



11200 TELECHRON AVE.  
WHITTIER, CA 90605

**BOARD OF TRUSTEES REGULAR BOARD MEETING**

District Office – Board Room  
September 20, 2016  
5:00 PM

*Vision/Mission*

*The South Whittier School District holds students and staff to rigorous standards in order to prepare every scholar for 21<sup>st</sup> Century success in college and the workforce, within a safe and supportive environment.*

*Our students are challenged to reach their full potential and develop their curiosity and thirst for discovery.*

*Our district celebrates our families' diverse traditions, cultures, and languages as foundations for learning*

**AGENDA**

**1 PRELIMINARY**

**1.1** Call to Order. Roll call:

**BOARD OF TRUSTEES:**

Sylvia V. Macias, President  
Francisco "Javi" Santana, Vice President  
Jan Baird, Clerk  
Deborah Pacheco, Member  
Elias Alvarado, Member

**ADMINISTRATORS:**

Gail Baxter, Superintendent  
Cecilia Laidemitt, Associate Superintendent of Personnel & Administrative Services  
Martha Mestanza-Rojas, Associate Superintendent of Educational Services  
Mark Keriakous, Associate Superintendent of Business Services

**1.2** Flag salute.

**2 Approval of Agenda**

Superintendent recommends approval of the September 20, 2016 Agenda as presented.

Motion: \_\_\_ Second: \_\_\_ VOTE: YES \_\_\_ NO \_\_\_ Abstain\_\_\_ Absent\_\_\_

### **3 BOARD WORKSHOP ON STUDENT ACHIEVEMENT AND ACCOUNTABILITY**

Mrs. Rojas will conduct a workshop for the board addressing student achievement and accountability.

### **4 COMMENTS BY TRUSTEES**

This item is provided as an opportunity for Trustees to report regarding District related topics.

### **5 PUBLIC COMMENTS**

During this time, Members of the public may, without arrangement, make representations to or address the Board on any topic of district related concern that is or is not on the official agenda for that meeting. Unless otherwise determined by the Board, each person is limited to three minutes.

### **6 REPORTS**

There will be no Board discussion on reports given except to ask questions and seek clarification during the board reports presented or refer matters to staff and no action will be taken unless listed as a subsequent agenda item.

**6.1** The Superintendent will report to the Board about various matters involving the District

### **7 CONSENT**

At each meeting, the Board approves a group of routine action items typically referred to as the Consent Agenda. They will be acted on by the Board as one item, without discussion. Items may be pulled and acted on individually. If any Board member or the Superintendent requests that an item be removed from the Consent Agenda, it will be taken up in the order indicated on the Agenda.

Superintendent recommends approval of consent items: 7.1, 7.2, 7.3, 7.4, 7.5, 7.6

Motion: \_\_\_\_\_ Second: \_\_\_\_\_ VOTE: Yes: \_\_\_ No: \_\_\_ Abstain: \_\_\_\_\_ Absent: \_\_\_\_\_

**7.1** Approval of Minutes August 16, 2016, (Supplement)

**7.2** Purchase Order List No. #03 (Supