[Addendum to Ed Sped Contract 6.17.21.pdf](#) (13 KB)

Motion & Voting

The staff recommends that the Board of Education ratify the addendum to the master contract for Ed Sped Solutions.

Motion by Phuong Nguyen, second by Terrence Grindall.

Final Resolution: Motion Carries

Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

9 BOARD SELF EVALUATION

Board Self Evaluation

Type Action, Discussion

Purpose:

The Board will review the results of a CSBA Board Self Evaluation and participate in a discussion facilitated by CSBA.

Background:

NUSD Governance Team Handbook:

"Governance Team Self-Evaluation

The Board understands the value of periodically assessing their performance as part of a comprehensive approach to holding the entire District accountable to the public.

The Board will schedule an annual workshop for a board self-evaluation and review the Governance Team agreements and processes each year by the end of February.

The Superintendent is invited to provide candid assessments to build a more effective/efficient team." Pg. 7.

File Attachments

[Agenda Newark - 6.29.21 Workshop.doc.pdf](#) (123 KB)

10 ADJOURNMENT

PLACEHOLDER - Extend Meeting

Type Action

Recommended The recommendation is that the Board extend the meeting to ____PM

Action

Purpose:

This is a placeholder, only to be used if the Board adds a motion to extend the meeting.

Adjournment

Type Action, Procedural

Recommended The recommendation is that this meeting be adjourned.

Action

Purpose:

No items will be considered after 9:00 p.m., unless it is determined by a majority of the Board to extend to a specific time. This action will conclude the meeting.

Motion & Voting

The recommendation is that this meeting be adjourned.

Motion by Bowen Zhang, second by Terrence Grindall.

Final Resolution: Motion Carries

Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

1 Live Comments: Join with an Internet-connected device (tablet, computer, phone, etc.)

Virtual Meeting Practices & Connection Information

Type Information, Procedural

In accordance with the Governor's Executive Order N-29-20, Board meetings will be held "virtually" until further notice. These meetings will be accessible to the public by internet or telephone. No physical meeting place will be provided.

Meetings will live-streamed on the NUSD YouTube on the internet.

Public comment opportunities will be available through the virtual meeting. Please see the public comment instructions provided here.

As always, we encourage you to contact the entire Board by email at "board@newarkunified.org." This address goes directly to the Board members, who check their emails frequently.

Roll Call

Type Procedural

Board Members:

President Bowen Zhang

Member Phuong Nguyen

Member Elisa Martinez

Member Terrence Grindall

Member Aiden Hill

Student Board Member:

Member Wahhab Salemi

2. APPROVAL OF AGENDA

Approval of Agenda

Type Action

Recommended Recommendation is that the Board of Education approve the agenda for this meeting.
Action

Purpose:

Members of the Board may request that the agenda be approved as presented or amended.

Motion & Voting

Recommendation is that the Board of Education approve the agenda for this meeting without 3.5.

Motion by Phuong Nguyen, second by Elisa Martinez.

Final Resolution: Motion Carries

Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

3 CLOSED SESSION

Public Comment on Closed Session Item

Type Procedural

Purpose:

To provide a space for the community to make a comment on Closed Session Items.

Background:

Please see the link below for Public Comment information.

<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=BN8PNC6402C1>

Public Employee Discipline/Dismissal/ Release (GC54957)

Type Action, Procedural

Information will be provided by the Superintendent and Executive Director of Human Resources.

Conference with Labor Negotiator (GC54957.6(a)): Employee Organizations - NTA & CSEA

Type Action, Procedural

Information will be provided by the agency negotiator, Executive Director of Human Resources. Assistance from legal firm

Dannis, Woliver, Kelley, Attorneys at Law may be provided.

The employee organizations include NTA & CSEA.

Conference with Labor Negotiator (GC54957.6(a)): Employee Group - NEWMA, Unrepresented Supervisors & Contracted

Type Action, Procedural

Information will be provided by the agency negotiator, Executive Director of Human Resources, and the Superintendent.

Assistance from legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided.

The employee organizations include NEWMA, Unrepresented Supervisors, and Contracted Management

Conference with Legal Counsel - Existing Litigation (GC 54956.9(d)(1))

Type Action, Procedural

Cases to be discussed:

Title of Case

Conference with Legal Counsel - Anticipated Litigation (GC 54956.9(d)(4))

Type Action, Procedural

Information will be provided regarding:

Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: One case

Public Employment (Gov. Code, 54957, subd. (b)(1)): Superintendent

Type Action, Discussion, Information

Recess to Closed Session

Type Procedural

Purpose:

The Board will recess to Closed Session, and reconvene to Open Session on or about 7pm.

4 RECONVENE TO OPEN SESSION

Pledge of Allegiance

Type Procedural

5 REPORT OF CLOSED SESSION ACTIONS

Report of Closed Session Actions

Type Action, Procedural

Purpose:

If available, a report of closed session will be provided by the Board President.

6 STUDENT REPORT

Student Report from Newark Junior High School, MacGregor and Newark Memorial High School

Type Information

Purpose:

At regular Board meetings, a spokesperson of each secondary school may make a brief presentation. Discussion items may include updates, celebrations, and upcoming events.

1. MacGregor - Alexis Blanco-Barron

7 RECOGNITIONS AND CELEBRATIONS

Introduction of New Administrators

Type Information

Purpose:

The purpose of this agenda item is to recognize and introduce two new administrators to the board and to the NUSD community.

Background:

Staff would like to welcome and introduce to the community Ms. Jin Kim, Assistant Principal for Newark Junior High School for the 2021-2022 school year. Ms. Jessica Tommasini will be serving as the principal of the newly-named Coyote Hills Elementary School. Both administrators have been approved on Personnel Reports at previous board meetings. We look forward to their leadership in the 2021-2022 school year.

8 EMPLOYEE ORGANIZATIONS

Employee Organizations

Type Information

Purpose:

At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Background:

Discussion items are limited to updates, celebrations, and upcoming events.

1. NTA: Sean Abruzzi
2. CSEA: Sue Eustice
3. NEWMA: Amanda Gollither

9 PUBLIC COMMENT ON NON-AGENDA ITEMS

Public Comment on Non-Agenda Items

Type Procedural

Purpose:

To provide a space for the community to make a comment on non-agenda items.

Background:

Please see click the link below for Public Comment information on Non-Agenda Items and Agenda items.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=BN8PNC6402C1>

10 SUPERINTENDENT REPORT

Superintendent Report

Type Information

Purpose:

The superintendent will provide the Board with district information, updates, news, or anything in the jurisdiction of the board or the superintendent.

Background:

Information provided by the Superintendent

11 STAFF REPORT

Coyote Hills Elementary Design Team Presentation

Type Information

Purpose:

To present to the Board information regarding the work conducted by the Design Team in regard to the Graham/Snow merger.

Background:

Design Team Background

On November 17, 2020, the NUSD Board of Education, acting on the recommendation of the School Consolidation Advisory Committee, voted to merge Snow Elementary and Graham Elementary on the Graham campus in order to provide increased equity and access to a high-quality school program in a single merged school located at the Graham campus.

The merger process was an important opportunity for stakeholders from both Snow Elementary and Graham Elementary to:

- Design and develop the new school's mission and vision.
- Clarify the student population needs the newly designed school seeks to serve
- Assess current school structures, respective cultures, site programs, and systems in place that can be applied and/or adapted to the new school community
- Identify our NUSD priorities for ensuring all students that we seek to serve at the new school have the programs and supports they need to thrive as learners and leaders
- Building consensus on a plan for our community to take collective responsibility for a successful merger of our new school

The Design Team

The Design Team was responsible for:

- Centering and advocating for the needs of our most vulnerable students throughout both Graham Elementary and Snow Elementary in the merger planning
- Communicating with and collecting input and feedback from peers related to merger planning
- Participating in design and decision-making processes related to the mission and vision of the merger planning
- Participating in and advocating with other NUSD schools to ensure their support and coordination for the success of the redesign efforts to ensure a successful start to a new school

Design Team Expectations

Members of the Design Team committed to:

Attending all meetings, via Zoom, on the 2nd and 4th Thursdays of each month, January 28th, 2021 through June 10, 2021.

Leading up to & throughout the process, collecting feedback/ input from peers needed to support our design work.

This is a live, working document for the Coyote Hills Elementary School Community to guide their work. The document was developed as a starting place and allows for flexibility throughout the implementation of the programs.

File Attachments

[Design Team Final Plan.pdf](#) (9,917 KB)

[Design Team Board Presentation .pdf](#) (4,595 KB)

12 OLD BUSINESS

LCAP Membership Roster

Type Action

Preferred Date Jun 17, 2021

Recommended Action Staff recommends that the Board of Education ratify the updated LCAP roster and provide staff discretion to update the roster within the school year.

Purpose:

The purpose of this item is to inform the Board of an update to the 2020-21 LCAP Advisory Committee roster.

Background:

The 2020-2021 LCAP Advisory Committee roster was first reviewed and approved by the Board on January 21, 2021. Since then, two members of the original committee resigned due to personal reasons that kept them from participating for the entire semester. In collaboration with the principals of the sites that lost representation, replacements were recruited. The attached document is the updated roster of the 2020-21 LCAP Advisory Committee.

File Attachments

2020-21 LCAP PAC Roster.pdf (79 KB)

Motion & Voting

Staff recommends that the Board of Education ratify the updated LCAP roster and provide staff discretion to update the roster within the school year.

Motion by Phuong Nguyen, second by Elisa Martinez.

Final Resolution: Motion Carries

Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

13 NEW BUSINESS

Resolution 2020.21-039: Lesbian, Gay, Bisexual, Transgender, and Queer (LGBTQ+) Pride Month

Type	Action
Preferred Date	Jun 17, 2021
Fiscal Impact	No
Budgeted	No
Recommended Action	Staff recommends that the Board of Education adopt Resolution 2020.21-039 recognizing June as LGBTQ+ (or LGBTQIA+) Pride Month.

Purpose:

To adopt Resolution 2020.21-039 recognizing June as LGBTQ+ (or LGBTQIA+) Pride Month.

Background:

The proposed NUSD resolution was drafted in partnership with Castro Valley Pride as well as NUSD students, who provided feedback and input on the resolution's content. Castro Valley Pride, Livermore Pride, and Oakland Pride are working with local Alameda County districts to adopt resolutions recognizing the month of June as Pride Month by raising a rainbow flag at each school site as well as district offices.

The following districts have already passed similar resolutions:

- Alameda County Office of Education
- Castro Valley Unified School District
- Hayward Unified School District
- San Lorenzo Unified School District
- New Haven Unified School District
- Pleasanton Unified School District
- Piedmont Unified School District
- Dublin Unified School District
- Berkeley Unified School District (pending 6/2/21 outcome)
- Albany Unified School District (pending 6/8/21 outcome)
- San Leandro Unified School District (pending 6/8/21 outcome)
- Sunol Glen Unified School District (TBD)
- Alameda Unified School District (TBD)

Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Pride Month is currently celebrated each year in the month of June to honor the 1969 Stonewall Uprising in Manhattan. Today, celebrations include pride parades, picnics, parties, workshops, symposia, concerts, and more. Memorials are held during this month for those members of the community who have been lost to hate crimes or HIV/AIDS. The purpose of the commemorative month is to recognize the impact that lesbian, gay, bisexual and transgender individuals have had on history locally, nationally, and internationally.

File Attachments

LGBTQ+ Pride Month Resolution 2020.21-039.pdf (102 KB)

Motion & Voting

Staff recommends that the Board of Education adopt Resolution 2020.21-039 recognizing June as LGBTQ+ (or LGBTQIA+) Pride Month.

Motion by Bowen Zhang, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall

Abstain: Aiden Hill

NUSD Graduate Profile

Type	Action
Preferred Date	Jun 17, 2021
Recommended Action	Staff recommends that the Board of Education approve the six characteristics of an NUSD graduate finalized by the Graduate Profile Design Team.

Purpose:

The purpose of this item is for the Board of Education to approve the six characteristics of a NUSD graduate as well as provide feedback on the final visual design of the Graduate Profile.

Background:

"A graduate profile is a visual representation of the essential skills and habits that define the learning experiences at your school." This presentation will describe the development of the NUSD Graduate Profile from November 2020 to May 2021 through a series of collaborative and interactive activities which engaged over one hundred stakeholders: students, teachers, community members, university partners, business partners, and the NUSD Board of Education. Since the engagement session of the Board of Education on March 4, 2021, the Graduate Profile Design Team came to consensus and identified the six characteristics of a NUSD Graduate: Critical Thinker, Creative Problem Solver, Effective Communicator, Integrity, Empathy, and Resilience. At this meeting, we will also present three images designed by one of our NMHS students. We request feedback from the NUSD Board of Education on each of the designs presented, prior to professional finishing.

File Attachments

BOE. Final Graduate Profile.pdf (2,593 KB)

Motion & Voting

Staff recommends that the Board of Education approve the six characteristics of an NUSD graduate finalized by the Graduate Profile Design Team.

Motion by Bowen Zhang, second by Elisa Martinez.

Final Resolution: Motion Carries

Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

Resolution 2020.21-040: Commitment to Resume Full-Time, In-Person Instruction in All NUSD Schools Beginning August 12,

Type Action

Preferred Date Jun 17, 2021

Recommended Staff recommends that the Board of Education approve Resolution 2020.21-040:

Action Commitment to Resume Full-Time, In-Person Instruction in All NUSD Schools Beginning August 12, 2021, in accordance with state and county legislation and safety guidelines.

Purpose:

The purpose of this item is for the Board of Education to announce its commitment to resume full-time, in-person instruction in all NUSD schools beginning on August 12, 2021, in accordance with state and county legislation and safety guidelines.

Background:

This presentation is intended to provide an outlook on anticipated program offerings for the 2021-2022 academic school year, in an effort to provide transparency and lead-time for planning as possible. It will include historical context around distance learning, expected programming for the 2021-2022 school year, and when NUSD expects more complete guidance from our state and county partners.

File Attachments

Resolution 2020.21-040 - In-Person Instruction 21-22.pdf (89 KB)

Anticipated 2021-2022 Academic Programming - Board Presentation 6.17.21 .pdf (3,158 KB)

Motion & Voting

Staff recommends that the Board of Education approve Resolution 2020.21-040: Commitment to Resume Full-Time, In-Person Instruction in All NUSD Schools Beginning August 12, 2021, in accordance with state and county legislation and safety guidelines.

Motion by Terrence Grindall, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall

Abstain: Aiden Hill

Bid Award of Landscaping and Irrigation Project: Group 1 Schools

Type Action

Fiscal Impact Yes

Budgeted Yes

Budget Source Bond Measure G

Recommended Staff recommends the Board of Education authorize staff to work with the Landscaping

Action Design Team and construction manager to complete vetting of bids and award the contract to the lowest, responsible and responsive bidder for the Landscaping and Irrigation Project: Group 1 Schools at Birch Grove Primary, Birch Grove Intermediate, Kennedy, Schilling and Lincoln Elementary Schools.

Purpose:

To authorize district staff to award the contract to the lowest, responsible and responsive bidder for the Landscaping and Irrigation Project: Group 1 Schools at Birch Grove Primary, Birch Grove Intermediate, Kennedy, Schilling, and Lincoln Elementary Schools.

Background:

On February 20, 2020, the Board of Trustees approved a list of projects for the balance of the Measure G Bond proceeds which included landscaping and irrigation projects. On August 20, 2020, the Board approved a list of landscaping and irrigation improvements at Birch Grove Primary, Birch Grove Intermediate, Graham, Kennedy, Schilling, Lincoln, Musick, Newark Memorial High School, and MacGregor. Projects will bid in two increments.

The Landscaping and Irrigation Project Group 1, which includes Birch Grove Primary, Birch Grove Intermediate, Kennedy, Schilling, and Lincoln Elementary Schools, will provide curb appeal as outlined by the Measure G Bond.

These projects have undergone a competitive bidding process. The projects were publicly advertised on May 28, 2021 and June 4, 2021. Mandatory pre-bid site walks occurred on June 1 & 3 & 9, 2021. Bids are scheduled to be publicly opened on June 16, 2021 at 2:00 PM.

The lowest, responsible and responsive bidder and the bid amount are to be announced at the June 17, 2021 Board meeting.

File Attachments

[Bid Results Planting & Irrigation Grp1 NUSD-.pdf](#) (45 KB)

Motion & Voting

Staff recommends the Board of Education authorize staff to work with the Landscaping Design Team and construction manager to complete vetting of bids and award the contract to the lowest, responsible and responsive bidder for the Landscaping and Irrigation Project: Group 1 Schools at Birch Grove Primary, Birch Grove Intermediate, Kennedy, Schilling and Lincoln Elementary Schools.

Motion by Phuong Nguyen, second by Elisa Martinez.

Final Resolution: Motion Carries

Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

Bid Award of Newark Junior High School Stair Improvements and Barrier Removal Project

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$631,700.00
Budgeted	Yes
Budget Source	Fund 40 Special Reserve for Capital Outlay Projects (Ruschin Funds)
Recommended Action	Staff recommends the Board of Education authorize staff to award the Newark Junior High School Stair Improvements and Barrier Removal Project to the lowest, responsible and responsive bidder, Cal-Pacific Construction Inc., as presented.

Purpose:

To award the contract to Cal-Pacific Construction Inc. for the Newark Junior High School Stair Improvements and Barrier Removal Project.

Background:

Staff presented conceptual renderings and budget depicting the project designs at the May 5, 2021, Board meeting (see attached).

Staff had duly advertised and released for competitive public bid the Stair Improvements and Barrier Removal Project at Newark Junior High School. A Notice to Bidders was advertised in the Argus Newspaper on May 7, 2021, and May 14, 2021, and was placed in industry plan rooms on May 7, 2021. Mandatory Pre-bid conferences were held on May 18, 2021, and May 20, 2021.

On June 6, 2021, two (2) bids were received. The lowest bid was submitted by Cal-Pacific Construction Inc. at \$631,700.00 which includes a base bid of \$437,000, and Alternates 1A, 1B, 2A, and 2B totaling \$194,700. The lowest bid is within the construction budget and about \$90K below the estimated construction cost.

This action item is:

1. To authorize staff to award the contract to the lowest, responsible and responsive bidder Cal-Pacific Construction Inc., Pacifica, CA in the Base Bid amount of \$437,000; and to award Additive Bid Alternates:
2. Alternate 1 Retaining and Seat Wall with Planter at Stairway 1: \$39,000
3. Alternate 1B Sidewalk section in front of Stairway 1: \$49,500
4. Alternate 2A Retaining and Seat Wall with Planter at Stairway 2: \$73,200
5. Alternate 2B Sidewalk section in front of Stairway 2: \$33,000
6. For a total bid/contract amount of \$631,700.00 (base bid plus alternates)

File Attachments

[NJHS Stairs Project_06-17-21.pdf](#) (13,991 KB)

Motion & Voting

Staff recommends the Board of Education authorize staff to award the Newark Junior High School Stair Improvements and Barrier Removal Project to the lowest, responsible and responsive bidder, Cal-Pacific Construction Inc., as presented.

Motion by Phuong Nguyen, second by Terrence Grindall.

Final Resolution: Motion Carries

Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

PG&E Electric Vehicle Fleet Electrification Program Grant for Electric Vehicle Charging Station Infrastructure

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$75,146.00
Budgeted	No
Budget Source	Fund 40 - Special Reserve for Capital Outlay Projects (Ruschin Funds)
Recommended	Staff recommends that the Board of Education accept the PG&E Electric Vehicle Fleet

Action Electrification Program Grant.

Purpose:

Newark Unified School District has been extended an invitation to join PG&E's EV Fleet Electrification program. The purpose is to inform the Board of the details of the program, which includes incentives and rebates to reduce the cost of constructing an electric vehicle charging infrastructure at the MOT Yard at 37370 Birch Street, and obtaining Board approval to accept the invitation and commit to ongoing infrastructure grants.

Background:

On June 19, 2019, the Board approved Resolution 2139, confirming its interest in applying for the funding to replace its five school busses with zero-emissions buses and the related charging infrastructure. On December 3, 2020, the Board approved a commitment to purchasing two (2) electric buses and a charging station infrastructure for a district match of \$356,304 through the Bay Area Air Quality Management District (BAAQMD), California Air Resources Board (Hybrid Voucher Incentive Project - HVIP) and PG&E grants. The Board also approved future electric vehicle and infrastructure grant applications. In December 2020, two electric buses were ordered and delivered. Execution of the BAAQMD grant in December 2020 provides \$75,770 towards infrastructure and qualified Newark USD for the PG&E's EV Fleet Electrification program. The PG&E program requires the commitment to acquire a total of five (5) electric vehicles over a five-year period. The two (2) buses purchased will count towards the five (5) required purchases. Newark USD proposes to obtain 3 additional electric vehicles (2 refrigerated trucks and a dump truck or similar, depending on what grants and electric vehicles are available and are the most cost-effective). Once Newark USD signs off on the grant, PG&E will design the infrastructure at their cost and pay for a new electric transformer.

The 10-year PG&E grant contract has actual costs to be determined pending the final design. Once PG&E has completed its design, Newark USD can consider either:

- Ownership Option: Newark USD pays for and receives grants from BAAQMD and PG&E for electric infrastructure, or
- Lease Option: PG&E pays for and owns the electric vehicle infrastructure from the PG&E electric transformer to Newark USD's electric meter. Newark USD will pay PG&E a lease cost monthly to cover the cost of this work and operating costs (electricity, maintenance, etc.)

Once PG&E has completed its design and cost analysis has been received, Business Services and MOT can review and recommend the best financial alternative.

An estimate of \$75,146 is for the ownership option. Under this scenario, it is estimated that Newark USD will be paying 25% of the total cost of the charging station infrastructure. PG&E is also required to provide a discounted Business Electric Vehicle Charging rate (BEV1 or BEV2).

Vendor	Vehicles	Quote/Inv Date	Description	Amount	BAAQMD	PG&E (Charger Rebate)	PG&E (80%Infrastruct
SilveradoElectric	5	11/11/18	Infrastructure & Chargers	255,000	75,770	30,000	
Beacon			Charging Stations,				
Consulting	5	estimate	Oversite & Grants	18,000			
Subtotal				273,000	75,770	30,000	
Contingency(10%)				27,300			
TOTAL				\$300,300			

File Attachments

- [PG&E EV Fleet Notification Packet.pdf](#) (526 KB)
- [PG&E EV Fleet Terms and Conditions.pdf](#) (331 KB)
- [PG&E EV Fleet Letter of Commitment by NUSD.pdf](#) (69 KB)
- [Electric Bus Delivery Photo.jpeg](#) (611 KB)
- [PPT Presentation_NewarkUSD.PGEGrant6.17.21_rev.pdf](#) (38 KB)

Motion & Voting

Staff recommends that the Board of Education accept the PG&E Electric Vehicle Fleet Electrification Program Grant.

- Motion by Terrence Grindall, second by Phuong Nguyen.
- Final Resolution: Motion Carries
- Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall
- Nay: Aiden Hill

Feasibility Study for New School in the Sanctuary Development (Area 3)

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$10,500.00
Budgeted	No
Budget Source	Capital Facilities Fund
Recommended	Staff recommends the Board of Education approve the proposal from SchoolWorks, Inc. to
Action	provide services for a Feasibility Study of building a new school in the Sanctuary development on land provided by the developer in the City of Newark Area 3.

Purpose:

To review and approve the proposal from SchoolWorks, Inc. to provide services for a feasibility study of building a new school on land provided by the developer in the Sanctuary development located in the City of Newark's Area 3.

Background:

At the May 6, 2021, Board meeting, Board Member Grindall requested that staff begin to review the feasibility of building a new school in the Sanctuary development located in the City of Newark's Area 3. On April 9, 2015, a Development Agreement between the City of Newark and Newark Partners, LLC Developer was executed. As part of this agreement, the City of Newark required the dedication of 6 acres of land to the City for use as a school site. In

addition, there is to be an adjacent 3-acre park that would be for joint City/School use. As per the provisions of the Development Agreement, an elementary school must begin construction on the site within 7 years of the first building permit granted for the Sanctuary (Area 3) development. If school construction does not take place by that time, the property would revert to the developer. The first building permit was granted on August 8, 2018. Therefore, school construction would need to commence by August 7, 2025.

File Attachments

[Feasibility Study_Schoolworks proposal May2021.pdf](#) (594 KB)

Motion & Voting

Staff recommends the Board of Education approve the proposal from SchoolWorks, Inc. to provide services for a Feasibility Study of building a new school in the Sanctuary development on land provided by the developer in the City of Newark Area 3.

Motion by Terrence Grindall, second by Elisa Martinez.
 Final Resolution: Motion Carries
 Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall
 Nay: Aiden Hill

Approval of the 2021-22 Local Control and Accountability Plan (LCAP)

Type	Action
Recommended	Staff recommends the Board of Education approve the 2021-22 Local Control and Accountability Plan as presented.
Action	

Purpose:
 The administration presents the 2021-22 Local Control and Accountability Plan (LCAP) for approval.

Background:
 Education Code 52062(b)(2) A governing board of a school district shall adopt an LCAP or annual update to the LCAP in a public meeting. This meeting shall be held after, but not on the same day as, the public hearing held pursuant to paragraph (1). This meeting shall be the same meeting as that during which the governing board of the school district adopts a budget pursuant to Education Code 42127 (a)(2).

- Our district has conducted the following meetings in 2020-21:
- February 23, 2021 6:00 pm - 7:00 pm - LCAP Advisory Committee
 - March 23, 2021 6:00 pm - 7:00 pm - LCAP Advisory Committee
 - March 30, 2021 2:30 pm - 4:00 pm - Ed Services Team
 - April 13, 2021 2:30 pm - 4:00 pm - Ed Services Team
 - April 14, 2021 12:45 pm - 2:45 pm - Learning Leadership Academy
 - April 15, 2021 Board Study Session
 - April 21, 2021 9:00 am - 10:00 am - DELAC
 - April 27, 2021 6:00 pm - 7:00 pm - LCAP Advisory Committee (Expanded Learning Opportunity)
 - May 14, 2021 (2 sessions) 12:15 pm and 1:15 pm- NMHS Student Input
 - May 19, 2021 9:00 am - 10:00 am - DELAC
 - May 25, 2021 6:00 pm - 7:00 pm -LCAP Advisory Committee
 - March - April 2021 - School Site Council Meetings
 - June 3, 2021 - Board of Education Public Hearing

File Attachments

[2021-22 LCAP_Newark Unified School District_6-17-2021.pdf](#) (1,936 KB)

Motion & Voting

Staff recommends the Board of Education approve the 2021-22 Local Control and Accountability Plan as presented.
 Motion by Elisa Martinez, second by Terrence Grindall.
 Final Resolution: Motion Carries
 Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall
 Nay: Aiden Hill

Resolution 2020.21-032: 2021-22 Budget Adoption and Public Hearing Reserve Disclosure Certificate

Type	Action
Fiscal Impact	No
Recommended	Staff recommends that the Board of Education adopt Resolution 2020.21-032 2021-22
Action	Budget Adoption and the Public Hearing Reserve Disclosure Certificate and certify that the budget was developed using the state-adopted Criteria and Standards.

Purpose:
 The purpose of this item is for the Board of Education to adopt the 2021-22 Proposed Budget prior to July 1, 2021.

Background:
 Following a mandated public hearing, held June 3, 2021, on the 2021-22 Proposed Budget, the Board will consider adopting the District budget. The most significant items that will impact this budget are the actual closing of the books on 2020-21, and the actual 2021-22 enrollment and attendance in Newark Unified School District. Education Code 42127 requires the governing board of each school district to adopt a budget on or before July 1 of each year for the upcoming fiscal year. Staff recommends the Board adopt the 2021-22 budgets for the following funds: General Fund;

Adult Education Fund; Child Development Fund; Cafeteria Fund; Special Reserve for Other Than Capital Outlay Fund; Building Fund; Capital Facilities Fund; Special Reserve Fund for Capital Outlay Projects; Bond Interest and Redemption Fund; and Self-Insurance Fund.

Once the Legislature reaches a compromise on the 202122 State Budget Act, each house will need to approve the budget bill by June 15. The Governor will then have 12 days to sign the budget bill as presented, approve the budget bill with line-item reductions, or veto the budget bill and send it back to the Legislature. The District will have 45 days from the date the Governor signs the budget to make public any significant revisions it decides to make to the Adopted Budget based upon the State's enacted budget.

File Attachments

- [Resolution 2020.21-032_Budget Adoption for 2021-22.pdf](#) (64 KB)
- [2021-22 A7 Public Hearing Reserve Disclosure Certificate \(1\).pdf](#) (944 KB)
- [21-22 Adopted Budget Full Book-rev6-1-21.pdf](#) (3,989 KB)

Motion & Voting

Staff recommends that the Board of Education adopt Resolution 2020.21-032 2021-22 Budget Adoption and the Public Hearing Reserve Disclosure Certificate and certify that the budget was developed using the state-adopted Criteria and Standards. (with a revision of APEX during the 45 day revision)

Motion by Phuong Nguyen, second by Terrence Grindall.

Final Resolution: Motion Carries

Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

Contracts and Purchase Orders Authorized under Resolution 2020.21-025 (Delegate Authority to Procure Necessary Materials, Equipment and Services to Provide Distance and/or In-Person Learning for Staff, Teachers, and Students to Mitigate the Effects of Covid-19)

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$513,743.00
Budgeted	Yes
Budget Source	In-Person Instruction Grant
Recommended Action	Staff recommends the Board of Education accept the update on costs associated with the implementation of Resolution 2020.21-025 (Resolution of the Board of Education of the Newark Unified School District to Delegate Authority to Procure Necessary Materials, Equipment and Services to Provide Distance and/or In-Person Learning for Staff, Teachers, and Students to Mitigate the Effects of Covid-19)

Purpose:

To update the Board on costs associated with the implementation of Resolution 2020.21-025 (Resolution of the Board of Education of the Newark Unified School District to Delegate Authority to Procure Necessary Materials, Equipment and Services to Provide Distance and/or In-Person Learning for Staff, Teachers, and Students to Mitigate the Effects of Covid-19).

Background:

On April 1, 2021, the Newark Unified School District Board approved Resolution 2020.21-025 delegating authority to the Superintendent or designee to procure necessary materials, equipment, and services that are needed to provide distance and/or in-person learning to mitigate the effects of Covid-19. Language in the resolution states "the Superintendent/Designee shall make periodic reports to the Board of Education and the public regarding implementation of this resolution and the costs associated therewith"; requiring the update provided here.

VENDOR	DATE	PO NUMBER	DESCRIPTION
Alpha Air BalancingAgency	4/19/2021	P21-01549	HVAC & Ventilation Survey Measurements, equipment operations & verification throughout the District for schools reopening
Cypress Engineering Group	4/19/2021	P21-01551	To furnish mechanical engineering services covering District schools reopen Engineering support work
Austin Air	4/16/2021	P21-01546	Purchase of 352 Healthmate Air Purifiers to be provided in every classroom
Western AlliedMechanical	4/12/2021	P21-01515	Troubleshooting Air Flow/HVAC Units
ELB US Inc	4/23/2021	P21-01608	Personal Protective Equipment and supplies

File Attachments

- [RESOLU~3.PDF](#) (145 KB)
- [Alpha Air_NUSD.TAB.Proposal.202.6905_fully executed with Resolution.pdf](#) (119 KB)
- [Cypress EG_Newark USD School Reopening and AB-841 Proposal_fully executed with Resolution.pdf](#) (244 KB)
- [PO Austin Air Healthmate Plus Air Purifiers_4-16-21.pdf](#) (64 KB)
- [ELB 3000.pdf](#) (103 KB)
- [PO Western Allied.pdf](#) (55 KB)

Motion & Voting

Staff recommends the Board of Education accept the update on costs associated with the implementation of Resolution 2020.21-025 (Resolution of the Board of Education of the Newark Unified School District to Delegate Authority to Procure Necessary Materials, Equipment and Services to Provide Distance and/or In-Person Learning for Staff, Teachers, and Students to Mitigate the Effects of Covid-19)

Motion by Phuong Nguyen, second by Elisa Martinez.

Final Resolution: Motion Carries

Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

Addendum to the Chief Business Official Employment Agreement

Type	Action
Budget Source	General Fund
Recommended	Staff recommends that the Board of Education approve the proposed addendum to the
Action	Chief Business Official employment agreement.

Purpose:
 Governing Boards must orally report out a summary of a recommendation for final action on certain local agency salaries, salary schedules or other compensation.

Background:
 The Chief Business Official's employment agreement states that compensation "shall be increased each year in the same percentage amount that is granted to the NEWMA salary schedule...". On June 3, 2021, the Board approved a NEWMA salary increase on the salary schedules for 2021-22 of 1% effective July 1, 2021, and 1.5% effective February 1, 2022. The addendum to the Chief Business Official Employment Agreement reflects the increase for the Chief Business Official, Marie dela Cruz.

File Attachments
[Contract_Addendum_CBO SalaryIncrease 21-22.pdf](#) (12 KB)

Motion & Voting
 Staff recommends that the Board of Education approve the proposed addendum to the Chief Business Official employment agreement.
 Motion by Phuong Nguyen, second by Terrence Grindall.
 Final Resolution: Motion Carries
 Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

Increase Superintendent Professional Growth Activities

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$600.00
Budgeted	Yes
Budget Source	General Fund
Recommended	Staff recommends that the Board of Education approve the increase to the Superintendent
Action	Professional Growth Activities as presented.

Purpose:
 To approve an increase of \$600.00 to the contract for Fred Brill Ed. D Consulting Services as part of the Superintendent's professional growth activities schedule.

Background:
 As part of item #12 of the Superintendent's contract, Professional Growth Activities, the district contracted with Fred Brill, Ed D, Consulting Services to provide coaching services for the Superintendent. The Superintendent's contract provided up to \$5,000 for professional growth.

File Attachments
[Fred Brill, Ed.D., Superintendent Coaching_2020-21_fully executed-redacted.pdf](#) (881 KB)

Motion & Voting
 Staff recommends that the Board of Education approve the increase to the Superintendent Professional Growth Activities as presented.
 Motion by Bowen Zhang, second by Elisa Martinez.
 Final Resolution: Motion Carries
 Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall
 Nay: Aiden Hill

Murals at Schilling Elementary

Type	Action
Fiscal Impact	No
Recommended	Staff recommends that the Board of Education approve the painting of two murals at
Action	Schilling Elementary School, to be painted by Illuminaries Mural & Design.

Purpose:
 To obtain Board approval to have Illuminaries Mural & Design paint two murals of the school mascot, the Schilling Stallion, at Schilling Elementary School: one mural to be painted on a portable and the other on a school building.

Background:
 Murals and school mascots provide a sense of community, school spirit, and pride to the campus. The proposed murals, displaying the school mascot, the Schilling Stallion, not only supports the Schilling community, but also the youth in our area. Illuminaries is a program in Union City whose passion is to inspire youth through art. They bring their own unique "spray blast" style of art which students can enjoy and take pride in. The murals are being donated to the school at no charge.

File Attachments

- Schilling Mural_Building_image (2).pdf (75 KB)
- Schilling Mural_Portable_image (1).pdf (53 KB)

Motion & Voting

Staff recommends that the Board of Education approve the painting of two murals at Schilling Elementary School, to be painted by Illuminaries Mural & Design.

Motion by Bowen Zhang, second by Phuong Nguyen.
 Final Resolution: Motion Carries
 Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

14 CONSENT AGENDA - PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type Action
 Recommended Staff recommends that the Board of Education approve the following personnel agenda
 Action items be approved under one consented vote. Items _____.

Purpose:
 This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:
 Items within Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion. There will be no separate discussion of these items; however, any item may be removed from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Personnel Report

Type Action
 Recommended Staff recommends that the Board of Education ratify the personnel report as presented.
 Action
 All personnel activities including new hires, changes in status, resignation, leaves, and retirements are routinely submitted to the Board for ratification.

- File Attachments
 HR PAL 06-17-21.pdf (391 KB)

Motion & Voting
 Staff recommends that the Board of Education ratify the personnel report as presented.
 Motion by Bowen Zhang, second by Terrence Grindall.
 Final Resolution: Motion Carries
 Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

15 CONSENT AGENDA - NON-PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type Action
 Recommended Staff recommends that the Board of Education approve the following agenda items be
 Action approved under one consented vote. Items _____.

Purpose:
 This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:
 Items within Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion. There will be no separate discussion of these items; however, any item may be removed from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Motion & Voting
 Staff recommends that the Board of Education approve the following agenda items be approved under one consented vote. Items 15.2, 15.5, 15.6, 15.11.
 Motion by Bowen Zhang, second by Phuong Nguyen.
 Final Resolution: Motion Carries
 Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

Alameda County Inter-District Transfer MOU

Type Action
 Recommended Staff recommends that the Board of Education approve the renewal of NUSD's Inter-District

Action Transfer MOU
 Goals 2. Establish financial stability and fiscal solvency in order to drive continuous improvement.
 1. To provide academic excellence via equity and opportunities for all students.
 MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens.

Purpose:
 The purpose of this item is for the Board of Education to approve the renewal of NUSD's Inter-District Transfer MOU.

Background:
 Education code mandates that all districts review the MOU and Interdistrict Transfer Application, and make updates where needed at least once every five years. 2020-21 is the last year of our current five-year agreement. The Student Services Council, with representatives from all county school districts, along with legal counsel from the county and several school districts, began reviewing this document in March of 2020. No major changes have been made to the agreement/MOU at this time. However, parties recognize that there may be a need for an addendum once the state clarifies language around "independent study," and "specialized programs." In this current MOU, "independent study" and "virtual academies" are not specifically named and addressed. This county-wide Interdistrict Transfer Agreement (MOU) has been in place, working effectively, for the last five years.

Motion & Voting
 Staff recommends that the Board of Education approve the renewal of NUSD's Inter-District Transfer MOU
 Motion by Bowen Zhang, second by Terrence Grindall.
 Final Resolution: Motion Carries
 Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

Services Agreement between Newark USD and BaySci

Type	Action
Preferred Date	Jun 15, 2021
Dollar Amount	\$55,000.00
Budgeted	Yes
Budget Source	LCFF
Recommended Action	Staff recommends that the Board of Education approve the services agreement between Newark USD and BaySci.

Purpose:
 The purpose of this item is for the Board of Education to approve the Service Agreement between the Regents of the University of California, Berkeley - Lawrence Hall of Science and Newark Unified School District. This Service Agreement outlines the services to be provided by BaySci for 2021-2022 to support district Science initiatives and curriculum development and implementation.

Background:
 BaySci at the Lawrence Hall of Science, University of California, Berkeley supports the development and deepening of district-wide capacities for equitable, high-quality science education and environmental literacy. BaySci is dedicated to leadership, innovation, and excellence in STEM education and learning, and has a long history of addressing the needs of groups who are situated at the margins of equitable, high-quality instruction in science, math, engineering, and environmental education. In 2021-2022, BaySci will:

1. Provide support for the NUSD Science Leadership Team to develop an implementation plan for district-wide coherence across disciplines.
2. Provide support for partnerships with community-based organizations as part of a district-wide coherent Science/environmental literacy program.
3. Provide support for meaningful teacher collaboration, building off NUSD structures and lessons learned during COVID-19 to sustain teacher collaboration around Science, environmental literacy, and computational thinking.

File Attachments
[BaySci Newark 21-22.Agreement.pdf](#) (298 KB)

Resolution 2020.21-033: Education Protection Act (EPA) Use of Funds 2021- 22

Type	Action
Fiscal Impact	No
Recommended Action	Staff recommends that the Board of Education approve the Education Protection Act, Resolution 2020.21-033.

Purpose:
 The purpose of this item is for the Board to approve the Education Protection Act Resolution 2020.21-033 to fulfill the requirements of Propositions 30 and 55, which created and extended the Education Protection Account.

Background:
 Pursuant to Article XIII Section 36 of the California Constitution, School Districts, County Offices of Education, and Community College Districts are required to determine how the money received from the Education Protection Account (EPA) will be spent in the schools within its jurisdiction, provided that the governing board makes the spending determinations in an open session of a public meeting. The language in the constitutional amendment requires that funds shall not be used for the salaries and benefits of administrators or any other administrative costs.

The Education Protection Act Resolution 2020.21-033 fulfills the spending determination requirement. All districts must also post on their website annually an accounting of how much money was received from the EPA and how it was spent.

[File Attachments](#)

[Resolution 2020.21-033_EPA_2021-22.pdf](#) (23 KB)

[EPA_2021-22_Spending Plan.pdf](#) (11 KB)

Resolution 2020.21-034: Budget Transfers for 2020-21 (Year End)

Type	Action
Fiscal Impact	No
Recommended	Staff recommends that the Board of Education adopt Resolution 2020.21-034 Budget
Action	Transfers for 2020-21 (Year End).

Purpose:
The resolution allows the Superintendent and the Chief Business Official, or designee thereof, to authorize and make necessary budget transfers to allow for the payment of obligations incurred by the District during the end of the 2020-21 school year.

Background:
Education Code Section 42600-42602 and 42610 provides the Board the authority to request of the County Office of Education through their designee any needed transfers as may be necessary to permit the payment of obligations incurred during the school year.

File Attachments
[Resolution 2020.21-034_Budget Transfers, Year End 20-21.pdf](#) (64 KB)

Motion & Voting
Staff recommends that the Board of Education adopt Resolution 2020.21-034 Budget Transfers for 2020-21 (Year End).
Motion by Bowen Zhang, second by Phuong Nguyen.
Final Resolution: Motion Carries
Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

Resolution 2020.21-035: Budget Transfers for 2021-22 (New Fiscal Year)

Type	Action
Fiscal Impact	No
Recommended	Staff recommends that the Board of Education adopt Resolution 2020.21-035: Budget
Action	Transfers for the Fiscal Year 2021-22.

Purpose:
The resolution allows the Superintendent and the Chief Business Official, or designee thereof, to authorize and make necessary budget transfers to allow for the payment of obligations incurred by the District during the upcoming 2021-22 school year.

Background:
Education Code Section 42600-42602 and 42610 provides the Board the authority to request of the County Office of Education through their designee any needed transfers as may be necessary to permit the payment of obligations incurred during the school year.

File Attachments
[Resolution 2020.21-035_Budget Transfers, New Year 21-22.pdf](#) (66 KB)

Motion & Voting
Staff recommends that the Board of Education adopt Resolution 2020.21-035: Budget Transfers for the Fiscal Year 2021-22.
Motion by Bowen Zhang, second by Elisa Martinez.
Final Resolution: Motion Carries
Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

Resolution No. 2020.21-036: Signature Card - Board Members

Type	Action
Fiscal Impact	No
Recommended	Staff recommends that the Board of Education adopt Resolution No. 2020.21-036:
Action	Signature Card- Board Members.

Purpose:
Resolution No. 2020.21-036 is to provide signatures of each member presently serving on the Governing Board. It is the "Signature Card" to be kept on file at the Alameda County Office of Education.

Background:
This resolution reflects those designated as Board Members to the Alameda County Superintendent of Schools, and it is a county requirement. The Alameda County Office of Education recommends that the governing board take necessary action for the completion of the attached resolution no later than the first board meeting of the fiscal year.

[File Attachments](#)

[Resolution 2020.21-036_Signature Card_Board Members 2021-22.pdf](#) (27 KB)

Resolution No. 2020.21-037: Signature Card- Authorized Agents Official Documents & Reports

Type	Action
Fiscal Impact	No
Recommended	Staff recommends that the Board of Education adopt Resolution No. 2020.21-037:
Action	Authorized Agents to Sign Official Documents and Reports.

Purpose:
The purpose is to adopt Resolution No. 2020.21-037, Authorized Agents to Sign Official Documents and Reports. It is the "Signature Card" to be kept on file at the Alameda County Office of Education.

Background:
Whenever a change in the official signers of the District occurs, the County Superintendent of Schools requires certification in the form of a resolution from the Board of Education naming the new official signers for reports on behalf of the District. This resolution reflects those designated to sign on reports to the County and State on behalf of the District. The Executive Cabinet members are the designated signers for reports. This authorization is in place for all official documents of the District, and it is a county requirement. Alameda County Office of Education recommends that the governing board take necessary action for completion of the attached resolution no later than the first board meeting of the fiscal year.

[File Attachments](#)

[Resolution 2020.21-037_Signature Card_Official Documents & Reports 2021-22.pdf](#) (29 KB)

Resolution No. 2020.21-038: Signature Card-Authorized Agents Payroll Warrants & Disbursements

Type	Action
Fiscal Impact	No
Recommended	Staff recommends that the Board of Education adopt Resolution No. 2020.21-038:
Action	Authorized Agents to Sign Payroll Warrants and Disbursements.

Purpose:
The purpose is to adopt Resolution No. 2020.21-038, Authorized Agents to Sign Payroll Warrants and Disbursements. It is the 2021-22 "Signature Card" to be kept on file at the Alameda County Office of Education.

Background:
Pursuant to Education Code Section 42632 for Education, each order drawn on the funds of the School District shall be signed by at least a majority of the members of the governing board of the district or by a person(s) authorized by the governing board to sign orders in its name. This resolution reflects those designated to sign on the payroll warrants and disbursements to the Alameda County Superintendent of Schools. This authorization is in place for all disbursements for payroll and accounts payable, and it is a county requirement. Alameda County Office of Education recommends that the governing board take necessary action for completion of the attached resolution no later than the first board meeting of the fiscal year.

[File Attachments](#)

[Resolution 2020.21-038 Signature Card_Payroll Warrants & Disbursements.pdf](#) (23 KB)

Donations Report

Type	Action
Budget Source	General Fund (Fund 010) Donations
Recommended	Staff recommends that the Board of Education accept the Donations Report as presented.
Action	

Purpose:
The purpose is to acknowledge receipt of donations to the District.

Background:
Throughout the year community members, groups, parents and other individuals make monetary and in-kind (supplies and equipment) donations to NUSD. The exact nature of the source of the donation is submitted to the Business Office on a standard form. It is critical that any restrictions on the funding be indicated and the budget developed based on the donor restrictions. If there is no indication of the school or use of the funding, any proceeds or cash donations received are placed in the NUSD local revenue in the unrestricted general fund. It is recommended that the donations be processed through the Business Office and ultimately approved by the Board so that the funding can be publicly acknowledged and budgeted properly according to donor restrictions. There is acknowledgment at a public Board meeting and a letter of thanks is sent to the donor by the Business Office for NUSD.

[File Attachments](#)

[Donations Report_6-17-2021.pdf](#) (18 KB)

Warrant Report for May 2021

Type Action
Fiscal Impact No
Recommended Staff recommends that the Board of Education approve the Warrant Report as presented.
Action

Purpose:
The purpose of this item is to present warrants, for the total amount of \$1,646,502.49, made from District funds for May 2021.

Background:
The warrant registers represent a complete listing of all payments made from District funds for a month. Because Newark Unified School District is a fiscally dependent District, each warrant must pass through two separate audits; first by the District's Fiscal Services department, and second by the County Office of Education. No warrant can be paid until such time as it is examined and approved by the County Office of Education.

File Attachments
May 2021 AP Warrant Board Report.pdf (372 KB)

Motion & Voting
Staff recommends that the Board of Education approve the Warrant Report as presented.
Motion by Bowen Zhang, second by Phuong Nguyen.
Final Resolution: Motion Carries
Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

Minutes of the June 3, 2021 Regular Meeting of the Board of Education

Type Action, Minutes
Recommended Staff recommends that the Board of Education approve the minutes of June 3, 2021,
Action Regular Meeting of the Board of Education

Purpose:
For the board to review and approve the minutes

Background:
The attached minutes are reflective of the June 3, 2021, Regular Meeting of the Board of Education. The exact language is available for viewing on the NUSD YouTube Channel.

16 BOARD OF EDUCATION - COMMITTEE REPORTS, ANNOUNCEMENTS, REQUESTS, DEBRIEF

Board of Education Committee Reports

DEBRIEF AND DISCUSSION

Type Information

Purpose:
The board committee members will give any updates, if available, of the committees they are members of.

Background:
Mission Valley ROP - Elisa Martinez
SELPA - Bowen Zhang
Newark - NUSD Liaison Committee - Phuong Nguyen & Terrence Grindall
Newark Teacher Induction Advisory Council (Formally EBBIC) - Elisa Martinez
Audit Committee - Phuong Nguyen & Aiden Hill
Bond/Parcel Tax - Elisa Martinez & Terrence Grindall

Board of Education Requests

DEBRIEF AND DISCUSSION

Type Information

Purpose:
This is an opportunity for Board members to suggest items for placement on future agendas, and to review requests.

Background:
Governance Team Handbook
Authority is collective, not individual:
The only authority to direct action rests with the Board when seated at a regular or special Board meeting. Outside this meeting, there is no authority.
A majority vote of the Board provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction.
Bring up new ideas/decide to move new ideas forward:

The Board will be open to having "brainstorming" discussions about any idea that a Board member may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Board member, at his or her own initiative or at the request of a constituent, which has not previously been discussed during a Board meeting.

Board members will first notify the Board President and/or the Superintendent of their interest in bringing forward a new idea. The preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.

Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea. The Superintendent will decide on the delegation of assignments to other District staff.

The new idea will be agendized for discussion only. The Board will decide if the new idea should be further developed and studied by staff. A Board majority will decide if staff time should be invested in the "fleshing out" of new ideas.

Individual Board members, in the course of interactions with constituents, will be careful not to make or imply a commitment of the full Board to explore or proceed with implementing new ideas.

Board of Education Recognitions and Announcements

DEBRIEF AND DISCUSSION

Type Information

Purpose:

This is an opportunity for Board members to acknowledge or recognize specific programs, activities, or personnel.

17 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

Superintendent's Concluding Comments, Updates for the Board, and Future Agenda Requests

FUTURE AGENDA REQUESTS

Type Information

Purpose:

This is an opportunity for the Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

18 ADJOURNMENT

PLACEHOLDER - Extend Meeting

Type Action

Recommended The recommendation is that the Board extend the meeting to ____PM

Action

Purpose:

This is a placeholder, only to be used if the Board adds a motion to extend the meeting.

Motion & Voting

The recommendation is that the Board extend the meeting to 11:00 PM.

Motion by Bowen Zhang, second by Terrence Grindall.

Final Resolution: Motion Carries

Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

The recommendation is that the Board extend the meeting to 11:30 PM

Motion by Bowen Zhang, second by Terrence Grindall.

Final Resolution: Motion Carries

Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

Adjournment

Type Action, Procedural

Recommended The recommendation is that this meeting be adjourned.

Action

Purpose:

No items will be considered after 10:00 p.m., unless it is determined by a majority of the Board to extend to a specific time.

This action will conclude the meeting.

Motion & Voting

The recommendation is that this meeting be adjourned at 11:19 pm.

Motion by Bowen Zhang, second by Elisa Martinez.

Final Resolution: Motion Carries

Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

1 Live Comments: Join with an Internet-connected device (tablet, computer, phone, etc.)

Virtual Meeting Practices & Connection Information

Type Information, Procedural

In accordance with the Governor's Executive Order N-29-20, Board meetings will be held "virtually" until further notice. These meetings will be accessible to the public by internet or telephone. No physical meeting place will be provided. Meetings will live-streamed on the NUSD YouTube on the internet. Public comment opportunities will be available through the virtual meeting. Please see the public comment instructions provided here. As always, we encourage you to contact the entire Board by email at "board@newarkunified.org." This address goes directly to the Board members, who check their emails frequently.

Pledge of Allegiance

Type Procedural

Roll Call

Type Procedural

Board Members:

President Bowen Zhang

Member Phuong Nguyen

Member Elisa Martinez

Member Terrence Grindall

Member Aiden Hill

Student Board Member:

Member Wahhab Salemi

2. APPROVAL OF AGENDA

Approval of Agenda

Type Action

Recommended Recommendation is that the Board of Education approve the agenda for this meeting.
Action

Purpose:

Members of the Board may request that the agenda be approved as presented or amended.

Motion & Voting

Recommendation is that the Board of Education approve the agenda for this meeting.

Motion by Bowen Zhang, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

3 CLOSED SESSION

PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Gov. Code, 54957, subd. (b)(1)) Title: Superintendent

Type Action, Discussion, Information

Recess to Closed Session

Type Procedural

Purpose:

The Board will recess to Closed Session, and reconvene to Open Session on or about 7pm.

4 ADJOURNMENT

PLACEHOLDER - Extend Meeting

Type Action

Recommended The recommendation is that the Board extend the meeting to ____PM
Action

Purpose:

This is a placeholder, only to be used if the Board adds a motion to extend the meeting.

Adjournment

Type Action, Procedural
Recommended The recommendation is that this meeting be adjourned.
Action

Purpose:
No items will be considered after 10:00 p.m., unless it is determined by a majority of the Board to extend to a specific time.
This action will conclude the meeting.

1 Live Comments: Join with an Internet-connected device (tablet, computer, phone, etc.)

Virtual Meeting Practices & Connection Information

Type Information, Procedural
In accordance with the Governor's Executive Order N-29-20, Board meetings will be held "virtually" until further notice. These meetings will be accessible to the public by internet or telephone. No physical meeting place will be provided. Meetings will live-streamed on the NUSD YouTube on the internet. Public comment opportunities will be available through the virtual meeting. Please see the public comment instructions provided here. As always, we encourage you to contact the entire Board by email at "board@newarkunified.org." This address goes directly to the Board members, who check their emails frequently.

Roll Call

Type Procedural
Board Members:
President Bowen Zhang
Member Phuong Nguyen
Member Elisa Martinez
Member Terrence Grindall
Member Aiden Hill

Student Board Member:
Member Wahhab Salemi
2. APPROVAL OF AGENDA

Approval of Agenda

Type Action
Recommended The recommendation is that the Board of Education approve the agenda for this meeting.
Action

Purpose:
Members of the Board may request that the agenda be approved as presented or amended.

Motion & Voting
The recommendation is that the Board of Education approve the agenda for this meeting.
Motion by Elisa Martinez, second by Phuong Nguyen.
Final Resolution: Motion Carries
Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill
Not Present at Vote: Wahhab Salemi

3 STUDY SESSION

Public Comment on Board Study Session Items

Type Procedural

Purpose:
To provide a space for the community to make a comment on the Board Study Session.

Background:
Please see the link below for Public Comment information.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=BN8PNC6402C1>

Leadership Selection Process: Policies and Practices

Type Information

Purpose:

To review and understand the policies and practices relating to recruitment, selection, and hiring of NUSD personnel (and leadership in particular), and the Board's role in the process.

Background:

During the Board meeting on March 4, 2021, the Board of Trustees had consensus to hold a study session for additional information on the topic of NUSD's leadership selection process. Board Policies, including 4000 and 4111, describe the Superintendent's and Board of Trustees' roles in recruitment, selection, and hiring. The study session will highlight these board policies, as well as summarize the district's leadership selection process. In addition, the study session will include a discussion of the Board's role and responsibility in the hiring of personnel.

File Attachments

[NUSD Study Session Leadership Selection 6.3.21.pdf](#) (200 KB)

4 CLOSED SESSION

Public Comment on Closed Session Item

Type Procedural

Purpose:

To provide a space for the community to make a comment on Closed Session Items.

Background:

Please see the link below for Public Comment information.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=BN8PNC6402C1>

Public Employee Discipline/Dismissal/ Release (GC54957)

Type Action, Procedural
Information will be provided by the Superintendent and Executive Director of Human Resources.

Conference with Labor Negotiator (GC54957.6(a)): Employee Organizations - NTA & CSEA

Type Action, Procedural
Information will be provided by the agency negotiator, Executive Director of Human Resources. Assistance from legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided.
The employee organizations include NTA & CSEA.

Conference with Labor Negotiator (GC54957.6(a)): Employee Group - NEWMA, Unrepresented Supervisors & Contracted

Type Action, Procedural
Information will be provided by the agency negotiator, Executive Director of Human Resources, and the Superintendent. Assistance from legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided.
The employee organizations include NEWMA, Unrepresented Supervisors, and Contracted Management

Conference with Legal Counsel - Anticipated Litigation (GC 54956.9(d)(4))

Type Action, Procedural
Information will be provided regarding:
Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: One case

Recess to Closed Session

Type Procedural

Purpose:

The Board will recess to Closed Session, and reconvene to Open Session on or about 7pm.

5 RECONVENE TO OPEN SESSION

Pledge of Allegiance

Type Procedural

6 REPORT OF CLOSED SESSION ACTIONS

Report of Closed Session Actions

Type Action, Procedural

Purpose:

If available, a report of closed session will be provided by the Board President.

7 STUDENT REPORT

Student Report from Newark Junior High School, MacGregor and Newark Memorial High School

Type Information

Purpose:

At regular Board meetings, a spokesperson of each secondary school may make a brief presentation. Discussion items may include updates, celebrations, and upcoming events.

1. Newark Junior High School - Alyssa Torres & Rachel Ristau
2. Alternative Education - Alexis Blanco-Barron
3. Newark Memorial High School - Wahhab Salemi

8 EMPLOYEE ORGANIZATIONS

Employee Organizations

Type Information

Purpose:

At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Background:

Discussion items are limited to updates, celebrations, and upcoming events.

1. NTA: Sean Abruzzi
2. CSEA: Sue Eustice
3. NEWMA: Leonor Rebosura

9 RECOGNITIONS AND CELEBRATIONS

Certificated and Classified Employee of the Year

Type Information

Every year the district honors a certificated and classified employee of the year. It is our belief that Newark Unified School District is honored to have so many highly qualified employees who dedicate and share their time, caring, compassion, skills, and wealth of knowledge with the students and families in the City of Newark. Eligibility was extended to all classified and certificated employees in the district.

The following process was followed in selecting the certificated and classified employee of the year:

Nomination letters and forms were sent to all certificated and classified employees in February.

A committee, comprised of representatives from CSEA, NTA, and NEWMA reviewed all the nominations. The criteria included:

- Unusual or outstanding characteristics or achievements.
- Acts of service demonstrating how the employee fulfills the District Core Beliefs.
- Ways in which the employee demonstrates the Core Values of Character, Leadership, Innovation, and Continuous Improvement.
- Community service.

The committee members submitted their top three choices from each association to the Board of Education for final selection.

Retirement and Longevity Honorees

Type Information

Newark Unified School District would like to recognize employees who have retired this year. It is with the deepest appreciation and gratitude we honor and thank them for their years of dedication and service to the Newark Community. The District would also like to recognize employees who have been part of the Newark family for 25 years or longer. These employees are an essential part of our team and their continual vital contribution to the District promotes success in meeting our District's Mission, Vision, and Values.

10 PUBLIC COMMENT ON NON-AGENDA ITEMS

Public Comment on Non-Agenda Items

Type Procedural

Purpose:

To provide a space for the community to make a comment on non-agenda items.

Background:

Please see click the link below for Public Comment information on Non-Agenda Items and Agenda items.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=BN8PNC6402C1>

11 BOARD OF EDUCATION AGENDA REQUESTS

NUSD Affinity Groups and Cultural Clubs

Type Discussion

Purpose:

This item is brought forth to the Board as a request by Member Hill at the May 20, 2021, regular board meeting. The Board is asked to decide if they want to hear the content of the request, and if heard, to decide if the request merits additional discussion and further development from staff for a later meeting, or if the request has been satisfied.

Background:

"It is the intent of the Legislature that members of the public be able to place matters directly related to school district business on the agenda of school district governing board meetings," as long as it "is within the subject matter jurisdiction of the governing board." (Ed. Code 35145.5) It is within the role of the board president, working with the superintendent, to develop the board agenda. A school district may exercise discretion not to place an item on the agenda if the district determines that the matter is not "directly related to school business." *Mooney v. Garcia* (2012) Cal. App.4th 229, 231.

"A board is not required to place an item on a specific portion of an agenda (closed versus open), is not required to discuss, prepare a report, or take any action on an item requested by a member of the public, and is not required to provide any additional time to the requester for public comment. To meet the requirements of the statute, a board must only agendize the item, call the item, and allow for public comment as it would for any other agenda item." (DWC Brown Act Manual)

"Even if a district places the matter on the agenda, however, no action is legally required and the item need only be considered. The law does not require the item be placed on the agenda immediately, but it is advisable to place the item on the agenda within a reasonable time frame, ... Interested members of the public may comment on the item, subject to the Board's policies regarding public comment generally." (SCLS)

"The Board will be open to having 'brainstorming' discussions about any idea that a Board member may feel merits exploratory consideration. 'New Ideas' are defined as any proposal brought forward by a Board member, at his or her own initiative or at the request of a constituent, which has not previously been discussed during a Board meeting.

Board members will first notify the Board President and/or the Superintendent of their interest in bringing forward a new idea. The preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.

Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea. The Superintendent will decide on the delegation of assignments to other District staff.

The new idea will be agendized for discussion only. The Board will decide if the new idea should be further developed and studied by staff. A Board majority will decide if staff time should be invested in the 'fleshing out' of new ideas.

Individual Board members, in the course of interactions with constituents, will be careful not to make or imply a commitment of the full Board to explore or proceed with implementing new ideas." (NUSD Governance Team Handbook)

12 SUPERINTENDENT REPORT

Superintendent Report

Type Information

Purpose:

The superintendent will provide the Board with district information, updates, news, or anything in the jurisdiction of the board or the superintendent.

Background:

Information provided by the Superintendent

File Attachments

[Supt Report 6.3.21.pdf](#) (2,550 KB)

13 STAFF REPORT

NUSD Summer School 2021

Type Information

Purpose:

To provide information to the Board of Trustees about 2021 summer school offerings for the 2021-2022 academic school year.

Background:

This presentation is intended to provide information regarding expanded summer school enrichment and credit recovery offerings that are possible in part due to the 2021 Expanded Learning Opportunity grant.

[File Attachments](#)

[Summer School Staff Report.pdf](#) (2,008 KB)

14 PUBLIC HEARINGS

Public Hearing on the 2021-22 Proposed Budget

Type Discussion, Information

Purpose:

To present the 2021-22 Proposed Budget to the public and Newark Unified School District Board of Education, and for the Board to conduct a Public Hearing.

Staff will recommend the adoption of the 2021-22 Budget at the Board's meeting on June 17, 2021.

Background:

Notice of the public hearing was posted in English and Spanish at all NUSD school sites and the District Office on May 24, 2021 (see attached).

The 2021-22 Proposed Budget is available for public inspection as an attachment to this agenda and also in person at the Business Services office.

In accordance with Education Code 42103, the Governing Board of each school district shall hold a Public Hearing on the proposed budget.

Education Code 42127 required the Board of each school district to adopt a budget on or before July 1 of each year for the upcoming fiscal year.

Staff will recommend the Board adopt the 2021-22 budget at the June 17, 2021, meeting for the following funds: General Fund; Adult Education Fund; Child Development Fund; Cafeteria Fund; Special Reserve Fund for Other Than Capital Outlay Projects; Building Fund; Capital Facilities Fund; Special Reserve Fund for Capital Outlay Projects; Bond Interest and Redemption Fund; Self Insurance Fund.

File Attachments

[2021-22 LCAP and Budget Public Hearing Notice_English & Spanish_posted 5-24-21.pdf](#) (121 KB)

[2021-22 Proof of Publication_LCAP and Budget Public Hearing.pdf](#) (76 KB)

[2021-22 A7 Public Hearing Reserve Disclosure Certificate.pdf](#) (944 KB)

[21-22 Adopted Budget Full Book-rev6-1-21.pdf](#) (3,929 KB)

Public Hearing on the 2021-22 Local Control and Accountability Plan (LCAP)

Type Discussion, Information

Purpose:

To present the 2021-22 Local Control and Accountability Plan (LCAP) to the public and Newark Unified School District Board of Education, and for the Board to conduct a Public Hearing.

Staff will recommend the adoption of the 2021-22 LCAP at the Board's meeting on June 17, 2021.

Background:

Notice of the public hearing was posted in English and Spanish at all NUSD school sites and the District Office on May 24, 2021 (see attached).

The 2021-22 LCAP is available for public inspection as an attachment to this agenda and also in person at the Business Services office.

Education Code 52062(b)(1) A governing board of a school district shall hold at least one public hearing to solicit the recommendations and comments of members of the public regarding the specific actions and expenditures proposed to be included in the LCAP or annual update to the LCAP. The agenda for the public hearing shall be posted at least 72 hours before the public hearing and shall include the location where the LCAP or annual update to the LCAP will be available for public inspection. The public hearing shall be held at the same meeting as the public hearing for the budget to be adopted required by Education Code 42127(a)(1).

Education Code 52062(b)(2) A governing board of a school district shall adopt an LCAP or annual update to the LCAP in a public meeting. This meeting shall be held after, but not on the same day as, the public hearing held pursuant to paragraph (1). This meeting shall be the same meeting as that during which the governing board of the school district adopts a budget pursuant to Education Code 42127 (a)(2).

File Attachments

[2021-22 LCAP and Budget Public Hearing Notice_English & Spanish_posted 5-24-21.pdf](#) (121 KB)

[2021-22 Proof of Publication_LCAP and Budget Public Hearing.pdf](#) (76 KB)

[2021-22 LCAP Public Hearing Presentation_6-3-2021.pdf](#) (885 KB)

[2021-22 Draft LCAP Public Hearing Board Packet_6-3-2021.pdf](#) (2,010 KB)

15 NEW BUSINESS

School Naming - Merged Graham/Snow Elementary

Type Action

Recommended Staff recommends the Board of Education approve the name selected by the Design Team

Action for the merged Graham/Snow Elementary

Purpose:

To provide the Board of Education with a recommendation from the Design Team regarding the new proposed name for the merged Graham/Snow Elementary.

Background:

On November 19, 2020, the Newark Unified School District Board of Education voted to merge Snow Elementary and Graham Elementary on the Graham campus in the 2021-22 school year. As part of this merger, an inclusive and transparent process was created to select a name for the merged school. The school naming process followed the criteria outlined in Board Policies 7310 and 7511 (attached here). The Board policy articulates that a committee would be formed to weigh the different school name options, engage the school community in the naming process, and bring forth a name recommendation to the Board of Education for approval.

The school naming process (articulated in the attached document titled, Design Team School Naming Process Doc) was begun on February 2, 2021, and included an open-call for students, staff, families, and the community to submit name ideas. The submissions were then reviewed by the Design Team and narrowed to 6 school name suggestions that fit the criteria outlined in the Board Policy. The 6 school name suggestions were then shared with students, staff, families, and community on a ballot (online and paper forms) to narrow the selection to the final three choices.

These top three choices were presented at a public hearing at May 20th, 2021 Board of Education meeting:

1. Coyote Hills Elementary
2. Cherry Elementary
3. GROW Elementary

After which, the Design Team voted to select a final single choice to present to the Board for approval. The name, unanimously selected by the Design Team, and the recommendation presented to the Board is Coyote Hills Elementary.

File Attachments

- [Design Team School Naming Process Doc.pdf \(437 KB\)](#)
- [School Naming Process_ Public Hearing 5.20.21.1.pdf \(1,546 KB\)](#)

Motion & Voting

Staff recommends the Board of Education approve the name selected by the Design Team for the merged Graham/Snow Elementary

Motion by Bowen Zhang, second by Terrence Grindall.

Final Resolution: Motion Carries

Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Wahhab Salemi

Nay: Aiden Hill

NEWMA (Management/Confidential/Supervisory) Employees 2021-22 Salary Schedule Adjustments

Type Action

Fiscal Impact Yes

Budgeted Yes

Recommended Staff recommends the Board of Education ratify a 1% salary increase on the salary

Action schedules effective July 1, 2021 and 1.5% increase on the salary schedules effective February 1, 2022, for NEWMA, the Newark Management Association, for the 2021-22 school year.

Purpose:

Governing Boards must orally report out a summary of a recommendation for final action on certain local agency salaries, salary schedules, or other compensation.

Background:

NEWMA stands for "Newark Management Association" which includes Certificated Management, Classified Management, Confidential, Classified Supervisory, Behavioral Specialists, and Occupational Therapists. The NEWMA salary increase on the salary schedules for 2021-22 is 1% effective July 1, 2021, and 1.5% effective February 1, 2022.

File Attachments

- [NEWMA salary schedule FY21-22_Certificated Mgmt.pdf \(79 KB\)](#)
- [NEWMA salary schedule FY21-22_Classified Mgmt_Confidential_Supervisory.pdf \(108 KB\)](#)
- [NEWMA salary schedule FY21-22_OT and BS.pdf \(28 KB\)](#)

Motion & Voting

Staff recommends the Board of Education ratify a 1% salary increase on the salary schedules effective July 1, 2021 and 1.5% increase on the salary schedules effective February 1, 2022, for NEWMA, the Newark Management Association, for the 2021-22 school year.

Motion by Bowen Zhang, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

Abstain: Wahhab Salemi

Syserco (HVAC Management System) Multi-Year Service Agreement

Type Action

Fiscal Impact Yes

Dollar Amount \$195,736.00

Budgeted Yes
 Budget Source Routine Restricted Maintenance Account
 Recommended Staff recommends the Board of Education approve the Syserco Multi-year Service Agreement, including Option Years 4 and 5, covering the period of July 1, 2021 thru June 30, 2026.
 Action

Purpose:

To renew the service agreement for the Alerton Building Automation System which remotely and electronically monitors and controls the HVAC (Heating, Ventilation, Air Conditioning) systems district-wide. The purpose of this agreement is to provide the short and long-term support needed to ensure the district operates at peak efficiency with minimum downtime.

Background:

To control and monitor the complex HVAC mechanical systems that ensure occupant comfort and safety, Newark Unified School District installed the Alerton Building Automation System. Syserco Inc., located in Fremont, currently provides the energy management services to support the Alerton Building Automation System which remotely monitors and controls the HVAC systems district-wide. Alerton control systems are only available through approved Alerton dealers. Syserco is the Alerton dealer serving Newark, therefore, they are the only company authorized to sell, install, and service the Alerton system for the district. Syserco began installing the Alerton system at Newark USD in 2003 and began partnering with the district for service support in 2015. This long-term relationship provides Syserco the experience and knowledge to best serve Newark USD.

On January 7, 2021, the Board approved a Syserco six-month Service Agreement covering the period of January 1, 2021, through June 30, 2021.

On May 20, 2021, the Board approved the software upgrade on the district's Syserco HVAC management system to the Alerton Compass software.

The proposed agreement covers the period from July 1, 2021, through June 30, 2024, with the option of extending an additional two years, 2024-25 and 2025-26. The annual increase from July 1, 2021-June 30, 2026 is about 3.7%. (The previous 5-year agreement expired on December 31, 2020.)

Scope Item:	Year 1 7/1/21 to 6/30/22	Year 2 7/1/22 to 6/30/23	Year 3 7/1/23 to 6/30/24	Option Year 4 7/1/24 to 6/30/25	Option 7/1/25
Total	\$36,748	\$37,580	\$38,989	\$40,451	\$41,96

Summary of the deliverables:

Year 1:

1. Annual Global Controller Firmware Updates
2. Annual Disaster Recovery Backups
3. Preventative Maintenance for Alerton Energy Management System
4. (2) Correction Action Implementation Days
5. (8) Operator Support and Coaching Days
6. (2) Seats in Compass Operator Seminar
7. (1) Seat in Field Level Troubleshooting Seminar
8. Online Technical Support
9. Preferred Emergency Response
10. Discounted Labor and Material Rates

Year 2-3 (and optional year 4-5):

1. Annual Software and Cybersecurity Updates
2. Annual Global Controller Firmware Updates
3. Annual Disaster Recovery Backups
4. Preventative Maintenance for Alerton Energy Management System
5. (2) Correction Action Implementation Days
6. (8) Operator Support and Coaching Days
7. Online Technical Support
8. Preferred Emergency Response
9. Discounted Labor and Material Rates

Summary of Services:

Preventative Maintenance of Alerton Energy Management System

Software & Cybersecurity Updates: Software Updates provide new features, security patches, bug fixes, and compliance with evolving standards. These features make it more convenient to operate your system, reduce system vulnerabilities, and ensure compatibility with future products.

Global Controller Firmware Updates: As the automation system product line is enhanced, modifications are often made to the Firmware to provide faster speed of response, greater flexibility, and new applications.

Disaster Recovery: In the event of a catastrophic system failure, these backups allow Syserco to completely restore your system to the last backup state.

System-Level Preventive Maintenance Routines for Alerton Energy Management System.

Corrective Action Implementation (PM): After completing the Preventative Maintenance routines, Syserco will provide two (2) days of labor for each PM period to remediate any identified deficiencies that the Syserco Team deems critical to the operation of your system or require immediate attention.

Customer Support for Alerton Energy Management System

Operator Support and Coaching: Syserco will provide eight (8) days per year of pre-scheduled Operator Support to assist staff in modifying the system, identifying, verifying, and resolving issues found, and/or providing supplemental training.

Local Classroom Training (Fremont).

Emergency Response Services: Online Technical Support, Priority Response Time, Emergency Response.

Service Delivery & Discounts

- Dedicated Service Team
- Service Work-Order Documentation
- Discount on Labor & Material

[Syserco_Multi-Year 2021-2024 Service Agreement_Opt 2024-2026_Proposal.pdf](#) (517 KB)

Motion & Voting

Staff recommends the Board of Education approve the Syserco Multi-year Service Agreement, including Option Years 4 and 5, covering the period of July 1, 2021 thru June 30, 2026.

Motion by Bowen Zhang, second by Terrence Grindall.

Final Resolution: Motion Carries

Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Wahhab Salemi

HVAC Replacement Project

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$722,685.00
Budgeted	Yes
Budget Source	Measure G Bond Funds
Recommended Action	Staff recommends the Board approve the Ratcliff Architects proposal for Phase 1 of the HVAC Replacement project and the Master Project Budget as presented.

Purpose:

To approve the proposal from Ratcliff Architects for Construction Documents, permitting through DSA and Construction Administration services for the HVAC Replacement on six campuses (Kennedy, Birch Grove Primary, Graham, Schilling, Newark Jr High, and Newark Memorial High School).

Background:

On February 18, 2021, the Board authorized District administration to negotiate and award a preliminary service agreement to Ratcliff Architects, in the amount not to exceed \$35,000, and a design and engineering contract not to exceed 11% of the construction cost. Phase 1 of the HVAC replacement upgrades includes 318 units:

Campus	Count
Kennedy E.S	23
Birch Grove Primary	25
Graham E.S	28
Schilling E.S	28
Newark J.H.S	65
Newark Memorial H.S	149
Total HVAC Units	318

Recommended Action:

(1) Approve/ratify design engineering agreement with Ratcliff Architects in the amount of \$722,685 for the Phase 1 HVAC Replacement Project (318 total units); (2) Review and approve Master Project Budget including soft costs and contingencies and authorize staff to enter into agreements with other consultants including RGMK for planning and CM oversight on a Time and Expense NTE \$469,100; Testing and Inspection services (Vendors TBD); Air Balancing with Cypress Engineering Group (Cost TBD) and Commissioning for the controls with Cypress Engineering and other services and expenses within the approved budget and contingency allocations. Construction contracts will be brought to the board for approval upon receipt of bids and evaluation.

Additional background and history:

At the April 15, 2021, Board meeting, staff provided an update on bond projects, including the pending HVAC replacement projects. The presentation and discussion identified approximately 378 Rooftop HVAC units nearing the end of their useful life and have been earmarked for replacement. Of those units, approximately 70-75% were smaller Carrier brand HVAC units. Specifying more efficient Carrier brand models that are of similar size and weight that can reuse the existing roof curbs, align with the ductwork, electrical and gas connections can save considerable time and cost and may require less regulatory review time. The architectural and engineering team has matched nearly 300 units that can meet these criteria, whereas other models or brands would require structural roof framing modifications, new curbs, roofing, and rework of utility connections. On May 20, 2021, the Board of Education adopted Resolution No. 2020.21-030 Authorizing Staff to Acquire Equipment Using Sole Source and authorize the District to specify and pre-purchase Carrier brand HVAC replacement units and Alerton/Syserco Energy Management System as a district proprietary standard.

File Attachments

[Ratcliff Architects proposal_HVAC project.pdf](#) (275 KB)

[Preliminary Budget - Phase 1 Districtwide HVAC Replacement Project 5-27-2021.pdf](#) (38 KB)

[Bond Projects_Budget update 6-3-21 Board meeting.pdf](#) (54 KB)

Motion & Voting

Staff recommends the Board approve the Ratcliff Architects proposal for Phase 1 of the HVAC Replacement project and the Master Project Budget as presented.

Motion by Bowen Zhang, second by Elisa Martinez.

Final Resolution: Motion Carries

Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Wahhab Salemi

Nay: Aiden Hill

16 CONSENT AGENDA - PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type	Action
Recommended	Staff recommends that the following personnel agenda items be approved under one

Action consented vote. Items _____.

Purpose:

This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:

Items within Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion. There will be no separate discussion of these items; however, any item may be removed from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Personnel Report

Type Action

Recommended Staff recommends the Board of Education ratify the personnel report as presented.

Action All personnel activities including new hires, changes in status, resignation, leaves, and retirements are routinely submitted to the Board for ratification.

File Attachments

[HR PAL 06.03.21.pdf](#) (159 KB)

Motion & Voting

Staff recommends the Board of Education ratify the personnel report as presented.

Motion by Bowen Zhang, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

Abstain: Wahhab Salemi

17 CONSENT AGENDA - NON-PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type Action

Recommended Staff recommends that the following agenda items be approved under one consented vote.

Action Items _____.

Purpose:

This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:

Items within Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion. There will be no separate discussion of these items; however, any item may be removed from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Motion & Voting

Staff recommends that the following agenda items be approved under one consented vote. Items 17.2 - 17.4, except 17.13.

Motion by Bowen Zhang, second by Terrence Grindall.

Final Resolution: Motion Carries

Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Wahhab Salemi

Resolution 2020.21-031 Declaring Surplus Equipment

Type Action

Fiscal Impact No

Recommended Staff recommends the Board of Education approve Resolution 2020.21-031 which lists

Action items to be declared as surplus to the needs of the District.

Purpose:

The purpose of this item is to obtain Board approval of Resolution No. 2020.21-031, declaring surplus equipment as recommended.

Background:

Surplus materials will be disposed of per Board Policy and Administrative Regulation 3270 Sale And Disposal Of Books, Equipment And Supplies (Personal Property). Education Code, Section 17546 states that if the Governing Board, by a unanimous vote of those members present, finds that the property, whether one or more items, does not exceed the value of \$2,500, it may be sold at private sale without advertising, by a District employee empowered for that purpose by the Board; the property may be donated to a charitable organization, or it may be disposed of in a public disposal facility.

The personal property as described in Resolution No. 2020.21-031 includes equipment used in the Maintenance Operations and Transportation (MOT) Department, Child Nutrition Services Department, and Lincoln Elementary School. Staff determined that items are obsolete and/or beyond economic repair.

The equipment is currently stored and will be recycled/disposed of upon Board approval.

File Attachments

[Lincoln Elementary 2021-22 School Plan for Student Achievement \(SPSA\)](#)

Type	Action
Preferred Date	Jun 03, 2021
Fiscal Impact	Yes
Budgeted	Yes
Recommended Action	Staff recommends the Board of Education approve the 2021-2022 School Plan for Student Achievement.
Goals	<ol style="list-style-type: none"> 1. To provide academic excellence via equity and opportunities for all students. 2. Establish financial stability and fiscal solvency in order to drive continuous improvement. 3. Newark Unified School District will increase our enrollment. <p>VISION: The Newark Unified School District, in partnership with the community, will be a model of world-class education that develops the unique abilities of every student.</p> <p>MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens.</p>

Purpose:

This 2021-22 School Plan for Student Achievement (SPSA) is coming forward for Board approval. The SPSA serves as the organizer for an individual school's improvement process. The plan is developed with a deep understanding of root causes of student academic challenges and identifies and implements research-based instructional strategies to raise the achievement of students who are not yet proficient by state standards.

The plan:

- Builds on a premise that students are capable of learning with effective instruction.
- Includes school goals aligned with activities and goals included in the LCAP to maximize school reform efforts.
- Is based on verifiable data analysis.
- Focuses on student achievement and academic interventions.
- Implements high leverage school improvement actions.
- Directs resources where they will most directly improve student academic achievement.
- Ensures all resources are aligned to serve identified students' needs.
- Uses research-based strategies.
- Implements strategic coordination of resources.

Background:

The School Plan for Student Achievement (SPSA) is a plan of action to improve student academic performance by coordinating all educational services and resources. Pursuant to California Education Code Section 64001, schools that receive state and federal funds are required to consolidate all school plans into a SPSA.

It is the goal of the Newark Unified School District (NUSD) to provide equitable opportunities to each of our students and school sites. Each site-specific SPSA and the district-wide Local Control and Accountability Plan (LCAP) is a roadmap created in partnership with all district stakeholders to achieve our vision and mission:

NUSD Vision: The Newark Unified School District, in partnership with the community, will be a model of world-class education that develops the unique abilities of every student.

NUSD Mission: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful and productive citizens.

Each school site aligns its SPSA action items to six of our LCAP goals:

- Goal 1.1 Implement Common Core State Standards in Mathematics
- Goal 1.2 Implement Common Core State Standards in English Language Arts
- Goal 1.3 Implement NGSS and Common Core Literacy Standards Literacy
- Goal 1.4 Implement ELD Standards and Monitor English Language Proficiency Progress
- Goal 1.5 Promote College and Career Readiness for all students (high schools)
- Goal 1.6 Identify and address learning gaps among students, including low-income students, students with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and children in foster care
- Goal 1.7 Implement activities to address the unique needs of low-income children or students, children with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and foster care youth
- Goal 2.1 Promote parent involvement in decision-making and participation in various advisory groups as well as other parent/family activities
- Goal 2.2 Promote a school climate that centers around student engagement and allows students to feel safe and connected to the school community
- Goal 2.3 Promote a culture that values and supports mental health and social-emotional learning (SEL)
- Goal 3.1 Provide access to a broad course of study (VAPA, Health, STEAM, PE, etc.)

Data Analysis: School level goals are informed by data. Each goal area includes data analysis on current measures across student subgroups, and on outcome measures to determine progress. Local and State data are used to develop each goal. I-Ready is a source of local data. The California School Dashboard is the source of State data.

Evaluating Progress: The SSC agendaed a meeting to review Dashboard data and measure the impact of actions on student achievement. The principal and staff evaluate academic progress at minimum three times a year through an academic Professional Learning Community (PLC) model with benchmark data.

Role of School Advisory Committees: California Education Code Section 64001 requires that the School Site Council (SSC) develop the SPSA. The SSC's responsibilities include approving the plan, recommending it to the local governing board for approval, monitoring its implementation, and evaluating the effectiveness of the plan at least annually. The SSC must seek the review, advice, and certification of applicable advisory committees, including the English Learner Advisory Committee (ELAC).

File Attachments

[Lincoln Elementary SPSA 21-22.pdf](#) (1,179 KB)

John F. Kennedy Elementary 2021-2022 School Plan for Student Achievement (SPSA)

Type	Action
Preferred Date	Jun 03, 2021
Fiscal Impact	Yes
Budgeted	Yes
Recommended	Staff recommends the Board of Education approve the 2021-2022 School Plan for Student
Action	Achievement.
Goals	<ol style="list-style-type: none"> 1. To provide academic excellence via equity and opportunities for all students. 2. Establish financial stability and fiscal solvency in order to drive continuous improvement. 3. Newark Unified School District will increase our enrollment. <p>VISION: The Newark Unified School District, in partnership with the community, will be a model of world-class education that develops the unique abilities of every student.</p> <p>MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens.</p>

Purpose:

This 2021-22 School Plan for Student Achievement (SPSA) is coming forward for Board approval. The SPSA serves as the organizer for an individual school's improvement process. The plan is developed with a deep understanding of root causes of student academic challenges and identifies and implements research-based instructional strategies to raise the achievement of students who are not yet proficient by state standards.

The plan:

Builds on a premise that students are capable of learning with effective instruction.

Includes school goals aligned with activities and goals included in the LCAP to maximize school reform efforts.

Is based on verifiable data analysis.

Focuses on student achievement and academic interventions.

Implements high leverage school improvement actions.

Directs resources where they will most directly improve student academic achievement.

Ensures all resources are aligned to serve identified students' needs.

Uses research-based strategies.

Implements strategic coordination of resources.

Background:

The School Plan for Student Achievement (SPSA) is a plan of action to improve student academic performance by coordinating all educational services and resources. Pursuant to California Education Code Section 64001, schools that receive state and federal funds are required to consolidate all school plans into a SPSA.

It is the goal of the Newark Unified School District (NUSD) to provide equitable opportunities to each of our students and school sites. Each site-specific SPSA and the district-wide Local Control and Accountability Plan (LCAP) is a roadmap created in partnership with all district stakeholders to achieve our vision and mission:

NUSD Vision: The Newark Unified School District, in partnership with the community, will be a model of world-class education that develops the unique abilities of every student.

NUSD Mission: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful and productive citizens.

Each school site aligns its SPSA action items to six of our LCAP goals:

Goal 1.1 Implement Common Core State Standards in Mathematics

Goal 1.2 Implement Common Core State Standards in English Language Arts

Goal 1.3 Implement NGSS and Common Core Literacy Standards Literacy

Goal 1.4 Implement ELD Standards and Monitor English Language Proficiency Progress

Goal 1.5 Promote College and Career Readiness for all students (high schools)

Goal 1.6 Identify and address learning gaps among students, including low-income students, students with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and children in foster care

Goal 1.7 Implement activities to address the unique needs of low-income children or students, children with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and foster care youth

Goal 2.1 Promote parent involvement in decision-making and participation in various advisory groups as well as other parent/family activities

Goal 2.2 Promote a school climate that centers around student engagement and allows students to feel safe and connected to the school community

Goal 2.3 Promote a culture that values and supports mental health and social-emotional learning (SEL)

Goal 3.1 Provide access to a broad course of study (VAPA, Health, STEAM, PE, etc.)

Data Analysis: School level goals are informed by data. Each goal area includes data analysis on current measures across student subgroups, and on outcome measures to determine progress. Local and State data are used to develop each goal. I-Ready is a source of local data. The California School Dashboard is the source of State data.

Evaluating Progress: The SSC agendaized a meeting to review Dashboard data and measure the impact of actions on student achievement. The principal and staff evaluate academic progress at minimum three times a year through an academic Professional Learning Community (PLC) model with benchmark data.

Role of School Advisory Committees: California Education Code Section 64001 requires that the School Site Council (SSC) develop the SPSA. The SSC's responsibilities include approving the plan, recommending it to the local governing board for approval, monitoring its implementation, and evaluating the effectiveness of the plan at least annually. The SSC must seek the review, advice, and certification of applicable advisory committees, including the English Learner Advisory Committee (ELAC).

File Attachments

[John F. Kennedy Elementary SPSA 21-22.pdf](#) (887 KB)

E. L. Musick Elementary 2021-2022 School Plan for Student Achievement (SPSA)

Type	Action
Preferred Date	Jun 03, 2021
Fiscal Impact	Yes
Budgeted	Yes
Recommended	Staff recommends the Board of Education approve the 2021-2022 School Plan for Student
Action	Achievement.
Goals	<ol style="list-style-type: none"> 1. To provide academic excellence via equity and opportunities for all students. 2. Establish financial stability and fiscal solvency in order to drive continuous improvement. 3. Newark Unified School District will increase our enrollment. <p>VISION: The Newark Unified School District, in partnership with the community, will be a model of world-class education that develops the unique abilities of every student.</p> <p>MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens.</p>

Purpose:

This 2021-22 School Plan for Student Achievement (SPSA) is coming forward for Board approval. The SPSA serves as the organizer for an individual school's improvement process. The plan is developed with a deep understanding of root causes of student academic challenges and identifies and implements research-based instructional strategies to raise the achievement of students who are not yet proficient by state standards.

The plan:

Builds on a premise that students are capable of learning with effective instruction.

Includes school goals aligned with activities and goals included in the LCAP to maximize school reform efforts.

Is based on verifiable data analysis.

Focuses on student achievement and academic interventions.

Implements high leverage school improvement actions.

Directs resources where they will most directly improve student academic achievement.

Ensures all resources are aligned to serve identified students' needs.

Uses research-based strategies.

Implements strategic coordination of resources.

Background:

The School Plan for Student Achievement (SPSA) is a plan of action to improve student academic performance by coordinating all educational services and resources. Pursuant to California Education Code Section 64001, schools that receive state and federal funds are required to consolidate all school plans into a SPSA.

It is the goal of the Newark Unified School District (NUSD) to provide equitable opportunities to each of our students and school sites. Each site-specific SPSA and the district-wide Local Control and Accountability Plan (LCAP) is a roadmap created in partnership with all district stakeholders to achieve our vision and mission:

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NUSD Mission: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful and productive citizens.

Each school site aligns its SPSA action items to six of our LCAP goals:

Goal 1.1 Implement Common Core State Standards in Mathematics

Goal 1.2 Implement Common Core State Standards in English Language Arts

Goal 1.3 Implement NGSS and Common Core Literacy Standards Literacy

Goal 1.4 Implement ELD Standards and Monitor English Language Proficiency Progress

Goal 1.5 Promote College and Career Readiness for all students (high schools)

Goal 1.6 Identify and address learning gaps among students, including low-income students, students with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and children in foster care

Goal 1.7 Implement activities to address the unique needs of low-income children or students, children with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and foster care youth

Goal 2.1 Promote parent involvement in decision-making and participation in various advisory groups as well as other parent/family activities

Goal 2.2 Promote a school climate that centers around student engagement and allows students to feel safe and connected to the school community

Goal 2.3 Promote a culture that values and supports mental health and social emotional learning (SEL)

Goal 3.1 Provide access to a broad course of study (VAPA, Health, STEAM, PE, etc.)

Data Analysis: School level goals are informed by data. Each goal area includes data analysis on current measures across student subgroups, and on outcome measures to determine progress. Local and State data are used to develop each goal. I-Ready is a source of local data. The California School Dashboard is the source of State data.

Evaluating Progress: The SSC agendaized a meeting to review Dashboard data and measure impact of actions on student achievement. The principal and staff evaluate academic progress at minimum three times a year through an academic Professional Learning Community (PLC) model with benchmark data.

Role of School Advisory Committees: California Education Code Section 64001 requires that the School Site Council (SSC) develop the SPSA. The SSC's responsibilities include approving the plan, recommending it to the local governing board for approval, monitoring its implementation, and evaluating the effectiveness of the plan at least annually. The SSC must seek the review, advice, and certification of applicable advisory committees, including the English Learner Advisory Committee (ELAC).

File Attachments

[E. L. Musick Elementary SPSA 21-22.pdf](#) (1,503 KB)

August Shilling Elementary 2021-2022 School Plan for Student Achievement (SPSA)

Type	Action
Preferred Date	Jun 03, 2021
Fiscal Impact	Yes
Budgeted	Yes
Recommended	Staff recommends the Board of Education approve the 2021-2022 School Plan for Student
Action	Achievement.
Goals	<ol style="list-style-type: none"> 1. To provide academic excellence via equity and opportunities for all students. 2. Establish financial stability and fiscal solvency in order to drive continuous improvement. 3. Newark Unified School District will increase our enrollment. <p>VISION: The Newark Unified School District, in partnership with the community, will be a model of world-class education that develops the unique abilities of every student.</p> <p>MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens.</p>

Purpose:

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The plan:

Builds on a premise that students are capable of learning with effective instruction.

Includes school goals aligned with activities and goals included in the LCAP to maximize school reform efforts.

Is based on verifiable data analysis.

Focuses on student achievement and academic interventions.

Implements high leverage school improvement actions.

Directs resources where they will most directly improve student academic achievement.

Ensures all resources are aligned to serve identified students' needs.

Uses research-based strategies.

Implements strategic coordination of resources.

Background:

The School Plan for Student Achievement (SPSA) is a plan of action to improve student academic performance by coordinating all educational services and resources. Pursuant to California Education Code Section 64001, schools that receive state and federal funds are required to consolidate all school plans into a SPSA.

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Each school site aligns its SPSA action items to six of our LCAP goals:

Goal 1.1 Implement Common Core State Standards in Mathematics

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Goal 1.3 Implement NGSS and Common Core Literacy Standards Literacy

Goal 1.4 Implement ELD Standards and Monitor English Language Proficiency Progress

Goal 1.5 Promote College and Career Readiness for all students (high schools)

Goal 1.6 Identify and address learning gaps among students, including low-income students, students with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and children in foster care

Goal 1.7 Implement activities to address the unique needs of low-income children or students, children with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and foster care youth

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Data Analysis: School level goals are informed by data. Each goal area includes data analysis on current measures across student subgroups, and on outcome measures to determine progress. Local and State data are used to develop each goal. I-Ready is a source of local data. The California School Dashboard is the source of State data.

Evaluating Progress: The SSC agendaized a meeting to review Dashboard data and measure the impact of actions on student achievement. The principal and staff evaluate academic progress at minimum three times a year through an academic Professional Learning Community (PLC) model with benchmark data.

Role of School Advisory Committees: California Education Code Section 64001 requires that the School Site Council (SSC) develop the SPSA. The SSC's responsibilities include approving the plan, recommending it to the local governing board for approval, monitoring its implementation, and evaluating the effectiveness of the plan at least annually. The SSC must seek the review, advice, and certification of applicable advisory committees, including the English Learner Advisory Committee (ELAC).

File Attachments

[August Schilling Elementary SPSA 21-22.pdf](#) (1,243 KB)

Snow/Graham Elementary 2021-2022 School Plan for Student Achievement (SPSA)

Type	Action
Preferred Date	Jun 03, 2021
Fiscal Impact	Yes
Budgeted	Yes
Recommended	Staff recommends the Board of Education approve the 2021-2022 School Plan for Student
Action	Achievement.
Goals	<ol style="list-style-type: none"> 1. To provide academic excellence via equity and opportunities for all students. 2. Establish financial stability and fiscal solvency in order to drive continuous improvement. 3. Newark Unified School District will increase our enrollment. <p>VISION: The Newark Unified School District, in partnership with the community, will be a model of world-class education that develops the unique abilities of every student.</p> <p>MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens.</p>

Purpose:

This 2021-22 School Plan for Student Achievement (SPSA) is coming forward for Board approval. The SPSA serves as the organizer for an individual school's improvement process. The plan is developed with a deep understanding of the root causes of student academic challenges and identifies and implements research-based instructional strategies to raise the achievement of students who are not yet proficient by state standards.

The plan:

Builds on a premise that students are capable of learning with effective instruction.

Includes school goals aligned with activities and goals included in the LCAP to maximize school reform efforts.

Is based on verifiable data analysis.

Focuses on student achievement and academic interventions.

Implements high leverage school improvement actions.

Directs resources where they will most directly improve student academic achievement.

Ensures all resources are aligned to serve identified students' needs.

Uses research-based strategies.

Implements strategic coordination of resources.

Background:

The School Plan for Student Achievement (SPSA) is a plan of action to improve student academic performance by coordinating all educational services and resources. Pursuant to California Education Code Section 64001, schools that receive state and federal funds are required to consolidate all school plans into a SPSA.

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Goal 1.1 Implement Common Core State Standards in Mathematics

Goal 1.2 Implement Common Core State Standards in English Language Arts

Goal 1.3 Implement NGSS and Common Core Literacy Standards Literacy

Goal 1.4 Implement ELD Standards and Monitor English Language Proficiency Progress

Goal 1.5 Promote College and Career Readiness for all students (high schools)

Goal 1.6 Identify and address learning gaps among students, including low-income students, students with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and children in foster care

Goal 1.7 Implement activities to address the unique needs of low-income children or students, children with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and foster care youth

Goal 2.1 Promote parent involvement in decision-making and participation in various advisory groups as well as other parent/family activities

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File Attachments

[Graham_Snow Elementary SPSA 21-22.pdf](#) (1,117 KB)

Birch Grove Primary 2021-2022 School Plan for Student Achievement (SPSA)

Type	Action
Preferred Date	Jun 03, 2021
Fiscal Impact	Yes
Budgeted	Yes
Recommended	Staff recommends the Board of Education approve the 2021-2022 School Plan for Student
Action	Achievement.
Goals	<ol style="list-style-type: none"> 1. To provide academic excellence via equity and opportunities for all students. 2. Establish financial stability and fiscal solvency in order to drive continuous improvement. 3. Newark Unified School District will increase our enrollment. <p>VISION: The Newark Unified School District, in partnership with the community, will be a model of world-class education that develops the unique abilities of every student.</p> <p>MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens.</p>

Purpose:

This 2021-22 School Plan for Student Achievement (SPSA) is coming forward for Board approval. The SPSA serves as the organizer for an individual school's improvement process. The plan is developed with a deep understanding of the root causes of student academic challenges and identifies and implements research-based instructional strategies to raise the achievement of students who are not yet proficient by state standards.

The plan:

Builds on a premise that students are capable of learning with effective instruction.

Includes school goals aligned with activities and goals included in the LCAP to maximize school reform efforts.

Is based on verifiable data analysis.

Focuses on student achievement and academic interventions.

Implements high leverage school improvement actions.

Directs resources where they will most directly improve student academic achievement.

Ensures all resources are aligned to serve identified students' needs.

Uses research-based strategies.

Implements strategic coordination of resources.

Background:

The School Plan for Student Achievement (SPSA) is a plan of action to improve student academic performance by coordinating all educational services and resources. Pursuant to California Education Code Section 64001, schools that receive state and federal funds are required to consolidate all school plans into a SPSA.

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Each school site aligns its SPSA action items to six of our LCAP goals:

Goal 1.1 Implement Common Core State Standards in Mathematics

Goal 1.2 Implement Common Core State Standards in English Language Arts

Goal 1.3 Implement NGSS and Common Core Literacy Standards Literacy

Goal 1.4 Implement ELD Standards and Monitor English Language Proficiency Progress

Goal 1.5 Promote College and Career Readiness for all students (high schools)

Goal 1.6 Identify and address learning gaps among students, including low-income students, students with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and children in foster care

Goal 1.7 Implement activities to address the unique needs of low-income children or students, children with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and foster care youth

Goal 2.1 Promote parent involvement in decision-making and participation in various advisory groups as well as other parent/family activities

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Role of School Advisory Committees: California Education Code Section 64001 requires that the School Site Council (SSC) develop the SPSA. The SSC's responsibilities include approving the plan, recommending it to the local governing board for approval, monitoring its implementation, and evaluating the effectiveness of the plan at least annually. The SSC must seek the review, advice, and certification of applicable advisory committees, including the English Learner Advisory Committee (ELAC).

File Attachments

[Birch Grove Primary SPSA 21-22.pdf \(847 KB\)](#)

Birch Grove Intermediate 2021-2022 School Plan for Student Achievement (SPSA)

Type	Action
Preferred Date	Jun 03, 2021
Fiscal Impact	Yes
Budgeted	Yes
Recommended	Staff recommends the Board of Education approve the 2021-2022 School Plan for Student
Action	Achievement.
Goals	<ol style="list-style-type: none"> 1. To provide academic excellence via equity and opportunities for all students. 2. Establish financial stability and fiscal solvency in order to drive continuous improvement. 3. Newark Unified School District will increase our enrollment. <p>VISION: The Newark Unified School District, in partnership with the community, will be a model of world-class education that develops the unique abilities of every student.</p> <p>MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens.</p>

Purpose:

This 2021-22 School Plan for Student Achievement (SPSA) is coming forward for Board approval. The SPSA serves as the organizer for an individual school's improvement process. The plan is developed with a deep understanding of the root causes of student academic challenges and identifies and implements research-based instructional strategies to raise the achievement of students who are not yet proficient by state standards.

The plan:

Builds on a premise that students are capable of learning with effective instruction.

Includes school goals aligned with activities and goals included in the LCAP to maximize school reform efforts.

Is based on verifiable data analysis.

Focuses on student achievement and academic interventions.

Implements high leverage school improvement actions.

Directs resources where they will most directly improve student academic achievement.

Ensures all resources are aligned to serve identified students' needs.

Uses research-based strategies.

Implements strategic coordination of resources.

Background:

The School Plan for Student Achievement (SPSA) is a plan of action to improve student academic performance by coordinating all educational services and resources. Pursuant to California Education Code Section 64001, schools that receive state and federal funds are required to consolidate all school plans into a SPSA.

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Each school site aligns its SPSA action items to six of our LCAP goals:

Goal 1.1 Implement Common Core State Standards in Mathematics

Goal 1.2 Implement Common Core State Standards in English Language Arts

Goal 1.3 Implement NGSS and Common Core Literacy Standards Literacy

Goal 1.4 Implement ELD Standards and Monitor English Language Proficiency Progress

Goal 1.5 Promote College and Career Readiness for all students (high schools)

Goal 1.6 Identify and address learning gaps among students, including low-income students, students with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and children in foster care

Goal 1.7 Implement activities to address the unique needs of low-income children or students, children with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and foster care youth

Goal 2.1 Promote parent involvement in decision-making and participation in various advisory groups as well as other parent/family activities

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Goal 3.1 Provide access to a broad course of study (VAPA, Health, STEAM, PE, etc.)

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Role of School Advisory Committees: California Education Code Section 64001 requires that the School Site Council (SSC) develop the SPSA. The SSC's responsibilities include approving the plan, recommending it to the local governing board for approval, monitoring its implementation, and evaluating the effectiveness of the plan at least annually. The SSC must seek the review, advice, and certification of applicable advisory committees, including the English Learner Advisory Committee (ELAC).

File Attachments

[Birch Grove Intermediate SPSA 21-22.pdf](#) (854 KB)

Newark Junior High School 2021-2022 School Plan for Student Achievement (SPSA)

Type	Action
Preferred Date	Jun 03, 2021
Fiscal Impact	Yes
Budgeted	Yes
Recommended Action	Staff recommends the Board of Education approve the 2021-2022 School Plan for Student Achievement.
Goals	<ol style="list-style-type: none"> 1. To provide academic excellence via equity and opportunities for all students. 2. Establish financial stability and fiscal solvency in order to drive continuous improvement. 3. Newark Unified School District will increase our enrollment. <p>VISION: The Newark Unified School District, in partnership with the community, will be a model of world-class education that develops the unique abilities of every student.</p> <p>MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens.</p>

Purpose:

This 2021-22 School Plan for Student Achievement (SPSA) is coming forward for Board approval. The SPSA serves as the organizer for an individual school's improvement process. The plan is developed with a deep understanding of the root causes of student academic challenges and identifies and implements research-based instructional strategies to raise the achievement of students who are not yet proficient by state standards.

The plan:

Builds on a premise that students are capable of learning with effective instruction.

Includes school goals aligned with activities and goals included in the LCAP to maximize school reform efforts.

Is based on verifiable data analysis.

Focuses on student achievement and academic interventions.

Implements high leverage school improvement actions.

Directs resources where they will most directly improve student academic achievement.

Ensures all resources are aligned to serve identified students' needs.

Uses research-based strategies.

Implements strategic coordination of resources.

Background:

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Each school site aligns its SPSA action items to six of our LCAP goals:

Goal 1.1 Implement Common Core State Standards in Mathematics

Goal 1.2 Implement Common Core State Standards in English Language Arts

Goal 1.3 Implement NGSS and Common Core Literacy Standards Literacy

Goal 1.4 Implement ELD Standards and Monitor English Language Proficiency Progress

Goal 1.5 Promote College and Career Readiness for all students (high schools)

Goal 1.6 Identify and address learning gaps among students, including low-income students, students with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and children in foster care

Goal 1.7 Implement activities to address the unique needs of low-income children or students, children with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and foster care youth

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Role of School Advisory Committees: California Education Code Section 64001 requires that the School Site Council (SSC) develop the SPSA. The SSC's responsibilities include approving the plan, recommending it to the local governing board for approval, monitoring its implementation, and evaluating the effectiveness of the plan at least annually. The SSC must seek the review, advice, and certification of applicable advisory committees, including the English Learner Advisory Committee (ELAC).

File Attachments

[Newark Junior High SPSA 21-22.pdf](#) (3,281 KB)

Crossroads Alternative High School 2021-2022 School Plan for Student Achievement (SPSA)

Type	Action
Preferred Date	Jun 03, 2021
Fiscal Impact	Yes
Budgeted	Yes
Recommended	Staff recommends the Board of Education approve the 2021-2022 School Plan for Student
Action	Achievement.
Goals	<ol style="list-style-type: none"> 1. To provide academic excellence via equity and opportunities for all students. 2. Establish financial stability and fiscal solvency in order to drive continuous improvement. 3. Newark Unified School District will increase our enrollment. <p>VISION: The Newark Unified School District, in partnership with the community, will be a model of world-class education that develops the unique abilities of every student.</p> <p>MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens.</p>

Purpose:

This 2021-22 School Plan for Student Achievement (SPSA) is coming forward for Board approval. The SPSA serves as the organizer for an individual school's improvement process. The plan is developed with a deep understanding of the root causes of student academic challenges and identifies and implements research-based instructional strategies to raise the achievement of students who are not yet proficient by state standards.

The plan:

Builds on a premise that students are capable of learning with effective instruction.

Includes school goals aligned with activities and goals included in the LCAP to maximize school reform efforts.

Is based on verifiable data analysis.

Focuses on student achievement and academic interventions.

Implements high leverage school improvement actions.

Directs resources where they will most directly improve student academic achievement.

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Background:

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Each school site aligns its SPSA action items to six of our LCAP goals:

Goal 1.1 Implement Common Core State Standards in Mathematics

Goal 1.2 Implement Common Core State Standards in English Language Arts

Goal 1.3 Implement NGSS and Common Core Literacy Standards Literacy

Goal 1.4 Implement ELD Standards and Monitor English Language Proficiency Progress

Goal 1.5 Promote College and Career Readiness for all students (high schools)

Goal 1.6 Identify and address learning gaps among students, including low-income students, students with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and children in foster care

Goal 1.7 Implement activities to address the unique needs of low-income children or students, children with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and foster care youth

Goal 2.1 Promote parent involvement in decision-making and participation in various advisory groups as well as other parent/family activities

Goal 2.2 Promote a school climate that centers around student engagement and allows students to feel safe and connected to the school community

Goal 2.3 Promote a culture that values and supports mental health and social-emotional learning (SEL)

Goal 3.1 Provide access to a broad course of study (VAPA, Health, STEAM, PE, etc.)

Data Analysis: School level goals are informed by data. Each goal area includes data analysis on current measures across student subgroups, and on outcome measures to determine progress. Local and State data are used to develop each goal. I-Ready is a source of local data. The California School Dashboard is the source of State data.

Evaluating Progress: The SSC agendaized a meeting to review Dashboard data and measure the impact of actions on student achievement. The principal and staff evaluate academic progress at minimum three times a year through an academic Professional Learning Community (PLC) model with benchmark data.

Role of School Advisory Committees: California Education Code Section 64001 requires that the School Site Council (SSC) develop the SPSA. The SSC's responsibilities include approving the plan, recommending it to the local governing board for approval, monitoring its implementation, and evaluating the effectiveness of the plan at least annually. The SSC must seek the review, advice, and certification of applicable advisory committees, including the English Learner Advisory Committee (ELAC).

File Attachments

[Crossroads Alternative High School SPSA 21-22.pdf](#) (802 KB)

Bridgepoint Continuation High School 2021-2022 School Plan for Student Achievement (SPSA)

Type	Action
Preferred Date	Jun 03, 2021
Fiscal Impact	Yes
Budgeted	Yes
Recommended	Staff recommends the Board of Education approve the 2021-2022 School Plan for Student
Action	Achievement.
Goals	<ol style="list-style-type: none"> 1. To provide academic excellence via equity and opportunities for all students. 2. Establish financial stability and fiscal solvency in order to drive continuous improvement. 3. Newark Unified School District will increase our enrollment. <p>VISION: The Newark Unified School District, in partnership with the community, will be a model of world-class education that develops the unique abilities of every student.</p> <p>MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens.</p>

Purpose:

This 2021-22 School Plan for Student Achievement (SPSA) is coming forward for Board approval. The SPSA serves as the organizer for an individual school's improvement process. The plan is developed with a deep understanding of the root causes of student academic challenges and identifies and implements research-based instructional strategies to raise the achievement of students who are not yet proficient by state standards.

The plan:

Builds on a premise that students are capable of learning with effective instruction.

Includes school goals aligned with activities and goals included in the LCAP to maximize school reform efforts.

Is based on verifiable data analysis.

Focuses on student achievement and academic interventions.

Implements high leverage school improvement actions.

Directs resources where they will most directly improve student academic achievement.

Ensures all resources are aligned to serve identified students' needs.

Uses research-based strategies.

Implements strategic coordination of resources.

Background:

The School Plan for Student Achievement (SPSA) is a plan of action to improve student academic performance by coordinating all educational services and resources. Pursuant to California Education Code Section 64001, schools that receive state and federal funds are required to consolidate all school plans into a SPSA.

It is the goal of the Newark Unified School District (NUSD) to provide equitable opportunities to each of our students and school sites. Each site-specific SPSA and the district-wide Local Control and Accountability Plan (LCAP) is a roadmap created in partnership with all district stakeholders to achieve our vision and mission:

NUSD Vision: The Newark Unified School District, in partnership with the community, will be a model of world-class education that develops the unique abilities of every student.

NUSD Mission: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens.

Each school site aligns its SPSA action items to six of our LCAP goals:

Goal 1.1 Implement Common Core State Standards in Mathematics

Goal 1.2 Implement Common Core State Standards in English Language Arts

Goal 1.3 Implement NGSS and Common Core Literacy Standards Literacy

Goal 1.4 Implement ELD Standards and Monitor English Language Proficiency Progress

Goal 1.5 Promote College and Career Readiness for all students (high schools)

Goal 1.6 Identify and address learning gaps among students, including low-income students, students with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and children in foster care

Goal 1.7 Implement activities to address the unique needs of low-income children or students, children with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and foster care youth

Goal 2.1 Promote parent involvement in decision-making and participation in various advisory groups as well as other parent/family activities

Goal 2.2 Promote a school climate that centers around student engagement and allows students to feel safe and connected to the school community

Goal 2.3 Promote a culture that values and supports mental health and social-emotional learning (SEL)

Goal 3.1 Provide access to a broad course of study (VAPA, Health, STEAM, PE, etc.)

Data Analysis: School level goals are informed by data. Each goal area includes data analysis on current measures across student subgroups, and on outcome measures to determine progress. Local and State data are used to develop each goal. I-Ready is a source of local data. The California School Dashboard is the source of State data.

Evaluating Progress: The SSC agendaized a meeting to review Dashboard data and measure the impact of actions on student achievement. The principal and staff evaluate academic progress at minimum three times a year through an academic Professional Learning Community (PLC) model with benchmark data.

Role of School Advisory Committees: California Education Code Section 64001 requires that the School Site Council (SSC) develop the SPSA. The SSC's responsibilities include approving the plan, recommending it to the local governing board for approval, monitoring its implementation, and evaluating the effectiveness of the plan at least annually. The SSC must seek the review, advice, and certification of applicable advisory committees, including the English Learner Advisory Committee (ELAC).

File Attachments

[Bridgepoint Continuation High School SPSA 21-22.pdf](#) (816 KB)

Newark Memorial High School 2021-2022 School Plan for Student Achievement (SPSA)

Type	Action
Preferred Date	Jun 03, 2021
Fiscal Impact	Yes
Budgeted	Yes
Recommended	Staff recommends the Board of Education approve the 2021-2022 School Plan for Student
Action	Achievement.
Goals	<ol style="list-style-type: none"> 1. To provide academic excellence via equity and opportunities for all students. 2. Establish financial stability and fiscal solvency in order to drive continuous improvement. 3. Newark Unified School District will increase our enrollment. <p>VISION: The Newark Unified School District, in partnership with the community, will be a model of world-class education that develops the unique abilities of every student.</p> <p>MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens.</p>

Purpose:

This 2021-22 School Plan for Student Achievement (SPSA) is coming forward for Board approval. The SPSA serves as the organizer for an individual school's improvement process. The plan is developed with a deep understanding of the root causes of student academic challenges and identifies and implements research-based instructional strategies to raise the achievement of students who are not yet proficient by state standards.

The plan:

Builds on a premise that students are capable of learning with effective instruction.

Includes school goals aligned with activities and goals included in the LCAP to maximize school reform efforts.

Is based on verifiable data analysis.

Focuses on student achievement and academic interventions.

Implements high leverage school improvement actions.

Directs resources where they will most directly improve student academic achievement.

Ensures all resources are aligned to serve identified students' needs.

Uses research-based strategies.

Implements strategic coordination of resources.

Background:

The School Plan for Student Achievement (SPSA) is a plan of action to improve student academic performance by coordinating all educational services and resources. Pursuant to California Education Code Section 64001, schools that receive state and federal funds are required to consolidate all school plans into a SPSA.

It is the goal of Newark Unified School District (NUSD) to provide equitable opportunities to each of our students and school sites. Each site-specific SPSA and the district-wide Local Control and Accountability Plan (LCAP) is a roadmap created in partnership with all district stakeholders to achieve our vision and mission:

NUSD Vision: The Newark Unified School District, in partnership with the community, will be a model of world-class education that develops the unique abilities of every student.

NUSD Mission: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful and productive citizens.

Each school site aligns its SPSA action items to six of our LCAP goals:

Goal 1.1 Implement Common Core State Standards in Mathematics

Goal 1.2 Implement Common Core State Standards in English Language Arts

Goal 1.3 Implement NGSS and Common Core Literacy Standards Literacy

Goal 1.4 Implement ELD Standards and Monitor English Language Proficiency Progress

Goal 1.5 Promote College and Career Readiness for all students (high schools)

Goal 1.6 Identify and address learning gaps among students, including low-income students, students with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and children in foster care

Goal 1.7 Implement activities to address the unique needs of low-income children or students, children with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and foster care youth

Goal 2.1 Promote parent involvement in decision-making and participation in various advisory groups as well as other parent/family activities

Goal 2.2 Promote a school climate that centers around student engagement and allows students to feel safe and connected to the school community

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Evaluating Progress: The SSC agendaized a meeting to review Dashboard data and measure the impact of actions on student achievement. The principal and staff evaluate academic progress at minimum three times a year through an academic Professional Learning Community (PLC) model with benchmark data.

Role of School Advisory Committees: California Education Code Section 64001 requires that the School Site Council (SSC) develop the SPSA. The SSC's responsibilities include approving the plan, recommending it to the local governing board for approval, monitoring its implementation, and evaluating the effectiveness of the plan at least annually. The SSC must seek the review, advice, and certification of applicable advisory committees, including the English Learner Advisory Committee (ELAC).

File Attachments

[Newark Memorial High School SPSA 21-22.pdf](#) (1,801 KB)

Motion & Voting

Staff recommends the Board of Education approve the 2021-2022 School Plan for Student Achievement.

Motion by Bowen Zhang, second by Elisa Martinez.

Final Resolution: Motion Carries

Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Wahhab Salemi

Nay: Aiden Hill

Minutes of the May 20, 2021 Regular Meeting of the Board of Education

Type Action, Minutes

Recommended Staff recommends the Board of Education approve the minutes of May 20, 2021, Regular Meeting of the Board of Education

Purpose: For the board to review and approve the minutes

Background: The attached minutes are reflective of the May 20, 2021, Regular Meeting of the Board of Education. The exact language is available for viewing on the NUSD YouTube Channel.

18 BOARD OF EDUCATION - COMMITTEE REPORTS, ANNOUNCEMENTS, REQUESTS, DEBRIEF,

Board of Education Committee Reports

DEBRIEF, AND DISCUSSION

Type Information

Purpose: The board committee members will give any updates, if available, of the committees they are members of.

Background: Mission Valley ROP - Elisa Martinez
SELPA - Bowen Zhang
Newark - NUSD Liaison Committee - Phuong Nguyen & Terrence Grindall
Newark Teacher Induction Advisory Council (Formally EBBIC) - Elisa Martinez
Audit Committee - Phuong Nguyen & Aiden Hill
Bond/Parcel Tax - Elisa Martinez & Terrence Grindall

Board of Education Requests

DEBRIEF, AND DISCUSSION

Type Information

Purpose: This is an opportunity for Board members to suggest items for placement on future agendas, and to review requests.

Background: Governance Team Handbook
Authority is Collective, Not Individual:
The only authority to direct action rests with the Board as a whole when seated at a regular or special board meeting.
Outside of this meeting, there is no authority.
A majority Board vote provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction.
Bringing New Ideas Forward
The Board will be open to having "brainstorming" discussions, or study sessions, around any idea that a Trustee may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Trustee, at their initiative or at the request of a constituent, which was previously discussed during a board meeting.
Trustees will first notify the board president and Superintendent of their interest in bringing forward a new idea at a board meeting.
When initially agendized, the preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.
Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea. The Superintendent will decide on the delegation of assignments to District staff.
The new idea may be agendized for discussion only. The Board majority will decide if the new idea should be further developed and studied by staff. The Board majority will decide if staff time should be invested in the "fleshing out" of new ideas.
Individual Trustees, in the course of interactions with constituents, will be careful not to make or imply the commitment of the full Board to explore or proceed with implementing new ideas.

Board of Education Recognitions and Announcements

DEBRIEF, AND DISCUSSION

Type Information

Purpose:

This is an opportunity for Board members to acknowledge or recognize specific programs, activities, or personnel.

19 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD, AND FUTURE

Superintendent's Concluding Comments, Updates for the Board, and Future Agenda Requests

FUTURE AGENDA REQUESTS

Type Information

Purpose:

This is an opportunity for the Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

20 ADJOURNMENT

PLACEHOLDER - Extend Meeting

Type Action

Recommended The recommendation is that the Board extend the meeting to ____PM
Action

Purpose:

This is a placeholder, only to be used if the Board adds a motion to extend the meeting.

Motion & Voting

The recommendation is that the Board extend the meeting to 11:00 pm.

Motion by Bowen Zhang, second by Terrence Grindall.

Final Resolution: Motion Carries

Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Wahhab Salemi

Adjournment 11:03pm

Type Action, Procedural

Recommended The recommendation is that this meeting be adjourned.
Action

Purpose:

No items will be considered after 10:00 p.m., unless it is determined by a majority of the Board to extend to a specific time. This action will conclude the meeting.

Motion & Voting

The recommendation is that this meeting be adjourned.

Motion by Bowen Zhang, second by Wahhab Salemi.

Final Resolution: Motion Fails

Not Present at Vote: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Wahhab Salemi

1 Live Comments: Join with an Internet-connected device (tablet, computer, phone, etc.)

Virtual Meeting Practices & Connection Information

Type Information, Procedural

In accordance with the Governor's Executive Order N-29-20, Board meetings will be held "virtually" until further notice. These meetings will be accessible to the public by internet or telephone. No physical meeting place will be provided.

Meetings will live-streamed on the NUSD YouTube on the internet.

Public comment opportunities will be available through the virtual meeting. Please see the public comment instructions provided here.

As always, we encourage you to contact the entire Board by email at "board@newarkunified.org." This address goes directly to the Board members, who check their emails frequently.

Roll Call

Type Procedural

Board Members:

President Bowen Zhang

Member Phuong Nguyen

Member Elisa Martinez

Member Terrence Grindall

Member Aiden Hill

Student Board Member:

Member Wahhab Salemi

2. APPROVAL OF AGENDA

Approval of Agenda

Type Action

Recommended Recommendation is that the Board of Education approve the agenda for this meeting.
Action

Purpose:

Members of the Board may request that the agenda be approved as presented or amended.

Motion & Voting

Recommendation is that the Board of Education approve the agenda for this meeting.

Motion by Phuong Nguyen, second by Terrence Grindall.

Final Resolution: Motion Carries

Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

Not Present at Vote: Wahhab Salemi

3 STUDY SESSION

Public Comment on Board Study Session Items

Type Procedural

Purpose:

To provide a space for the community to make a comment on the Board Study Session.

Background:

Please see the link below for Public Comment information.

<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=BN8PNC6402C1>

Elementary Report Card Update

Type Information

Purpose:

To provide information to the Board of Trustees about the background of NUSD's current elementary pilot grading scale and the plan of action in the 2021-22 school year. Through this interactive study session, the Board of Trustees will have an opportunity to engage with an article regarding standards-based grading and clarify historical developments that occurred in NUSD prior to the elementary grading pilot taking effect. A plan of action will also be presented to clearly outline how Educational Services intends to re-engage with staff and the community at the start of the 2021-22 school year.

Background:

After the Common Core State Standards were adopted there was a great deal of interest in updating the Elementary grading scale to improve alignment and complete a transition to standards-based grading. In the 2018-19 school year a Report Card Committee formed and representatives from each of Newark's 8 elementary sites contributed to an updated pilot elementary grading scale. A part of the presentation for this study session will detail the events that unfolded and ultimately led to the current pilot elementary grading scale.

File Attachments

[Elementary Report Card Update - 5.20.21.pdf](#) (1,057 KB)

[SKM_C65921052017411.pdf](#) (773 KB)

4 CLOSED SESSION

Public Comment on Closed Session Item

Type Procedural

Purpose:

To provide a space for the community to make a comment on Closed Session Items.

Background:

Please see the link below for Public Comment information.

<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=BN8PNC6402C1>

Public Employee Discipline/Dismissal/ Release (GC54957)

Type Action, Procedural

Information will be provided by the Superintendent and Executive Director of Human Resources.

Conference with Labor Negotiator (GC54957.6(a)): Employee Organizations - NTA & CSEA

Type Action, Procedural
Information will be provided by the agency negotiator, Executive Director of Human Resources. Assistance from legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided.
The employee organizations include NTA & CSEA.

Conference with Labor Negotiator (GC54957.6(a)): Employee Group - NEWMA, Unrepresented Supervisors & Contracted

Type Action, Procedural
Information will be provided by the agency negotiator, Executive Director of Human Resources, and the Superintendent. Assistance from legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided.
The employee organizations include NEWMA, Unrepresented Supervisors, and Contracted Management

Conference with Legal Counsel - Anticipated Litigation (GC 54956.9(d)(4))

Type Action, Procedural
Information will be provided regarding:
Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: One case

Recess to Closed Session

Type Procedural
Purpose:
The Board will recess to Closed Session, and reconvene to Open Session on or about 7pm.

5 RECONVENE TO OPEN SESSION

Pledge of Allegiance

Type Procedural

6 REPORT OF CLOSED SESSION ACTIONS

Report of Closed Session Actions

Type Action, Procedural
Purpose:
If available, a report of closed session will be provided by the Board President.

7 PUBLIC HEARINGS

School Naming - Merged Graham/Snow Elementary

Type Discussion, Information, Procedural
Purpose:
The purpose of this public hearing is for citizens to provide and receive information related to the three final school name options being presented for the naming of the Graham and Snow Elementary merged school.
Background:
On November 19, 2020, the Newark Unified School District Board of Education voted to merge Snow Elementary and Graham Elementary on the Graham campus in the 2021-22 school year. As part of this merger, an inclusive and transparent process was created to select a name for the merged school. The school naming process followed the criteria outlined in Board Policies 7310 and 7511 (attached here). The Board policy articulates that a committee would be formed to weigh the different school name options, engage the school community in the naming process, and bring forth a name recommendation to the Board of Education for approval.
The school naming process (articulated in the attached document titled, Design Team School Naming Process Doc) was begun on February 2, 2021, and included an open-call for students, staff, families, and the community to submit name ideas. The submissions were then reviewed by the Design Team and narrowed to 6 school name suggestions that fit the criteria outlined in the Board Policy. The 6 school name suggestions were then shared with students, staff, families, and community on a ballot (online and paper forms) to narrow the selection to the final three choices.
The top three choices are being presented in a public hearing at the Board meeting on May 20, 2021, after which the Design Team will vote to select a final single choice to present to the Board for approval in June.
The top three choices voted for by the community to be discussed during this public hearing are:
1. Coyote Hills Elementary
2. Cherry Elementary
3. GROW Elementary

[File Attachments](#)

[Public Hearing - Graham_Snow School Naming.docx.pdf](#) (111 KB)

[Design Team School Naming Process Doc.pdf](#) (437 KB)

[School Naming Process_ Public Hearing 5.20.21.1.pdf](#) (1,546 KB)

8 EMPLOYEE ORGANIZATIONS

Employee Organizations

Type Information

Purpose:

At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Background:

Discussion items are limited to updates, celebrations, and upcoming events.

1. NTA: Sean Abruzzi
2. CSEA: Sue Eustice
3. NEWMA: Amanda Gollither

9 RECOGNITIONS AND CELEBRATIONS

Staff Spotlight

Type Information

Purpose:

To recognize the wonderful accomplishments of our NUSD Team.

Background:

The presentation will be provided by the Superintendent.

10 PUBLIC COMMENT ON NON-AGENDA ITEMS

Public Comment on Non-Agenda Items

Type Procedural

Purpose:

To provide a space for the community to make a comment on non-agenda items.

Background:

Please see click the link below for Public Comment information on Non-Agenda Items and Agenda items.

<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=BN8PNC6402C1>

11 SUPERINTENDENT REPORT

Superintendent Report

Type Information

Purpose:

The superintendent will provide the Board with district information, updates, news, or anything in the jurisdiction of the board or the superintendent.

Background:

Information provided by the Superintendent

12 STAFF REPORT

Governor's May Revise

Type Information

Purpose:

The Chief Business Official will share information with the Board regarding the Governor's May Revision to the State's 2021-22 budget.

Background:

The Governor announced the revisions to the State of California 2021-22 budget on May 14, 2021. Attached is the K-12 Education section of the Governor's 2021-22 May Revision.

Key factors from the May Revision will be used to build the District's 2021-22 budget.

A few highlights of the Governor's May Revision include:

- Prop 98 - three-year increase of \$17.7 billion
- 5.07% compounded COLA for LCFF (includes 2.31% for 2020-21, 1.7% for 2021-22 and a 1% increase to the LCFF Base Grant)
- Reduced deferrals by \$1.1 billion (leaves \$2.6 billion in inter-year deferrals)
- Additional \$2 billion to supplement the In-Person Instruction Grant
- Additional \$2.6 billion to supplement the Expanded Learning Opportunity Grant
- Proposed expansions to after school programs, Universal TK, student supports, school workforce, among others

Next Steps:

Now that Governor Newsom has released the May Revision, the Legislature can begin vetting his revised proposals and highlight their own budget priorities as they prepare to build and pass the 202122 State Budget by the June 15 constitutional deadline.

In the next couple of weeks, each house will have to approve their own version of the State Budget and then go to Budget Conference Committee where they will reconcile their differences and also work with the Newsom Administration on a budget agreement. Once the Legislature reaches a compromise on the 2021-22 State Budget Act, each house will need to approve the budget bill by June 15. The Governor will then have 12 days to sign the budget bill as presented, approve the budget bill with line-item reductions, or veto the budget bill and send it back to the Legislature.

The District will have 45 days after the Governor signs the budget to make public any revisions made to the Adopted Budget which is scheduled to be presented to the Board on June 3, 2021 (public hearing) and June 17, 2021.

File Attachments

[K-12EducationMay Revise summary21-22.pdf](#) (605 KB)

13 NEW BUSINESS

Expanded Learning Opportunity Grant Plan

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$3,966,170.00
Budgeted	Yes
Budget Source	Expanded Learning Opportunity Grant
Recommended Action	Staff recommends the Board of Education approve the Expanded Learning Opportunity Grant Plan.

Purpose:

To obtain Board approval for the Expanded Learning Opportunity (ELO) Grant Plan in order to submit to the Alameda County Office of Education (ACOE) by the June 1, 2021 deadline.

Background:

On March 19, 2021, the California Department of Education shared a News Release: \$6 Billion in Reopening and Expanded Learning Funding Amounts for TK-12 Schools Now Available. The one-time funding, provided by AB 86 is available to accelerate the safe return to in-person instruction across California and provide schools the resources to expand academic, mental health, and social-emotional supports, including over the summer.

The Expanded Learning Opportunities Grant makes up \$4.6 billion of the AB 86 funding, which can be used for extended instructional learning time, learning supports, health, counseling, mental health and social-emotional learning, community learning hubs, supports for credit deficient pupils, and training for staff. School districts are required to adopt and submit a plan for the new one-time funding. NUSD's one-time allocation is \$3,966,170. The requirements for the plan include:

- Addressing strategies as outlined in the grant
 - Extending instructional learning time
 - Accelerating progress to close learning gaps
 - Integrated student supports to address other barriers to learning
 - Community learning hubs (access to technology and other academic supports)
 - Supports for credit deficient students (graduation/promotion)
 - Additional academic services for students
 - Training for school staff on strategies to engage students and families
- Addressing paraprofessional support
- Obtaining stakeholder engagement
- Obtaining local school Board approval
- Submitting the plan to ACOE by the June 1, 2021 deadline

File Attachments

- [NUSD ELO Plan due June 1, 2021_5-20-21 Board Meeting.pdf](#) (93 KB)
- [ELO Board Presentation_5.20.21.pdf](#) (533 KB)
- [6 Billion in Reopening_Expanded Learning Funding Year 2021_CA Dept of Education.pdf](#) (76 KB)

Motion & Voting

HVAC Replacement Project and Resolution No. 2020.21-030 Authorizing Staff to Acquire Equipment Using Sole Source

Type	Action
Fiscal Impact	Yes
Budgeted	Yes
Budget Source	Measure G Bond and Capital Facilities Fund
Recommended	Staff recommends the Board of Education adopt Resolution No. 2020.21-030 Authorizing
Action	Staff to Acquire Equipment Using Sole Source and authorize the District to specify and pre-purchase Carrier brand HVAC replacement units and Alerton/Syserco Energy Management System as a district proprietary standard.

Purpose:
To have the Board authorize the District to specify and pre-purchase Carrier replacement units and Alerton/Syserco as a district proprietary standard.

Background:
At the April 15 Board meeting, staff provided an update on bond projects, including the pending HVAC replacement projects. The presentation and discussion identified approximately 378 Rooftop HVAC units nearing the end of their useful life and have been earmarked for replacement. Of those units, approximately 70-75% were smaller Carrier brand HVAC units. Specifying more efficient Carrier brand models that are of similar size and weight that can reuse the existing roof curbs, align with the ductwork, electrical and gas connections can save considerable time and cost and may require less regulatory review time. The architectural and engineering team has matched nearly 300 units that can meet these criteria, whereas other models or brands would require structural roof framing modifications, new curbs, roofing, and rework of utility connections. Similarly, the district has an Alerton/Syersco Energy Management System (EMS) at all its campuses that it is currently being upgraded to help meet the COVID readiness preparations and would like to make the system a district standard.

- File Attachments**
[NUSD Facilities Update 05 20 21_PDF.pdf](#) (324 KB)
[Bond Projects_Budget update 5-20-21 Board meeting.pdf](#) (50 KB)
[Resolution 2020.21-030 for HVAC Project Sole Source.pdf](#) (15 KB)

Motion & Voting
 Staff recommends the Board of Education adopt Resolution No. 2020.21-030 Authorizing Staff to Acquire Equipment Using Sole Source and authorize the District to specify and pre-purchase Carrier brand HVAC replacement units and Alerton/Syserco Energy Management System as a district proprietary standard.
 Motion by Elisa Martinez, second by Phuong Nguyen.
 Final Resolution: Motion Carries
 Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall
 Nay: Aiden Hill
 Not Present at Vote: Wahhab Salemi

Syserco Software Upgrade (HVAC Management System)

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$25,281.00
Budgeted	Yes
Budget Source	Routine Restricted Maintenance Account
Recommended	Staff recommends the Board of Education approve the Syserco HVAC management system
Action	software upgrade to the Alerton Compass software as proposed.

Purpose:
To approve the software upgrade on the district's HVAC management system, Syserco, to the Alerton Compass software as proposed.

Background:
Syserco is the Alerton dealer serving Newark, therefore, they are the only company authorized to sell, install, and service the Alerton system for the district. Syserco began partnering with Newark USD in 2003, offering remote management system support for the district's HVAC units. On January 7, 2021 the Board approved the Syserco one year Service Agreement covering the period of January 1, 2021 through June 30, 2021. At the time of the approval, additional future services were outlined, including the need to upgrade from the Alerton Envision for BACtalk software, which has been obsolete for 5 years, to the Alerton Compass software. Updating to the Alerton Compass software ensures it is keeping up with Windows updates and deploys fixes for system vulnerabilities and/or bugs. The Alerton Compass software will support up to 1000 HVAC devices (currently we have 560).

- File Attachments**
[NUSD.Compass Upgrade.Proposal \(1\).pdf](#) (186 KB)

Motion & Voting
 Staff recommends the Board of Education approve the Syserco HVAC management system software upgrade to the Alerton Compass software as proposed.
 Motion by Phuong Nguyen, second by Bowen Zhang.
 Final Resolution: Motion Carries
 Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

Not Present at Vote: Wahhab Salemi

Award of Moving Services Bid

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$85,719.00
Budgeted	Yes
Budget Source	Fund 40 Special Reserve for Capital Outlay Projects (Ruschin Funds)
Recommended	Staff recommends the Board of Education approve the bid award for Moving Services RFP
Action	01-2020-21 to Waters Moving & Storage, Inc.

Purpose:
 To obtain Board approval to award the moving services contract to Waters Moving & Storage, the lowest responsive and responsible bidder for RFP 01-2020-21 Moving Services for School Merger.

Background:
 In November 2020, the board voted to merge Snow Elementary and Graham Elementary on the Graham campus for the 2021-22 school year.
 On May 3, 2021, Newark Unified School District sent out RFP 01-2020-21 Moving Services for School Merger. The scope of the work includes moving services for Snow Elementary, Graham Elementary, and three (3) TK and K classrooms at Musick Elementary School. Services include furnishing of equipment, supplies, and crews as required by the District for the physical relocation of classrooms, offices, and other spaces within the boundaries of the Newark Unified School District, as such times and places as directed by the District, as rapidly as possible with minimal disruption of District staff and the daily operations of the District.

A mandatory bid walk was held on May 10, 2021, and the bid was due May 13, 2021. Five (5) moving companies attended the walkthrough and three (3) submitted bids. One company, Suddath, withdrew its bid. The bid results were as follows:

Company	Bid Amount
Waters Moving & Storage, Inc.	\$85,719
Nor-Cal Moving Services	\$93,840
Suddath (withdrew bid)	\$31,272.37

Based on bids received, staff recommends award to Waters Moving & Storage the lowest responsive, responsible bidder.

Motion & Voting
 Staff recommends the Board of Education approve the bid award for Moving Services RFP 01-2020-21 to Waters Moving & Storage, Inc.

Motion by Bowen Zhang, second by Elisa Martinez.
 Final Resolution: Motion Carries
 Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill
 Not Present at Vote: Wahhab Salemi

14 CONSENT AGENDA - PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type	Action
Recommended	Staff recommends that the following personnel agenda items be approved under one
Action	consented vote. Items _____.

Purpose:
 This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:
 Items within Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion. There will be no separate discussion of these items; however, any item may be removed from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Personnel Report

Type	Action
Absolute Date	May 20, 2021
Recommended	Staff recommends the Board of Education ratify the personnel report as presented.
Action	

All personnel activities including new hires, changes in status, resignation, leaves, and retirements are routinely submitted to the Board for ratification.

File Attachments
[HR PAL 05-20-21.pdf](#) (378 KB)

Motion & Voting
 Staff recommends the Board of Education ratify the personnel report as presented.
 Motion by Elisa Martinez, second by Bowen Zhang.
 Final Resolution: Motion Carries

Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill
Not Present at Vote: Wahhab Salemi

15 CONSENT AGENDA - NON-PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type Action
Recommended Staff recommends that the following agenda items be approved under one consented vote.
Action Items _____.

Purpose:
This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:
Items within Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion. There will be no separate discussion of these items; however, any item may be removed from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Motion & Voting
Staff recommends that the following agenda items be approved under one consented vote. Items 15.2-15.9, except 15.5 and 15.7.

Motion by Bowen Zhang, second by Terrence Grindall.
Final Resolution: Motion Carries
Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill
Not Present at Vote: Wahhab Salemi

San Jose State University Student Teaching Agreement

Type Action
Absolute Date May 20, 2021
Recommended Staff recommends the Board of Education approve the San Jose State University Student
Action Teaching Agreement.

Purpose:
The purpose is for the Board of Education to approve the student teaching agreement between San Jose State University and Newark Unified School District commencing on July 1, 2021, and ending June 30, 2026.

Background:
The District works closely with local institutes of higher education (IHE) and supports student teacher placements and interns. Agreements between Newark Unified School District and a university must be in place before a student teacher or intern can be placed at a school site in the District.
Student teachers and interns in training do fieldwork in our schools and are supervised by the administrators who provide supervision and training.
Student teachers and interns are able to learn, practice teaching, and fine-tune their craft under the direct supervision of a master teacher. The opportunity to student teach or intern in the District benefits both the student and the District.
As vacancies become available in the district, it is invaluable to have the opportunity to observe directly student teachers and interns who may be eligible to interview for vacancies and observe how well they fit into the culture of Newark.

File Attachments
[2021-2026 SJSU MOU.pdf](#) (141 KB)

California State University MOU and Agreement Regarding CalStateTEACH Internship Program

Type Action
Absolute Date May 20, 2021
Recommended Staff recommends the Board of Education approve the California State University's MOU
Action and Agreement regarding CalStateTEACH Internship Program.

Purpose:
The purpose of this item is for the Board of Education to approve the MOU and agreement between California State University and Newark Unified School District regarding CalStateTEACH Internship Program commencing April 2020 and ending May 2023.

Background:
The District works closely with local institutes of higher education (IHE) and supports student teacher placements and interns. Agreements between Newark Unified School District and a university must be in place before a student teacher or intern can be placed at a school site in the District.
Student teachers and interns in training do fieldwork in our schools and are supervised by the administrators who provide supervision and training.
Student teachers and interns are able to learn, practice teaching, and fine-tune their craft under the direct supervision of a master teacher. The opportunity to student teach or intern in the District benefits both the student and the District.
As vacancies become available in the district, it is invaluable to have the opportunity to observe directly student teachers and interns who may be eligible to interview for vacancies and observe how well they fit into the culture of Newark.

[File Attachments](#)

[CSU MOU Internship Program.pdf](#) (694 KB)

Purchase of Swimming Pool Chemicals for Newark Memorial High School

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$15,000.00
Budgeted	No
Budget Source	General Fund
Recommended	Staff recommends the Board of Education approve an increase to the existing Lincoln
Action	Aquatics purchase order by \$15,000.00 to cover the estimated future chemical costs (through June 30, 2021) for Newark Memorial High School swimming pool.

Purpose:
To increase the existing Lincoln Aquatics purchase order by \$15,000.00 to cover the estimated future chemical costs (through June 30, 2021) for Newark Memorial High School swimming pool.

Background:
Each year the district budgets for swimming pool chemicals to maintain both the Newark Jr High and Newark Memorial High School swimming pools. The Newark Memorial High School swimming pool has leaks and is in need of repairs. In the current state, excess chemicals are needed to maintain the integrity of the swimming pool water. Currently, \$48,000 is budgeted for swimming pool chemicals. The increase of \$15,000 to the Lincoln Aquatics purchase order, to purchase additional chemicals, brings the total to \$63,000.

[File Attachments](#)

[PO B21-00111 Lincoln Aquatics_Pool Supplies.pdf](#) (52 KB)

Warrant Report for April 2021

Type	Action
Fiscal Impact	No
Budgeted	No
Recommended	Staff recommends the Board of Education approve the Warrant Report as presented.
Action	
Goals	2. Establish financial stability and fiscal solvency in order to drive continuous improvement.

Purpose:
The purpose of this item is to present warrants, for the total amount of \$2,540,634.54, made from District funds for April 2021.

Background:
The warrant registers represent a complete listing of all payments made from District funds for a month. Because Newark Unified School District is a fiscally dependent District, each warrant must pass through two separate audits; first by the District's Fiscal Services department, and second by the County Office of Education. No warrant can be paid until such time as it is examined and approved by the County Office of Education.

[File Attachments](#)

[April 2021 AP Warrant Board Report.pdf](#) (323 KB)

Motion & Voting

Staff recommends the Board of Education approve the Warrant Report as presented.

- Motion by Bowen Zhang, second by Phuong Nguyen.
- Final Resolution: Motion Carries
- Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall
- Nay: Aiden Hill
- Not Present at Vote: Wahhab Salemi

Monthly Financial Reports - April 2021

Type	Action
Recommended	Staff recommends the Board of Education approve the monthly financial report as
Action	presented.

Purpose:
The purpose is for the Board to review and approve the district's budget information as of April 2021.

Background:
These reports show, by Fund, the year-to-date status of the district's budget including Revenues, Expenditures, and Fund Balance. For some months, these Monthly Financial Reports will be presented to the Board as a stand-alone agenda item. For other months, the budget information will be incorporated in the standard reports such as the First and Second Interim Financial

Reports.

[File Attachments](#)

[Monthly Financial Report for Board_April 2021.pdf](#) (89 KB)

[Minutes of the April 15, 2021 Regular Meeting of the Board of Education](#)

Type Action, Minutes

Recommended Staff recommends the Board of Education approve the minutes of April 15, 2021, Regular Meeting of the Board of Education
Action Meeting of the Board of Education
Minutes View Minutes for Apr 15, 2021 - Regular Meeting of the Board of Education

Purpose:

For the board to review and approve the minutes

Background:

The attached minutes are reflective of the April 15, 2021, Regular Meeting of the Board of Education. The exact language is available for viewing on the NUSD YouTube Channel.

Motion & Voting

Staff recommends the Board of Education approve the minutes of April 15, 2021, Regular Meeting of the Board of Education

Motion by Bowen Zhang, second by Elisa Martinez.
Final Resolution: Motion Carries
Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill
Not Present at Vote: Wahhab Salemi

[Minutes of the April 15, 2021 Special Meeting of the Board of Education](#)

Type Action, Minutes

Recommended Staff recommends the Board of Education approve the minutes of April 15, 2021, Special Meeting of the Board of Education
Action Meeting of the Board of Education

Purpose:

For the board to review and approve the minutes

Background:

The attached minutes are reflective of the April 15, 2021, Special Meeting of the Board of Education. The exact language is available for viewing on the NUSD YouTube Channel.

[Minutes of the May 6, 2021 Regular Meeting of the Board of Education](#)

Type Action, Minutes

Recommended Staff recommends the Board of Education approve the minutes of May 6, 2021, Regular Meeting of the Board of Education
Action Meeting of the Board of Education

Purpose:

For the board to review and approve the minutes

Background:

The attached minutes are reflective of the May 6, 2021, Regular Meeting of the Board of Education. The exact language is available for viewing on the NUSD YouTube Channel.

16 BOARD OF EDUCATION - COMMITTEE REPORTS, ANNOUNCEMENTS, REQUESTS, DEBRIEF

[Board of Education Committee Reports](#)

DEBRIEF AND DISCUSSION

Type Information

Purpose:

The board committee members will give any updates, if available, of the committees they are members of.

Background:

Mission Valley ROP - Elisa Martinez
SELPA - Bowen Zhang
Newark - NUSD Liaison Committee - Phuong Nguyen & Terrence Grindall
Newark Teacher Induction Advisory Council (Formally EBBIC) - Elisa Martinez
Audit Committee - Phuong Nguyen & Aiden Hill
Bond/Parcel Tax - Elisa Martinez & Terrence Grindall

Board of Education Requests

DEBRIEF AND DISCUSSION

Type Information

Purpose: This is an opportunity for Board members to suggest items for placement on future agendas, and to review requests.

Background: Governance Team Handbook Authority is collective, not individual: The only authority to direct action rests with the Board when seated at a regular or special Board meeting. Outside this meeting, there is no authority. A majority vote of the Board provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction. Bring up new ideas/decide to move new ideas forward: The Board will be open to having "brainstorming" discussions about any idea that a Board member may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Board member, at his or her own initiative or at the request of a constituent, which has not previously been discussed during a Board meeting. Board members will first notify the Board President and/or the Superintendent of their interest in bringing forward a new idea. The preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge. Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea. The Superintendent will decide on the delegation of assignments to other District staff. The new idea will be agendaized for discussion only. The Board will decide if the new idea should be further developed and studied by staff. A Board majority will decide if staff time should be invested in the "fleshing out" of new ideas. Individual Board members, in the course of interactions with constituents, will be careful not to make or imply a commitment of the full Board to explore or proceed with implementing new ideas.

Board of Education Recognitions and Announcements

DEBRIEF AND DISCUSSION

Type Information

Purpose: This is an opportunity for Board members to acknowledge or recognize specific programs, activities, or personnel.

17 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

Superintendent's Concluding Comments, Updates for the Board, and Future Agenda Requests

FUTURE AGENDA REQUESTS

Type Information

Purpose: This is an opportunity for the Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

18 ADJOURNMENT

PLACEHOLDER - Extend Meeting

Type Action Recommended Action The recommendation is that the Board extend the meeting to ____PM

Purpose: This is a placeholder, only to be used if the Board adds a motion to extend the meeting.

Motion & Voting The recommendation is that the Board extend the meeting to 11:00 pm Motion by Bowen Zhang, second by Phuong Nguyen. Final Resolution: Motion Carries Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Wahhab Salemi

Adjournment

Type Action, Procedural Recommended Action The recommendation is that this meeting be adjourned.

Purpose:

No items will be considered after 10:00 p.m., unless it is determined by a majority of the Board to extend to a specific time. This action will conclude the meeting.

Motion & Voting

The recommendation is that this meeting be adjourned at 10:55

Motion by Bowen Zhang, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

Not Present at Vote: Wahhab Salemi

1 Live Comments: Join with an Internet-connected device (tablet, computer, phone, etc.)

Virtual Meeting Practices & Connection Information

Type Information, Procedural

In accordance with the Governor's Executive Order N-29-20, Board meetings will be held "virtually" until further notice. These meetings will be accessible to the public by internet or telephone. No physical meeting place will be provided.

Meetings will live-streamed on the NUSD YouTube on the internet.

Public comment opportunities will be available through the virtual meeting. Please see the public comment instructions provided here.

As always, we encourage you to contact the entire Board by email at "board@newarkunified.org." This address goes directly to the Board members, who check their emails frequently.

Roll Call

Type Procedural

Board Members:

President Bowen Zhang

Member Phuong Nguyen

Member Elisa Martinez

Member Terrence Grindall

Member Aiden Hill

Student Board Member:

Member Wahhab Salemi

2. APPROVAL OF AGENDA

Approval of Agenda

Type Action

Recommended Recommendation is that the Board of Education approve the agenda for this meeting.

Action

Purpose:

Members of the Board may request that the agenda be approved as presented or amended.

Motion & Voting

Recommendation is that the Board of Education approve the agenda for this meeting.

Motion by Phuong Nguyen, second by Elisa Martinez.

Final Resolution: Motion Carries

Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

Not Present at Vote: Wahhab Salemi

3 CLOSED SESSION

Public Comment on Closed Session Item

Type Procedural

Purpose:

To provide a space for the community to make a comment on Closed Session Items.

Background:

Please see the link below for Public Comment information.

<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=BN8PNC6402C1>

Public Employee Discipline/Dismissal/ Release (GC54957)

Type Action, Procedural

Information will be provided by the Superintendent and Executive Director of Human Resources.

Conference with Labor Negotiator (GC54957.6(a)): Employee Organizations - NTA & CSEA

Type Action, Procedural
Information will be provided by the agency negotiator, Executive Director of Human Resources. Assistance from the legal firm Dannis, Woliver, Kelley, attorneys at law, may be provided.
The employee organizations include NTA & CSEA.

Conference with Labor Negotiator (GC54957.6(a)): Employee Group - NEWMA, Unrepresented Supervisors & Contracted

Type Action, Procedural
Information will be provided by the agency negotiator, Executive Director of Human Resources, and the Superintendent. Assistance from legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided.
The employee organizations include NEWMA, Unrepresented Supervisors, and Contracted Management

Conference with Legal Counsel - Existing Litigation (GC 54956.9(d)(1))

Type Action, Procedural
Cases to be discussed:
Bretz vs Newark Unified School District Keenan Claim # 569505

Conference with Legal Counsel - Anticipated Litigation (GC 54956.9(d)(4))

Type Action, Procedural
Information will be provided regarding:
Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: One case

Recess to Closed Session

Type Procedural
Purpose:
The Board will recess to Closed Session, and reconvene to Open Session on or about 7pm.

4 RECONVENE TO OPEN SESSION

Pledge of Allegiance

Type Procedural

5 REPORT OF CLOSED SESSION ACTIONS

Report of Closed Session Actions

Type Action, Procedural
Purpose:
If available, a report of closed session will be provided by the Board President.

6 STUDENT REPORT

Student Report from Newark Junior High School, MacGregor and Newark Memorial High School

Type Information
Purpose:
At regular Board meetings, a spokesperson of each secondary school may make a brief presentation. Discussion items may include updates, celebrations, and upcoming events.
1. Newark Junior High School.
2. MacGregor Alternative.
3. Newark Memorial High School.

7 EMPLOYEE ORGANIZATIONS

Employee Organizations

Type Information
Purpose:

At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Background:

Discussion items are limited to updates, celebrations, and upcoming events.

1. NTA: Sean Abruzzi
2. CSEA: Sue Eustice
3. NEWMA: Vicenta Ditto

8 RECOGNITIONS AND CELEBRATIONS

Staff Spotlight

Type Information

Purpose:

To recognize the wonderful accomplishments of our NUSD Team.

Background:

The presentation will be provided by the Superintendent.

School Spotlight: Bridgepoint, Crossroads, and Adult Education

Type Information

Purpose:

The School Spotlight gives the Board of Education and the public an opportunity to hear from each school with highlights of their achievements and initiatives.

Background:

The presentation will be presented by the Bridgepoint, Crossroads, and Adult Education Principal, Julie Calderon.

File Attachments

[Alternative Education School Spotlight .pdf](#) (1,677 KB)

9 PUBLIC COMMENT ON NON-AGENDA ITEMS

Public Comment on Non-Agenda Items

Type Procedural

Purpose:

To provide a space for the community to make a comment on non-agenda items.

Background:

Please see click the link below for Public Comment information on Non-Agenda Items and Agenda items.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=BN8PNC6402C1>

10 SUPERINTENDENT REPORT

Superintendent Report

Type Information

Purpose:

The superintendent will provide the Board with district information, updates, news, or anything in the jurisdiction of the board or the superintendent.

Background:

Information provided by the Superintendent

File Attachments

[Supt Report 5.6.21.pdf](#) (3,065 KB)

11 STAFF REPORT

Letter from the Alameda County Office of Education Regarding the 2020-21 Second Interim Budget Report

Type Information

Purpose:

The Chief Business Official will review the letter from the Alameda County Office of Education (ACOE) regarding the Newark Unified School District (NUSD) 2020-21 Second Interim Budget Report.

Background:

The Governing Board approved a POSITIVE Certification of NUSD's Second Interim Budget Report on March 4, 2021. The district subsequently submitted the report to ACOE, as required, for their review and analysis. In accordance with Education Code (EC) Section 42131, ACOE reviewed the Second Interim Budget Report based on standards and criteria for fiscal stability adopted by the State Board of Education pursuant to EC Section 33127. Based on ACOE's review and analysis, the 2020-21 Second Interim Budget Report approved by NUSD's Board of Education on March 4, 2021, accurately reflects the financial status of the District. ACOE, therefore, concurs with NUSD's POSITIVE certification with comments.

File Attachments

[Newark 2020-21 Second Interim Board Letter FINAL.pdf](#) (196 KB)

Update on Math Offerings 2021-2022

Type Information

Purpose:

To provide information to the Board of Trustees about math offerings for the 2021-2022 academic school year and the vision for future community engagements regarding NUSD's 6-12 Mathematics Model.

Background:

Preliminary information regarding community mathematics engagements for the 2021-2022 academic school year was presented at the 4/15/21 board meeting, with the goal of reporting engagement outcomes at the next board meeting (5/6/21).

File Attachments

[Math Program Update 5.6.21.pdf](#) (349 KB)

Update on the Newark Junior High School Stairs Project

Type Discussion, Information

Purpose:

The CBO and Project Manager, RGM Kramer, will provide an update on the Newark Junior High School (NJHS) Stairs Project. The Board is invited to provide input and feedback on the design and scope of work presented.

Background:

The Board approved the NJHS Stairs Project on February 18, 2021. The staff has been working with the architects to review preliminary drawings and possible options on the stairs design. Concrete repair in front of the large staircase (stairway #2) on Lafayette has been added to the scope as an alternate. There will be work on the ADA access ramp at stairway #1 (main stairs by the parking lot) that is tied to the solar project due to DSA (Division of State Architect) requirements. Construction is projected to begin in late June 2021 and completed in early August 2021.

File Attachments

[Newark PPT-06.pdf](#) (14,091 KB)

12 NEW BUSINESS

Release of Special Term, Retirees, and/or Long-Term Guest Teachers

Type	Action
Absolute Date	May 06, 2021
Recommended Action	Staff recommends the Board of Education approve the release of Special Term, Retirees, and/or Long-Term Guest Teachers

Background:

Each year certificated staff is hired to fill positions for permanent staff that may be on a leave of absence, in a job share, or in a special assignment. Permanent teachers have the right to return the following year to an assignment for which they are credentialed. Special Term, Retirees, and Long-Term Guest Teachers do not have automatic rehire rights and may be released by the district at the conclusion of their assignment. Attached is a list of certificated employees to be released as per California Education Code 44954.

File Attachments

[California Education Code.pdf](#) (110 KB)
[HR Long Term Sub Release 05-06-21.pdf](#) (355 KB)

Motion & Voting

Staff recommends the Board of Education approve the release of Special Term, Retirees, and/or Long-Term Guest Teachers

Motion by Terrence Grindall, second by Elisa Martinez.
Final Resolution: Motion Carries
Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill
Not Present at Vote: Wahhab Salemi

Day of the Teacher

Type Action
Recommended Staff recommends the Board of Education adopt Resolution No. 2020.21-027 Day of the
Action Teacher.

Purpose:
The purpose of this item is to adopt Resolution No. 2020.21-027 recognizing Day of the Teacher, May 12, 2021.

Background:
Newark teachers continue to provide outstanding instruction and learning opportunities for each Newark student. Students, parents, administrators, and the Board of Education appreciate the efforts of our credentialed instructional staff. Newark teachers are dedicated professionals who commit long hours beyond the school day in the interest of our students. Our teachers continue to study and prepare themselves to provide for the success of all of our students. Resolution No. 2020.21-027 acknowledges the contributions of the District's certificated employees.

File Attachments
[Resolution Day of the Teacher.pdf](#) (32 KB)

Motion & Voting
Staff recommends the Board of Education adopt Resolution No. 2020.21-027 Day of the Teacher.
Motion by Bowen Zhang, second by Phuong Nguyen.
Final Resolution: Motion Carries
Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill
Not Present at Vote: Wahhab Salemi

Classified School Employees Week

Type Action
Recommended Staff recommends the Board of Education adopt Resolution No. 2020.21-028, Classified
Action School Employees Week.

Purpose:
The purpose of this item is to adopt Resolution No. 2020.21-028 recognizing Classified School Employees Week, May 16-22, 2021.

Background:
Classified employees continue to provide valuable services to support the district mission to ensure success for all students. The valuable contributions of our dedicated classified support staff have a broad impact on students, classrooms, offices, maintenance, grounds, cafeterias, and other support areas. This year, the week of May 16-22 has been designated as Classified Employees Week. Classified employees provide support to both students and staff in the Newark Unified School District. Students, teachers, administrators, and the Board of Education appreciate their efforts. Resolution No. 2020.21-028 acknowledges the contributions of the District's classified employees.

File Attachments
[Resolution Classified Employees Week.pdf](#) (32 KB)

Motion & Voting
Staff recommends the Board of Education adopt Resolution No. 2020.21-028, Classified School Employees Week.
Motion by Bowen Zhang, second by Terrence Grindall.
Final Resolution: Motion Carries
Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill
Not Present at Vote: Wahhab Salemi

Declaration of Need for Fully Qualified Educators

Type Action
Recommended Staff recommends the Board of Education approve the Declaration of Need for Fully
Action Qualified Educators as presented.

Purpose:
The California Commission on Teacher Credentialing requires that each school district file a Declaration of Need for Fully Qualified Educators for the pending academic year.

Background:
The declaration specifies the number of teachers the school district anticipates hiring in designated subjects and at designated levels on emergency permits and the number of interns the school district anticipates hiring. The declaration is valid for one academic year and is a prerequisite to the issuance of any emergency permits to the school district from the Commission on Teacher Credentialing. The declaration may be amended throughout the academic year as needed.

File Attachments

- [NUSD CTC DON 2021-2022.pdf](#) (321 KB)
- [CTC Annual Statement of Need 2021-2022.pdf](#) (262 KB)

Motion & Voting

Staff recommends the Board of Education approve the Declaration of Need for Fully Qualified Educators as presented.

Motion by Terrence Grindall, second by Elisa Martinez.
 Final Resolution: Motion Carries
 Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall
 Nay: Aiden Hill
 Not Present at Vote: Wahhab Salemi

English Language Development (ELD) Curriculum Adoption

Type	Action
Absolute Date	May 06, 2021
Fiscal Impact	Yes
Dollar Amount	\$30,000.00
Budgeted	Yes
Budget Source	Lottery
Recommended Action	Staff recommends that the Board of Education approve the adoption and purchase of the recommended English Language Development (ELD) curriculum, instructional materials, and licenses for the secondary ELD courses (7th - 12th).

Purpose:
 The NUSD staff recommends that the Local Board approves the following English Language Development (ELD) Curriculum/Instructional materials for secondary ELD courses:
 Get Ready! (Grades 6-8)
 Get Ready! (Grades 9-12)
 Pathways: Level 3 (Grades 6-8)
 EDGE: Fundamentals Level (Grades 9-12)

Background:
 California Education Code (EC) Section 60811 requires the adoption of English language development (ELD) standards for students identified as English learners. The purpose of such standards is to support school districts in developing their programs and services to meet the needs of English learners as well as help them:
 Achieve proficiency in English (in a quick, swift, and effective manner)
 Attain access to the standards-based curriculum (all core/subject areas)
 Achieve state and local grade-level academic standards (performance levels similar to that of their native English-speaking peers)
 Achieve reclassification status

In November 2012, the California School Board of Education approved the most recent ELD standards. These standards were established to purposefully align and augment the California State Standards for English Language Arts and Literacy in History/Social Studies, Science, and Technical Subjects (ELA/Literacy). Common Core State Standards (ELA and Literacy). Such alignment allows for English learners to receive English language development instruction in support of English proficiency and access to a standards-based curriculum.
 The last time NUSD adopted a curriculum for ELD was prior to 2012. The adopted program was Accelerated-English - (Kevin) Clark Consulting and Training Inc. which was aligned to the old ELD standards. In 2018-19, NUSD began the discussion of searching for and adopting a new ELD curriculum. In 2019-2020, a committee was formed to begin the process by identifying programs to pilot. In 2020-21, secondary ELD teachers piloted identified programs. To that end, the NUSD secondary ELD team recommends that the local board approve the recommended ELD programs to implement Fall 2020.

File Attachments

- [Streamlined.ELD Curriculum Adoption Timeline.pdf](#) (72 KB)
- [ELD Curriculum Adoption.Board presentation.May 2021.pdf](#) (516 KB)

Motion & Voting

Staff recommends that the Board of Education approve the adoption and purchase of the recommended English Language Development (ELD) curriculum, instructional materials, and licenses for the secondary ELD courses (7th - 12th).

Motion by Bowen Zhang, second by Terrence Grindall.
 Final Resolution: Motion Carries
 Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill
 Not Present at Vote: Wahhab Salemi

Graduation Requirements - Class of 2021

Type	Action
Fiscal Impact	No
Recommended Action	Staff recommends the Board of Education approve the following temporary modifications to graduation requirements for the class of 2021:
	<ol style="list-style-type: none"> 1. Allow 5th Year (Criteria-based, with Principal Approval), 2. Reduce Graduation Credit Requirements by 10 at NMHS, and 3. Implement Graduation/Summer School Senior Contracts.

Purpose:

Recommendations will be presented to the Board of Education for approval to adopt flexible graduation requirements (for the duration of one year) given the impact of pandemic-related school closures on the graduating class of 2021.

Background:

Given the additional challenges high school seniors have faced during the COVID-19 pandemic locally and nationally, NUSD high schools would like to recommend temporary, flexible graduation requirement options to be considered for the class of 2021. Preliminary information regarding this year's graduating class was provided at the 4/15/21 board meeting.

File Attachments

Class of 2021 Graduation Requirements (Board Recommendation 5_6_21).pdf (140 KB)

Motion & Voting

Staff recommends the Board of Education approve the following temporary modifications to graduation requirements for the class of 2021:

1. Allow 5th Year (Criteria-based, with Principal Approval),
2. Reduce Graduation Credit Requirements by 10 at NMHS, and
3. Implement Graduation/Summer School Senior Contracts.

Motion by Terrence Grindall, second by Elisa Martinez.

Final Resolution: Motion Fails

Yea: Elisa Martinez, Phuong Nguyen, Terrence Grindall

Nay: Bowen Zhang, Aiden Hill

Not Present at Vote: Wahhab Salemi

Resolution 2020.21-029 Honoring May as Asian American and Pacific Islander Heritage Month & Denouncing Hate Crimes and Bigotry Targeting AAPI Communities

Type Action

Recommended	Staff recommends the Board of Education adopt Resolution No. 2020.21-029 Honoring May
Action	as Asian American and Pacific Islander Heritage Month & Denouncing Hate Crimes and Bigotry Targeting AAPI Communities

Purpose:

To adopt Resolution 2020.21-029 Recognizing May as Asian American and Pacific Islander Heritage Month & Denouncing Hate Crimes and Bigotry Targeting AAPI Communities.

Background:

In 1990 Congress voted to expand Asian Pacific Heritage from a week to a month-long celebration and in May 1992, the month of May was permanently designated as National Asian American and Pacific Islander Heritage Month- a celebration of Asian and Pacific Islander Americans in the United States. This is an opportunity to share the historical and current contributions of all Asian and Pacific Islander Americans.

The diversity of these groups include Asian Indian, Bengali, Burmese, Cambodian, Chinese, Filipino, Guamanian, Hawaiian, Hmong, Indonesian, Japanese, Korean, Lao, Malayan, Okinawan, Pakistani, Samoan, Thai, Vietnamese, and others.

In Newark Unified School District, 24% of the student population are identified as Asian, Filipino, or Pacific Islander.

File Attachments

AAPI Resolution 2020.21-029 May 6 2021.pdf (76 KB)

Motion & Voting

Staff recommends the Board of Education adopt Resolution No. 2020.21-029 Honoring May as Asian American and Pacific Islander Heritage Month & Denouncing Hate Crimes and Bigotry Targeting AAPI Communities

Motion by Elisa Martinez, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

Not Present at Vote: Wahhab Salemi

13 CONSENT AGENDA - PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type Action

Recommended	Staff recommends that the following personnel agenda items be approved under one
Action	consented vote. Items _____.

Purpose:

This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:

Items within Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion. There will be no separate discussion of these items; however, any item may be removed from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Personnel Report

Type Action
Recommended Staff recommends the Board of Education ratify the personnel report as presented.
Action

Purpose:
All personnel activities including new hires, changes in status, resignation, leaves, and retirements are routinely submitted to the Board for ratification.

File Attachments
HR PAL 05-06-21.pdf (359 KB)

Motion & Voting
Staff recommends the Board of Education ratify the personnel report as presented.
Motion by Phuong Nguyen, second by Elisa Martinez.
Final Resolution: Motion Carries
Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill
Not Present at Vote: Wahhab Salemi

14 CONSENT AGENDA - NON-PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type Action
Recommended Staff recommends that the following agenda items be approved under one consented vote.
Action Items _____.

Purpose:
This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:
Items within Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion. There will be no separate discussion of these items; however, any item may be removed from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Motion & Voting
Staff recommends that the following agenda items be approved under one consented vote. Items 14.2 and 14.3.
Motion by Phuong Nguyen, second by Terrence Grindall.
Final Resolution: Motion Carries
Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill
Not Present at Vote: Wahhab Salemi

Addendum #2 To Agreement with Jackie Melcher, Behavioral Health Clinician

Type Action
Fiscal Impact Yes
Dollar Amount \$77,500.00
Budgeted Yes
Budget Source Title 1
Recommended Staff recommends the Board of Education ratifies the addendum to the agreement with
Action Jackie Melcher, Behavioral Health Clinician, for services at Schilling Elementary School.

Purpose:
To increase the total compensation and amend the contract with Jackie Melcher, Behavioral Health Clinician, previously approved by the Board on August 20, 2020.

Background:
This agreement provides Schilling Elementary School students an onsite Behavioral Health Clinician who supports Tier I and Tier II needs. The clinician also supports the implementation of Positive Behavioral Interventions and Support (PBIS). The original Independent Contractor Agreement and Memorandum of Understanding (MOU), were approved on August 20, 2020. Addendum #1, approved on September 17, 2020, corrected the hourly compensation rate from \$51.78 to \$65.00 per hour. The hourly rate increase did not affect the Financial Provisions that Schilling Elementary School would contribute (an amount not to exceed \$64,000.00). The original Independent Contractor Agreement, MOU, and Addendum #1 are attached for reference.
As a result of the pandemic, the Clinician has been expanding services, and working more hours after school, supporting students and parents. Additional services include, but are not limited to:
Making videos for SEL curriculum and providing parent support for SEL after school hours
Looking through the new SEL curriculum and integrating Character Strong lessons with Second Step
Providing Second Step training for all teachers after school
Hosting social groups with students after hours to help them during non-academic times
Providing individualize supported tier services and supporting parents, after hours, with implementing these strategies at home
Addendum #2 to the Independent Contractor Agreement for Behavior Health Clinician, Jackie Melcher increases the total compensation by \$13,500.00, making the total amount of the agreement \$77,500.00.

File Attachments

- [Jackie Melcher_contract for Schilling_2020-21_fully executed_redacted.pdf](#) (420 KB)
- [Jackie Melcher_contract for Schilling_2020-21_Addendum #1_fully executed.pdf](#) (66 KB)
- [Jackie Melcher_contract for Schilling_2020-21_Addendum #2_fully executed.pdf](#) (61 KB)

Individual Service Agreement -Esther B. Clark ISA 21-05b

Type	Action
Preferred Date	May 06, 2021
Absolute Date	May 20, 2021
Fiscal Impact	Yes
Dollar Amount	\$7,108.00
Budgeted	Yes
Budget Source	Special Education
Recommended Action	The staff recommends the Board of Education ratifies the agreement.
Goals	1. To provide academic excellence via equity and opportunities for all students.

Purpose:

Newark Unified School District's least restrictive environment (LRE) for a student with disabilities (SWDs) per IDEA was determined by the IEP team to be a placement in a Non-Public School (NPS). This placement is due to the significant disability, behavioral, or programmatic need that has impacted the student's current ability to be successful within the general education setting. (Education Code 56342.1 & EC 56366) <http://www.gamutonline.net/district/newark/DisplayPolicy/137894/>
 This proposed action is consistent with the existing Board of Education Policy 0200.

Background:

As part of the U.S. Individuals with Disabilities Education Act (IDEA), the least restrictive environment is identified as one of the six (6) principles that govern the education of students with disabilities and other special needs. By law, schools are required to provide a Free Appropriate Public Education (FAPE) in the least restrictive environment that is appropriate to the individual student's needs. "Least restrictive environment" (LRE) means that a student who has a disability should have the opportunity to be educated with non-disabled peers, to the greatest extent appropriate. They should have access to the general education curriculum, extracurricular activities, or any other program that non-disabled peers would be able to access. The student should be provided with supplementary aids and services necessary to achieve educational goals if placed in a setting with non-disabled peers. Should the nature or severity of a student's disability prevents the student from achieving these goals in a regular education setting, the student would then be placed in a more restrictive environment, such as a Resource Program, separate classroom with specialized academic instruction (Special Day Class), or a non-public school.
 To determine what an appropriate setting is for a student, an IEP (Individualized Education Program) team reviews the student's needs and interests. The types of educational settings for students with disabilities will vary. With by the differences in needs and interests among students with disabilities, there is no single definition of what an LRE will be for all students.

File Attachments

[Esther B. Clark ISA 21-05b_Redacted.pdf](#) (331 KB)

15 BOARD OF EDUCATION - COMMITTEE REPORTS, ANNOUNCEMENTS, REQUESTS, DEBRIEF,

Board of Education Committee Reports

DEBRIEF, AND DISCUSSION

Type Information

Purpose:

The board committee members will give any updates, if available, of the committees they are members of.

Background:

- Mission Valley ROP - Elisa Martinez
- SELPA - Bowen Zhang
- Newark - NUSD Liaison Committee - Phuong Nguyen & Terrence Grindall
- Newark Teacher Induction Advisory Council (Formally EBBIC) - Elisa Martinez
- Audit Committee - Phuong Nguyen & Aiden Hill
- Bond/Parcel Tax - Elisa Martinez & Terrence Grindall

Board of Education Requests

DEBRIEF, AND DISCUSSION

Type Information

Purpose:

This is an opportunity for Board members to suggest items for placement on future agendas, and to review requests.

Background:

Governance Team Handbook
 Authority is collective, not individual:
 The only authority to direct action rests with the Board when seated at a regular or special Board meeting. Outside this meeting, there is no authority.
 A majority vote of the Board provides direction to the Superintendent. Board members will not undermine the ability of

staff to carry out Board direction.

Bring up new ideas/decide to move new ideas forward:

The Board will be open to having "brainstorming" discussions about any idea that a Board member may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Board member, at his or her own initiative or at the request of a constituent, which has not previously been discussed during a Board meeting.

Board members will first notify the Board President and/or the Superintendent of their interest in bringing forward a new idea. The preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.

Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea. The Superintendent will decide on the delegation of assignments to other District staff.

The new idea will be agendaized for discussion only. The Board will decide if the new idea should be further developed and studied by staff. A Board majority will decide if staff time should be invested in the "fleshing out" of new ideas.

Individual Board members, in the course of interactions with constituents, will be careful not to make or imply a commitment of the full Board to explore or proceed with implementing new ideas.

Board of Education Recognitions and Announcements

DEBRIEF, AND DISCUSSION

Type Information

Purpose:

This is an opportunity for Board members to acknowledge or recognize specific programs, activities, or personnel.

16 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD, AND FUTURE

Superintendent's Concluding Comments, Updates for the Board, and Future Agenda Requests

FUTURE AGENDA REQUESTS

Type Information

Purpose:

This is an opportunity for the Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

17 ADJOURNMENT

PLACEHOLDER - Extend Meeting

Type Action

Recommended The recommendation is that the Board extend the meeting to ____ PM
Action

Purpose:

This is a placeholder, only to be used if the Board adds a motion to extend the meeting.

Motion & Voting

The recommendation is that the Board extend the meeting to 11:00 PM

Motion by Bowen Zhang, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

Not Present at Vote: Wahhab Salemi

The recommendation is that the Board extend the meeting to 11:15 pm.

Motion by Bowen Zhang, second by Elisa Martinez.

Final Resolution: Motion Carries

Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

Not Present at Vote: Wahhab Salemi

Adjournment

Type Action, Procedural

Recommended The recommendation is that this meeting be adjourned.
Action

Purpose:

No items will be considered after 10:00 p.m., unless it is determined by a majority of the Board to extend to a specific time. This action will conclude the meeting.

Motion & Voting

The recommendation is that this meeting is adjourned at 11:09 pm.

Motion by Bowen Zhang, second by Elisa Martinez.

Final Resolution: Motion Carries

Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

Not Present at Vote: Wahhab Salemi

1 Live Comments: Join with an Internet-connected device (tablet, computer, phone, etc.)

Virtual Meeting Practices & Connection Information

Type Information, Procedural

In accordance with the Governor's Executive Order N-29-20, Board meetings will be held "virtually" until further notice. These meetings will be accessible to the public by internet or telephone. No physical meeting place will be provided.

Meetings will live-streamed on the NUSD YouTube on the internet.

Public comment opportunities will be available through the virtual meeting. Please see the public comment instructions provided here.

As always, we encourage you to contact the entire Board by email at "board@newarkunified.org." This address goes directly to the Board members, who check their emails frequently.

Roll Call

Type Procedural

Board Members:

President Bowen Zhang

Member Phuong Nguyen

Member Elisa Martinez

Member Terrence Grindall

Member Aiden Hill

Student Board Member:

Member Wahhab Salemi

2. APPROVAL OF AGENDA

Approval of Agenda

Type Action

Recommended Recommendation is that the Board of Education approve the agenda for this meeting.

Action

Purpose:

Members of the Board may request that the agenda be approved as presented or amended.

Motion & Voting

Recommendation is that the Board of Education approve the agenda for this meeting.

Motion by Phuong Nguyen, second by Elisa Martinez.

Final Resolution: Motion Carries

Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

Not Present at Vote: Wahhab Salemi

3 CLOSED SESSION

Conference with Labor Negotiator (GC54957.6(a)): Employee Organizations - NTA & CSEA

Type Action, Procedural

Information will be provided by the agency negotiator. Assistance from legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided.

The employee organizations include NTA & CSEA.

Recess to Closed Session

Type Procedural

Purpose:

The Board will recess to Closed Session, and reconvene to Open Session on or about 7pm.

4 REPORT OF CLOSED SESSION ACTIONS

Report of Closed Session Actions

Type Action, Procedural

Purpose:

If available, a report of closed session will be provided by the Board President.

5 NEW BUSINESS

Reopening Plan and Timeline

Type Action, Discussion, Information
Recommended (Recommendation left blank to allow the Board to decide if action is needed)
Action

Purpose:
The staff will review the existing Reopening Plan and a timeline for the reopening of schools to in-person learning. In addition, the staff will present the possible options available to the Board regarding in-person learning.

Motion & Voting
Motion to direct the Superintendent to unilaterally implement the MOU agreed to by the NTA representatives.
Motion by Terrence Grindall, second by Elisa Martinez.
Final Resolution: Motion Carries
Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall
Nay: Aiden Hill
Not Present at Vote: Wahhab Salemi

6 BOARD OF EDUCATION - ANNOUNCEMENTS, DEBRIEF, AND DISCUSSION

Board of Education Announcements

Type Information

Purpose:
This is an opportunity for Board members to acknowledge or recognize specific programs, activities, or personnel.

7 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

Superintendent's Concluding Comments, Updates for the Board, and Future Agenda Requests

AGENDA REQUESTS

Type Information

Purpose:
This is an opportunity for the Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

8 ADJOURNMENT

Adjournment

Type Action, Procedural
Recommended The recommendation is that this meeting be adjourned.
Action

Purpose:
This action will conclude the meeting.

1 Live Comments: Join with an Internet-connected device (tablet, computer, phone, etc.)

Virtual Meeting Practices & Connection Information

Type Information, Procedural
In accordance with the Governor's Executive Order N-29-20, Board meetings will be held "virtually" until further notice. These meetings will be accessible to the public by internet or telephone. No physical meeting place will be provided. Meetings will live-streamed on the NUSD YouTube on the internet. Public comment opportunities will be available through the virtual meeting. Please see the public comment instructions provided here. As always, we encourage you to contact the entire Board by email at "board@newarkunified.org." This address goes directly to the Board members, who check their emails frequently.

Roll Call

Type Procedural
Board Members:
President Bowen Zhang
Member Phuong Nguyen
Member Elisa Martinez
Member Terrence Grindall

Member Aiden Hill

Student Board Member:

Member Wahhab Salemi

2. APPROVAL OF AGENDA

Approval of Agenda

Type Action

Recommended Recommendation is that the Board of Education approve the agenda for this meeting.

Action

Purpose:

Members of the Board may request that the agenda be approved as presented or amended.

Motion & Voting

Recommendation is that the Board of Education approve the agenda for this meeting.

Motion by Bowen Zhang, second by Bowen Zhang.

Final Resolution: Motion Carries

Yea: Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

Not Present at Vote: Elisa Martinez, Wahhab Salemi

3 STUDY SESSION

Public Comment on Board Study Session Items

Type Procedural

Purpose:

To provide a space for the community to make a comment on the Board Study Session.

Background:

Please see the link below for Public Comment information.

<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=BN8PNC6402C1>

2021-22 Local Control Accountability Plan - Board of Trustees Input

Type Discussion, Information

Goals MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens. VISION: The Newark Unified School District, in partnership with the community, will be a model of world-class education that develops the unique abilities of every student. 1. To provide academic excellence via equity and opportunities for all students.

Purpose:

We invite the Board of Trustees to provide input on the development of the 2021-22 Local Control Accountability Plan (LCAP).

Background:

As part of the development process of the LCAP, Local Education Agencies (LEAs) are to engage stakeholders in the process and obtain input. As per EC section 52060(g) and 52066(g), LEAs are to consult with parents, students, teachers, principals, administrators, other school personnel, and local bargaining units. In addition, they must establish and involve a Parent Advisory Committee (PAC) and an English Learner Advisory Committee (ELPAC), if the English Learner enrollment numbers meet a certain threshold. NUSD has established an LCAP Advisory Committee that is composed of all the stakeholder groups mentioned above and where the majority of the members are parents. The District English Learner Advisory Committee (DELAC) serves as the ELPAC.

For the development of the 2021-2022 LCAP, NUSD is inviting its Board of Trustees to participate in the process by holding a study session where they can discuss and provide input in the focus areas that will shape the goals and actions of this plan.

File Attachments

[LCP Actions_Services Current Implementing 3.23.21 \(2\) \(1\).pdf](#) (89 KB)

[2019-2020 LCAP Actions_Services Implemented 1.29.20_v2 \(1\) \(1\).pdf](#) (85 KB)

[PAC_DELAC Recommendations \(2020-2021 LCAP\).pptx.pdf](#) (72 KB)

[Copy of 20-21 LCAP Stakeholder Engagement Input.xlsx - Board Study Session 4.15.21.pdf](#) (55 KB)

[LCAP Stakeholder Engagement Presentation _April2021\(2\).pdf](#) (1,601 KB)

4 CLOSED SESSION

Public Comment on Closed Session Item

Type Procedural

Purpose:

To provide a space for the community to make a comment on Closed Session Items.

Background:

Please see the link below for Public Comment information.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=BN8PNC6402C1>

Public Employee Discipline/Dismissal/ Release (GC54957)

Type Action, Procedural
Information will be provided by the Superintendent.

Conference with Labor Negotiator (GC54957.6(a)): Employee Organizations - NTA & CSEA

Type Action, Procedural
Information will be provided by the agency negotiator. Assistance from legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided.
The employee organizations include NTA & CSEA.

Conference with Labor Negotiator (GC54957.6(a)): Employee Group - NEWMA, Unrepresented Supervisors & Contracted

Type Action, Procedural
Information will be provided by the agency negotiator. Assistance from legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided.
The employee organizations include NEWMA, Unrepresented Supervisors, and Contracted Management

Conference with Legal Counsel - Anticipated Litigation (GC 54956.9(d)(4))

Type Action, Procedural
Information will be provided regarding:
Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: One case

Recess to Closed Session

Type Procedural
Purpose:
The Board will recess to Closed Session, and reconvene to Open Session on or about 7pm.

5 RECONVENE TO OPEN SESSION

Pledge of Allegiance

Type Procedural

6 REPORT OF CLOSED SESSION ACTIONS

Report of Closed Session Actions

Type Action, Procedural
Purpose:
If available, a report of closed session will be provided by the Board President.

7 EMPLOYEE ORGANIZATIONS

Employee Organizations

Type Information
Purpose:
At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.
Background:
Discussion items are limited to updates, celebrations, and upcoming events.
1. NTA: Sean Abruzzi
2. CSEA: Sue Eustice
3. NEWMA: Cathreene Ingham-Watters

8 RECOGNITIONS AND CELEBRATIONS

School Spotlight: Newark Memorial High School

Type Information

Purpose:

The School Spotlight gives the Board of Education and the public an opportunity to hear from each school with highlights of their achievements and initiatives.

Background:

The presentation will be presented by the Newark Memorial High School principal, Olivia Rangel.

File Attachments

[NMHS School Spotlight .pdf](#) (3,851 KB)

9 PUBLIC COMMENT ON NON-AGENDA ITEMS

Public Comment on Non-Agenda Items

Type Procedural

Purpose:

To provide a space for the community to make a comment on non-agenda items.

Background:

Please see click the link below for Public Comment information on Non-Agenda Items and Agenda items.

<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=BN8PNC6402C1>

10 SUPERINTENDENT REPORT

Superintendent Report

Type Information

Purpose:

The superintendent will provide the Board with district information, updates, news, or anything in the jurisdiction of the board or the superintendent.

Background:

Information provided by the Superintendent

11 STAFF REPORT

Graduation Requirements - Class of 2021

Type Information

Purpose:

To provide information to the Board of Trustees about possible flexible graduation requirements given the impact of pandemic related school closures on the graduating class of 2021.

Background:

The Board of Trustees recently voted to align NMHS graduation requirements with a-g requirements. Given the additional challenges high school seniors have faced during the COVID-19 pandemic, NUSD high schools would like to provide information regarding temporary, flexible graduation requirement options to be considered for the class of 2021.

File Attachments

[Graduation during a Pandemic.pdf](#) (842 KB)

Bond Projects Update

Type Information

Purpose:

RGM Kramer, the district's Bond Project Manager, and the CBO will provide an update on the Measure G Bond projects.

Background:

The Board approved a list of Measure G priority projects on October 16, 2018.

A Board Study Session was held on February 6, 2020 to review the status of the Measure G bond projects and the

amount of remaining funds. There was approximately \$7,800,000 remaining in Measure G funds. The Board asked staff to review facilities needs and get input on priorities from Principals. The Superintendent and CBO met with the Principals on February 12, 2020 to gather input. A list of projects and a budget was approved by the Board on February 20, 2020. Projects included HVAC system upgrades, new flooring, landscaping improvements, plumbing and irrigation repairs, roof repairs, and security fencing. The budget reflected rough estimates of the cost of the projects. Budget revisions and project changes will be submitted to the Board for approval as needed. The budget was revised and approved by the board on September 17, 2020 and October 6, 2020. An update on the projects and a revised budget will be presented at the April 15, 2021 board meeting.

File Attachments

- NUSD Bond Projects Update 4-15-21 Board Meeting.pdf (1,061 KB)
Measure G Budget Update 4-15-2021.pdf (88 KB)

12 OLD BUSINESS

NUSD Governance Team Handbook

Type Action
Recommended Staff recommends that the Board of Education approve the NUSD Governance Handbook
Action with the Board suggested updates.

Purpose:
For the Board of Education to approve the updated NUSD Governance Team Handbook with the Board suggested edits.

Background:
The Board held multiple sessions to review the Governance Handbook and suggested edits which are reflected in this handbook.

File Attachments

- NUSD Governance Team Handbook - REVISED 2021.04.pdf (349 KB)

Motion & Voting

Staff recommends that the Board of Education approve the NUSD Governance Handbook with the Board suggested updates.

Motion by Terrence Grindall, second by Elisa Martinez.
Final Resolution: Motion Carries
Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Wahhab Salemi

13 NEW BUSINESS

Resolution No. 2020.21-026 Classified Layoffs

Type Action
Recommended Staff recommends the Board of Education approve Resolution No. 2020.21-026 to lay off or
Action reduce hours of certain classified positions for lack of work or lack of funds.
Resolution No. 2020.21-026 will be presented to the Board of Education for approval to layoff certain classified positions for lack of work or lack of funds. This resolution gives authorization for the District to formally notify certain classified employees that they are being laid off. This process is required under California Education Code 45117. The Snow positions are due to the school closure. One Food Service delivery driver position is a layoff, the other position is a reduction in hours due to the pandemic and loss of outside contracts.

File Attachments

- Ed Code 45117.pdf (94 KB)
Classified Layoff Resolution 2020.21-026.pdf (8 KB)

Motion & Voting

Staff recommends the Board of Education approve Resolution No. 2020.21-026 to lay off or reduce hours of certain classified positions for lack of work or lack of funds.

Motion by Phuong Nguyen, second by Elisa Martinez.
Final Resolution: Motion Carries
Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill
Nay: Wahhab Salemi

14 CONSENT AGENDA - PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type Action
Recommended Staff recommends that the following personnel agenda items be approved under one
Action consented vote. Items _____.

Purpose:

This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:

Items within Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion. There will be no separate discussion of these items; however, any item may be removed from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Personnel Report

Type Action

Recommended Staff recommends that the Board of Education ratify the personnel report as presented

Action This report includes employment, retirements, reassignments and terminations for both certificated and classified employees. Specific actions can be made known at the conclusion of the meeting.

File Attachments

[HR PAL 04-15-21.pdf](#) (371 KB)

Motion & Voting

Staff recommends that the Board of Education ratify the personnel report as presented

Motion by Elisa Martinez, second by Terrence Grindall.

Final Resolution: Motion Carries

Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall

Nay: Aiden Hill

Not Present at Vote: Wahhab Salemi

15 CONSENT AGENDA - NON-PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type Action

Recommended Staff recommends that the following agenda items be approved under one consented vote.

Action Items _____.

Purpose:

This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:

Items within Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion. There will be no separate discussion of these items; however, any item may be removed from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Quarterly Report on Contracts - FY 2020-21, 3rd Quarter

Type Action

Fiscal Impact Yes

Dollar Amount \$38,500.00

Budget Source General Fund

Recommended Staff recommends the Board of Education receive the Quarterly Report on Contracts.

Action
Goals 2. Establish financial stability and fiscal solvency in order to drive continuous improvement.

Purpose:

These quarterly reports on contracts are submitted to the Board for review.

Background:

The Board has requested a report of all contracts for services over \$10,000 be reviewed by the Board on a quarterly basis. This report only includes contracts that have not been previously approved by the Board. This report lists contracts from the 3rd Quarter of FY 2020-21 (January, February, March 2021). Contracts are on file in the Business Office.

File Attachments

[2020-21 Q3 Contracts over \\$10K.pdf](#) (34 KB)

[JR Consulting Services, LLC_Redacted.pdf](#) (338 KB)

[Janette Hernandez, Project Consultant_Redacted.pdf](#) (350 KB)

Motion & Voting

Staff recommends the Board of Education receive the Quarterly Report on Contracts.

Motion by Elisa Martinez, second by Terrence Grindall.

Final Resolution: Motion Carries

Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall

Nay: Aiden Hill

Not Present at Vote: Wahhab Salemi

Warrant Report for March 2021

Type Action
Fiscal Impact No
Recommended Staff recommends the Board of Education approve the Warrant Report as presented.
Action
Goals 2. Establish financial stability and fiscal solvency in order to drive continuous improvement.

Purpose:
The purpose of this item is to present warrants, for the total amount of \$1,463,425.58 made from District funds for March 2021.

Background:
The warrant registers represent a complete listing of all payments made from District funds for a month. Because Newark Unified School District is a fiscally dependent District, each warrant must pass through two separate audits; first by the District's Fiscal Services department, and second by the County Office of Education. No warrant can be paid until such time as it is examined and approved by the County Office of Education.

File Attachments
March 2021 AP Warrant Board Report_4-15-2021.pdf (581 KB)

Minutes of the April 1, 2021 Regular Meeting of the Board of Education

Type Action, Minutes
Recommended Staff recommends the Board of Education approve the minutes of April 1, 2021, Regular
Action Meeting of the Board of Education.

Purpose:
For the board to review and approve the minutes

Background:
The attached minutes are reflective of the April 1, 2021, Regular Meeting of the Board of Education. The exact language is available for viewing on the NUSD YouTube Channel HERE.

16 BOARD OF EDUCATION - COMMITTEE REPORTS, ANNOUNCEMENTS, REQUESTS, DEBRIEF

Board of Education Committee Reports

DEBRIEF AND DISCUSSION

Type Information

Purpose:
The board committee members will give any updates, if available, of the committees they are members of.

Background:
Mission Valley ROP - Elisa Martinez
SELPA - Bowen Zhang
Newark - NUSD Liaison Committee - Phuong Nguyen & Terrence Grindall
Newark Teacher Induction Advisory Council (Formally EBBIC) - Elisa Martinez
Audit Committee - Phuong Nguyen & Aiden Hill
Bond/Parcel Tax - Elisa Martinez & Terrence Grindall

Board of Education Requests

DEBRIEF AND DISCUSSION

Type Information

Purpose:
This is an opportunity for Board members to suggest items for placement on future agendas, and to review requests.

Background:
Governance Team Handbook
Authority is collective, not individual:
The only authority to direct action rests with the Board when seated at a regular or special Board meeting. Outside this meeting, there is no authority.
A majority vote of the Board provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction.
Bring up new ideas/decide to move new ideas forward:
The Board will be open to having "brainstorming" discussions about any idea that a Board member may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Board member, at his or her own initiative or at the request of a constituent, which has not previously been discussed during a Board meeting.
Board members will first notify the Board President and/or the Superintendent of their interest in bringing forward a

new idea. The preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.

Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea. The Superintendent will decide on the delegation of assignments to other District staff.

The new idea will be agendized for discussion only. The Board will decide if the new idea should be further developed and studied by staff. A Board majority will decide if staff time should be invested in the "fleshing out" of new ideas.

Individual Board members, in the course of interactions with constituents, will be careful not to make or imply a commitment of the full Board to explore or proceed with implementing new ideas.

Board of Education Recognitions and Announcements

DEBRIEF AND DISCUSSION

Type Information

Purpose:

This is an opportunity for Board members to acknowledge or recognize specific programs, activities, or personnel.

17 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

Superintendent's Concluding Comments, Updates for the Board, and Future Agenda Requests

FUTURE AGENDA REQUESTS

Type Information

Purpose:

This is an opportunity for the Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

18 ADJOURNMENT

PLACEHOLDER - Extend Meeting

Type Action

Recommended The recommendation is that the Board extend the meeting to ____PM

Action

Purpose:

This is a placeholder, only to be used if the Board adds a motion to extend the meeting.

Adjournment

Type Action, Procedural

Recommended The recommendation is that this meeting be adjourned.

Action

Purpose:

No items will be considered after 10:00 p.m., unless it is determined by a majority of the Board to extend to a specific time. This action will conclude the meeting.

Motion & Voting

The recommendation is that this meeting be adjourned.

Motion by Bowen Zhang, second by Elisa Martinez.

Final Resolution: Motion Carries

Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

Not Present at Vote: Wahhab Salemi

1 Live Comments: Join with an Internet-connected device (tablet, computer, phone, etc.)

Virtual Meeting Practices & Connection Information

Type Information, Procedural

In accordance with the Governor's Executive Order N-29-20, Board meetings will be held "virtually" until further notice. These meetings will be accessible to the public by internet or telephone. No physical meeting place will be provided.

Meetings will live-streamed on the NUSD YouTube on the internet.

Public comment opportunities will be available through the virtual meeting. Please see the public comment instructions provided here.

As always, we encourage you to contact the entire Board by email at "board@newarkunified.org." This address goes directly to the Board members, who check their emails frequently.

Roll Call

Type Procedural
Board Members:
President Bowen Zhang
Member Phuong Nguyen
Member Elisa Martinez
Member Terrence Grindall
Member Aiden Hill

Student Board Member:
Member Wahhab Salemi
2. APPROVAL OF AGENDA

Approval of Agenda

Type Action
Recommended It is recommended that the Board of Education approve the agenda for this meeting.
Action

Purpose:
Members of the Board may request that the agenda be approved as presented or amended.

Motion & Voting
It is recommended that the Board of Education approve the agenda for this meeting.
Motion by Elisa Martinez, second by Phuong Nguyen.
Final Resolution: Motion Carries
Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

3 CLOSED SESSION

Public Comment on Closed Session Item

Type Procedural

Purpose:
To provide a space for the community to make a comment on Closed Session Items.

Background:
Please see the link below for Public Comment information.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=BN8PNC6402C1>

Public Employee Discipline/Dismissal/ Release (GC54957)

Type Action, Procedural
Information will be provided by the Superintendent and Interim Assistant Superintendent of Human Resources.

Conference with Labor Negotiator (GC54957.6(a)): Employee Organizations - NTA & CSEA

Type Action, Procedural
Information will be provided by the agency negotiator, Interim Assistant Superintendent of Human Resources. Assistance from legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided.
The employee organizations include NTA & CSEA.

Conference with Labor Negotiator (GC54957.6(a)): Employee Group - NEWMA, Unrepresented Supervisors & Contracted

Type Action, Procedural
Information will be provided by the agency negotiator, Interim Assistant Superintendent of Human Resources, and the Superintendent. Assistance from legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided.
The employee organizations include NEWMA, Unrepresented Supervisors, and Contracted Management

Conference with Legal Counsel - Anticipated Litigation (GC 54956.9(d)(4))

Type Action, Procedural
Information will be provided regarding:
Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: One case

Recess to Closed Session

Type Procedural

Purpose:

The Board will recess to Closed Session, and reconvene to Open Session on or about 7pm.

4 RECONVENE TO OPEN SESSION

Pledge of Allegiance

Type Procedural

5 REPORT OF CLOSED SESSION ACTIONS

Report of Closed Session Actions

Type Action, Procedural

Purpose:

If available, a report of closed session will be provided by the Board President.

6 STUDENT REPORT

Student Report from Newark Junior High School, MacGregor and Newark Memorial High School

Type Information

Purpose:

At regular Board meetings, a spokesperson of each secondary school may make a brief presentation. Discussion items may include updates, celebrations, and upcoming events.

1. Newark Junior High School - Alyssa Torres & Rachel Ristau
2. MacGregor - Alexis Blanco Barron
3. Newark Memorial High School - Wahhab Salemi

7 EMPLOYEE ORGANIZATIONS

Employee Organizations

Type Information

Purpose:

At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Background:

Discussion items are limited to updates, celebrations, and upcoming events.

1. NTA: Sean Abruzzi
2. CSEA: Sue Eustice
3. NEWMA: Cathreene Ingham-Watters

8 RECOGNITIONS AND CELEBRATIONS

Staff Spotlight

Type Information

Purpose:

To recognize the wonderful accomplishments of our NUSD Team.

Background:

The presentation will be provided by the Superintendent.

9 PUBLIC COMMENT ON NON-AGENDA ITEMS

Public Comment on Non-Agenda Items

Type Procedural

Purpose:

To provide a space for the community to make a comment on non-agenda items.

Background:

Please see click the link below for Public Comment information on Non-Agenda Items and Agenda items.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=BN8PNC6402C1>

10 SUPERINTENDENT REPORT

Superintendent Report

Type Information

Purpose:

The superintendent will provide the Board with district information, updates, news, or anything in the jurisdiction of the board or the superintendent.

Background:

Information provided by the Superintendent

File Attachments

[Supt Report 4.1.21.pdf](#) (3,237 KB)

11 OLD BUSINESS

Governance Calendar 2020-21

Type Discussion, Information

Purpose:

For the Board to review the existing Governance Calendar.

Background:

As recommended by CSBA and the Board, the District maintains a Governance Calendar that retains information regarding the upcoming Board meetings. This calendar provides information regarding agenda items that will come to the Board from various District departments, as well as recommendations from the Board for future agenda items.
Governance Calendar Link [HERE](#)

12 NEW BUSINESS

Elementary Social-Emotional Learning (SEL) Curriculum - Character Strong

Type Action

Absolute Date	Apr 01, 2021
Fiscal Impact	Yes
Dollar Amount	\$15,993.60
Budgeted	Yes
Budget Source	LLM
Recommended	Staff recommends that the Board approve Character Strong as a elementary SEL curriculum
Action	for Newark Unified School District.

Purpose:

Character Strong, a comprehensive Social-Emotional Curriculum, is designed for students in grades TK-12 at both the elementary and secondary levels. The curriculum is updated each year and includes relevant topics for students, including character education, navigating social media, and dealing with emotions as a result of the pandemic. The curriculum includes ready-made videos, lessons, and supplementary resources for teachers. Students and teachers have voiced significant interest in having an SEL curriculum and with Character Strong, Newark Unified will have a comprehensive vertically-aligned SEL curriculum TK-12. Focusing on the mental health of our students stands as one of the district's three instructional priorities.

Background:

As a result of the pandemic, educators and leaders at the state and county level strongly recommend creating a space for students to engage in Social-Emotional Learning. Teachers and students alike have requested an SEL curriculum to create a space to engage in relevant topics that are not covered in traditional academic courses. Moving forward with Character Strong will allow Newark Unified teachers to have a comprehensive vertically-aligned SEL curriculum for grades TK-12.

File Attachments

[Character Strong Overview.pdf](#) (33 KB)

[Character Strong 4.01.21.pdf](#) (364 KB)

[Character Strong Quote.pdf](#) (41 KB)

Motion & Voting

Staff recommends that the Board approve Character Strong as a elementary SEL curriculum for Newark Unified School District.

Motion by Bowen Zhang, second by Elisa Martinez.
Final Resolution: Motion Carries
Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

Resolution No 2020.21-024: Child Abuse Prevention Month

Type Action
Absolute Date Apr 01, 2021
Recommended Staff recommends the Board adopts Resolution No. 2020.21-024 recognizing April as Child Abuse Prevention Month.
Action Abuse Prevention Month.

Purpose:
For the board to review and adopt Resolution No 2020.21-024: Child Abuse Prevention Month

Background:
A presidential proclamation in 1983 declared April as Child Abuse Prevention Month. Since then, April has been a time to acknowledge the importance of families and communities working together to prevent child abuse. We are joining forces with other districts and cities to promote the well-being of all children by participating in the National Child Abuse Prevention Month during April 2021.

File Attachments
[Resolution No 2020.21-024 Child Abuse Prevention.pdf](#) (31 KB)

Motion & Voting
Staff recommends the Board adopts Resolution No. 2020.21-024 recognizing April as Child Abuse Prevention Month.
Motion by Bowen Zhang, second by Terrence Grindall.
Final Resolution: Motion Carries
Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

Resolution 2020.21-025 To Delegate Authority to Procure Necessary Materials, Equipment and Services to Provide Distance and/or In-Person Learning for Staff, Teachers and Students to Mitigate the Effects of COVID-19

Type Action
Recommended Staff recommends the Board adopt Resolution 2020.21-025: To Delegate Authority to Procure Necessary Materials, Equipment and Services to Provide Distance and/or In-Person Learning for Staff, Teachers and Students to Mitigate the Effects of COVID-19.
Action Procure Necessary Materials, Equipment and Services to Provide Distance and/or In-Person Learning for Staff, Teachers and Students to Mitigate the Effects of COVID-19.

Purpose:
To allow the District to procure necessary materials, equipment, and services that are needed for the education of students via distance and in-person learning.

Background:
On March 4, 2020, the Governor of California declared a state of emergency due to the outbreak and spread of COVID-19. The Governor's proclamation is attached for reference. The proclamation states, in part, as necessary to assist local governments and for the protection of public health, state agencies shall enter into contracts to arrange for the procurement of materials, goods, and services needed to assist in preparing for, containing, responding to, mitigating the effects of, and recovering from the spread of COVID-19. Applicable provisions of the Government Code and the Public Contract Code, including but not limited to travel, advertising, and competitive bidding requirements, are suspended to the extent necessary to address the effects of COVID-19.
Adoption of this resolution approves the delegation of authority and appoints the Superintendent/designee, who is hereby authorized and directed, pursuant to a majority of the vote of the Board and Education Code section 17604 and similar statutes, to take any and all actions necessary to ensure the continuation of public education, and the health and safety of the students and staff at the District sites, including, but not limited to: make alterations, repairs or improvements to school property, and/or execute, deliver or otherwise negotiate a contract with vendors for the purchase of sanitizer, sneeze guards and barriers, masks, gloves, and other personal protection equipment, and any other equipment, goods, materials, services or products that are recommended by any federal, state or local agency or determined to be necessary to keep students, staff and administration personnel safe to the extent possible.

File Attachments
[RESOLU-1.PDF](#) (68 KB)
[Governor's Resolution 3.4.20-Coronavirus-SOE-Proclamation & bidding resolution.pdf](#) (1,368 KB)

Motion & Voting
Staff recommends the Board adopt Resolution 2020.21-025: To Delegate Authority to Procure Necessary Materials, Equipment and Services to Provide Distance and/or In-Person Learning for Staff, Teachers and Students to Mitigate the Effects of COVID-19, with a sunset date of Sept 16, 2021.
Motion by Bowen Zhang, second by Terrence Grindall.
Final Resolution: Motion Carries
Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall
Nay: Aiden Hill

13 CONSENT AGENDA - PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type Action
Recommended Staff recommends that the following personnel agenda items be approved under one
Action consented vote. Items _____.

Purpose:
This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:
Items within Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion. There will be no separate discussion of these items; however, any item may be removed from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Personnel Report

Type Action
Preferred Date Apr 01, 2021
Absolute Date Apr 01, 2021
Recommended Staff recommends the Board ratify the personnel report as presented.
Action

This report includes employment, retirements, reassignments and terminations for both certificated and classified employees. Specific actions can be made known at the conclusion of the meeting.

File Attachments
HR PAL 04-01-21.pdf (366 KB)

Motion & Voting
Staff recommends the Board ratify the personnel report as presented.
Motion by Bowen Zhang, second by Phuong Nguyen.
Final Resolution: Motion Carries
Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

14 CONSENT AGENDA - NON-PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type Action
Recommended Staff recommends that the following agenda items be approved under one consented vote.
Action Items _____.

Purpose:
This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:
Items within Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion. There will be no separate discussion of these items; however, any item may be removed from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Motion & Voting
Staff recommends that the following agenda items be approved under one consented vote. Items 14.2 - 14.5.
Motion by Bowen Zhang, second by Phuong Nguyen.
Final Resolution: Motion Carries
Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

Signature Card - Mid-Year Revision

Type Action
Recommended Staff recommends the Board approve of the Signature Card Mid- Year Revision for the
Action Assistant Superintendent of Educational Services as presented.

Purpose:
To update the signature card of Authorized Agents as required by the Alameda County Office of Education.
Payroll, Warrants, and Disbursements
Official Documents and Reports

Background:
This is the "Signature Card" to be kept on file at the Alameda County Office of Education. This is a mid-year revision to update the signature for the Assistant Superintendent of Educational Services and delete the signature of the previous Executive Director of Human Resources.

File Attachments
Pierce-Davis, Nicole_Asst Supt of Ed Services Mid-Year_2020-21.pdf (97 KB)

Donations Report

Type	Action
Budget Source	General Fund (Fund 010) Donations
Recommended	Staff recommends the Board accept the Donations Report as presented.
Action	

Purpose:

The purpose is to acknowledge receipt of donations to the District.

Background:

Throughout the year community members, groups, parents and other individuals make monetary and in-kind (supplies and equipment) donations to NUSD. The exact nature of the source of the donation is submitted to the Business Office on a standard form. It is critical that any restrictions on the funding be indicated and the budget developed based on the donor restrictions. If there is no indication of the school or use of the funding, any proceeds or cash donations received are placed in the NUSD local revenue in the unrestricted general fund. It is recommended that the donations be processed through the Business Office and ultimately approved by the Board so that the funding can be publicly acknowledged and budgeted properly according to donor restrictions. There is acknowledgment at a public Board meeting and a letter of thanks is sent to the donor by the Business Office for NUSD.

File Attachments

[Donations Report_2021-04-01.pdf](#) (21 KB)

Williams Uniform Complaint Quarterly Report January 1 to March 31, 2021

Type	Action
Recommended	Staff recommends the Board approve the Williams Uniform Complaint Quarterly Report for
Action	the period of January 1, 2021, to March 31, 2021.

Purpose:

For the Board to receive and approve the Williams Uniform Complaint Quarterly Report for the period of January 1, 2021, to March 31, 2021.

Background:

Education Code 35186 requires that the Superintendent of a school district report summarized data on the nature and resolution of all complaints filed under the Williams Uniform Complaint Procedures to the local Board of Education and the County Superintendent of Schools on a quarterly basis. The report must include the number of complaints by general area, the number of resolved and unresolved complaints, and be publicly presented at a regularly scheduled Board meeting. The attached report is presented to the Board for the period of January 1, 2021, to March 31, 2021.

File Attachments

[Q421 UCP Report.pdf](#) (205 KB)

Minutes of the March 18, 2021 Regular Meeting of the Board of Education

Type	Minutes
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Purpose:

For the board to review and approve the minutes

Background:

The attached minutes are reflective of the March 18, 2021, Regular Meeting of the Board of Education. The exact language is available for viewing on the NUSD YouTube Channel [HERE](#).

15 BOARD OF EDUCATION - COMMITTEE REPORTS, ANNOUNCEMENTS, REQUESTS, DEBRIEF

Board of Education Committee Reports

DEBRIEF AND DISCUSSION

Type	Information
------	-------------

Purpose:

The board committee members will give any updates, if available, of the committees they are members of.

Background:

Mission Valley ROP - Elisa Martinez
 SELPA - Bowen Zhang
 Newark - NUSD Liaison Committee - Phuong Nguyen & Terrence Grindall
 Newark Teacher Induction Advisory Council (Formally EBBIC) - Elisa Martinez
 Audit Committee - Phuong Nguyen & Aiden Hill
 Bond/Parcel Tax - Elisa Martinez & Terrence Grindall

Board of Education Requests

DEBRIEF AND DISCUSSION

Type Information

Purpose: This is an opportunity for Board members to suggest items for placement on future agendas, and to review requests.

Background: Governance Team Handbook Authority is collective, not individual: The only authority to direct action rests with the Board when seated at a regular or special Board meeting. Outside this meeting, there is no authority. A majority vote of the Board provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction.

Bring up new ideas/decide to move new ideas forward: The Board will be open to having "brainstorming" discussions about any idea that a Board member may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Board member, at his or her own initiative or at the request of a constituent, which has not previously been discussed during a Board meeting. Board members will first notify the Board President and/or the Superintendent of their interest in bringing forward a new idea. The preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge. Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea. The Superintendent will decide on the delegation of assignments to other District staff. The new idea will be agendized for discussion only. The Board will decide if the new idea should be further developed and studied by staff. A Board majority will decide if staff time should be invested in the "fleshing out" of new ideas. Individual Board members, in the course of interactions with constituents, will be careful not to make or imply a commitment of the full Board to explore or proceed with implementing new ideas.

Board of Education Recognitions and Announcements

DEBRIEF AND DISCUSSION

Type Information

Purpose: This is an opportunity for Board members to acknowledge or recognize specific programs, activities, or personnel.

16 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

Superintendent's Concluding Comments, Updates for the Board, and Future Agenda Requests

FUTURE AGENDA REQUESTS

Type Information

Purpose: This is an opportunity for the Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

17 ADJOURNMENT

PLACEHOLDER - Extend Meeting

Type Action Recommended Action The recommendation is that the Board extend the meeting to ____PM

Purpose: This is a placeholder, only to be used if the Board adds a motion to extend the meeting.

Adjournment

Type Action, Procedural Recommended Action The recommendation is that this meeting be adjourned.

Purpose: No items will be considered after 10:00 p.m., unless it is determined by a majority of the Board to extend to a specific time. This action will conclude the meeting.

Motion & Voting The recommendation is that this meeting be adjourned.

Motion by Bowen Zhang, second by Elisa Martinez.
Final Resolution: Motion Carries
Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

1 Live Comments: Join with an Internet-connected device (tablet, computer, phone, etc.)

Virtual Meeting Practices & Connection Information

Type Information, Procedural

In accordance with the Governor's Executive Order N-29-20, Board meetings will be held "virtually" until further notice. These meetings will be accessible to the public by internet or telephone. No physical meeting place will be provided. Meetings will live-streamed on the NUSD YouTube on the internet. Public comment opportunities will be available through the virtual meeting. Please see the public comment instructions provided here. As always, we encourage you to contact the entire Board by email at "board@newarkunified.org." This address goes directly to the Board members, who check their emails frequently.

Roll Call

Type Procedural

Board Members:

President Bowen Zhang
Member Phuong Nguyen
Member Elisa Martinez
Member Terrence Grindall
Member Aiden Hill

Student Board Member:

Member Wahhab Salemi
2. APPROVAL OF AGENDA

Approval of Agenda

Type Action

Recommended Action Recommendation is that the Board of Education approve the agenda for this meeting.

Purpose:

Members of the Board may request that the agenda be approved as presented or amended.

Motion & Voting

Recommendation is that the Board of Education approve the agenda for this meeting.

Motion by Phuong Nguyen, second by Aiden Hill.

Final Resolution: Motion Carries

Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

Not Present at Vote: Wahhab Salemi

3 STUDY SESSION

Public Comment on Board Study Session Items

Type Procedural

Purpose:

To provide a space for the community to make a comment on the Board Study Session.

Background:

Please see the link below for Public Comment information.

<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=BN8PNC6402C1>

Governance Team Handbook Review and Update

Type Discussion, Information, Procedural

Purpose:

The board will have a discussion to review the Governance Handbook and make updates if needed.

Background:

The Governance Handbook was previously updated in 2017 and ratified in December 2020. Three board training seminars have occurred since 2019 where updates have been suggested and agreed upon by the Board. On February 18, 2021, the Board made updates to the handbook and will continue to update as necessary. This Board will convene in a study session to review the current handbook and make agreed-upon changes where they see fit.

If changes are suggested here, the handbook will be brought back at a later meeting for Board approval on the revisions.

[File Attachments](#)

APPROVED 030421 - Governance Handbook.pdf (443 KB)

4 CLOSED SESSION

Public Comment on Closed Session Item

Type Procedural

Purpose:

To provide a space for the community to make a comment on Closed Session Items.

Background:

Please see the link below for Public Comment information.

<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=BN8PNC6402C1>

Public Employee Discipline/Dismissal/ Release (GC54957)

Type Action, Procedural

Information will be provided by the Superintendent and Interim Assistant Superintendent of Human Resources.

Conference with Labor Negotiator (GC54957.6(a)): Employee Organizations - NTA & CSEA

Type Action, Procedural

Information will be provided by the agency negotiator, Interim Assistant Superintendent of Human Resources. Assistance from legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided. The employee organizations include NTA & CSEA.

Conference with Labor Negotiator (GC54957.6(a)): Employee Group - NEWMA, Unrepresented Supervisors & Contracted

Type Action, Procedural

Information will be provided by the agency negotiator, Interim Assistant Superintendent of Human Resources, and the Superintendent. Assistance from legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided. The employee organizations include NEWMA, Unrepresented Supervisors, and Contracted Management

Conference with Legal Counsel - Existing Litigation (GC 54956.9(d)(1))

Type Action, Procedural

Cases to be discussed:

Bretz vs Newark Unified School District Keenan Claim # 569505

Conference with Legal Counsel - Anticipated Litigation (GC 54956.9(d)(4))

Type Action, Procedural

Information will be provided regarding:

Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: One case

Recess to Closed Session

Type Procedural

Purpose:

The Board will recess to Closed Session, and reconvene to Open Session on or about 7 pm.

5 RECONVENE TO OPEN SESSION

Pledge of Allegiance

Type Procedural

6 REPORT OF CLOSED SESSION ACTIONS

Report of Closed Session Actions

Type Action, Procedural

Purpose:

If available, a report of closed session will be provided by the Board President.

7 EMPLOYEE ORGANIZATIONS

Employee Organizations

Type Information

Purpose:

At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Background:

Discussion items are limited to updates, celebrations, and upcoming events.

1. NTA: Sean Abruzzi
2. CSEA: Sue Eustice
3. NEWMA: Cathreene Ingham-Watters

8 RECOGNITIONS AND CELEBRATIONS

School Spotlight: Newark Junior High School

Type Information

Purpose:

The School Spotlight gives the Board of Education and the public an opportunity to hear from each school with highlights of their achievements and initiatives.

Background:

The presentation will be presented by the Newark Junior High School Principal, Risha Krishna.

File Attachments

[NJHS Board Presentation.pdf](#) (6,247 KB)

[Board Mtg_ 2020-21 School Spotlights.pdf](#) (45 KB)

9 PUBLIC COMMENT ON NON-AGENDA ITEMS

Public Comment on Non-Agenda Items

Type Procedural

Purpose:

To provide a space for the community to make a comment on non-agenda items.

Background:

Please see click the link below for Public Comment information on Non-Agenda Items and Agenda items.

<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=BN8PNC6402C1>

10 STAFF REPORT

Update on ForeFront Power Solar Projects at Newark Memorial High School and Newark Jr High School

Type Information

Purpose:

To provide the Board with an update on the progress of the solar projects at Newark Memorial High School and Newark Jr High School.

Background:

The last update on the Solar Project provided to the Board was on December 3, 2020.

On November 7, 2019, the Board approved the Power Purchase Agreement (PPA) between Newark Unified School District & ForeFront Power for solar facilities and battery energy storage systems at Newark Memorial High School and Newark Junior High School including the option for the district to incorporate costs such as, but not limited to, inspector fees, DSA fees, PG&E upgrades, and ADA compliance requirements, currently estimated at \$100,000 for both sites.

ForeFront Power gave presentations to the Board on May 16, 2017, and August 1, 2019.

Inspector fees (estimated cost \$20,000 per site), DSA fees, PG&E upgrades and ADA compliance upgrades (estimated cost if needed is \$30,000 per site) are the district's upfront costs; however, the PPA will incorporate these costs and the district will be reimbursed or ForeFront will pay for them directly.

ForeFront Power worked with NUSD in 2017 to submit interconnection applications to get the District grandfathered on lucrative Time of Use rates.

SPURR, the Joint Powers Authority, ran a statewide RFP (Request for Proposal) process in 2017 for solar and storage

systems that K12 Districts can "piggyback" off to procure solar facilities, storage systems, and EVCS (Electric Vehicle Charging Stations). Eight companies submitted proposals and the RFP was awarded to ForeFront Power. ForeFront Power has updated the numbers since 2017 and presented a districtwide solution in the Board Study Session on August 1, 2019.

After careful consideration, the District determined that as Phase I of this project, Newark Memorial High School and Newark Junior High School would be the best locations to initially install solar facilities to start this project. Initial estimates indicated that the District could save \$145K (25%) in year 1, and \$4.6 million over 20 years with this solar solution, using very conservative assumptions. Phase II of this project would potentially include other school locations in the future.

The PPA includes a buyout option after year 5.

Other Districts who have partnered with ForeFront Power through the use of the SPURR REAP (Renewable Energy Aggregated Procurement) RFP include:

- Central USD (in Fresno)
- Stockton USD
- Fresno USD (4th largest school district in the state)
- Shasta Union High School District
- Paso Robles JUSD
- South Monterey County JUHSD
- Bakersfield CSD
- Sierra CCD
- State Center CCD
- Kings Canyon USD

[File Attachments](#)

[Newark USD PV & ESS Presentation LP 3-18-2021.pdf](#) (1,192 KB)

Professional Development Plan

Type Information

[Purpose:](#)

To inform the Board and detail district instructional priorities, and provide a comprehensive overview of the professional development trainings that Educational Services has coordinated and led for TK-12 staff during the 2020-21 school year.

[Background:](#)

With the district remaining in distance learning since the beginning of the academic year, professional development priorities and related partnerships have shifted in order to support the new realities for our students and teaching staff. As a result, the district strategically transitioned to a new approach to support teaching in a distance learning environment and support staff with relevant professional development trainings that foster student engagement and learning.

[File Attachments](#)

[NUSD PD Presentation 3.18.21.pdf](#) (1,448 KB)

11 SUPERINTENDENT REPORT

Superintendent Report

Type Information

[Purpose:](#)

The superintendent will provide the Board with district information, updates, news, or anything in the jurisdiction of the board or the superintendent.

[Background:](#)

Information provided by the Superintendent

[File Attachments](#)

[Supt Report 3.18.21.pdf](#) (893 KB)

12 BOARD OF EDUCATION AGENDA REQUESTS

NUSD Personnel Hiring Policy and Procedures

Type Discussion

[Purpose:](#)

This item is brought forth to the Board as a request by Member Hill at the March 4th, 2021, regular board meeting. The Board is asked to decide if they want to hear the content of the request, and if heard, to decide if the request merits additional discussion and further development from staff for a later meeting, or if the request has been satisfied.

[Background:](#)

"It is the intent of the Legislature that members of the public be able to place matters directly related to school district business on the agenda of school district governing board meetings," as long as it "is within the subject matter jurisdiction of

the governing board." (Ed. Code 35145.5) It is within the role of the board president, working with the superintendent, to develop the board agenda. A school district may exercise discretion not to place an item on the agenda if the district determines that the matter is not "directly related to school business." *Mooney v. Garcia* (2012) Cal. App.4th 229, 231. "A board is not required to place an item on a specific portion of an agenda (closed versus open), is not required to discuss, prepare a report, or take any action on an item requested by a member of the public, and is not required to provide any additional time to the requester for public comment. To meet the requirements of the statute, a board must only agendize the item, call the item, and allow for public comment as it would for any other agenda item." (DWK Brown Act Manual)

"Even if a district places the matter on the agenda, however, no action is legally required and the item need only be considered. The law does not require the item be placed on the agenda immediately, but it is advisable to place the item on the agenda within a reasonable time frame, ... Interested members of the public may comment on the item, subject to the Board's policies regarding public comment generally." (SCLS)

"The Board will be open to having 'brainstorming' discussions about any idea that a Board member may feel merits exploratory consideration. 'New Ideas' are defined as any proposal brought forward by a Board member, at his or her own initiative or at the request of a constituent, which has not previously been discussed during a Board meeting. Board members will first notify the Board President and/or the Superintendent of their interest in bringing forward a new idea. The preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge. Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea. The Superintendent will decide on the delegation of assignments to other District staff. The new idea will be agendized for discussion only. The Board will decide if the new idea should be further developed and studied by staff. A Board majority will decide if staff time should be invested in the 'fleshing out' of new ideas. Individual Board members, in the course of interactions with constituents, will be careful not to make or imply a commitment of the full Board to explore or proceed with implementing new ideas." (NUSD Governance Team Handbook)

13 OLD BUSINESS

2020-21 LCFF Budget Overview for Parents- Revised Template

Type	Action
Recommended	Staff recommends that the Board adopt the 2020-21 Local Control Funding Formula (LCFF)
Action	Budget Overview for Parents.

Purpose:
To resubmit the LCFF Budget Overview for Parents in the correct template.

Background:
On December 3, 2020, the Board adopted the Local Control Funding Formula (LCFF) Budget Overview for Parents for the 2020-21 school year, as required by SB 98, prior to December 15, 2020; however, after the district submitted the report to the Alameda County Office of Education (ACOE), staff was informed that ACOE provided the incorrect template. The data contained in the report remains the same.
The slide deck presented to the Board on December 3, 2020 is attached for reference.
A representative from ACOE will be present at the Board meeting to address questions from the Board if needed.

File Attachments
[NUSD 2020 - 21 Budget Overview for Parents-redo.pdf](#) (64 KB)
[2020-12-03_13.1_2020-21 LCFF Budget Overview for Parents 11.17.2020 PPT.pdf](#) (1,091 KB)

Motion & Voting
Staff recommends that the Board adopt the 2020-21 Local Control Funding Formula (LCFF) Budget Overview for Parents.
 Motion by Terrence Grindall, second by Phuonng Nguyen.
 Final Resolution: Motion Carries
 Yea: Elisa Martinez, Bowen Zhang, Phuonng Nguyen, Terrence Grindall, Aiden Hill, Wahhab Salemi

Reopening Plan

Type	Discussion, Information
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Purpose:
To review the district's plan and preparations for the reopening of in-person learning, and receive Board input regarding the appropriate timeline for reopening.

Background
 On January 25, 2021, a Reopening Plan was submitted and approved to the Alameda County Office of Education (ACOE) and the Alameda County Public Health Department.
 Since January 2021, we have held three town halls with a focus on the reopening plans. On February 22, a commitment form was sent to all NUSD families (in Spanish and English) asking them for their choice between continued distance learning or in-person learning. A repeat of the February 22 town hall was held on March 2 in Spanish. Finally, on March 9, a follow-up town hall was held to review the data from the commitment form and any subsequent updates.
 Board will receive a synopsis of the data received from the community as well as plans and preparations that have been completed by the district, and seek input regarding an appropriate reopening timeline.

File Attachments
[NUSD REOPENING PLAN 3.16.21.docx.pdf](#) (1,458 KB)
[Reopening Presentation 3.18.21.pdf](#) (2,820 KB)

14 NEW BUSINESS

School Naming Policies and Procedures

Type Discussion, Information

Purpose:

The superintendent will provide the Board with an update on the steps taken to date by the Design Team with regard to the school naming process. The Board will give input in the themes relevant to the school community as part of the school naming criteria.

Background:

In November 2020, the board voted to merge Snow Elementary and Graham Elementary on the Graham campus for the 2021-22 school year. As part of the design process, a design team was created to facilitate the combining of the two schools into a new school. Per Board policy, an ad hoc committee (the Design Team) was created representing district staff, parents/guardians, and the public. The committee is responsible for receiving and screening name suggestions and submitting recommendations to the Superintendent or designee for the Board's consideration and adoption.

BP 7310 - Naming Of Facility

BP 7511 - Naming Of Facility

File Attachments

[Graham_Snow School Naming Process.pdf](#) (946 KB)

Audit Report - Measure G Bond

Type Action
Recommended Staff recommends the Board accept the Measure G Financial and Performance Audit Report
Action for the 2019-20 fiscal year.

Purpose:

The purpose of this item is for the Board to receive information about the Measure G Financial and Performance Audit Report for the fiscal year ended June 30, 2020.

Background:

On March 2, 2021, the Measure G Financial and Performance Audit Report for the fiscal year ended June 20, 2020, was reviewed by the Citizens' Bond Oversight Committee.

In accordance with generally accepted auditing standards and Government Auditing Standards, the independent auditing firm of Christy White Associates has completed their Financial and Performance Audit Report of the Proposition 39 (Measure G) Bonds of the Newark Unified School District for the fiscal year ended June 30, 2020.

The comprehensive summary of auditors' results on audit report page 16 outlines the following:

The opinions on the financial statements and performance were both unmodified, which is the best opinion that can be provided in an audit.

There were no findings, questioned costs, or audit adjustments in relation to this audit.

File Attachments

[Newark USD Measure G Bond FINAL 2.23.21.pdf](#) (308 KB)

Motion & Voting

Staff recommends the Board accept the Measure G Financial and Performance Audit Report for the 2019-20 fiscal year.

Motion by Phuong Nguyen, second by Terrence Grindall.

Final Resolution: Motion Carries

Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Wahhab Salemi

Resolution 2020.21-023 Committing to Funding of Reserves for Economic Uncertainties to 17% of Total General Fund

Type Action
Recommended Staff recommends the Board adopt Resolution No. 2020.21-023 committing to reach the
Action District's goal of building combined reserves in the General Fund and Fund 17 (Reserve for
Emergency Purposes) to 17% of total General Fund expenditures by June 30, 2026.

Purpose:

To commit to reaching the district's goal of maintaining reserves for economic uncertainties at 17% of total General Fund expenditures.

Background:

On October 15, 2020, and January 21, 2021, the Board held study sessions to review the budget and agreed that it would be in the best interest of the district to build district reserves for economic uncertainties to 17% of total expenditures. The Board subsequently requested staff to develop a plan to reach the 17% level of reserves.

As of Second Interim, the reserves for economic uncertainties were \$8.6 million. Based on projected total expenditures of \$68,000,000, 17% would equal \$11,560,000. An additional \$2.96 million in contribution to reserves would be required to bring the reserves to this amount.

The district's average monthly payroll is \$4.5 million. A 17% reserve would cover about 2.5 months of payroll.

Resolution No. 2020.21-23 states the following:

- 1) The Board commits to increasing the combined General Fund and Fund 17 reserve balance to 17% of total General Fund expenditures by June 30, 2026.
- 2) This increase in reserve balance shall be achieved by contributing at least \$592,000 annually to the reserve funds in the years 2021 through 2026.

File Attachments

Resolution 2020.21-023_Plan to increase reserves to 17 pct.pdf (93 KB)

Motion & Voting

Staff recommends the Board adopt Resolution No. 2020.21-023 committing to reach the District's goal of building combined reserves in the General Fund and Fund 17 (Reserve for Emergency Purposes) to 17% of total General Fund expenditures by June 30, 2026.

Motion by Terrence Grindall, second by Elisa Martinez.

Final Resolution: Motion Carries

Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Wahhab Salemi

AR (Administrative Regulation) 3312 Contracts (First Reading)

Type	Action
Fiscal Impact	No
Recommended	Staff recommends the Board of Education approve the revised Administrative Regulation
Action	3312 as presented with the recommended revisions or move to bring back for a second reading with recommended revisions.

Purpose:

For the Board to review the recommended changes and approve the updated administrative regulation. Administrative Regulation (AR) 3312 needs to be updated to reflect the same signature authority as Board Policy (BP) 3312.

Background:

BP 3312 was adopted on January 20, 2004. The BP was revised on February 2, 2016, to update the signature authority of the superintendent or designee to approve contracts for professional services, that are exempt from competitive bidding, in an amount not to exceed one-half of the current bid limit for purchases of equipment, materials or supplies, pursuant to Public Contract Code 20111. (BP 3312 is attached for reference. There are no recommended changes to the board policy.) AR 3312 was adopted January 16, 2007, and indicates the Superintendent and the Chief Business Officer (CBO) are designated as the only administrators vested with signature authority for contracts up to \$20,000 for professional services that are exempt from competitive bidding. The proposed revision updates the language for signature authority to match BP 3312 which authorizes the superintendent or designee to approve contracts for professional services, that are exempt from competitive bidding, in an amount not to exceed one-half of the current bid limit for purchases of equipment, materials or supplies, pursuant to Public Contract Code 20111. The current bid limit for 2021 is \$96,700 which, therefore, provides signature authority for the Superintendent and CBO up to \$48,350. The administration has reviewed this document for accuracy and made revisions to reflect district practice. If any revisions are recommended, the policy will be brought back to the Board of Education for a second reading.

File Attachments

BP 3312 Contracts.pdf (25 KB)
AR3312 Contracts (First Reading).pdf (19 KB)

Motion & Voting

Staff recommends the Board of Education approve the revised Administrative Regulation 3312 as presented with the recommended revisions or move to bring back for a second reading with recommended revisions.

Motion by Phuong Nguyen, second by Elisa Martinez.

Final Resolution: Motion Carries

Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Wahhab Salemi

15 CONSENT AGENDA - PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type	Action
Recommended	Staff recommends that the following personnel agenda items be approved under one
Action	consented vote. Items _____.

Purpose:

This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:

Items within Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion. There will be no separate discussion of these items; however, any item may be removed from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Personnel Report

Type	Action
Absolute Date	Mar 18, 2021

Recommended Action Staff recommends the Board ratify the personnel report as presented.

This report includes employment, retirements, reassignments and terminations for both certificated and classified employees. Specific actions can be made known at the conclusion of the meeting.

File Attachments

HR PAL 03-18-21.pdf (362 KB)

Motion & Voting

Staff recommends the Board ratify the personnel report as presented.

Motion by Phuong Nguyen, second by Elisa Martinez.

Final Resolution: Motion Carries

Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

Abstain: Wahhab Salemi

16 CONSENT AGENDA - NON-PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type Action

Recommended Action Staff recommends that the following agenda items be approved under one consented vote.

Items _____.

Purpose:

This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:

Items within Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion. There will be no separate discussion of these items; however, any item may be removed from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Motion & Voting

Staff recommends that the following agenda items be approved under one consented vote. Items 16.2 -16.8, except 16.7.

Motion by Terrence Grindall, second by Elisa Martinez.

Final Resolution: Motion Carries

Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Wahhab Salemi

Addendum to Ascend Rehab Contract

Type Action

Absolute Date Mar 18, 2021

Fiscal Impact Yes

Dollar Amount \$26,775.00

Budgeted No

Budget Source Special Education

Recommended Action The staff recommends the Board ratify the addendum to the Ascend Rehad contract.

Purpose:

This is a ratification of the current contract with Ascend Rehab in the amount of \$26,775.00 for services rendered for .5 FTE Speech-Language Pathologist. This brings the total contract amount to \$982,085.00

Background:

The District contracts with nonpublic agencies when necessary to provide related services to students with Individual Education Programs (IEPs). The ratification of the Ascend Contract is due to a Speech-Language Pathologists (SLP) requiring a leave of absence in September 2020. As a result, a .4 FTE SLP is required. Additionally, a .1 FTE SLP is being sought to support the preschool assessment team with pending speech assessments for the remainder of the school year and pending summer assessments. This past school year the Special Education Department had to add additional Speech-Language Pathologists support due to the number of students requiring assessments and related speech services for speech. Additional support was also acquired from another contractor at the end of the school year to support the high demand of assessments, particularly at the preschool level. This continues to manifest due to the current outstanding in-person assessments that the District has pending due to COVID-19.

Students served through Individualized Education Programs (IEPs) and identified as needing speech and occupational therapy-related services are legally mandated to receive these required services. Without the agency's therapists, Newark Unified School District would be out of compliance in providing these necessary related services. The District has actively recruited to fill these FTE positions but has been unable to fill them. The District requires speech-related services to fulfill the District's obligation to serve special education students. The ongoing shortage of special education personnel nationally requires the District to act with a sense of urgency to ensure service providers are in place at the commencement of the school year. Districts throughout California have similar challenges faced in Newark Unified School District in securing qualified personnel to serve special education students speech services. The shortage of Speech-Language Pathologists is due in part to the limited number of graduate programs, along with an increasing number of students qualifying for speech-related services. Currently, Newark Unified School District has the following employees serving students requiring speech-related services, they are as follows:

1.6 FTE Speech-Language Pathologists, and 1 FTE Speech-Language Assistant (SLPA).

For the upcoming school year, Ascend Rehab Inc. will support the District with 7.6 FTE. This is an increase of .6 from the previous school year. The increase is due to the number of students qualifying for speech-related services. Students' speech services may include 1:1 intense services, along with group services, depending on the unique needs of the student. In recent years with the increase of students qualifying for special education-related services under the primary eligibility of autism, has further impacted the number of students that require speech-related services to meet students' unique needs. Moreover, the District is required to ensure caseloads of providers are within the recommended Education Code- EDC requirements they are as follows:

56363.3.

The average caseload for language, speech, and hearing specialists in special education local plan areas shall not exceed 55 cases unless the local plan specifies a higher average caseload and the reasons for the greater average caseload.

(Amended by Stats. 2007, Ch. 56, Sec. 58. Effective January 1, 2008.)

56441.7.

(a) The maximum caseload for a speech and language specialist providing services exclusively to individuals with exceptional needs, between the ages of three and five years, inclusive, as defined in Section 56441.11 or 56026, shall not exceed a count of 40.

(b) The superintendent shall issue caseload guidelines or proposed regulations to local educational agencies for individuals with exceptional needs between the ages of three and five years, inclusive, by January 1, 1988.

(Added by Stats. 1987, Ch. 311, Sec. 6.5. Effective July 30, 1987.

OT services function as "related services" under IDEA 2004

EC 56363.3 Caseload for language, speech, and hearing specialist

[File Attachments](#)

[Addendum to Ascend Rehab Contract .5 FTE SLP.pdf](#) (93 KB)

[Ascend Rehab Master Contract 2020-21 SIGNED.pdf](#) (451 KB)

[Addendum to Ed Sped Solutions Inc. Contract](#)

Type	Action
Absolute Date	Mar 18, 2021
Fiscal Impact	Yes
Dollar Amount	\$59,250.00
Budgeted	No
Budget Source	Special Education
Recommended	The staff recommends the Board ratify the addendum to the Ed Sped Solutions Inc
Action	contract.
Goals	1. To provide academic excellence via equity and opportunities for all students.

[Purpose:](#)

This is a ratification of the current contract with Ed Sped Solutions Inc. in the amount of \$59,250.00 for services rendered for a Program Specialist for the remainder of the school year. This brings the total contract amount to \$572,473.00.

[Background:](#)

The Program Specialist is essential for ensuring the District adheres to IDEA requirements. The following outlines the roles and responsibilities of a Program Specialist: Coordinates program and service recommendations with stakeholders. Ensures compliance with state and federal regulations, reporting requirements with the Department of Education, and department policies and procedures. Participates in the development of IEP's and facilitates when needed. Recommends additional resources for assessment when necessary. Consults with and assists service providers. Provides oversight and assistance to ensure effective programs and services are being implemented. Participates in staff development, program development, and innovation of research-based methods and practices. Provides coordination, consultation, and program development in the area of his/her expertise. Ensures educational benefit for students receiving special education services. Serves as a resource to administrators, psychologists, other special education-related support staff, teachers, and parents regarding program function, and state and federal mandates regarding special education. Acts as liaison between special education office, school sites, and community agencies. Completes administrative placements. Represents LEA in offering Free Appropriate Public Education (FAPE) based on IEP team recommendations regarding placement, program, and services. Builds consensus among the IEP team. Provides research-based staff development opportunities, including planning and coordination of regular staff meetings. Schedules and writes IEP's as needed. Coordinates and serves on committees. Manages caseloads. Coordinates transition services. Addresses concerns from students, parents, and staff. Maintains statistical data, facilitates program projections, and makes recommendations regarding staffing assignments. Facilitates the development of positive relationships with students, parents, and district personnel. Contributes to the attainment of district and board of education goals.

[File Attachments](#)

[Addendum to Ed Sped Contract for Program Specialist.pdf](#) (55 KB)

[Ed Sped Contract 2020-21 SIGNED.pdf](#) (4,109 KB)

[Consolidated Application and Reporting System 2020-2021 Winter Data Collection](#)

Type	Action
Fiscal Impact	No
Recommended	Staff recommends ratification of the Consolidated Application and Reporting System
Action	(CARS), 2020-21 Winter Data Collection.

[Purpose:](#)

The purpose of this item is to provide the California Department of Education with the information needed to fund a wide variety of federal and state programs that bring supplementary funding into the school district.

Background:

The Consolidated Application and Reporting System (CARS) -- formerly known as Consolidated Application or "Con App" for short -- is the state's mechanism for both funding of identified state and federal categorical programs and required reporting for many of them. It provides the entitlement amounts of these programs as well as required considerations for expenditures. Each year, the programs included in the CARS change based on federal/state mandates and different methods of gaining or disseminating information. This is the 2020-21 Winter Data Collection. CARS brings funds into the school district for a variety of programs including Title I, Title II, and Title III. Each of the identified programs has specified guidelines or requirements for their expenditure. All titled programs are federally funded. Title I, Part A dollars are used to support the increased achievement of at-risk students, primarily in reading and math. (We currently have six schools receiving these funds.) Title II, Part A (Teacher Quality) monies are used to support teacher evaluation, as well as teacher professional development. Title III English Learner and Immigrant are used to support our English language learners.

File Attachments

[Con App Winter 2020-21.pdf](#) (1,164 KB)

Approval of Contract with SI&A for Attendance Services

Type	Action
Absolute Date	Mar 18, 2021
Fiscal Impact	Yes
Dollar Amount	\$118,800.00
Budgeted	Yes
Budget Source	Resource 7085 - Proposition 47 California Learning Communities for School Success Program Grant
Recommended Action	Staff recommends the Board approve the contract with School Innovations & Advocacy (SI&A) for the attendance management system, Attendance 2 Attendance (A2A).

Purpose:

A2A provides the tools, training, and support to successfully reduce absenteeism systematically across the entire district.

Background:

A2A is an early warning system for at-risk students, combining an easy-to-use web-based application with SI&A's unique expertise in attendance management. This program also helps with the paperwork and requirements for the SARB process. A2A is a comprehensive approach to attendance management and dropout prevention that supports the following:

- Increase Student Attendance
- Decrease Dropout Rates
- Improve Graduation Rates
- Increase Revenue
- Recover Learning Time
- Improve Parent Communications

This is a three-year contract -- 2021-22, 2022-23, and 2023-2024 (i.e., July 1, 2021, through June 30, 2024). The current contract expires June 30, 2021. If this agreement is approved by March 31, 2021, the annual fee is \$39,600 per year. If this agreement is approved after March 31, 2021, the annual fee would be \$41,600 per year.

File Attachments

[Newark USD CA A2A Services Agreement.pdf](#) (641 KB)

Updated Alameda County Office of Education Triennial Plan for Serving Expelled and High-Risk Students

Type	Action
Absolute Date	Mar 18, 2021
Fiscal Impact	No
Recommended Action	The administration recommends the approval of the updated Alameda County Office of Education (ACOE) Triennial Plan.
Goals	MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens. <ol style="list-style-type: none"> 1. To provide academic excellence via equity and opportunities for all students. 2. Establish financial stability and fiscal solvency in order to drive continuous improvement.

Purpose:

The County-Wide Educational Services Plan for Serving Expelled and High-Risk Students (the Triennial Plan), July 1, 2021 - June 30, 2024, fulfills the Education Code mandate. All districts of Alameda County enter into this agreement every three years.

Financial Impact Note:

The financial impact to the District comes in the loss of daily attendance apportionment when an expelled student is placed at a county community school after expulsion. Additionally, if the expelled student has an IEP, the District may be charged (in future school years) for additional special education services for that student. ACOE has indicated that they are flexible and willing to be creative in serving students with IEPs, and if the District chooses to continue special education services under the IEP instead of having ACOE provide the services, there will be no charge. However, the feasibility of such an arrangement must be considered on a case-by-case basis and agreed to in the usual IEP process.

County Wide Plan Overview

Educational programs within Alameda County provide numerous alternatives and opportunities for students who are in need of

traditional and/or alternative education programs. Individual school districts offer a broad spectrum of services and the County Office of Education (COE) offers additional options. In combination, these two sources provide a continuum of education alternatives to expelled and high-risk students.

Under Education Code Section 48926, school districts throughout California have been mandated to provide educational services for students expelled from their district. The original county-wide plan was adopted by the local governing boards of education and the Alameda County Board of Education in 1997.

This current county-wide plan is the triennial update to the existing plan. The law also states that "At the time an expulsion of a pupil is ordered, the governing board of the school district shall ensure that an education program is provided to the pupil who is subject to the expulsion order for the period of the expulsion."

In Alameda County, this mandate impacts 18 school districts spread over a region comprised of urban, suburban, and semi-rural or isolated communities. The educational placement of a student is determined on an individual basis by the district's governing board based on 1) seriousness of the offense, 2) available educational alternatives, and 3) other related factors.

The county-wide plan for the provision of educational services to expelled students for the period 2021-2024 shall identify:

1. Existing educational alternatives for expelled students, as well as strategies for improvement during the next three years in behavioral intervention practices utilized at the site and district levels.
2. Gaps in educational services to expelled students, strategies implemented to fill those service gaps, the success of these strategies, and additional measures taken.
3. Alternative placement for students who are expelled and placed in district community day school programs (for applicable districts), but who fail to meet the terms and conditions of their rehabilitation plan or who pose a danger to other district pupils, as determined by the governing board.
4. Existing alternatives offered by school districts in the countywide plan.

Key Questions/Answers

1. Is this plan substantially the same as prior Triennial Plans?

Yes. Newark's offerings have not changed from the prior 2018-2021 Triennial Plan. (Other districts detailed in the Triennial Plan may have changed.) The ACOE community school offerings are substantially the same as well.

2. What changes are in the plan?

No Changes.

3. Is there a charge from ACOE to educate general education students?

No. With the enactment of AB 922, Statutes of 1995, Chapter 974, California Education Code Section 48926 requires each county superintendent who operates community schools, in conjunction with the superintendents of the school districts within the county, to develop a county-wide plan for providing education services for all expelled pupils in the county. The plan is to be adopted by the governing board of each school district within the county and by the county board of education; the plan is to be submitted to the State Superintendent of Public Instruction.

Education Code Section 48926 provides specifically that:

EC Section 48926 further requires that each county superintendent of schools, in conjunction with district superintendents in the county, submit a triennial update to the State Superintendent of Public Instruction the next date being June 30, 2021 (effective July 1, 2021, to June 30, 2024).

1. The county-wide plan shall enumerate existing educational alternatives for expelled pupils, identify gaps in educational services to expelled pupils, and strategies for filling those service gaps.
2. The county-wide plan shall identify alternative placements for pupils who are expelled and placed in district community day school programs but who fail to meet the terms and conditions of their rehabilitation plan or who pose a danger to other district pupils, as determined by the district governing board.

File Attachments

[Triennial Plan-DRAFT, 2021-2024.pdf](#) (465 KB)

[Triennial Plan Superintendent Signature Page.pdf](#) (113 KB)

Warrant Report for February 2021

Type	Action
Fiscal Impact	No
Recommended Action	Staff recommends the Board approve the Warrant Report as presented.
Goals	2. Establish financial stability and fiscal solvency in order to drive continuous improvement.

Purpose:
The purpose of this item is to present warrants, for the total amount of \$1,748,168.78, made from District funds for February 2021.

Background:
The warrant registers represent a complete listing of all payments made from District funds for a month. Because Newark Unified School District is a fiscally dependent District, each warrant must pass through two separate audits; first by the District's Fiscal Services department, and second by the Alameda County Office of Education. No warrant can be paid until such time as it is examined and approved by the Alameda County Office of Education.

File Attachments

[February 2021 AP Warrant Board Report.pdf](#) (356 KB)

Motion & Voting

Staff recommends the Board approve the Warrant Report as presented.

Motion by Elisa Martinez, second by Terrence Grindall.

Final Resolution: Motion Carries

Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Wahhab Salemi

Minutes of the March 4, 2021 Regular Meeting of the Board of Education

Type Action, Minutes
Recommended Staff recommends the Board approve the minutes of March 4, 2021, Special Meeting of the
Action Board of Education

Purpose:
For the board to review and approve the minutes

Background:
The attached minutes are reflective of the March 4, 2021, Special Meeting of the Board of Education. The exact language is available for viewing on the NUSD YouTube Channel.

17 BOARD OF EDUCATION - COMMITTEE REPORTS, ANNOUNCEMENTS, REQUESTS, DEBRIEF

Board of Education Committee Reports

DEBRIEF AND DISCUSSION

Type Information

Purpose:
The board committee members will give any updates, if available, of the committees they are members of.

Background:
Mission Valley ROP - Elisa Martinez
SELPA - Bowen Zhang
Newark - NUSD Liaison Committee - Phuong Nguyen & Terrence Grindall
Newark Teacher Induction Advisory Council (Formally EBBIC) - Elisa Martinez
Audit Committee - Phuong Nguyen & Aiden Hill
Bond/Parcel Tax - Elisa Martinez & Terrence Grindall

Board of Education Requests

DEBRIEF AND DISCUSSION

Type Information

Purpose:
This is an opportunity for Board members to suggest items for placement on future agendas, and to review requests.

Background:
Governance Team Handbook
Authority is collective, not individual:
The only authority to direct action rests with the Board when seated at a regular or special Board meeting. Outside this meeting, there is no authority.
A majority vote of the Board provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction.
Bring up new ideas/decide to move new ideas forward:
The Board will be open to having "brainstorming" discussions about any idea that a Board member may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Board member, at his or her own initiative or at the request of a constituent, which has not previously been discussed during a Board meeting.
Board members will first notify the Board President and/or the Superintendent of their interest in bringing forward a new idea. The preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.
Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea. The Superintendent will decide on the delegation of assignments to other District staff.
The new idea will be agendized for discussion only. The Board will decide if the new idea should be further developed and studied by staff. A Board majority will decide if staff time should be invested in the "fleshing out" of new ideas.
Individual Board members, in the course of interactions with constituents, will be careful not to make or imply a commitment of the full Board to explore or proceed with implementing new ideas.

Board of Education Recognitions and Announcements

DEBRIEF AND DISCUSSION

Type Information

Purpose:
This is an opportunity for Board members to acknowledge or recognize specific programs, activities, or personnel.

18 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

Superintendent's Concluding Comments, Updates for the Board, and Future Agenda Requests

FUTURE AGENDA REQUESTS

Type Information

Purpose:

This is an opportunity for the Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

19 ADJOURNMENT

PLACEHOLDER - Extend Meeting

Type Action

Recommended The recommendation is that the Board extend the meeting to ____PM
Action

Purpose:

This is a placeholder, only to be used if the Board adds a motion to extend the meeting.

Motion & Voting

The recommendation is that the Board extend the meeting to 10:30 PM

Motion by Bowen Zhang, second by Elisa Martinez.

Final Resolution: Motion Carries

Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Wahhab Salemi

Adjournment

Type Action, Procedural

Recommended The recommendation is that this meeting be adjourned.
Action

Purpose:

No items will be considered after 10:00 p.m., unless it is determined by a majority of the Board to extend to a specific time. This action will conclude the meeting.

Motion & Voting

The recommendation is that this meeting be adjourned.

Motion by Bowen Zhang, second by Elisa Martinez.

Final Resolution: Motion Carries

Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Wahhab Salemi

1 Live Comments: Join with an Internet-connected device (tablet, computer, phone, etc.)

Virtual Meeting Practices & Connection Information

Type Information, Procedural

In accordance with the Governor's Executive Order N-29-20, Board meetings will be held "virtually" until further notice. These meetings will be accessible to the public by internet or telephone. No physical meeting place will be provided.

Meetings will live-streamed on the NUSD YouTube on the internet.

Public comment opportunities will be available through the virtual meeting. Please see the public comment instructions provided here.

As always, we encourage you to contact the entire Board by email at "board@newarkunified.org." This address goes directly to the Board members, who check their emails frequently.

Roll Call

Type Procedural

Board Members:

President Bowen Zhang

Member Phuong Nguyen

Member Elisa Martinez

Member Terrence Grindall

Member Aiden Hill

Student Board Member:

Member Wahhab Salemi

2. APPROVAL OF AGENDA

Approval of Agenda

Type Action

Recommended Recommendation is that the Board of Education approve the agenda for this meeting.
Action

Purpose:

Members of the Board may request that the agenda be approved as presented or amended.

Motion & Voting

Recommendation is that the Board of Education approve the agenda for this meeting.

Motion by Terrence Grindall, second by Elisa Martinez.

Final Resolution: Motion Carries

Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall

Nay: Aiden Hill

Not Present at Vote: Wahhab Salemi

3 STUDY SESSION

Public Comment on Board Study Session Items

Type Procedural

Purpose:

To provide a space for the community to make a comment on the Board Study Session.

Background:

Please see the link below for Public Comment information.

<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=BN8PNC6402C1>

NUSD Graduate Profile

Type Information

Purpose:

We invite The Board of Education to participate in a ground-breaking initiative in Newark, the development of a Graduate Profile!

Background:

A Graduate Profile is a visual representation that shows the characteristics of a graduating student from a school district. At this session, the Board members will collaboratively select their choice of five important characteristics of a Newark graduate. These ideas will be analyzed amongst all the other ideas collected from other groups: parents, community, students, teachers, and principals. The goal is to develop a clear vision of how our community prepares its students to be successful adults in the 21st century and autonomous individuals with multiple options of career, college readiness, and beyond. Together, we hope to create a framework that rethinks, revises, and redesigns NUSD educational programs. This endeavor will help us best prepare our students to meaningfully compete and contribute in the 21st Century. Join us for an hour of interactive collaboration and let your voices be heard!

File Attachments

For [BOE_ NUSD Graduate Profile Engagement Sessions.030421.pdf](#) (4,273 KB)

4 CLOSED SESSION

Public Comment on Closed Session Item

Type Procedural

Purpose:

To provide a space for the community to make a comment on Closed Session Items.

Background:

Please see the link below for Public Comment information.

<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=BN8PNC6402C1>

Public Employee Discipline/Dismissal/ Release (GC54957)

Type Action, Procedural

Information will be provided by the Superintendent and Interim Assistant Superintendent of Human Resources.

Conference with Labor Negotiator (GC54957.6(a)): Employee Organizations - NTA & CSEA

Type Action, Procedural
Information will be provided by the agency negotiator, Interim Assistant Superintendent of Human Resources. Assistance from legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided.
The employee organizations include NTA & CSEA.

Conference with Labor Negotiator (GC54957.6(a)): Employee Group - NEWMA, Unrepresented Supervisors & Contracted

Type Action, Procedural
Information will be provided by the agency negotiator, Interim Assistant Superintendent of Human Resources, and the Superintendent. Assistance from legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided.
The employee organizations include NEWMA, Unrepresented Supervisors, and Contracted Management

Conference with Legal Counsel - Existing Litigation (GC 54956.9(d)(1))

Type Action, Procedural
Cases to be discussed:
OAH Case No. 2020110510

Conference with Legal Counsel - Anticipated Litigation (GC 54956.9(d)(4))

Type Action, Procedural
Information will be provided regarding:
Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: One case

Conference with Labor Negotiator (GC54957.6(a)): Unrepresented Employee - Assistant Superintendent of Educational

Type Information, Procedural
Information will be provided by the Interim Assistant Superintendent of Human Resources, and the Superintendent.

Public Employee Appointment (GC 54957(b)(1)) Title: Assistant Superintendent of Educational Services

Type Information, Procedural
Information will be provided by the Interim Assistant Superintendent of Human Resources, and the Superintendent.

Recess to Closed Session

Type Procedural

Purpose:
The Board will recess to Closed Session, and reconvene to Open Session on or about 7pm.

5 RECONVENE TO OPEN SESSION

Pledge of Allegiance

Type Procedural

6 REPORT OF CLOSED SESSION ACTIONS

Report of Closed Session Actions

Type Action, Procedural

Purpose:
If available, a report of closed session will be provided by the Board President.

7 STUDENT REPORT

Student Report from Newark Junior High School, MacGregor and Newark Memorial High School

Type Information

Purpose:
At regular Board meetings, a spokesperson of each secondary school may make a brief presentation. Discussion items may include updates, celebrations, and upcoming events.
1. Newark Junior High School - Alyssa Torres & Rachel Ristau

- 2. MacGregor - Alexis Blanco-Barron
- 3. Newark Memorial High School - Wahhab Salemi

8 EMPLOYEE ORGANIZATIONS

Employee Organizations

Type Information

Purpose:

At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Background:

Discussion items are limited to updates, celebrations, and upcoming events.

- 1. NTA: Sean Abruzzi
- 2. CSEA: Sue Eustice
- 3. NEWMA: Cathreene Ingham-Watters

9 RECOGNITIONS AND CELEBRATIONS

Staff Spotlight

Type Information

Purpose:

To recognize the wonderful accomplishments of our NUSD Team.

Background:

The presentation will be provided by the Superintendent.

School Spotlight: Snow Elementary

Type Information

Purpose:

The School Spotlight gives the Board of Education and the public an opportunity to hear from each school with highlights of their achievements and initiatives.

Background:

The presentation will be provided by the Snow Elementary Principal, Jessica Tommasini

File Attachments

- [Board Mtg_ 2020-21 School Spotlights.pdf](#) (45 KB)
- [Snow Spotlight Presentation 2020-2021.pdf](#) (18,555 KB)

10 PUBLIC COMMENT ON NON-AGENDA ITEMS

Public Comment on Non-Agenda Items

Type Procedural

Purpose:

To provide a space for the community to make a comment on non-agenda items.

Background:

Please see click the link below for Public Comment information on Non-Agenda Items and Agenda items.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=BN8PNC6402C1>

11 SUPERINTENDENT REPORT

Superintendent Report

Type Information

Purpose:

The superintendent will provide the Board with district information, updates, news, or anything in the jurisdiction of the board or the superintendent.

Background:

Information provided by the Superintendent

12 OLD BUSINESS

Governance Handbook Updates

Type	Action
Recommended	The recommendation is that the Board approved the updates to the Governance Handbook.
Action	

Purpose:
The Board is asked to review the Governance Handbook with the changes suggested by them.

Background:
The Board held a study session on February 18, 2021, to discuss and propose changes to the current Governance Handbook. Those suggested changes have been implemented, and more changes will continue to come forward for the Board's approval as changes are requested by the Board. The Governance Handbook will demonstrate a "Revised Date" as changes come forward and are approved by the Board.

File Attachments
[REVISED 030421 - Governance Handbook_20-1217.pdf](#) (234 KB)

Motion & Voting
The recommendation is that the Board approved the updates to the Governance Handbook.
Motion by Bowen Zhang, second by Aiden Hill.
Final Resolution: Motion Carries
Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Wahhab Salemi

13 NEW BUSINESS

2020-21 Second Interim Budget Report

Type	Action
Absolute Date	Mar 04, 2021
Fiscal Impact	No
Recommended	Staff recommends the Board certify the 2020-21 Second Interim Budget Report with a
Action	Positive certification.
Goals	2. Establish financial stability and fiscal solvency in order to drive continuous improvement.

Purpose:
The purpose of the Interim Report is to advise administrators, the Board of Trustees, the public, and other interested agencies of the District's current financial condition at periodic intervals during the fiscal year.

Background:
The Second Interim Budget Report compares the General Fund and other funds' anticipated revenues and expenditures with the current operating budget for the 2020-21 fiscal year, along with actual receipts and expenditures as of January 31, 2021. At each interim reporting period, the District must certify whether the District will be able to meet its financial obligations for the current and subsequent two years. The current year budget is used as the base year and multi-year projections are made based on a number of factors and assumptions for the coming two years. The primary drivers of the budget are the State's fiscal health and District student enrollment and attendance. The multi-year projection indicates the District can issue a POSITIVE certification as the District will be able to meet its obligations for the current fiscal year and two subsequent fiscal years.

File Attachments
[Full Book 2nd Interim.pdf](#) (4,822 KB)
[Board Presentation 3-4-21_2nd interim 20-21.pdf](#) (1,345 KB)

Motion & Voting
Staff recommends the Board certify the 2020-21 Second Interim Budget Report with a Positive certification.
Motion by Phuong Nguyen, second by Elisa Martinez.
Final Resolution: Motion Carries
Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Wahhab Salemi

Resolution 2020.21-022 to Commit to Budget Balancing Solutions for the 2022-23 Fiscal Year

Type	Action
Recommended	Staff recommends the Board adopt Resolution 2020.21-022 to commit to budget balancing
Action	solutions for the 2022-23 fiscal year.

Purpose:
To address the deficit projected in the 2020-21 Second Interim Financial Report and to commit to continue to resolve the district's structural budget deficit.

Background:

The Board and staff continue to work together to solve the district's structural budget deficit. On October 17, 2019, the Board approved Resolution #2158 committing to \$1,850,000, and \$668,000, in expenditure reductions for the 2020-21 and 2021-22 fiscal years respectively. The District filed a Qualified certification of its 2019-20 First Interim and Second Interim Financial Reports. The Board held a study session on February 20, 2020 to discuss additional budget balancing solutions and subsequently approved Resolution #2061 on March 5, 2020, committing to additional budget reductions of \$2,500,000 in 2020-21 and \$1,000,000 in 2021-22. On December 3, 2020, based on the First Interim Report, the Board approved Resolution 2020.21-014 committing to \$742,000, and \$3,200,000, in expenditure reductions for the 2021-22 and 2022-23 fiscal years respectively.

File Attachments

Resolution 2020.21-022 Budget Balancing Solutions.pdf (12 KB)

Motion & Voting

Staff recommends the Board adopt Resolution 2020.21-022 to commit to budget balancing solutions for the 2022-23 fiscal year.

Motion by Phuong Nguyen, second by Elisa Martinez. Final Resolution: Motion Carries Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Wahhab Salemi

Resolution No. 2020.21-020 - Eliminate Vacant Certificated Positions

Table with 2 columns: Type, Action. Row 1: Absolute Date, Mar 04, 2021. Row 2: Recommended, Staff recommends the Board approve Resolution No. 2020.21-020 to permanently eliminate 5.4 FTE of vacant certificated positions as of July 1, 2021.

Purpose:

The resolution will identify certificated positions which will not be filled in the 2021-22 school year.

Background:

As sites have reviewed their staffing for the next year and looked at projected enrollment, they determined that these positions will be eliminated from the general fund budget and will not be filled in the 2021-2022 school year. This reduction has been identified through natural attrition, vacancies, retirements, and program needs. This is a reduction of proposed vacancies, not a layoff. This will result in an estimated cost savings of \$540,000. This reduction is in line with the goal of reducing and eliminating the district's structural deficit.

File Attachments

Res. No. 2020.21-020 Elimination of Vacant Certificated Positions.pdf (8 KB)

Motion & Voting

Staff recommends the Board approve Resolution No. 2020.21-020 to permanently eliminate 5.4 FTE of vacant certificated positions as of July 1, 2021.

Motion by Bowen Zhang, second by Terrence Grindall. Final Resolution: Motion Carries Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Wahhab Salemi

14 CONSENT AGENDA - PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Table with 2 columns: Type, Action. Row 1: Recommended, Staff recommends that the following personnel agenda items be approved under one Action consented vote. Items to be approved: _____.

Purpose:

This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:

Items within Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion. There will be no separate discussion of these items; however, any item may be removed from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Personnel Report

Table with 2 columns: Type, Action. Row 1: Absolute Date, Mar 04, 2021. Row 2: Recommended, Staff recommends the Board ratify the personnel report as presented. Action

This report includes employment, retirements, reassignments and terminations for both certificated and classified employees. Specific actions can be made known at the conclusion of the meeting.

File Attachments

[HR PAL 03-04-21.1.pdf](#) (416 KB)

Motion & Voting

Staff recommends the Board ratify the personnel report as presented.

Motion by Phuong Nguyen, second by Terrence Grindall.

Final Resolution: Motion Carries

Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

Abstain: Wahhab Salemi

Public Employee Appointment (GC 54957(b)(1)) Title: Assistant Superintendent of Educational Services

Type Action

Absolute Date Mar 04, 2021

Recommended Staff recommends the Board ratify and approve the agreement for the appointment of

Action Assistant Superintendent of Educational Services.

Purpose:

The purpose of this item is for the Board of Education to ratify and approve the appointment of Assistant Superintendent of Educational Services.

File Attachments

[Assistant Superintendent Contract 03.2021-signed.pdf](#) (269 KB)

Motion & Voting

Staff recommends the Board ratify and approve the agreement for the appointment of Assistant Superintendent of Educational Services.

Motion by Terrence Grindall, second by Elisa Martinez.

Final Resolution: Motion Carries

Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall

Nay: Aiden Hill

Abstain: Wahhab Salemi

15 CONSENT AGENDA - NON-PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type Action

Recommended Staff recommends that the following agenda items be approved under one consented vote.

Action Items to be approved: _____.

Purpose:

This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Background:

Items within Consent Agenda are considered routine and will be approved, adopted, or ratified by a single motion. There will be no separate discussion of these items; however, any item may be removed from the Consent Agenda upon the request of any member of the Board and acted upon separately.

Motion & Voting

Staff recommends that the following agenda items be approved under one consented vote. Items to be approved: 15.3 and 15.4.

Motion by Bowen Zhang, second by Terrence Grindall.

Final Resolution: Motion Carries

Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Wahhab Salemi

2021-2022 Child Care Fees

Type Action

Fiscal Impact No

Recommended Staff recommends the Board approve the 2021-2022 Child Care fees as presented.

Action

Purpose:

To maintain the fee schedule for all Child Care services for 2021-2022 at the same rate as 2020-2021.

Background:

On March 15, 2016, the Board approved a five-year fee schedule with an annual increase of 3%. On March 7, 2017, the Board approved an annual increase of 3% for Kindergarten Early Release and Drop-in programs, making all Child Care services increase at the same annual rate.

The Child Care Department would like to keep the approved 2020-2021 rate during the 2021-2022 school year. Due to the pandemic, Child Care did not apply the 2020-2021 rate to enrollment contracts because sites have been closed since March 2020. Newark Unified School District wants to support Newark families who are facing unemployment and difficult income problems during this year.

Child Care Services

In 2021-2022 Child Care will be provided at five (5) campuses (Birch Grove Primary, Birch Grove Intermediate, Kennedy, Lincoln, and Musick) which includes both mornings and after-school care services. Morning care is from 7:00 to 8:00/8:20 a.m. and afternoons from 2:32/2:47 p.m. to 6:00/6:15 p.m. Friday afternoons from 1:05/1:20 p.m. to 6:00/6:15 p.m (subject to change with early release day).

Kindergarten Early Release includes after-school services for the first 18 days of school during the beginning of the year assessment. This is available to contracted families as an additional fee and to non-contracted Kindergarten families as a one-time contract.

Pre-Paid Drop-In Service provides non-contracted parents with emergency Child Care needs during the school year. This service is not to exceed twice a month and is charged at an hourly rate.

Proposed Child Care Fee Schedule

Scheduled Weekly Hours	2020/2021	2021/2022
Up to 6 Hours	\$175	\$175
6.5 - 12 Hours	\$350	\$350
12.5 - 18 Hours	\$575	\$575
18.5 - 24 Hours	\$700	\$700

Proposed Kindergarten Early Release and Pre-Paid Drop-In Service Fees

\$248 flat fee per Kindergarten student for early release days (offered as an additional fee to currently contracted families or as a one-time contract for non-contracted families)

Pre-Paid Drop-In minimum fee \$78.00 for 10 hours or \$156.00 for 20 hours that can be used through the last day of school (\$10.00 administrative fee added to this service)

NOTE: All fees are per child, there is no sibling discount

Before the end of the 2021-2022 school year, a new five-year fee schedule will be presented to the Board.

Motion & Voting

Staff recommends the Board approve the 2021-2022 Child Care fees as presented.

Motion by Bowen Zhang, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Wahhab Salemi

Minutes of the January 7, 2021 Regular Meeting of the Board of Education

Type Action, Minutes

Recommended Staff recommends the Board approve the minutes of the January 7, 2021, Regular Meeting
Action of the Board of Education

Purpose:

For the board to review and approve the minutes

Background:

The attached minutes are reflective of the January 7, 2021, Regular Meeting of the Board of Education. The exact language is available for viewing on the NUSD YouTube Channel.

Minutes of the February 18, 2021 Regular Meeting of the Board of Education

Type Action, Minutes

Recommended Staff recommends the Board approve the minutes of the February 18, 2021, Regular
Action Meeting of the Board of Education

Minutes View Minutes for Feb 18, 2021 - Regular Meeting of the Board of Education

Purpose:

For the board to review and approve the minutes

Background:

The attached minutes are reflective of the February 18, 2021, Regular Meeting of the Board of Education. The exact language is available for viewing on the NUSD YouTube Channel.

Motion & Voting

Staff recommends the Board approve the minutes of the February 18, 2021, Regular Meeting of the Board of Education

Motion by Bowen Zhang, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Wahhab Salemi

Minutes of the February 24, 2021 Special Meeting of the Board of Education

Type Action, Minutes

Recommended Staff recommends the Board approve the minutes of the February 24, 2021, Special
Action Meeting of the Board of Education

Purpose:

For the board to review and approve the minutes

Background:

The attached minutes are reflective of the February 24, 2021, Special Meeting of the Board of Education. The exact language is available for viewing on the NUSD YouTube Channel.

16 BOARD OF EDUCATION - COMMITTEE REPORTS, ANNOUNCEMENTS, REQUESTS, DEBRIEF,

Board of Education Committee Reports

DEBRIEF, AND DISCUSSION

Type Information

Purpose:

The board committee members will give any updates, if available, of the committees they are members of.

Background:

Mission Valley ROP - Elisa Martinez
SELPA - Bowen Zhang
Newark - NUSD Liaison Committee - Phuong Nguyen & Terrence Grindall
Newark Teacher Induction Advisory Council (Formally EBBIC) - Elisa Martinez
Audit Committee - Phuong Nguyen & Aiden Hill
Bond/Parcel Tax - Elisa Martinez & Terrence Grindall

Board of Education Requests

DEBRIEF, AND DISCUSSION

Type Information

Purpose:

This is an opportunity for Board members to suggest items for placement on future agendas, and to review requests.

Background:

Governance Team Handbook
Authority is collective, not individual:

The only authority to direct action rests with the Board when seated at a regular or special Board meeting. Outside this meeting, there is no authority.

A majority vote of the Board provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction.

Bring up new ideas/decide to move new ideas forward:

The Board will be open to having "brainstorming" discussions about any idea that a Board member may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Board member, at his or her own initiative or at the request of a constituent, which has not previously been discussed during a Board meeting.

Board members will first notify the Board President and/or the Superintendent of their interest in bringing forward a new idea. The preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.

Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea. The Superintendent will decide on the delegation of assignments to other District staff.

The new idea will be agendaized for discussion only. The Board will decide if the new idea should be further developed and studied by staff. A Board majority will decide if staff time should be invested in the "fleshing out" of new ideas.

Individual Board members, in the course of interactions with constituents, will be careful not to make or imply a commitment of the full Board to explore or proceed with implementing new ideas.

Board of Education Recognitions and Announcements

DEBRIEF, AND DISCUSSION

Type Information

Purpose:

This is an opportunity for Board members to acknowledge or recognize specific programs, activities, or personnel.

17 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD, AND FUTURE

Superintendent's Concluding Comments, Updates for the Board, and Future Agenda Requests

FUTURE AGENDA REQUESTS

Type Information

Purpose:

This is an opportunity for the Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

18 ADJOURNMENT

PLACEHOLDER - Extend Meeting

Type Action

Recommended Action The recommendation is that the Board extend the meeting to ____PM

Purpose:
This is a placeholder, only to be used if the Board adds a motion to extend the meeting.

Adjournment

Type Action, Procedural
Recommended Action The recommendation is that this meeting be adjourned.

Purpose:
No items will be considered after 10:00 p.m., unless it is determined by a majority of the Board to extend to a specific time. This action will conclude the meeting.

Motion & Voting
The recommendation is that this meeting be adjourned at 9:42 pm.
Motion by Bowen Zhang, second by Phuong Nguyen.
Final Resolution: Motion Carries
Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Wahhab Salemi

1 Live Comments: Join with an Internet-connected device (tablet, computer, phone, etc.)

Virtual Meeting Practices & Connection Information

Type Information, Procedural
In accordance with the Governor's Executive Order N-29-20, Board meetings will be held "virtually" until further notice. These meetings will be accessible to the public by internet or telephone. No physical meeting place will be provided. Meetings will live-streamed on the NUSD YouTube on the internet. Public comment opportunities will be available through the virtual meeting. Please see the public comment instructions provided here. As always, we encourage you to contact the entire Board by email at "board@newarkunified.org." This address goes directly to the Board members, who check their emails frequently.

Roll Call

Type Procedural
Board Members:
President Bowen Zhang
Member Phuong Nguyen
Member Elisa Martinez
Member Terrence Grindall
Member Aiden Hill
Student Board Member:
Member Wahhab Salemi
2. APPROVAL OF AGENDA

Approval of Agenda

Type Action
Recommended Action Recommendation is that the Board of Education approve the agenda for this meeting.

Purpose:
Members of the Board may request that the agenda be approved as presented or amended.

Motion & Voting
Recommendation is that the Board of Education approve the agenda for this meeting.
Motion by Phuong Nguyen, second by Elisa Martinez.
Final Resolution: Motion Carries
Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

3 CLOSED SESSION

Public Comment on Closed Session Item

Type Procedural
Purpose:
To provide a space for the community to make a comment on Closed Session Items.

Background:

Please see the link below for Public Comment information.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=BN8PNC6402C1>

Public Employee Performance Evaluation (GC 54957(b)(1)) - Title: Superintendent

Type Information, Procedural

Based on an approved timeline, the Board will be conducting a mid-year evaluation of the Superintendent.

Recess to Closed Session

Type Procedural

Purpose:

The Board will recess to Closed Session, and reconvene to Open Session on or about 7pm.

Adjournment

Type Action, Procedural

Recommended The recommendation is that this meeting be adjourned.
Action

Purpose:

This action will conclude the meeting.

1 Live Comments: Join with an Internet connected device (tablet, computer, phone, etc.)

Virtual Meeting Practices & Connection Information

Type Information, Procedural

In accordance with the Governor's Executive Order N-29-20, Board meetings will be held "virtually" until further notice. These meetings will be accessible to the public by internet or telephone. No physical meeting place will be provided. Meetings will live-streamed on the NUSD YouTube on the internet. Public comment opportunities will be available through the virtual meeting. Please see the public comment instructions provided here. As always, we encourage you to contact the entire Board by email at "board@newarkunified.org." This address goes directly to the Board members, who check their emails frequently.

Roll Call

Type Procedural

Board Members:
President Bowen Zhang
Member Phuong Nguyen
Member Elisa Martinez
Member Terrence Grindall
Member Aiden Hill

Student Board Member:

Member Wahhab Salemi
2. APPROVAL OF AGENDA

Approval of Agenda

Type Action

Recommended Recommendation is that the Board of Education approve the agenda for this meeting.
Action

Purpose:

Members of the Board may request that the agenda be approved as presented or amended.

Motion & Voting

Recommendation is that the Board of Education approve the agenda for this meeting.
Motion by Phuong Nguyen, second by Terrence Grindall.
Final Resolution: Motion Carries
Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

3 STUDY SESSION

Public Comment on Board Study Session Items

Type Procedural

Purpose:

To provide a space for the community to make a comment on the Board Study Session.

Background:

Please see the link below for Public Comment information.

<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=BN8PNC6402C1>

Governance Team Handbook Review and Update

Type Information

Purpose:

The board will have a discussion to review the Governance Handbook and make updates if needed.

Background:

The Governance Handbook was last updated in 2017. Two board training seminars have occurred since then where updates have been suggested and agreed upon by the Board. This Board will convene in a study session to review the current handbook and make agreed-upon changes where they see fit.

If updates are provided, and newly updated handbook will be brought to the Board at a later meeting for approval.

File Attachments

[Governance Handbook_20-1217.pdf](#) (371 KB)

4 CLOSED SESSION

Public Comment on Closed Session Item

Type Procedural

Purpose:

To provide a space for the community to make a comment on Closed Session Items.

Background:

Please see the link below for Public Comment information.

<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=BN8PNC6402C1>

Public Employee Discipline/Dismissal/ Release (GC54957)

Type Procedural

Information will be provided by the Superintendent and Interim Assistant Superintendent of Human Resources.

Conference with Labor Negotiator Employee Organizations: NTA & CSEA (GC54957.6)

Type Procedural

Information will be provided by the agency negotiator, Interim Assistant Superintendent of Human Resources. Assistance from legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided.

The employee organizations include NTA & CSEA.

Conference with Labor Negotiator (GC 54957.6) NEWMA, Unrepresented Supervisors & Contracted Management

Type Procedural

Information will be provided by the agency negotiator, Interim Assistant Superintendent of Human Resources, and the Superintendent. Assistance from legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided.

The employee organizations include NEWMA, Unrepresented Supervisors, and Contracted Management

Conference with Legal Counsel regarding Existing Litigation (GC 54956.9(d) (1))

Type Procedural

Cases to be discussed:

Bretz vs Newark Unified School District Keenan Claim # 569505

Conference with Legal Counsel Regarding Anticipated Litigation (GC 54956.9(d)(2))

Type Procedural

Information will be provided regarding:

Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: One case

Recess to Closed Session

Type Procedural

Purpose:

The Board will recess to Closed Session, and reconvene to Open Session on or about 7pm.

5 RECONVENE TO OPEN SESSION

Pledge of Allegiance

Type Procedural

6 REPORT OF CLOSED SESSION ACTIONS

Report of Closed Session Actions

Type Procedural

Purpose:

If available, a report of closed session will be provided by the Board President.

7 STUDENT REPORT

Student Report from the Black Student Union

Type Information

Purpose:

Representatives from the Black Student Union at Newark Memorial High School will provide the Board with an update on their latest work.

8 EMPLOYEE ORGANIZATIONS

Employee Organizations

Type Information

Purpose:

At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Discussion items are limited to updates, celebrations, and upcoming events.

NTA: Sean Abruzzi

CSEA: Sue Eustice

NEWMA: Cathreene Ingham-Watters

9 RECOGNITIONS AND CELEBRATIONS

School Spotlight: Schilling Elementary

Type Information

Purpose:

The School Spotlight gives the Board of Education and the public an opportunity to hear from each school with highlights of their achievements and initiatives.

Background:

The presentation will be provided by the Schilling Elementary Principal, Dr. Wendy Castaneda-Leal

File Attachments

[Board Mtg_ 2020-21 School Spotlights.pdf](#) (45 KB)

[Schilling Board Spotlight- 2020-2021.pdf](#) (5,782 KB)

10 PUBLIC COMMENT ON NON-AGENDA ITEMS

Public Comment on Non-Agenda Items

Type Procedural

Purpose:

To provide a space for the community to make a comment on non-agenda items.

Background:

Please see click the link below for Public Comment information on Non-Agenda Items and Agenda items.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=BN8PNC6402C1>

11 SUPERINTENDENT REPORT

Superintendent Report

Type Information

Purpose:

Information provided by the Superintendent

File Attachments

[Supt Report 2.18.21.pdf](#) (1,058 KB)

12 STAFF REPORT

Athletics Program Update

Type Information

Purpose:

Members of the Athletic Department will provide an update on the Athletics Program.

File Attachments

[Athletics Updates - February 2021.pdf](#) (3,832 KB)

13 NEW BUSINESS

Resolution 2020.21-018 to Declare Permanent Transfers from Fund 17 Reserve for Emergency Purposes to General Fund

Type Action

Fiscal Impact No
 Recommended Staff recommends approval of Resolution 2020.21-018 to Declare Transfers of \$6,960,000
 Action from Fund 17 Reserve for Emergency Purposes to the General Fund as Permanent Transfers.

Purpose:

To declare transfers from Fund 17 Reserve for Emergency Purposes to the General Fund as permanent transfers. The transfers were made during the period of 2012-13 to 2017-18 for a total amount of \$6,960,000.

Background:

Fund 17 had a beginning fund balance of \$3,252 in July 2005.
 On Feb 21, 2006 the board approved Administrative Regulation (AR) 3050 to establish Fund 17 Reserve for Emergency Purposes. Fund 17 was established at \$1,500,000 using a transfer from Fund 53, the tax override fund. The main purpose of Fund 17 was to maintain a reserve over and above the minimum 3% reserve required. The fund may not be used for ongoing operational and instructional purposes. The fund may be used as a resource to allow loans to the General Fund or other funds, as necessary, which shall be repaid under terms and conditions established by the Board at the time of such loan.
 After the Board Study Session held on January 21, 2021, staff conducted a more in depth review of Fund 17 transactions since the AR was approved in 2006. In addition to the transfers made in 2008-09, 2016-17 and 2017-18, staff identified transfers made in 2012-13, 2013-14 and 2014-15. In 2008-09, \$1,457,380 was budgeted to be transferred from Fund 17 to the General Fund. The actual transfer from Fund 17 to the General Fund was \$300,000 and this was transferred back from the General Fund to Fund 17 in 2010-11.
 In 2010-11 the Board approved Resolution #1865 on June 14, 2011 to transfer \$3,332,000 from the tax override fund to Fund 17.
 In 2015, Ruschin School was sold for \$19,000,000. Of this amount, \$4,000,000 went to Fund 17 and \$15,000,000 went to Fund 40 Reserve for Capital Outlay. Ed Code 17463.7 allowed schools to use the proceeds from the sale of surplus property for any one-time general fund purpose.
 From 2008-09 to 2017-18 a total of \$6,960,000 was transferred from Fund 17 to the General Fund.

Fiscal Year	Amount Transferred From Fund 17 to General Fund
2008-09	300,000
2010-11	(300,000) (Transferred back to Fund 17)
2012-13	100,000
2013-14	500,000
2014-15	2,300,000
2016-17	1,060,000
2017-18	3,000,000

Total 6,960,000

The Alameda County Office of Education mentions the transfers as a concern in their budget review letters to the district. During the Board Study Session held on January 21, 2021, the Board agreed that declaring the transfers from Fund 17 to the General Fund as permanent transfers would be in the best interest of the district with the understanding that staff would develop a plan to increase reserves to 17% as recommended by FCMAT and the Governmental Finance Officers Association. Fund 17 has earned \$415,585 in interest income since 2005-2006. The current fund balance (as of January 31, 2021) in Fund 17 is \$2,291,656.

File Attachments

[Resolution to Declare Permanent Transfers from Fund 17 to GF.pdf](#) (73 KB)

Motion & Voting

Staff recommends approval of Resolution 2020.21-018 to Declare Transfers of \$6,960,000 from Fund 17 Reserve for Emergency Purposes to the General Fund as Permanent Transfers.

Motion by Elisa Martinez, second by Aiden Hill.

Final Resolution: Motion Carries

Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

Audit Report for Fiscal Year Ended June 30, 2020

Type	Action
Fiscal Impact	No
Recommended	Staff recommends the Board accept the independent audit report for the fiscal year ended
Action	June 30, 2020 as presented.
Goals	2. Establish financial stability and fiscal solvency in order to drive continuous improvement.

Purpose:

The purpose of this item is for the Board to receive information about and accept the financial audit report for the fiscal year ended June 30, 2020, as presented.

Background:

In accordance with generally accepted auditing standards and Government Auditing Standards, the independent auditing firm of Christy White, Inc. has completed their audit of the combined financial statements of the Newark Unified School District for the year ended June 30, 2020. A representative from Christy White, Inc. will present the audit report to the Board for review.

The audit report is the financial document that all outside agencies review, county offices scrutinize, and bond rating agencies rely on. The District prepares all reports in the state approved format, but the audit report is the document that is readily available to the public and is audited in accordance with Government Auditing Standards and the Guide for Annual Audits of K-12 Local Education Agencies and State Compliance Reporting.

The district's Audit Committee met and reviewed the audit report on January 5, 2021 and February 9, 2021.

File Attachments

[Audit Report 19-20-Newark USD FINAL 2.3.2021.pdf](#) (1,158 KB)

[Audit Report 19-20-letter to the board-Newark SAS 2.3.2021.pdf](#) (108 KB)

Motion & Voting

Staff recommends the Board accept the independent audit report for the fiscal year ended June 30, 2020 as presented.

Motion by Phuong Nguyen, second by Elisa Martinez.

Final Resolution: Motion Carries

Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

Secondary Social-Emotional Learning (SEL) Curriculum - Character Strong

Type	Action
Preferred Date	Feb 18, 2021
Absolute Date	Feb 18, 2021
Fiscal Impact	Yes
Dollar Amount	\$13,000.00
Budgeted	Yes
Budget Source	7420
Recommended	Staff recommends that the Board approve Character Strong as a secondary SEL curriculum
Action	for Newark Unified School District.

Purpose:

Character Strong, a comprehensive Social-Emotional Curriculum, is designed for students in grades 7-12 at all secondary schools. The curriculum is updated each year and includes relevant topics for students, including character education, navigating social media, and dealing with emotions as a result of the pandemic. The curriculum includes ready-made videos, lessons, and supplementary resources for teachers. Students and teachers have voiced significant interest in having an SEL curriculum. Focusing on the mental health of our students stands as one of the district's three instructional priorities.

Background:

As a result of the pandemic, educators and leaders at the state and county level strongly recommend creating a space for students to engage in Social-Emotional Learning. Newark Junior High School is currently piloting the curriculum and this curriculum would now be offered for all secondary students in Newark. In addition, students within Newark have requested an

SEL curriculum in order to delve deeper into topics that are not covered in traditional academic courses.

File Attachments

- [Character Strong Overview.pdf](#) (33 KB)
- [Character Strong 2.18.21.pdf](#) (274 KB)

Motion & Voting

Staff recommends that the Board approve Character Strong as a secondary SEL curriculum for Newark Unified School District.

Motion by Elisa Martinez, second by Phuong Nguyen.
 Final Resolution: Motion Carries
 Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

Repair/Replace Concrete Stairways at Newark Jr High School

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$272,792.50
Budgeted	Yes
Budget Source	Fund 40 Special Reserve for Capital Outlay Projects
Recommended	Staff recommends the Board authorize staff to proceed with further investigation, design and construction to repair/replace the concrete stairways 1 and 3 at Newark Jr High School with a preliminary budget of \$272,792.50, as presented.

Purpose:
 Review and Discuss the Preliminary Budget to Repair/Replace the Deteriorated Concrete Stairways and Ramps at Newark Jr High School. Should the Board determine to prioritize the project and budget for stairways 1 and 3, authorize staff to proceed with further investigation, design and construction with a Preliminary Budget of \$272,792.50, as presented. Upon further investigation and design staff will advise the board of updated scope and estimates. Upon bidding, staff will bring the bids to the Board for discussion and award.

Background:
 At the request of the District Administration regarding safety concerns, RGMK, the district's Project and Construction Manager, and the design team inspected three (3) sets of stairs at the Jr High School and reviewed remedial options with a structural engineer and architect and costs for repairs and replacement. The entrance stairs have deteriorated, stair treads and nosings are spalled and uneven. Repairs made over time are failing. The estimated construction costs to address all three stairways and appurtenant work would require approximately \$410,000 (estimated construction costs). With the associated design and engineering, DSA, bidding, and inspection fees, a total estimated budget would require approximately \$550,000. To reduce costs, staff sought a budget to replace stairways 1 (East) and 3 (West), deferring stairway 2 (South) as it is the least used and most expensive to remediate (see attached map for location of stairs). The preliminary budget for stairways 1 and 3 is estimated at \$272,792.50, including construction and associated fees, soft costs, and a \$19,000 contingency budget. Note this is a preliminary budget, final costs may vary depending on further investigation and DSA requirements. Although staff recommends repairing stairways 1 and 3, the Board may discuss the option of repairing all three (3) stairways and modify the recommendation as needed.

File Attachments

- [NJrHS - Stairs 1 & 3 Prelim Budget Estimate 2-12-2021 - Board.pdf](#) (156 KB)
- [NJHS Budget Estimate for Stairways 1 2 3_2-12-2021-Board.pdf](#) (191 KB)
- [NJHS Stairs Preliminary Conceptual Design.pdf](#) (4,586 KB)
- [Stairs Map NJHS.pdf](#) (282 KB)
- [East Stairs 2 NJHS.JPG](#) (3,101 KB)
- [East Stairs 1 NJHS.jpg](#) (3,768 KB)
- [East Stairs 3 NJHS.JPG](#) (2,891 KB)
- [West Stairs 1 NJHS.jpg](#) (4,437 KB)
- [West Stairs 3 NJHS.JPG](#) (3,786 KB)
- [Central Stairs 1.jpg](#) (127 KB)
- [Central Stairs 2.jpg](#) (126 KB)
- [Central Stairs 3.jpg](#) (148 KB)

Motion & Voting

Staff recommends the Board authorize staff to proceed with further investigation, design and construction to repair/replace the concrete stairways 1, 2, and 3 at Newark Jr High School with a preliminary budget of \$529,972.50, as presented.

Motion by Terrence Grindall, second by Elisa Martinez.
 Final Resolution: Motion Carries
 Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

Architect and Engineering Services for the HVAC Project

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$35,000.00
Budgeted	Yes
Budget Source	Measure G Bond
Recommended	Staff recommends the Board authorize District administration to negotiate and award a preliminary service agreement to Ratcliff Architects, in the amount not to exceed

\$35,000, and a design and engineering contract not to exceed 11% of the construction cost, as presented.

Purpose:

Authorize District administration to negotiate and award a preliminary service agreement to Ratcliff Architects, Emeryville, CA in the amount not to exceed \$35,000, and a design and engineering contract not to exceed 11% of the construction cost (which is within industry standards) with the option to combine in this or defer to next Board meeting.

Background:

The District issued an RFQ-P to three qualified architectural firms and received two Statements of Qualification (SOQ), preliminary fee structures, and a preliminary design schedule. Both responding firms are commensurately reputable and well qualified. The Ratcliff firm proposed a more aggressive design schedule and a more competitive fee approach. The District has identified 171 remaining mechanical units of varying sizes that are well beyond their expected life span and these remaining units have been failing incrementally. Most of the mechanical units are roof-mounted.

At the February 20, 2020, Board meeting, the Board allocated \$3.3M, plus \$200,000 for roof repairs out of the remaining Measure G bond funds for the next round of replacements, following similar incremental projects completed over the past several years. Current funds are insufficient to replace all ailing mechanical units. Both firms included a preliminary services phase as a part of their proposals to bring structural, electrical, and plumbing engineers up to speed with the mechanical engineer's assessments and existing conditions and to determine which replacements can be designed and expedited through DSA on a 'like-for-like' basis, and which will require full DSA regulatory review, potentially requiring new roof curbs, structural and electrical upgrades, dry rot repairs, etc. In addition, DSA will likely require up to 20% ADA upgrades with each submission which the firm will determine the most sensible and cost-effective solutions.

Deliverables: The architect shall provide, Schematic Design (SD) and Design Development (DD) drawings for review and Construction Documents (CD) for DSA regulatory review, bidding and construction, technical specifications, and budget estimates.

RFQ-P Respondents

HED Architects	X
HKIT Architects	Received
Ratcliff Architects	Received

File Attachments

Newark_USD_Fee for Assessment Phase.pdf (215 KB)

Motion & Voting

Staff recommends the Board authorize District administration to negotiate and award a preliminary service agreement to Ratcliff Architects, in the amount not to exceed \$35,000, and a design and engineering contract not to exceed 11% of the construction cost, as presented.

Motion by Elisa Martinez, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

14 CONSENT AGENDA - PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type Action (Consent)

Purpose:

This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Motion & Voting

Consent all

Motion by Phuong Nguyen, second by Terrence Grindall.

Final Resolution: Motion Carries

Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

Personnel Report

Type Action

Preferred Date Feb 18, 2021

Absolute Date Feb 18, 2021

Recommended Staff recommends the Board ratify the personnel report as presented.

Action

This report includes employment, retirements, reassignments and terminations for both certificated and classified employees. Specific actions can be made known at the conclusion of the meeting.

File Attachments

HR PAL 02-18-21.1.pdf (398 KB)

Release of Temporary Certificated Employees

Type Action

Preferred Date Feb 18, 2021

Absolute Date Feb 18, 2021

Recommended Action Staff recommends the Board of Education approve the release of Temporary Certificated Employees.

Each year temporary teachers are hired to fill positions for permanent staff that may be on a leave of absence, in a job share, or in a special assignment. Permanent teachers have rights to return the following year to an assignment for which they are credentialed. Temporary employees do not have automatic rehire rights and may be released by the district at the conclusion of their temporary contract.

File Attachments

- [California Education Code.pdf](#) (110 KB)
- [2020-2021 Temp Release List 02-18-21.pdf](#) (357 KB)

15 CONSENT AGENDA - NON-PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type Action

Purpose:

This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Motion & Voting

Remove 15.3, 15.2, 15.4-15.7

Motion by Elisa Martinez, second by Bowen Zhang.

Final Resolution: Motion Carries

Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

Comprehensive School Safety Plans

Type Action

Preferred Date Feb 18, 2021

Absolute Date Feb 18, 2021

Recommended Action The administration recommends the plans be approved as presented.

Goals 1. To provide academic excellence via equity and opportunities for all students.

Purpose:

To approve the Comprehensive School Safety Plan (CSSP) for each Newark Unified School District school site; all plans attached. Per Education Code Section 32281, the School Site Council (SSC) writes and develops a comprehensive school safety plan relevant to the needs and resources of that particular school, or may delegate this responsibility to a school safety planning committee. Each school must review and update its plan by March 1 every year.

Background:

A Comprehensive School Safety Plan (CSSP) is an annually-revised plan to develop strategies aimed at the prevention of, and education about, potential incidents involving crime and violence on the school campus. All California K-12 public schools must develop a CSSP that addresses the safety concerns identified through a systematic planning process in cooperation with local law enforcement agencies, community leaders, parents, pupils, teachers, administrators, and other persons who may be interested in the prevention of campus crime and violence.

The requirements and mandate for CSSPs are outlined in Education Code Sections 32280 - 32289 School Safety Plans.

File Attachments

- [BGI CSSP 21-22.pdf](#) (1,898 KB)
- [BGP CSSP 21-22.pdf](#) (2,290 KB)
- [Graham CSSP 21-22.pdf](#) (1,836 KB)
- [Kennedy CSSP 21-22.pdf](#) (4,844 KB)
- [Lincoln CSSP 21-22.pdf](#) (2,448 KB)
- [MacGregor CSSP 21-22.pdf](#) (1,518 KB)
- [Musick CSSP 21-22.pdf](#) (2,218 KB)
- [NJHS CSSP 21-22.pdf](#) (1,975 KB)
- [NMHS CSSP 21-22.pdf](#) (1,813 KB)
- [Schilling CSSP 21-22.pdf](#) (2,814 KB)

Reclassification Criteria 2020-22

Type Action

Preferred Date Feb 18, 2021

Absolute Date Feb 18, 2021

Fiscal Impact No

Recommended Action Staff recommends that the Board approve the 2020-2022 NUSD Reclassification Criteria.

Goals 1. To provide academic excellence via equity and opportunities for all students.

Purpose:

This item is being presented to the Board for approval of the NUSD Reclassification Criteria for the current and following school year (2020-2022).

Background:

Reclassification is the process by which a student is reclassified from English Learner (EL) to fluent English proficient (RFEP). Per California Education Code (EC) Section 313 and Title 5 California Code of Regulations (5 CCR) section 11303, LEAs must use the following four criteria to establish their own reclassification policies:

1. Assessment of English language proficiency (ELP), using an objective assessment instrument, including, but not limited to, the state test of English Language Performance Assessment of California (ELPAC);
2. Teacher evaluation, including, but not limited to, a review of the student's curriculum mastery;
3. Parent opinion and consultation; and
4. Comparison of student performance in basic skills against an empirically established range of performance in basic skills of English proficient students of the same age.

For criteria 1 above, the statewide standardized ELP is an Overall Performance Level (PL) 4 in the ELPAC. LEAs are to use the Overall PL 4 to determine whether a student has met that criteria. The other three criteria are for the LEAs to determine and establish local measurements. NUSD's approved reclassification criteria align with the state's first three criteria. For criteria 4, NUSD determined to use the following:

Elementary (K-6th):

- District Benchmark Assessment in ELA: I-Ready score On or Above grade level, or
- SBAC ELA score within 5% of English Proficient average

Secondary (7th - 12th):

- CAASPP: Most recent SBAC ELA score within 5% of English Proficient average, or
- PSAT Scores in Illuminate in Yellow or Green (only applies to 10th and 11th graders)

COVID-19 Reclassification Guidance from CDE

Due to school closure, the pandemic, and the suspension of all state assessments in Spring 2020, the CDE is providing the following reclassification guidance for criteria 1 and 4:

Criterion 1: For those students who completed testing in 20192020, LEAs will use the results from the 20192020 Summative ELPAC to determine reclassification eligibility. For those students who did not complete testing in the spring of 20192020, an optional fall Summative ELPAC window will be open and available between August 20October 30, 2020. During this window, LEAs can administer the optional fall Summative ELPAC and use the results to meet criterion 1 eligibility for reclassification. The optional fall Summative ELPAC is highly recommended for all English learner students who have already met all other criteria in 20192020 except for criterion 1, particularly in grades four to eleven.

Criterion 4: For all grade levels, LEAs can use most recent local assessments or the Smarter Balanced Summative English language arts assessments.

In efforts to support our ELs and ensure equitable access to reclassification, NUSD is recommending that its reclassification criteria for the current and following school year (2020-2022) be updated to reflect new measurements for criteria 4 for secondary level students:

Proposed criteria 4:

Secondary (7th - 12th):

- CAASPP: Most recent SBAC ELA score within 5% of English Proficient average, or
- PSAT Scores in Illuminate in Yellow or Green (only applies to 10th and 11th graders), or
- District Assessment: Grade Level Writing Assessment (Term/Semester) score within 5% of English Proficient average

See attachment.

File Attachments

NUSD Reclassification Criteria 2020-21 Proposal_2.17.21.pdf (296 KB)

Motion & Voting

Staff recommends that the Board approve the 2020-2022 NUSD Reclassification Criteria.

Motion by Aiden Hill, second by Elisa Martinez.

Final Resolution: Motion Carries

Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

Resolution 2020.21-019 Declaring Surplus Equipment

Type Action

Fiscal Impact No

Recommended Action Staff recommends the Board approve Resolution 2020.21-019 which lists items to be declared as surplus to the needs of the District.

Purpose:

The purpose of this item is to obtain Board approval of Resolution No. 2020.21-019, declaring surplus equipment as recommended.

Background:

Surplus materials will be disposed of per Board Policy and Administrative Regulation 3270 Sale And Disposal Of Books, Equipment And Supplies (Personal Property). Education Code, Section 17546 states that if the Governing Board, by a unanimous vote of those members present, finds that the property, whether one or more items, does not exceed the value of \$2,500, it may be sold at private sale without advertising, by a District employee empowered for that purpose by the Board; the property may be donated to a charitable organization, or it may be disposed of in a public disposal facility.

The personal property as described in Resolution No. 2020.21-019 includes equipment used in the Maintenance Operations and Transportation (MOT) Department and Information Technology (IT) Department. Staff determined that items are obsolete and/or beyond economic repair.

The equipment is currently stored and will be recycled/disposed of upon Board approval.

[File Attachments](#)

[Resolution 2020.21-019 Surplus Equipment.pdf](#) (13 KB)

Warrant Report for January 2021

Type Action

Fiscal Impact No
Recommended Staff recommends the Board approve the Warrant Report as presented.
Action
Goals 2. Establish financial stability and fiscal solvency in order to drive continuous improvement.

Purpose:

The purpose of this item is to present warrants, for the total amount of \$1,953,543.02, made from District funds for January 2021.

Background:

The warrant registers represent a complete listing of all payments made from District funds for a month. Because Newark Unified School District is a fiscally dependent District, each warrant must pass through two separate audits; first by the District's Fiscal Services department, and second by the County Office of Education. No warrant can be paid until such time as it is examined and approved by the County Office of Education.

[File Attachments](#)

[Warrant Report January 2021.pdf](#) (623 KB)

Donations Report

Type Action

Fiscal Impact Yes
Dollar Amount \$955.00
Budgeted Yes
Budget Source General Fund (Fund 010) Donations
Recommended Staff recommends the Board accept the Donations Report as presented.
Action
Goals 2. Establish financial stability and fiscal solvency in order to drive continuous improvement.

Purpose:

The purpose is to acknowledge receipt of donations to the District.

Background:

Throughout the year community members, groups, parents and other individuals make monetary and in-kind (supplies and equipment) donations to NUSD. The exact nature of the source of the donation is submitted to the Business Office on a standard form. It is critical that any restrictions on the funding be indicated and the budget developed based on the donor restrictions. If there is no indication of the school or use of the funding, any proceeds or cash donations received are placed in the NUSD local revenue in the unrestricted general fund. It is recommended that the donations be processed through the Business Office and ultimately approved by the Board so that the funding can be publicly acknowledged and budgeted properly according to donor restrictions. There is acknowledged and budgeted properly according to donor restrictions. There is acknowledgement at the public Board meeting and a letter of thanks is sent to the donor by the Business Office for NUSD.

[File Attachments](#)

[Donations Report_2021-02-18.pdf](#) (19 KB)

Minutes of the February 4, 2021 Regular Meeting of the Board of Education

Type Action, Minutes

Recommended Staff recommends the Board approve the minutes of the February 4, 2021, Regular Meeting
Action of the Board of Education

Purpose:

For the board to review and approve the minutes

Background:

The attached minutes are reflective of the February 4, 2021, Regular Meeting of the Board of Education. The exact language is available for viewing on the NUSD YouTube Channel.

16 BOARD OF EDUCATION - COMMITTEE REPORTS, ANNOUNCEMENTS, REQUESTS, DEBRIEF

Board of Education Committee Reports

DEBRIEF AND DISCUSSION

Type Information

Purpose:

The board committee members will give any updates, if available, of the committees they are members of.

Background:

Mission Valley ROP - Elisa Martinez
SELPA - Bowen Zhang
Newark - NUSD Liaison Committee - Phuong Nguyen & Terrence Grindall
Newark Teacher Induction Advisory Council (Formally EBBIC) - Elisa Martinez
Audit Committee - Phuong Nguyen & Aiden Hill
Bond/Parcel Tax - Elisa Martinez & Terrence Grindall

Board of Education Requests

DEBRIEF AND DISCUSSION

Type Information

Purpose:

This is an opportunity for Board members to suggest items for placement on future agendas, and to review requests.

Background:

Governance Team Handbook
Authority is collective, not individual:
The only authority to direct action rests with the Board when seated at a regular or special Board meeting. Outside this meeting, there is no authority.
A majority vote of the Board provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction.
Bring up new ideas/decide to move new ideas forward:
The Board will be open to having "brainstorming" discussions about any idea that a Board member may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Board member, at his or her own initiative or at the request of a constituent, which has not previously been discussed during a Board meeting.
Board members will first notify the Board President and/or the Superintendent of their interest in bringing forward a new idea. The preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.
Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea. The Superintendent will decide on the delegation of assignments to other District staff.
The new idea will be agendaized for discussion only. The Board will decide if the new idea should be further developed and studied by staff. A Board majority will decide if staff time should be invested in the "fleshing out" of new ideas.
Individual Board members, in the course of interactions with constituents, will be careful not to make or imply a commitment of the full Board to explore or proceed with implementing new ideas.

Board of Education Recognitions and Announcements

DEBRIEF AND DISCUSSION

Type Information

Purpose:

This is an opportunity for Board members to acknowledge or recognize specific programs, activities, or personnel.

17 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

Superintendent's Concluding Comments, Updates for the Board, and Future Agenda Requests

FUTURE AGENDA REQUESTS

Type Information

Purpose:

This is an opportunity for the Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

18 ADJOURNMENT

Adjournment

Type Action, Procedural
Recommended The recommendation is that this meeting be adjourned.
Action

Purpose:

No items will be considered after 10:00 p.m., unless it is determined by a majority of the Board to extend to a specific time. This action will conclude the meeting.

Motion & Voting

The recommendation is that this meeting be adjourned.

Motion by Bowen Zhang, second by Elisa Martinez.
Final Resolution: Motion Carries
Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

PLACEHOLDER - Extend Meeting

Type Action
Recommended The recommendation is that the Board extend the meeting to ____PM
Action

Purpose:
This is a placeholder, only to be used if the Board adds a motion to extend the meeting.

1 Live Comments: Join with an Internet connected device (tablet, computer, phone, etc.)

Virtual Meeting Practices & Connection Information

Type Information, Procedural
In accordance with the Governor's Executive Order N-29-20, Board meetings will be held "virtually" until further notice. These meetings will be accessible to the public by internet or telephone. No physical meeting place will be provided. Meetings will live-streamed on the NUSD YouTube on the internet. Public comment opportunities will be available through the virtual meeting. Please see the public comment instructions provided here. As always, we encourage you to contact the entire Board by email at "board@newarkunified.org." This address goes directly to the Board members, who check their emails frequently.

Roll Call

Type Procedural
Board Members:
President Bowen Zhang
Member Phuong Nguyen
Member Elisa Martinez
Member Terrence Grindall
Member Aiden Hill

Student Board Member:
Member Wahhab Salemi
2. APPROVAL OF AGENDA

Approval of Agenda

Type Action
Recommended Recommendation is that the Board of Education approve the agenda for this meeting.
Action

Purpose:
Members of the Board may request that the agenda be approved as presented or amended.

Motion & Voting
Recommendation is that the Board of Education approve the agenda for this meeting.
Motion by Terrence Grindall, second by Elisa Martinez.
Final Resolution: Motion Carries
Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill
Not Present at Vote: Wahhab Salemi

3 STUDY SESSION

Public Comment on Board Study Session Items

Type Procedural

Purpose:
To provide a space for the community to make a comment on the Board Study Session.

Background:
Please see the link below for Public Comment information.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=BN8PNC6402C1>

High School Master Schedule Process

Type Information

Purpose:

The purpose of the study session is to provide an update to the Board of Education regarding how Newark Memorial High School administration, with district-level guidance, creates a student-centered master schedule with an equity lens.

Background:

The Board of Education has expressed interest in learning about the master schedule process and how it unfolds at the high school level. This presentation will include the background and context of Newark Memorial's master schedule process based on student-need and section allocation. There will be an opportunity for questions and discussion about how we continue to support students to graduate ready for college and career.

File Attachments

[Master Schedule Study Session \(2\).pdf](#) (2,322 KB)

4 CLOSED SESSION

Public Comment on Closed Session Item

Type Procedural

Purpose:

To provide a space for the community to make a comment on Closed Session Items.

Background:

Please see the link below for Public Comment information.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=BN8PNC6402C1>

Public Employee Discipline/Dismissal/ Release (GC54957)

Type Procedural

Information will be provided by the Superintendent and Executive Director of Human Resources.

Conference with Labor Negotiator Employee Organizations: NTA & CSEA (GC54957.6)

Type Procedural

Information will be provided by the agency negotiator, Interim Assistant Superintendent of Human Resources. Assistance from legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided.
The employee organizations include NTA & CSEA.

Conference with Labor Negotiator (GC 54957.6) NEWMA, Unrepresented Supervisors & Contracted Management

Type Procedural

Information will be provided by the agency negotiator, Interim Assistant Superintendent of Human Resources, and the Superintendent. Assistance from legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided.
The employee organizations include NEWMA, Unrepresented Supervisors, and Contracted Management

Conference with Legal Counsel regarding Existing Litigation (GC 54956.9(d) (1))

Type Procedural

Cases to be discussed:
OAH Case No. 2020110510

Conference with Legal Counsel Regarding Anticipated Litigation (GC 54956.9(d)(2))

Type Procedural

Information will be provided regarding:
Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: One case

Student Discipline or Other Confidential Student Matters - Termination of Expulsion Order e1718-11

Type Procedural

Goals
1. To provide academic excellence via equity and opportunities for all students.
MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens.

Purpose:

The following student's expulsion is recommended for termination. The student has met the conditions of their expulsion.

Background:

California Education Code Section 48916 requires that "an expulsion order shall remain in effect until the governing board orders a readmission of the pupil."

Recess to Closed Session

Type Procedural

Purpose:

The Board will recess to Closed Session, and reconvene to Open Session on or about 7pm.

5 RECONVENE TO OPEN SESSION

Pledge of Allegiance

Type Procedural

6 REPORT OF CLOSED SESSION ACTIONS

Report of Closed Session Actions

Type Procedural

Purpose:

If available, a report of closed session will be provided by the Board President.

7 STUDENT REPORT

Student Report from Newark Junior High School, MacGregor and Newark Memorial High School

Type Information

Purpose:

At regular Board meetings, a spokesperson of each secondary school may make a brief presentation.

Background:

Discussion items may include updates, celebrations, and upcoming events.

1. Newark Junior High School
2. Bridgepoint/Crossroads
3. Newark Memorial High School

8 EMPLOYEE ORGANIZATIONS

Employee Organizations

Type Information

Purpose:

At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Background:

Discussion items are limited to updates, celebrations, and upcoming events.

1. NTA: Sean Abruzzi
2. CSEA: Sue Eustice
3. NEWMA: Cathreene Ingham-Watters

9 RECOGNITIONS AND CELEBRATIONS

Staff Spotlight

Type Information

Purpose:

To recognize the wonderful accomplishments from our NUSD Team.

Background:

The presentation will be provided by the Superintendent.

10 PUBLIC COMMENT ON NON-AGENDA ITEMS

Public Comment on Non-Agenda Items

Type Procedural

Purpose:
To provide a space for the community to make a comment on non-agenda items.

Background:
Please see click the link below for Public Comment information on Non-Agenda Items and Agenda items.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=BN8PNC6402C1>

11 SUPERINTENDENT REPORT

Superintendent Report

Type Information

Purpose:
The superintendent will provide the Board with district information, updates, news, or anything in the jurisdiction of the board or the superintendent.

Background:
Information provided by the Superintendent

File Attachments
[Supt Report 2.4.21.pdf](#) (1,830 KB)

12 STAFF REPORT

Preliminary Budget for Snow/Graham Merger

Type Information

Purpose:
To share a preliminary budget related to the Snow/Graham merger with the Board.

Background:
On November 19, 2020, the board voted to merge Snow Elementary School and Graham Elementary School onto the Graham campus.
The District anticipates there will be one-time expenses necessary to successfully execute and complete the merger.
A preliminary budget has been established to cover anticipated expenses.

File Attachments
[Snow_Graham Merger Gantt - Sheet1.pdf](#) (74 KB)
[Budget_Snow-Graham Merger-2-1-21a.pdf](#) (16 KB)

13 STUDENT EXPLUSION

Student Discipline or Other Confidential Student Matters - Termination of Expulsion Order e1718-11

Type	Action
Recommended	Staff recommends that the Board approve the termination of Expulsion Order e1718-11.
Action	
Goals	1. To provide academic excellence via equity and opportunities for all students. MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens.

Purpose:
The following student's expulsion is recommended for termination. The student has met the conditions of their expulsion.

Background:
California Education Code Section 48916 requires that "an expulsion order shall remain in effect until the governing board orders a readmission of the pupil."

Motion & Voting
Staff recommends that the Board approve the termination of Expulsion Order e1718-11.
Motion by Phuong Nguyen, second by Elisa Martinez.
Final Resolution: Motion Carries
Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill
Abstain: Wahhab Salemi

14 OLD BUSINESS

NUSD Spanish DLI Master Plan

Type	Action
Preferred Date	Feb 04, 2021
Absolute Date	Feb 04, 2021
Budget Source	LCFF, Supplemental and Concentration Grant, Title I, Title III, Lottery
Recommended	Staff recommends that the Board approve the NUSD Spanish Dual Language Immersion
Action	Master Plan.
Goals	MISSION: The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens. 1. To provide academic excellence via equity and opportunities for all students.

Purpose:

This item is being presented to the Board of Education for approval of the Dual Language Immersion (DLI) program to be implemented in the Fall of 2021 at Schilling Elementary.

Background:

NUSD began exploring the idea of a Spanish Dual Language Immersion program as early as 2017-2018. District Leadership, at that time, expressed interest in the idea of such a program as a means of addressing the needs of our Spanish-speaking families, students, and community as a whole. In addition, with the passing of propositions and establishment of state policies such as Proposition 58 (2016), CA English Learner Roadmap (2017), and Global California (2018), NUSD found it appropriate, and necessary, to explore and move forward with a plan to start its own Dual Language Immersion program. Below is a timeline of the steps taken by NUSD with respect to a Dual Language Program at NUSD:

2017-18: Dual Language Immersion Program Discussions

2018-19: NUSD Board presentations and Actions:

Updated BP/AR 6174 (Education for English Language Learners - Instruction)

Board presentation on EL Roadmap (CDE)

Discussions/planning for specialized programs to increase enrollment

Updated BP/AR 5126 Awards for Achievement (Seal of Biliteracy)

NUSD English Learner Roadmap

2019-20: NUSD Dual Language Immersion Program Planning

Teachers and administrators attended the California Association of Bilingual Education (CABE Conference)

NUSD staff visited schools with DLI programs

Research Curriculum - aligned with NUSD's current curriculum

2020-21: NUSD resumed consideration and planning

DLI Leadership Team conducted DLI Program presentation to its local Board

At present time, the staff is seeking the support of the Board to approve this plan to open the first-ever Spanish Dual Immersion Program in the Fall of 2021. The program will begin with two Kindergarten and two First Grade classes, adding grade levels as the students progress each year.

File Attachments

[Budget_DLI at Schilling_2-1-21.pdf](#) (15 KB)

[NUSD DLI Plan_Draft_1.29.21 \(4\).pdf](#) (304 KB)

[DLI Master Plan Board Presentation 2.4.21.pdf](#) (1,444 KB)

Motion & Voting

Staff recommends that the Board approve the NUSD Spanish Dual Language Immersion Master Plan.

Motion by Elisa Martinez, second by Terrence Grindall.

Final Resolution: Motion Carries

Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Wahhab Salemi

Nay: Aiden Hill

15 NEW BUSINESS

Resolution 2020.21-017 Notice of Completion for 2020-21 Paving Project

Type	Action
Absolute Date	Feb 04, 2021
Fiscal Impact	No
Recommended	Staff recommends that the Board approve Resolution No. 2020.21-017 and authorize the
Action	filing of Notices of Completion (NOC) with the County Recorder of Alameda County for paving work completed by Tri Valley Excavating Co. Inc.

Purpose:

To authorize the filing of Notices Of Completion (NOC) with the County Recorder of Alameda County in order to start the 35 day deadline for filing liens. At the end of 35 days, the retention will be released.

Background:

At the Board meeting on September 17, 2020, the Governing Board awarded a contract to Tri Valley Excavating Co. Inc. in the amount of \$507,793 for paving work at Kennedy, Lincoln, MacGregor, Musick, Newark Jr High, Newark Memorial High School, Schilling, Snow and the District Office. Tri Valley Excavating has completed the scope of work, including a change

order approved November 19, 2020 for work located at Newark Memorial High School, MacGregor, Schilling, Lincoln, and Kennedy to address ADA and safety issues. The net increase of the change order was \$29,024.25, making the total of the project \$536,817.25. The work was successfully completed on January 21, 2021 and all punch list items have been completed. A Notice of Completion is required for each site.

File Attachments

- [Resolution 2020.21-017_NOC_2020-21 Paving Project.pdf](#) (51 KB)
- [August Schilling Notice of Completion-2020 Paving Tri Valley.pdf](#) (14 KB)
- [District Office Notice of Completion-2020 Paving Tri Valley.pdf](#) (14 KB)
- [John F Kennedy Notice of Completion-2020 Paving Tri Valley.pdf](#) (14 KB)
- [Lincoln Notice of Completion-2020 Paving Tri Valley.pdf](#) (14 KB)
- [MacGregor Notice of Completion-2020 Paving Tri Valley.pdf](#) (14 KB)
- [Musick Notice of Completion-2020 Paving Tri Valley.pdf](#) (14 KB)
- [Newark JHS Notice of Completion-2020 Paving Tri Valley.pdf](#) (14 KB)
- [NMHS Notice of Completion-2020 Paving Tri Valley.pdf](#) (14 KB)
- [Snow Notice of Completion-2020 Paving Tri Valley.pdf](#) (14 KB)

Motion & Voting

Staff recommends that the Board approve Resolution No. 2020.21-017 and authorize the filing of Notices of Completion (NOC) with the County Recorder of Alameda County for paving work completed by Tri Valley Excavating Co. Inc.

Motion by Elisa Martinez, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Wahhab Salemi

Board Policy 1312.3 and Administrative Regulation 1312.3 Uniform Complaint Procedures (First Reading)

Type	Action
Preferred Date	Feb 04, 2021
Absolute Date	Feb 04, 2021
Fiscal Impact	No
Recommended Action	Staff recommends the Board of Education approve the revised board policy and administrative regulation as presented with the recommended revisions.

Purpose:
For the Board to review the recommended changes and approve the updated policy.

Background:
The Uniform Complaint Procedures (UCP) Board Policy and Administrative Regulation was updated in October based on recommended language from the Federal Monitoring Program administrator. Since that time, the California School Board Association has come out with another update reflecting the relationship between the state uniform complaint procedures and new federal regulations regarding Title IX complaints of sexual harassment. This is the first reading for the attached Board Policy and Administrative Regulation. The language is sanctioned by the California School Board Association. The administration has reviewed these documents for accuracy and made revisions to reflect district practice. If any revisions are recommended, the policy will be brought back to the Board of Education for a second reading.

- File Attachments**
- [BP 1312.3 Uniform Complaint Procedures Board with track changes 2021.pdf](#) (430 KB)
 - [AR 1312.3 Uniform Complaint Procedures Board with track changes 2021.pdf](#) (268 KB)

Motion & Voting

Staff recommends the Board of Education approve the revised board policy and administrative regulation as presented with the recommended revisions.

Motion by Phuong Nguyen, second by Terrence Grindall.

Final Resolution: Motion Carries

Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Wahhab Salemi

Board Policy 4119.11 and Administrative Regulation 4119.11 Sexual Harassment (First Reading)

Type	Action
Preferred Date	Feb 04, 2021
Absolute Date	Feb 04, 2021
Fiscal Impact	No
Recommended Action	Staff recommends the Board of Education approve the revised board policy and administrative regulation as presented with the recommended revisions.

Purpose:
For the board to review the recommended changes and approve the updated policy.

Background:
The attached Board Policy and Administrative Regulation have been updated to reflect new federal regulations which require that complaints of behavior that meet the federal definition of sexual harassment be addressed through new Title IX complaint procedures. This is the first reading for the attached Board Policy and Administrative Regulation. The language is sanctioned by the California School Board Association. The administration has reviewed these documents for accuracy and made revisions to reflect district practice. If any revisions are recommended, the documents will be brought back to the Board of Education for a second reading.

[File Attachments](#)

[BP4119.11 Sexual Harassment with tracking.pdf](#) (318 KB)
[AR4119.11 Sexual Harassment with Tracking.pdf](#) (318 KB)

[Motion & Voting](#)

Staff recommends the Board of Education approve the revised board policy and administrative regulation as presented with the recommended revisions.

Motion by Elisa Martinez, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Wahhab Salemi

Administrative Regulation 4119.12 Title IX Sexual Harassment Complaint Procedures (First Reading)

[Type](#) Action

Preferred Date Feb 04, 2021

Absolute Date Feb 04, 2021

Fiscal Impact No

Recommended Staff recommends the Board of Education approve the revised administrative regulation as

Action presented with the recommended revisions.

[Purpose:](#)

For the board to review the recommended changes and approve the updated policy.

[Background:](#)

This is a new Administrative Regulation from the California School Board Association. It reflects new federal regulations which establish a Title IX complaint procedure for addressing complaints of behavior that meet the federal definition of sexual harassment. This is the first reading for the attached Administrative Regulation. The language is sanctioned by the California School Board Association. The administration has reviewed this document for accuracy and made revisions to reflect district practice.

If any revisions are recommended, the documents will be brought back to the Board of Education for a second reading.

[File Attachments](#)

[AR 4119.12 Title IX Sexual Harassment with tracking.pdf](#) (246 KB)

[Motion & Voting](#)

Staff recommends the Board of Education approve the revised administrative regulation as presented with the recommended revisions.

Motion by Phuong Nguyen, second by Terrence Grindall.

Final Resolution: Motion Carries

Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Wahhab Salemi

Board Policy & Administrative Regulation 5145.7 Sexual Harassment (First Reading)

[Type](#) Action

Preferred Date Feb 04, 2021

Absolute Date Feb 04, 2021

Fiscal Impact No

Recommended Staff recommends the Board of Education approve the revised board policy and

Action administrative regulation as presented with the recommended revisions.

[Purpose:](#)

For the board to review the recommended changes and approve the updated policy.

[Background:](#)

This is a new Administrative Regulation from the California School Board Association. It reflects new federal regulations that establish a recommended procedure. This is the first reading for the attached Administrative Regulation. The language is sanctioned by the California School Board Association. The administration has reviewed this document for accuracy and made revisions to reflect district practice.

If any revisions are recommended, the documents will be brought back to the Board of Education for a second reading.

[File Attachments](#)

[BP 5145.7 Sexual Harassment First Reading.pdf](#) (207 KB)

[AR 5145.7 Sexual Harassment First Reading.pdf](#) (214 KB)

[Motion & Voting](#)

Staff recommends the Board of Education approve the revised board policy and administrative regulation as presented with the recommended revisions.

Motion by Phuong Nguyen, second by Elisa Martinez.

Final Resolution: Motion Carries

Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Wahhab Salemi

Administrative Regulation 5145.71 Title IX Sexual Harassment Complaint Procedures (First Reading)

Type	Action
Preferred Date	Feb 04, 2021
Absolute Date	Feb 04, 2021
Fiscal Impact	No
Recommended Action	Staff recommends the Board of Education approve the revised board policy and administrative regulation as presented with the recommended revisions.

Purpose: For the board to review the recommended changes and approve the updated policy.

Background: This is a new Administrative Regulation from the California School Board Association. It reflects new federal regulations which establish a Title IX complaint procedure for addressing complaints of behavior that meets the federal definition of sexual harassment. This is the first reading for the attached Administrative Regulation. The language is sanctioned by the California School Board Association. The administration has reviewed this document for accuracy and made revisions to reflect district practice.

File Attachments: AR 5145.71 Title IX Sexual Harassment Complaint Procedures .pdf (183 KB)

Motion & Voting: Staff recommends the Board of Education approve the revised board policy and administrative regulation as presented with the recommended revisions. Motion by Terrence Grindall, second by Phuong Nguyen. Final Resolution: Motion Carries. Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Wahhab Salemi

16 CONSENT AGENDA - PERSONNEL ITEMS

PLACEHOLDER - One Consented Vote

Type: Action (Consent)
Purpose: This is specifically a placeholder, and will only be used if multiple agenda items are approved under a consented vote.

Personnel Report

Type	Action
Preferred Date	Feb 04, 2021
Absolute Date	Feb 04, 2021
Recommended Action	Staff recommends the Board approve the personnel report as presented.

Purpose: This report includes employment, retirements, reassignments, and terminations for both certificated and classified employees. Specific actions can be made known at the conclusion of the meeting.

File Attachments: HR PAL 02-04-21.pdf (354 KB)

Motion & Voting: Staff recommends the Board approve the personnel report as presented. Motion by Phuong Nguyen, second by Terrence Grindall. Final Resolution: Motion Carries. Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Wahhab Salemi

Certificated Seniority List

Type	Action
Preferred Date	Feb 04, 2021
Absolute Date	Feb 04, 2021
Recommended Action	Staff recommends the Board of Education receive the 2020-2021 Certificated Order of Employment List.

Purpose: Each year, the Certificated Order of Employment list is posted for review by certificated employees to determine whether the District has the correct hire date for each such employee. This year, the Certificated Order of Employment was posted and an opportunity for employees to review was provided from 1/11/2021 to 1/25/2021. This Order of Employment list does not imply an order of employment for certificated employees who were hired on the same date.

[File Attachments](#)

[2020-2021 NTA Seniority List Board.pdf](#) (93 KB)

[Motion & Voting](#)

Staff recommends the Board of Education receive the 2020-2021 Certificated Order of Employment List.

Motion by Phuong Nguyen, second by Bowen Zhang.

Final Resolution: Motion Carries

Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

Abstain: Wahhab Salemi

17 CONSENT AGENDA - NON-PERSONNEL ITEMS

Monthly Financial Reports - December 2020

[Type](#) Action

Preferred Date Feb 04, 2021

Recommended Staff recommends the Board approve the monthly financial report as presented.

Action

[Purpose:](#)

The purpose is for the Board to review and approve the district's budget information as of December 2020.

[Background:](#)

These reports show, by Fund, the year-to-date status of the district's budget including Revenues, Expenditures and Fund Balance.

For some months, these Monthly Financial Reports will be presented to the Board as a stand-alone agenda item. For other months, the budget information will be incorporated in the standard reports such as the First and Second Interim Financial Reports.

[File Attachments](#)

[Monthly financial report_December 2020.pdf](#) (89 KB)

[Motion & Voting](#)

Staff recommends the Board approve the monthly financial report as presented.

***VOTE on all items

Motion by Terrence Grindall, second by Elisa Martinez.

Final Resolution: Motion Carries

Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Wahhab Salemi

Minutes of the October 15, 2020 Regular Meeting of the Board of Education

[Type](#) Action, Minutes

Recommended Staff recommends the Board approve the minutes of the October 15, 2020 Regular Meeting

Action of the Board of Education

[Purpose:](#)

For the board to review and approve the minutes

[Background:](#)

The attached minutes are reflective of the October 15, 2020, Regular Meeting of the Board of Education. The exact language is available for viewing on the NUSD YouTube Channel.

Minutes of the November 5, 2020 Regular Meeting of the Board of Education

[Type](#) Action, Minutes

Recommended Staff recommends the Board approve the minutes of the November 5, 2020 Regular

Action Meeting of the Board of Education

[Purpose:](#)

For the board to review and approve the minutes

[Background:](#)

The attached minutes are reflective of the November 5, 2020, Regular Meeting of the Board of Education. The exact language is available for viewing on the NUSD YouTube Channel.

Minutes of the November 19, 2020 Regular Meeting of the Board of Education

[Type](#) Action, Minutes

Recommended Staff recommends the Board approve the minutes of the November 19, 2020 Regular

Action Meeting of the Board of Education

[Purpose:](#)

For the board to review and approve the minutes

Background:

The attached minutes are reflective of the November 19, 2020, Regular Meeting of the Board of Education. The exact language is available for viewing on the NUSD YouTube Channel.

Minutes of the December 3, 2020 Regular Meeting of the Board of Education

Type Action, Minutes

Recommended Staff recommends the Board approve the minutes of the December 3, 2020 Regular Meeting of the Board of Education
Action

Purpose:

For the board to review and approve the minutes

Background:

The attached minutes are reflective of the December 3, 2020 Regular Meeting of the Board of Education. The exact language is available for viewing on the NUSD YouTube Channel.

Minutes of the December 17, 2020 Regular Meeting of the Board of Education

Type Action, Minutes

Recommended Staff recommends the Board approve the minutes of the December 17, 2020 Regular Meeting of the Board of Education
Action

Purpose:

For the board to review and approve the minutes

Background:

The attached minutes are reflective of the December 17, 2020, Regular Meeting of the Board of Education. The exact language is available for viewing on the NUSD YouTube Channel.

Minutes of the January 21, 2021 Regular Meeting of the Board of Education

Type Action, Minutes

Recommended Staff recommends the Board approve the minutes of the January 21, 2021 Regular Meeting of the Board of Education
Action

Purpose:

For the board to review and approve the minutes

Background:

The attached minutes are reflective of the January 21, 2021, Regular Meeting of the Board of Education. The exact language is available for viewing on the NUSD YouTube Channel.

Minutes of the January 23, 2021 Special Meeting of the Board of Education

Type Action, Minutes

Recommended Staff recommends the Board approve the minutes of the January 23, 2021 Regular Meeting of the Board of Education
Action

Purpose:

For the board to review and approve the minutes

Background:

The attached minutes are reflective of the January 23, 2021, Special Meeting of the Board of Education. The exact language is available for viewing on the NUSD YouTube Channel.

18 BOARD OF EDUCATION - COMMITTEE REPORTS, ANNOUNCEMENTS, REQUESTS, DEBRIEF

Board of Education Committee Reports

DEBRIEF AND DISCUSSION

Type Information

Purpose:

The board committee members will give any updates, if available, of the committees they are members of.

Background:

Mission Valley ROP - Elisa Martinez
SELPA - Bowen Zhang
Newark - NUSD Liaison Committee - Phuong Nguyen & Terrence Grindall
Newark Teacher Induction Advisory Council (Formally EBBIC) - Elisa Martinez

Board of Education Requests

DEBRIEF AND DISCUSSION

Type Information

Purpose:

This is an opportunity for Board members to suggest items for placement on future agendas, and to review requests.

Background:

Governance Team Handbook

Authority is collective, not individual:

The only authority to direct action rests with the Board when seated at a regular or special Board meeting. Outside this meeting, there is no authority.

A majority vote of the Board provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction.

Bring up new ideas/decide to move new ideas forward:

The Board will be open to having "brainstorming" discussions about any idea that a Board member may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Board member, at his or her own initiative or at the request of a constituent, which has not previously been discussed during a Board meeting.

Board members will first notify the Board President and/or the Superintendent of their interest in bringing forward a new idea. The preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.

Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea. The Superintendent will decide on the delegation of assignments to other District staff.

The new idea will be agendaized for discussion only. The Board will decide if the new idea should be further developed and studied by staff. A Board majority will decide if staff time should be invested in the "fleshing out" of new ideas.

Individual Board members, in the course of interactions with constituents, will be careful not to make or imply a commitment of the full Board to explore or proceed with implementing new ideas.

Board of Education Recognitions and Announcements

DEBRIEF AND DISCUSSION

Type Information

Purpose:

This is an opportunity for Board members to acknowledge or recognize specific programs, activities, or personnel.

19 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

Superintendent's Concluding Comments, Updates for the Board, and Future Agenda Requests

FUTURE AGENDA REQUESTS

Type Information

Purpose:

This is an opportunity for the Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

20 ADJOURNMENT

PLACEHOLDER - Extend Meeting

Type Action

Recommended The recommendation is that the Board extend the meeting to ____ PM
Action

Purpose:

This is a placeholder, only to be used if the Board adds a motion to extend the meeting.

Motion & Voting

The recommendation is that the Board extend the meeting to 10:30 pm

Motion by Bowen Zhang, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Wahhab Salemi

Adjournment

Type Action, Procedural

Recommended The recommendation is that this meeting be adjourned.

Action

Purpose:

To conclude this meeting and all conversation related.

Motion & Voting

The recommendation is that this meeting be adjourned.

Motion by Wahhab Salemi, second by Bowen Zhang.

Final Resolution: Motion Carries

Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Wahhab Salemi

1 Live Comments: Join with an Internet-connected device (tablet, computer, phone, etc.)

Virtual Meeting Practices & Connection Information

Type Information, Procedural

In accordance with the Governor's Executive Order N-29-20, Board meetings will be held "virtually" until further notice. These meetings will be accessible to the public by internet or telephone. No physical meeting place will be provided.

Meetings will live-streamed on the NUSD YouTube on the internet.

Public comment opportunities will be available through the virtual meeting. Meeting access instructions are provided below here.

As always, we encourage you to contact the entire Board by email at "board@newarkunified.org." This address goes directly to the Board members, who check their emails frequently.

Pledge of Allegiance

Type Procedural

Roll Call

Type Procedural

Board Members:

President Bowen Zhang

Member Phuong Nguyen

Member Elisa Martinez

Member Terrence Grindall

Member Aiden Hill

Student Board Member:

Member Wahhab Salemi

2. APPROVAL OF AGENDA

Approval of Agenda

Type Action

Recommended Recommendation is that the Board of Education approve the agenda for this meeting.

Action

Purpose:

Members of the Board may request that the agenda be approved as presented or amended.

Motion & Voting

Recommendation is that the Board of Education approve the agenda for this meeting.

Motion by Elisa Martinez, second by Terrence Grindall.

Final Resolution: Motion Carries

Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Wahhab Salemi

3 NEW BUSINESS

Governance Team Training Session

Type Action, Discussion, Information, Procedural

Recommended Recommendations are available at the Board's discretion based on the discussion during the

Action training session.

Purpose:

To provide new board member training and Governance Team cohesion, by understanding the roles, norms, protocols, agreements, duties, and requirements of a Board Member and a Governance Team.

Background:

In accordance with the approved Governance Handbook, the board member's roles and responsibilities include "regularly reviewing or revising District direction documents (Governance Handbook, beliefs, vision, priorities, strategic goals, success

indicators)." In addition, "As soon as possible the Governance team will schedule an orientation session with the newly constituted Board," and "the NUSD Board is committed to continuing education opportunities for all staff and Board Members." As such, the Board will participate in training facilitated by Debra Dudley of the California School Board Association (CSBA).

4 BOARD OF EDUCATION - COMMITTEE REPORTS, ANNOUNCEMENTS, REQUESTS, DEBRIEF

Board of Education Requests

DEBRIEF AND DISCUSSION

Type Information

Purpose:

This is an opportunity for Board members to suggest items for placement on future agendas, and to review requests.

Background:

Governance Team Handbook

Authority is collective, not individual:

The only authority to direct action rests with the Board when seated at a regular or special Board meeting. Outside this meeting, there is no authority.

A majority vote of the Board provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction.

Bring up new ideas/decide to move new ideas forward:

The Board will be open to having "brainstorming" discussions about any idea that a Board member may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Board member, at his or her own initiative or at the request of a constituent, which has not previously been discussed during a Board meeting.

Board members will first notify the Board President and/or the Superintendent of their interest in bringing forward a new idea. The preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.

Only a majority of the Board may direct the Superintendent to conduct research regarding the exploration of a new idea. The Superintendent will decide on the delegation of assignments to other District staff.

The new idea will be agendaized for discussion only. The Board will decide if the new idea should be further developed and studied by staff. A Board majority will decide if staff time should be invested in the "fleshing out" of new ideas.

Individual Board members, in the course of interactions with constituents, will be careful not to make or imply a commitment of the full Board to explore or proceed with implementing new ideas.

Board of Education Recognitions and Announcements

DEBRIEF AND DISCUSSION

Type Information

Purpose:

This is an opportunity for Board members to acknowledge or recognize specific programs, activities, or personnel.

5 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

Superintendent's Concluding Comments, Updates for the Board, and Future Agenda Requests

AGENDA REQUESTS

Type Information

Purpose:

This is an opportunity for the Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

6 ADJOURNMENT

Adjournment

Type Action, Procedural

Recommended The recommendation is that this meeting be adjourned.

Action

Purpose:

No items will be considered after 10:00 p.m., unless it is determined by a majority of the Board to extend to a specific time. This action will conclude the meeting.

Motion & Voting

The recommendation is that this meeting be adjourned at 1:23 pm.

Motion by Wahhab Salemi, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Wahhab Salemi

The recommendation is to extend the meeting to 1:30 pm.

Motion by Bowen Zhang, second by Elisa Martinez.
Final Resolution: Motion Carries
Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Wahhab Salemi

1 Live Comments: Join with an Internet connected device (tablet, computer, phone, etc.)

Virtual Meeting Practices & Connection Information

Type Information, Procedural
In accordance with the Governor's Executive Order N-29-20, Board meetings will be held "virtually" until further notice. These meetings will be accessible to the public by internet or telephone. No physical meeting place will be provided. Meetings will live-streamed on the NUSD YouTube on the internet. Public comment opportunities will be available through the virtual meeting. Meeting access instructions are provided below here.
As always, we encourage you to contact the entire Board by email at "board@newarkunified.org." This address goes directly to the Board members, who check their emails frequently.

Roll Call

Type Procedural
Board Members:
President Bowen Zhang
Member Phuong Nguyen
Member Elisa Martinez
Member Terrence Grindall
Member Aiden Hill
Student Board Member:
Member Wahhab Salemi
2. APPROVAL OF AGENDA

Approval of Agenda

Type Action
Recommended Recommendation is that the Board of Education approve the agenda for this meeting.
Action

Purpose:
Members of the Board may request that the agenda be approved as presented or amended.

Motion & Voting
Recommendation is that the Board of Education approve the agenda for this meeting.
Motion by Elisa Martinez, second by Phuong Nguyen.
Final Resolution: Motion Carries
Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill
Not Present at Vote: Wahhab Salemi

3 STUDY SESSION

Public Comment on Board Study Session Items

Type Procedural
Purpose:
To provide a space for the community to make a comment on the Board Study Session.
Background:
Please see the link below for Public Comment information.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=BN8PNC6402C1>

Budget Review

Type Discussion, Information
Goals 2. Establish financial stability and fiscal solvency in order to drive continuous improvement.
Purpose:
To review the budget and discuss budget balancing solutions for the current year and two subsequent years.
Background:
The multi-year projection (MYP) in the First Interim Report projects a deficit of \$253K in the current year and \$742K and \$3.2M in the two subsequent years.

Resolution 2020.21-014, approved by the Board on December 3, 2020, commits to implementing expenditure reductions of up to \$742,000 in the 2021-22 school year and \$3,200,000 for school year 2022-23 based on the First Interim Report MYP assumptions.

[File Attachments](#)

[Board Study Session- Budget Review 1_21_21.pdf](#) (3,598 KB)

4 CLOSED SESSION

Public Comment on Closed Session Item

Type Procedural

Purpose:

To provide a space for the community to make a comment on Closed Session Items.

Background:

Please see the link below for Public Comment information.

<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=BN8PNC6402C1>

Public Employee Discipline/Dismissal/ Release (GC54957)

Type Procedural

Information will be provided by the Superintendent and Interim Assistant Superintendent of Human Resources.

Conference with Labor Negotiator Employee Organizations: NTA & CSEA (GC54957.6)

Type Procedural

Information will be provided by the agency negotiator, Interim Assistant Superintendent of Human Resources. Assistance from legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided. Employee organizations include NTA & CSEA.

Conference with Labor Negotiator (GC 54957.6) NEWMA, Unrepresented Supervisors & Contracted Management

Type Procedural

Information will be provided by the agency negotiator, Interim Assistant Superintendent of Human Resources, and the Superintendent. Assistance from legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided. The employee organizations include NEWMA, Unrepresented Supervisors, and Contracted Management

Conference with Legal Counsel regarding Existing Litigation (GC 54956.9(d) (1))

Type Procedural

Cases to be discussed:
OAH CASE NUMBER 2020100956

Conference with Legal Counsel Regarding Anticipated Litigation (GC 54956.9(d)(2))

Type Procedural

Information will be provided regarding:
Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: Two case

Recess to Closed Session

Type Procedural

Purpose:

The Board will recess to Closed Session, and reconvene to Open Session on or about 7pm.

5 RECONVENE TO OPEN SESSION

Pledge of Allegiance

Type Procedural

6 REPORT OF CLOSED SESSION ACTIONS

Report of Closed Session Actions

Type Procedural

Purpose:

If available, a report of closed session will be provided by the Board President.

7 EMPLOYEE ORGANIZATIONS

Employee Organizations

Type Information

Purpose:

At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Discussion items are limited to updates, celebrations, and upcoming events.

NTA: Sean Abruzzi

CSEA: Sue Eustice

NEWMA: Cathreene Ingham-Watters

8 RECOGNITIONS AND CELEBRATIONS

School Spotlight: Musick Elementary

Type Information

Purpose:

The School Spotlight gives the Board of Education and the public an opportunity to hear from each school with highlights of their achievements and initiatives.

Background:

The presentation will be provided by the Musick Elementary Principal, Amanda Golliher

File Attachments

[Musick BOE Spotlight Presentation.pdf](#) (2,167 KB)

[Board Mtg_ 2020-21 School Spotlights.pdf](#) (45 KB)

9 PUBLIC COMMENT ON NON-AGENDA ITEMS

Public Comment on Non-Agenda Items

Type Procedural

Purpose:

To provide a space for the community to make a comment on non-agenda items.

Background:

Please see click the link below for Public Comment information on Non-Agenda Items and Agenda items.

<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=BN8PNC6402C1>

10 SUPERINTENDENT REPORT

Superintendent Report

Type Information

Purpose:

Information provided by the Superintendent

File Attachments

[Supt Report 1.21.21.pdf](#) (1,556 KB)

11 STAFF REPORT

Letter from the Alameda County Office of Education Regarding the 2020-21 First Interim Budget Report

Type Information

Purpose:

The Chief Business Official will review the letter from the Alameda County Office of Education (ACOE) regarding the Newark Unified School District (NUSD) 2020-21 First Interim Budget Report.

Background:

The Governing Board approved a POSITIVE Certification of NUSD's First Interim Budget Report on December 3, 2020. The district subsequently submitted the report to ACOE, as required, for their review and analysis. In accordance with Education Code (EC) Section 42131, ACOE reviewed the First Interim Budget Report based on standards and criteria for fiscal stability adopted by the State Board of Education pursuant to EC Section 33127. Based on ACOE's review and analysis, the 2020-21 First Interim Budget Report approved by NUSD's Board of Education on December 3, 2020, accurately reflects the financial status of the District. ACOE, therefore, concurs with NUSD's POSITIVE certification with comments.

File Attachments

[Newark 2020-21 First Interim Board Letter -FINAL.pdf](#) (337 KB)

12 OLD BUSINESS

Appointment of a Board Representative to Audit Committee

Type Action
 Recommended Appoint Two Board Representatives and an Alternate to Audit Committee
Action
 Purpose of this Item:
 To nominate and appoint two representatives and one alternate to the Audit Committee.

Background:

Board Bylaw 9140: The Governing Board recognizes that effective performance of its community leadership responsibilities may require its participation in district or community committees on matters of concern to the district and its students. As needed, the Board may appoint any of its members to serve as its representative on a district committee or on a committee of another public agency or organization of which the Board or district is a member or to which the Board is invited to participate. The purpose of the Audit Committee is to provide oversight for financial reporting, internal controls, and auditors activities. This committee meets, at a minimum, once per year in January. Member Martinez and Member Nguyen have served as the Board's representatives for the past year. During the Dec. 17, 2020 meeting, the Board selected President Zhang and Member Hill as the representatives, along with Member Nguyen as the alternative. Based on the Audit charter, the Board President is not permitted to be a member of the Audit Committee. Therefore, this item is being brought back to select a replacement for President Zhang. The Board will appoint two representatives, and an alternate to the Audit Committee.

File Attachments

[Board Committees - Prepared for 120320.pdf](#) (20 KB)

Motion & Voting

Appoint Member Nguyen as the second representative, and member Martinez as the alternate to Audit Committee.
 Motion by Bowen Zhang, second by Terrence Grindall.
 Final Resolution: Motion Carries
 Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Wahhab Salemi

13 NEW BUSINESS

Resolution 2020.21-016 Purchase of Global Plasma Solutions Needlepoint Bipolar Ionization Devices and Award for

Type Action
 Preferred Date Jan 21, 2021
 Absolute Date Jan 21, 2021
 Fiscal Impact Yes
 Dollar Amount \$271,322.00
 Budgeted Yes
 Budget Source Federal CARES Act Funds
 Recommended Staff recommends approval of Resolution 2020.21-016 Purchase of Global Plasma Solutions
 Action Needlepoint Bipolar Ionization Units for District HVAC Systems and Award for Installation.

Purpose:

Purchase of additional Global Plasma Solutions (GPS) FC24-AC and FC48-AC Needlepoint Bipolar Ionization (NPBI) Devices and misc products for various units per attached proposal and authorize contracting for the installation by an outside vendor as presented. By authorizing the purchase and installation of the ionization devices, the Board is taking measures to mitigate the spread of COVID-19.

Background:

On November 19, 2020 as an integral part of the District's readiness planning to reopen in-school learning activities under the current COVID-19 pandemic, and to better protect students and staff, the board approved the initial purchase of 160 Global Plasma Solutions (GPS) FC24-AC Needlepoint Bipolar Ionization (NPBI) devices at a cost of \$554.24 each pursuant the CUPCAA guidelines and annual procurement limit, the cost of which will be covered by the Cares Act funds. During the presentation, staff explained that additional units will be needed for all the HVAC systems and that staff was assessing the number required and further exploring procurement options available. Additionally, it was determined that M&O

staff would need to contract the installation of the devices as M&O staff had other priorities and that M&O staff could not install all devices.

The District estimates a total of approximately 556 ionization devices will be needed for all HVAC systems. The initial purchase of 160 devices was approved by the Board on November 19, 2020. A quote for another 396 devices has been provided by Norman S. Wright for a total of \$195,245, including tax and shipping (average cost of \$493.04 each).

The District sought proposals for the installation of the initial 160 GPS NPBI Devices at five District schools, (Birch Grove Intermediate School, Graham Elementary School, Birch Grove Primary School, Lincoln Elementary School, and Musick Elementary School). Western Allied Mechanical submitted the lowest proposal in the amount of \$21,892 (\$136.83 each). The second quote received was \$32,705 (\$204.40 each). The installation cost for the additional 396 devices is estimated at \$54,185.

Action:

Authorize District to purchase and install additional Global Plasma Solutions ("GPS") FC24-AC and FC48-AC and similar Needlepoint Bipolar Ionization ("NPBI") Devices for special applications as designated by staff in Districtwide HVAC systems pursuant to the resolution drafted by counsel and to negotiate installation with Western Mechanical.

File Attachments

- [Resolution 2020.21-016 Ionization Units for HVAC Systems.pdf](#) (22 KB)
- [Western Allied Proposal_installation of NPBI units.pdf](#) (187 KB)
- [GPS NSW Quote NPBI Devices- 1-13-2020.pdf](#) (864 KB)

Motion & Voting

Staff recommends approval of Resolution 2020.21-016 Purchase of Global Plasma Solutions Needlepoint Bipolar Ionization Units for District HVAC Systems and Award for Installation.

Motion by Phuong Nguyen, second by Elisa Martinez.

Final Resolution: Motion Carries

Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Wahhab Salemi

Mapmaking Systems Proposal for the Landscaping and Irrigation Project

Type	Action
Fiscal Impact	Yes
Dollar Amount	\$14,900.00
Budgeted	Yes
Budget Source	Fund 21 Measure G
Recommended Action	Staff recommends the Board approve the proposal and authorize a contract with Mapmaking Systems, Inc as presented.

Purpose:

The purpose is for the Board to review and approve the proposal for Mapmaking Systems to prepare the drawings for the Landscaping and Irrigation project that was approved at the October 15, 2020 Board meeting.

Background:

In order to prepare the bid drawings for the Landscaping and Irrigation Project, there is a need to survey the areas of work to prepare the base map and create the CAD Drawings. Mapmaking Systems, Inc. will locate and digitally map the areas, including, footprint of building (where necessary) with door locations, curb edge, road edge, planting beds, trees, turf areas and other significant landscape elements. Mapmaking Systems, Inc. is proposing to do this work for a cost of \$14,900.00.

File Attachments

- [Mapmaking Systems, Inc. Proposal 2020-12-10.pdf](#) (79 KB)

Motion & Voting

Staff recommends the Board approve the proposal and authorize a contract with Mapmaking Systems, Inc as from budget source fund 21 and fund 40.

Motion by Phuong Nguyen, second by Elisa Martinez.

Final Resolution: Motion Carries

Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Wahhab Salemi

2020-2021 Local Control Accountability Plan (LCAP) Advisory Committee

Type	Action
Preferred Date	Jan 21, 2021
Absolute Date	Jan 21, 2021
Fiscal Impact	No
Budgeted	No
Recommended Action	The administration recommends the membership be approved as presented.
Goals	2. Establish financial stability and fiscal solvency in order to drive continuous improvement. 1. To provide academic excellence via equity and opportunities for all students.

Purpose:

We are seeking approval of the attached proposed membership of the 2020- 2021 Local Control and Accountability Plan (LCAP) Advisory Committee. At its first meeting, the committee will review its bylaws which will include rules regarding processes and procedures. The Director of Special Projects, Isabel Cervantes-Falk, in collaboration with the Chief Business Officer, Marie dela Cruz, will facilitate the meetings.

LCAP Advisory Committee meetings are open to the public; all agendas and minutes will be posted in advanced for interested parties.

All meetings will be held virtually, until further notice, from 6:00 pm - 7:00 pm, and translation will be provided to support member participation. The meetings are scheduled as follows:

- January 26, 2021
- February 23, 2021
- March 23, 2021
- April 27, 2021
- May 25, 2021

[File Attachments](#)

[LCAP PAC Membership 2020-21 For Board Approval.docx \(1\).pdf](#) (103 KB)

[Motion & Voting](#)

The administration recommends the membership be approved as presented.

Motion by Wahhab Salemi, second by Bowen Zhang.

Final Resolution: Motion Carries

Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Wahhab Salemi

New Secondary Courses

Type	Action
Fiscal Impact	Yes
Budgeted	Yes
Budget Source	0500
Recommended	Approval of new courses.
Action	

[Purpose:](#)

The purpose is to update course offerings at Newark Memorial High School for our students, especially in light of distance learning.

This includes three new AP courses in order to address student inequities and provide more student opportunities for accelerated courses that can prepare and allow students to earn college credits. This includes AP Human Geography, AP Environmental Science, and AP Computer Science.

In addition, a new and advanced Blended Geometry/Algebra 2 course will be offered to develop math pathways for accelerated students, especially for those interested in completing their high school career with a course in Calculus and thereby prepare for a college major in the Sciences, Mathematics, or Health Care Fields.

Ethnic Studies is a course based on current events, diverse sociological perspectives, and balanced points of view from different cultures which students have demonstrated interest in and would be offered in the history department. This course is supported at the state level as well with the introduction of AB 331 which advocates for Ethnic Studies within each comprehensive district.

There are also four updated music courses -- each based on an already existing music course, however, with a new course name.

Finally, freshman students, based on previous years of data, have often struggled with a high number of D's and F's as they transition to the high school level. A Freshman Seminar course is geared specifically as a course offering for incoming Freshman to learn character values, organization skills, health education, computer skills, and essential student skills to succeed at the high school level.

[Background:](#)

It has been years since Newark Memorial High School has updated course offerings in the Course Catalog. With new realities for our students in light of distance learning and the pandemic, it is essential to continue to refine, improve, and update courses for our high school students to thrive in the 21st century. The introduction of these 11 new courses at the high school level is designed for this purpose. It takes into account state recommendations, expands AP offerings, and has been approved through the district Secondary Curriculum Council.

[File Attachments](#)

- [AP Computer Science A.pdf](#) (238 KB)
- [AP Environmental.pdf](#) (247 KB)
- [AP Human Geography.pdf](#) (199 KB)
- [Blended Geometry-Algebra 2.pdf](#) (467 KB)
- [Choraliers \(Advanced Choir\).pdf](#) (381 KB)
- [Concert Band \(Beginning and Intermediate Band\).pdf](#) (420 KB)
- [Ethnic Studies.pdf](#) (1,096 KB)
- [Freshmen Studies.pdf](#) (351 KB)
- [Lyrical Choir \(Beginning and Intermediate Choir\).pdf](#) (370 KB)
- [PLTW-Principles of Engineering.pdf](#) (181 KB)
- [Symphonic Band \(Advanced Band\).pdf](#) (437 KB)

[Motion & Voting](#)

Approval of new courses.

Motion by Wahhab Salemi, second by Bowen Zhang.

Final Resolution: Motion Carries

Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Wahhab Salemi

Nay: Aiden Hill

14 CONSENT AGENDA - PERSONNEL ITEMS

Personnel Report

Type Action

Preferred Date Jan 21, 2021

Absolute Date Jan 21, 2021

Recommended Staff recommends the Board approve the personnel report as presented.

Action

This report includes employment, retirements, reassignments and terminations for both certificated and classified employees. Specific actions can be made known at the conclusion of the meeting.

File Attachments

[HR PAL 01-21-21.pdf](#) (363 KB)

Motion & Voting

Staff recommends the Board approve the personnel report as presented.

Motion by Terrence Grindall, second by Elisa Martinez.

Final Resolution: Motion Carries

Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

Abstain: Wahhab Salemi

Notre Dame de Namur University MOU and Agreement to Place Student Teachers

Type Action

Preferred Date Jan 21, 2021

Absolute Date Jan 21, 2021

Recommended Staff recommends the Board of Education approve the Notre Dame de Namur University

Action MOU and Agreement to Place Student Teachers

Purpose:

The purpose of this item is for the Board of Education to approve the MOU and agreement between Notre Dame de Namur University and Newark Unified School District to place student teachers commencing on June 30, 2020 and ending June 30, 2025.

Background:

The District works closely with local institutes of higher education (IHE) and supports student teacher placements.

Agreements between Newark Unified School District and a university must be in place before a student teacher can be placed at a school site in the District.

Student teachers in training do fieldwork in our schools and are supervised by the administrators who volunteer to provide supervision and training.

Student teachers are able to learn, practice teaching, and fine-tune their craft under the direct supervision of a master teacher. The opportunity to student teach in the District benefits both the student and the District.

As vacancies become available in the district, it is invaluable to have the opportunity to observe directly student teachers who may be eligible to interview for vacancies and observe how well they fit into the culture of Newark.

File Attachments

[Newark Unified School District ST 6-30-25.pdf](#) (139 KB)

Motion & Voting

Notre Dame de Namur University MOU and Agreement to Provide Education Specialist and Teaching Interns

Type Action

Preferred Date Jan 21, 2021

Absolute Date Jan 21, 2021

Recommended Staff recommends the Board of Education approve the Notre Dame de Namur University

Action MOU and Agreement to Provide Education Specialist and Teaching Interns

Purpose:

The purpose of this item is for the Board of Education to approve the MOU and agreement between Notre Dame de Namur University and Newark Unified School District to provide education specialist and teaching interns commencing on June 30, 2020 and ending June 30, 2025.

Background:

The District works closely with local institutes of higher education (IHE) and supports education specialist and teaching intern placements. Agreements between Newark Unified School District and a university must be in place before an intern can be placed at a school site in the District.

Interns do fieldwork in our schools and are supervised by the administrators who volunteer to provide supervision and training.

Interns are able to learn, practice teaching, and fine-tune their craft under the direct supervision of a master teacher. The opportunity to intern in the District benefits both the student and the District.

As vacancies become available in the district, it is invaluable to have the opportunity to observe directly interns who may be

eligible to interview for vacancies and observe how well they fit into the culture of Newark.

[File Attachments](#)

[Newark Unified School District INT 6-30-25.pdf](#) (82 KB)

Job Description: Assistant Superintendent of Educational Services

Type Action

Preferred Date Jan 21, 2021

Absolute Date Jan 21, 2021

Recommended Action Staff recommends the Board of Education approve the revised job description for Assistant Superintendent of Educational Services.

Purpose:

The purpose is for the Board to review the revised job description prior to posting and initiating a search process.

Background:

The item is for the Board to approve a revised job description for the position of Assistant Superintendent, Educational Services. This job description was last revised in April 2004, seventeen years ago. The new job description better reflects the duties and responsibilities of the position and is better aligned with the District's core mission.

[File Attachments](#)

[Redlined Assistant Superintendent, Educational Services-04.06.2004-1.pdf](#) (69 KB)

Job Description: Dual Immersion Elementary Teacher

Type Action

Preferred Date Jan 21, 2021

Absolute Date Jan 21, 2021

Recommended Action Staff recommends the Board of Education approve the job description for Dual Immersion Elementary Teacher.

Purpose:

The purpose is for the Board to review the job description prior to posting and initiating a search process.

Background:

With the implementation of the Dual Language Immersion program, it is necessary to develop "Essential Functions" of the job to define the duties and responsibilities of the certificated staff selected to teach in the Dual Language Immersion Program. The Board is asked to approve this item so that the District may begin its recruitment and selection of the teaching staff.

[File Attachments](#)

[Dual Immersion Job Description Jan 2021.pdf](#) (127 KB)

Motion & Voting

Staff recommends the Board of Education approve the job description for Dual Immersion Elementary Teacher.

Motion by Phuong Nguyen, second by Terrence Grindall.

Final Resolution: Motion Carries

Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall

Nay: Aiden Hill

Abstain: Wahhab Salemi

15 CONSENT AGENDA - NON-PERSONNEL ITEMS

Quarterly Report on Contracts - FY 2020-21, 2nd Quarter

Type Action

Fiscal Impact No

Recommended Action Staff recommends the Board receive the Quarterly Report on Contracts.

Action

Goals

- 2. Establish financial stability and fiscal solvency in order to drive continuous improvement.

Purpose:

These quarterly reports on contracts are submitted to the Board for review.

Background:

The Board has requested a report of all contracts for services over \$10,000 be reviewed by the Board on a quarterly basis.

This report only includes contracts that have not been previously approved by the Board.

This report lists contracts from the 2nd Quarter of FY 2020-21 (October, November, December 2020).

Contracts are on file in the Business Office.

[File Attachments](#)

[Q2 2020 Contracts over \\$10K.pdf](#) (11 KB)

- [Jennifer Parenti 2020-2021 school year.pdf](#) (175 KB)
- [Washington Hospital-DEVCO_2019-22.pdf](#) (784 KB)
- [ACTS \(Augmentative Communication & Technology Services\) SpEd agreement_2020-21.pdf](#) (693 KB)
- [Keenan & Associates_P & L Claim Administration 2020-21.pdf](#) (266 KB)

Motion & Voting

15.1-15.4

Motion by Elisa Martinez, second by Phuong Nguyen.
 Final Resolution: Motion Carries
 Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Wahhab Salemi

Addendum to the original contract with Augmentative Communication & Technology Services (ACTS)

Type	Action
Preferred Date	Jan 21, 2021
Absolute Date	Jan 21, 2021
Fiscal Impact	Yes
Dollar Amount	\$50,000.00
Budgeted	Yes
Budget Source	010-5100-3310-5770-3150-500-50- -177
Recommended	The staff recommends the Board ratify the addendum to the Augmentative Communication & Technology Services (ACTS) contract.
Action	
Goals	1. To provide academic excellence via equity and opportunities for all students.

Purpose:
 The purpose of this item is to increase the original contract amount. The original contract was in the amount of \$40,000.00. This addendum amount of \$50,000.00 will bring the total contract amount to \$90,000.00. Augmentative Communication & Technology Services (ACTS) provides assistive technology assessments and services to students with disabilities (SWDs). Augmentative Communication & Technology Services (ACTS) service provider will analyze the needs of the students' with disabilities, assist in selection of appropriate assistive technology to meet the students' needs, and provide training and monitoring in the use of the selected device(s).

Background:
 Related services and assessments are legally mandated per Individual Disability Education Act (IDEA). Without Augmentative Communication & Technology Services (ACTS) Newark Unified School District would be out of compliance.

- File Attachments**
- [Addendum to Contract ACTS 2020-21 Unsigned.pdf](#) (10 KB)
 - [Master Contract ACTS 2020-21 SIGNED.pdf](#) (474 KB)

Warrant Report for December 2020

Type	Action
Preferred Date	Jan 21, 2021
Fiscal Impact	No
Budgeted	No
Recommended	Staff recommends the Board approve the Warrant Report as presented.
Action	
Goals	2. Establish financial stability and fiscal solvency in order to drive continuous improvement.

Purpose:
 The purpose of this item is to present warrants, for a total amount of \$4,034,388.51, made from District funds in December 2020.

Background:
 The warrant registers represent a complete listing of all payments made from District funds for a month. Because Newark Unified School District is a fiscally dependent District, each warrant must pass through two separate audits; first by the District's Fiscal Services department, and second by the County Office of Education. No warrant can be paid until such time as it is examined and approved by the County Office of Education.

- File Attachments**
- [Warrant Report December 2020.pdf](#) (365 KB)

Williams Uniform Complaint Quarterly Report October 1, 2020 to December 31, 2020

Type	Action
Preferred Date	Jan 21, 2021
Absolute Date	Jan 21, 2021
Recommended	Staff recommends the Board of Education approve the Williams Uniform Complaint
Action	Quarterly Report for the period of October 1, 2020 to December 31, 2020.
Education Code 35186 requires that the Superintendent of a school district report summarized data on the nature and resolution of all complaints filed under the Williams Uniform Complaint Procedures to the local Board of Education and the County Superintendent of Schools on a quarterly basis. The report must include the number of complaints by general area, the number of resolved and unresolved complaints, and be publicly presented at a regularly-scheduled Board meeting. The	

attached report is presented to the Board for the period of October 1, 2020 to December 31, 2020.

[File Attachments](#)

[Q321 UCP Report.pdf](#) (273 KB)

16 BOARD OF EDUCATION - COMMITTEE REPORTS, ANNOUNCEMENTS, REQUESTS, DEBRIEF

Board of Education Committee Reports

DEBRIEF AND DISCUSSION

Type Information

Purpose:

The board committee members will give any updates from the following committees:

Mission Valley ROP -

SELPA -

City/School Liaison -

East Bay Induction -

Audit Committee -

Bond/Parcel Tax-

Board of Education Requests

DEBRIEF AND DISCUSSION

Type Information

Purpose:

This is an opportunity for Board members to suggest items for placement on future agendas, and to review requests.

Background:

Governance Team Handbook

Authority is collective, not individual:

The only authority to direct action rests with the Board when seated at a regular or special Board meeting. Outside of this meeting, there is no authority.

A majority vote of the Board provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction.

Bring up new ideas/decide to move new ideas forward:

The Board will be open to having "brainstorming" discussions around any idea that a Board member may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Board member, at his or her own initiative or at the request of a constituent, which has not previously been discussed during a Board meeting.

Board members will first notify the Board President and/or the Superintendent of their interest in bringing forward a new idea. The preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.

Only a majority of the Board may direct the Superintendent to conduct research regarding exploration of a new idea.

The Superintendent will decide on the delegation of assignments to other District staff.

The new idea will be agendaized for discussion only. The Board will decide if the new idea should be further developed and studied by staff. A Board majority will decide if staff time should be invested in the "fleshing out" of new ideas.

Individual Board members, in the course of interactions with constituents will be careful not to make or imply commitment of the full Board to explore or proceed with implementing new ideas.

Board of Education Recognitions and Announcements

DEBRIEF AND DISCUSSION

Type Information

Purpose:

This is an opportunity for Board members to acknowledge or recognize specific programs, activities, or personnel.

17 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

Superintendent's Concluding Comments, Updates for the Board, and Future Agenda Requests

FUTURE AGENDA REQUESTS

Type Information

Purpose:

This is an opportunity for the Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

18 ADJOURNMENT

Adjournment

Type Action, Procedural
Recommended The recommendation is that this meeting be adjourned.
Action

Purpose:
No items will be considered after 10:00 p.m., unless it is determined by a majority of the Board to extend to a specific time.
This action will conclude the meeting.

Motion & Voting
Extend meeting to 10:10pm
Motion by Bowen Zhang, second by Elisa Martinez.
Final Resolution: Motion Carries
Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Wahhab Salemi

1 Live Comments: Join with an Internet connected device (tablet, computer, phone, etc.)

Virtual Meeting Practices & Connection Information

Type Information, Procedural
In accordance with the Governor's Executive Order N-29-20, Board meetings will be held "virtually" until further notice. These meetings will be accessible to the public by internet or telephone. No physical meeting place will be provided. Meetings will live-streamed on the NUSD YouTube on the internet. Public comment opportunities will be available virtually. Public Comment access instructions are provided here.

Roll Call

Type Procedural
Board Members:
President Bowen Zhang
Member Phuong Nguyen
Member Elisa Martinez
Member Terrence Grindall
Member Aiden Hill

Student Board Member:
Member Wahhab Salemi
2. APPROVAL OF AGENDA

Approval of Agenda

Type Action
Recommended Recommendation is that the Board of Education approve the agenda for this meeting.
Action

Purpose:
Members of the Board may request that the agenda be approved as presented or amended.

Motion & Voting
Recommendation is that the Board of Education approve the agenda for this meeting.
Motion by Phuong Nguyen, second by Elisa Martinez.
Final Resolution: Motion Carries
Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

3 CLOSED SESSION

Public Comment on Closed Session Item

Type Procedural

Purpose:
To provide a space for the community to make a comment on Closed Session Items.

Background:
Please see the link below for Public Comment information.
<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=BN8PNC6402C1>

Public Employee Discipline/Dismissal/ Release (GC54957)

Type Procedural

Information will be provided by the Superintendent and Interim Assistant Superintendent of Human Resources.

Conference with Labor Negotiator Employee Organizations: NTA & CSEA (GC54957.6)

Type Procedural

Information will be provided by the agency negotiator, Interim Assistant Superintendent of Human Resources. Assistance from legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided. The employee organizations include NTA & CSEA.

Conference with Labor Negotiator (GC 54957.6) NEWMA, Unrepresented Supervisors & Contracted Management

Type Procedural

Information will be provided by the agency negotiator, Interim Assistant Superintendent of Human Resources, and the Superintendent. Assistance from legal firm Dannis, Woliver, Kelley, Attorneys at Law may be provided. The employee organizations include NEWMA, Unrepresented Supervisors, and Contracted Management

Conference with Legal Counsel regarding Existing Litigation (GC 54956.9(d) (1))

Type Procedural

Cases to be discussed:
Bretz vs Newark Unified School District Keenan Claim # 569505

Conference with Legal Counsel Regarding Anticipated Litigation (GC 54956.9(d)(2))

Type Procedural

Information will be provided regarding:
Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: One case

Recess to Closed Session

Type Procedural

Purpose:
The Board will recess to Closed Session, and reconvene to Open Session on or about 7pm.

4 RECONVENE TO OPEN SESSION

Pledge of Allegiance

Type Procedural

5 REPORT OF CLOSED SESSION ACTIONS

Report of Closed Session Actions

Type Action, Procedural

Purpose:
If available, a report of closed session will be provided by the Board President.

6 STUDENT REPORT

Student Report from Newark Junior High School, MacGregor and Newark Memorial High School

Type Information

Purpose:
At regular Board meetings, a spokesperson of each secondary school may make a brief presentation. Discussion items may include updates, celebrations, and upcoming events.
1. Newark Junior High School - Alyssa Torres & Rachel Ristau
2. MacGregor - Marilyn Rollins
3. Newark Memorial High School - Wahhab Salemi

7 EMPLOYEE ORGANIZATIONS

Employee Organizations

Type Information

Purpose:

At regular Board meetings, a single spokesperson of each recognized employee organization (NTA, CSEA, NEWMA) may make a brief presentation.

Discussion items are limited to updates, celebrations, and upcoming events.

NTA: Sean Abruzzi

CSEA: Sue Eustice

NEWMA: Cathreene Ingham-Watters

8 RECOGNITIONS AND CELEBRATIONS

Staff Spotlight

Type Information

Purpose:

To recognize the wonderful accomplishments from our NUSD Team .

Background:

Presentation will be provided by the Superintendent.

School Spotlight: Lincoln

Type Information

Purpose:

The School Spotlight gives the Board of Education and the public and opportunity to hear from each school with highlights of their achievements and initiatives.

Background:

Presentation will be provided by: Lincoln Principal Lizaday Rancap-Perez

File Attachments

[Board Mtg_ 2020-21 School Spotlights.pdf](#) (45 KB)

[20-21 Lincoln Spotlight Presentation.pdf](#) (2,094 KB)

9 PUBLIC COMMENT ON NON-AGENDA ITEMS

Public Comment on Non-Agenda Items

Type Procedural

Purpose:

To provide a space for the community to make a comment on non-agenda items.

Background:

Please see click the link below for Public Comment information on Non-Agenda Items and Agenda items.

<http://go.boarddocs.com/ca/nusd/Board.nsf/goto?open&id=BN8PNC6402C1>

10 SUPERINTENDENT REPORT

Superintendent Report

Type Information

Purpose:

Information provided by the Superintendent

File Attachments

[Supt Report 1.7.21.pdf](#) (3,425 KB)

11 STAFF REPORT

Reopening Plan 2020-21

Type Discussion, Information

Purpose:

The Board is asked to review the Reopening Plan 2020-21 prior to its submission to the Alameda County Office of Education.

The reopening plan is ready for submission, but the superintendent is bringing this plan forward to get feedback and input

prior to submission with the county.

Background:

The Alameda County Office of Education requires a comprehensive opening plan to be submitted and approved before schools can reopen for in-person learning.

NUSD has a proposed reopening plan ready for submission, and as requested by the Board, it is being presented here to allow for revision and input by the Board. The Board of Education previously granted the superintendent, Dr. Triplett, authority to decide on reopening matters. This reopening plan has been reviewed by the labor partners, and is now ready for submission.

There is no reopening date schedule, and it is still to be determined, however Alameda County Office of Education and the County Public Health Department have requested that plans be submitted in advance in order to allow time for thorough vetting regardless if an opening date has been determined.

File Attachments

[NUSD REOPENING PLAN 12.11.20.docx.pdf](#) (1,490 KB)

12 OLD BUSINESS

Set Regular Meeting Dates for 2021-2022

Type	Action, Procedural
Fiscal Impact	No
Recommended Action	The recommendation is that the Board approve the dates of regular meetings for the 2021-2022 school year.
Goals	<ol style="list-style-type: none"> 1. To provide academic excellence via equity and opportunities for all students. 2. Establish financial stability and fiscal solvency in order to drive continuous improvement. 3. Newark Unified School District will increase our enrollment.

Purpose:

This is to select the dates of the regular board meetings for the 2021-2022 school year.

Background:

NUSD Board Bylaw 9100:

Organization

Annual Organizational Meeting

The Board shall hold an annual organizational meeting within the time limits prescribed by law. (Education Code 35143)

At this meeting the Board shall:

4. Develop a Board calendar for the year.

NUSD Board Bylaws 9320:

"The Board shall hold regular meetings each month on Thursdays..."

Unless otherwise acted upon by the Board, regular Board of Education meetings are to be held the first and third Thursday of the month. The second meeting of each month will include a Study Session. The start time of each study session may be decided by the board.

The Board approved the calendar dates for 2019-2020, 2020-2021, 2021-2022 on 06/19/2018.

APPROVED

BOARD OF EDUCATION MEETING DATES for the School Year 2020-2021

- Jan 7
- Jan 21 (Study Session)
- Feb 4
- Feb 18 (Study Session)
- Mar 4
- Mar 18 (Study Session)
- Apr 1
- Apr 15 (Study Session)
- May 6
- May 20 (Study Session)
- Jun 3
- Jun 17 (Study Session)

RECOMMENDED

BOARD OF EDUCATION MEETING DATES for the School Year 2021-2022

- Aug 5
- Aug 19 (Study Session)
- Sep 2
- Sep 16 (Study Session)
- Oct 7
- Oct 21 (Study Session)
- Nov 4
- Nov 18 (Study Session)
- Dec 2
- Dec 16 (Study Session)
- Jan 6
- Jan 20 (Study Session)
- Feb 3
- Feb 17 (Study Session)

Mar 3
 Mar 17 (Study Session)
 Apr 7
 April 21 (Study Session) ***Spring Break***
 May 5
 May 19 (Study Session)
 Jun 2
 Jun 16 (Study Session)

Motion & Voting

The recommendation is that the Board approve the dates of regular meetings for the 2021-2022 school year, with only one meeting in April.

Motion by Aiden Hill, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Wahhab Salemi

13 NEW BUSINESS

Syserco (HVAC Management System) Multi-Year Service Agreement

Type	Action
Preferred Date	Jan 07, 2021
Absolute Date	Jan 07, 2021
Fiscal Impact	Yes
Dollar Amount	\$265,791.00
Budgeted	Yes
Budget Source	Routine Restricted Maintenance Account
Recommended Action	Staff recommends the Board approve the Syserco Multi-Year Service Agreement covering the period of January 1, 2021 thru June 30, 2026.

Purpose:

To renew the service agreement for the Alerton Building Automation System which monitors and controls the HVAC systems district-wide. The purpose of this agreement is to provide the short and long-term support needed to ensure the district operates at peak efficiency with minimum downtime.

Background:

To control and monitor the complex mechanical systems that ensure occupant comfort and safety, Newark Unified School District installed the Alerton Building Automation System. Syserco Inc., located in Fremont, currently provides the energy management services to support the Alerton Building Automation System which remotely monitors and controls the HVAC systems district-wide. Alerton control systems are only available through approved Alerton dealers. Syserco is the Alerton dealer serving Newark, therefore, they are the only company authorized to sell, install, and service the Alerton system for the district. Syserco began installing the Alerton system at Newark USD in 2000, and began partnering with the district for service support in 2015. This long term relationship provides Syserco the experience and knowledge to best serve Newark USD.

The terms of the current Syserco service agreement expired on December 31, 2020. It covered a 5-year period from 2015 thru 2020. The proposed agreement covers the period from January 1, 2021 through June 30, 2026. Year 1 of the proposal covers the remainder of this fiscal year (January 2021-June 2021). The annual increase from July 1, 2021-June 30, 2026 is about 3.5%.

	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6
Scope Item	1/1/21-6/30/21	7/1/21-6/30/22	7/1/22-6/30/23	7/1/23-6/30/24	7/1/24-6/30/25	7/1/25-6/30/26
Base	\$27,024	\$46,810	\$45,542	\$47,136	\$48,786	\$50,493

Summary of Services

Services included for all years

Global Controller Firmware Updates: This activity will update all Global Controller ROC files to ensure proper communication with Envision for BACtalk software. (Global controllers are the primary controller ('brain') for each campus). This activity will be completed by a technician on an annual basis.

Preventative Maintenance Routine: A technician will do an in-depth analysis of the Envision for BACtalk system and identify any existing deficiencies. A report of the findings will be presented. This activity will be completed by a technician on an annual basis.

Action Implementation Days: A technician will spend 2 days on site remediating issues found during the preventative maintenance routine.

Owner-Directed Days: The district has 6 days of onsite support by a technician in year 1 and 12 days of onsite support by a technician in year 2-6. This time can be used for any controls related tasks, as directed by the district.

Technical Support / Online support: The district has access to our technicians, who can remote into the Envision for BACtalk system and troubleshoot problems. This can help reduce the need for onsite visits by 80%.

Preferred Emergency Coverage: This ensures a response by the Syserco team for all emergencies. Online/phone response within 4 hours. Emergency site visit within 2 days.

20% discount on labor rates. This applies to all T&M work.

60% discount on Alerton and Veris material. 55% discount on Belimo material. This applies to all T&M work.

Access to our Eparts online store for direct purchase of material.

Additional services Year 2: 7/1/2021-6/30/2022

Syserco will work together to get Newark USD upgraded from the Envision for BACtalk software, which has been obsolete for 5 years, to the Compass software.

Training

- 1 Seat in the Troubleshooting Seminar to be used by Ivan
- 3 Seats in the Envision for BACtalk Operator Seminar to be used by Susan, Ivan, and Maria

Additional services Year 3-6: 7/1/2022 6/30/2026

Software Obsolescence: This activity will update the Compass software to ensure it is keeping up with Windows updates and deploy fixes for system vulnerabilities and/or bugs. This activity will be completed by a technician on an annual basis.

Software Obsolescence Training: A technician will provided up to 2 hours of training on any changes made during software obsolescence.

File Attachments

Newark USD.Service Agreement.Proposal.rev.03_12-23-20.pdf (526 KB)

Motion & Voting

Staff recommends the Board approve the Syserco Multi-Year Service Agreement covering the period of January 1, 2021 thru June 30, 2026.

NEW MOTION: Approve the Syserco service agreement for the period of Jan -June 30 2021 in the amount of \$27,024.

Motion by Elisa Martinez, second by Phuong Nguyen.

Final Resolution: Motion Carries

Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Wahhab Salemi

Increase in Minimum Wage

Type Action

Recommended Staff recommends approval of the revised rates for classified non-management, Action unrepresented employees as presented to comply with the increase in minimum wage effective January 1, 2021.

Purpose:

To update the rates for classified unrepresented employees to comply with the increase in the minimum wage from \$13.00 to \$14.00 per hour effective January 1, 2021.

POSITION	CURRENT RATE	NEW RATE
Campus Monitor, Elementary	\$13.16	\$14.00
Classified Substitute- Food Service Assistant	\$13.47	\$14.00
Classified Substitute-Child Care Attendant	\$13.55	\$14.00
Student Assistant	\$13.16	\$14.00

Background:

The State of California minimum wage will increase from \$13.00 to \$14.00 per hour effective January 1, 2021.

The hourly rates for the Elementary School Campus Monitor, Student Assistant and classified substitute positions for the Food Service Assistant and Child Care Attendant are currently below the new minimum wage.

All classified CSEA unit employees are currently paid above the minimum wage.

Motion & Voting

Staff recommends approval of the revised rates for classified non-management, unrepresented employees as presented to comply with the increase in minimum wage effective January 1, 2021.

Motion by Phuong Nguyen, second by Terrence Grindall.

Final Resolution: Motion Carries

Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Wahhab Salemi

14 CONSENT AGENDA - PERSONNEL ITEMS

Personnel Report

Type Action

Preferred Date Jan 07, 2021

Absolute Date Jan 07, 2021

Recommended Staff recommends the Board approve the personnel report as presented.

Action This report includes employment, retirements, reassignments and terminations for both certificated and classified employees. Specific actions can be made known at the conclusion of the meeting.

File Attachments

HR PAL 01-07-21.pdf (367 KB)

Motion & Voting

Staff recommends the Board approve the personnel report as presented.

Motion by Elisa Martinez, second by Terrence Grindall.

Final Resolution: Motion Carries

Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill

Abstain: Wahhab Salemi

15 CONSENT AGENDA - NON-PERSONNEL ITEMS

Monthly Financial Reports - October 2020 and November 2020

Type Action
Fiscal Impact No
Recommended Recommendation is that the Board approve the monthly financial reports, as presented.
Action

Purpose:
The purpose is for the Board to review and approve the district's budget information as of October 2020 and November 2020.

Background:
These reports show, by Fund, the year-to-date status of the district's budget including Revenues, Expenditures and Fund Balance.
For some months, these Monthly Financial Reports will be presented to the Board as a stand-alone agenda item. For other months, the budget information will be incorporated in the standard reports such as the First and Second Interim Financial Reports.

File Attachments
Oct 2020 Monthly Financial Report_All Funds.pdf (89 KB)
Nov 2020 Monthly Financial Report_All Funds.pdf (89 KB)

Motion & Voting
Recommendation is that the Board approve the monthly financial reports, as presented.
Motion by Elisa Martinez, second by Phuong Nguyen.
Final Resolution: Motion Carries
Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Wahhab Salemi

16 BOARD OF EDUCATION - COMMITTEE REPORTS, ANNOUNCEMENTS, REQUESTS, DEBRIEF

Board of Education Committee Reports

DEBRIEF AND DISCUSSION

Type Information

Purpose:
The board committee members will give any updates from the following committees:
Mission Valley ROP -
SELPA -
City/School Liaison -
East Bay Induction -
Audit Committee -
Bond/Parcel Tax-

Board of Education Requests

DEBRIEF AND DISCUSSION

Type Information

Purpose:
This is an opportunity for Board members to suggest items for placement on future agendas, and to review requests.

Background:
Governance Team Handbook
Authority is collective, not individual:
The only authority to direct action rests with the Board when seated at a regular or special Board meeting. Outside of this meeting, there is no authority.
A majority vote of the Board provides direction to the Superintendent. Board members will not undermine the ability of staff to carry out Board direction.
Bring up new ideas/decide to move new ideas forward:
The Board will be open to having "brainstorming" discussions around any idea that a Board member may feel merits exploratory consideration. "New Ideas" are defined as any proposal brought forward by a Board member, at his or her own initiative or at the request of a constituent, which has not previously been discussed during a Board meeting. Board members will first notify the Board President and/or the Superintendent of their interest in bringing forward a new idea. The preliminary discussion of a new idea will not require staff research time. Initially, staff will be expected to respond to new ideas based on current knowledge.
Only a majority of the Board may direct the Superintendent to conduct research regarding exploration of a new idea. The Superintendent will decide on the delegation of assignments to other District staff.
The new idea will be agendized for discussion only. The Board will decide if the new idea should be further developed and studied by staff. A Board majority will decide if staff time should be invested in the "fleshing out" of new ideas. Individual Board members, in the course of interactions with constituents will be careful not to make or imply commitment of the full Board to explore or proceed with implementing new ideas.

Board of Education Recognitions and Announcements

DEBRIEF AND DISCUSSION

Type Information

Purpose:

This is an opportunity for Board members to acknowledge or recognize specific programs, activities, or personnel.

17 SUPERINTENDENT'S CONCLUDING COMMENTS, UPDATES FOR THE BOARD AND FUTURE

Superintendent's Concluding Comments, Updates for the Board, and Future Agenda Requests

FUTURE AGENDA REQUESTS

Type Information

Purpose:

This is an opportunity for the Superintendent to make any concluding comments, updates, agenda requests, or provide information of future meetings.

18 ADJOURNMENT

Adjournment

Type Action, Procedural

Recommended The recommendation is that this meeting be adjourned.

Action

Purpose:

No items will be considered after 10:00 p.m., unless it is determined by a majority of the Board to extend to a specific time. This action will conclude the meeting.

Motion & Voting

The recommendation is that this meeting be adjourned.

Motion by Terrence Grindall, second by Elisa Martinez.

Final Resolution: Motion Carries

Yea: Elisa Martinez, Bowen Zhang, Phuong Nguyen, Terrence Grindall, Aiden Hill, Wahhab Salemi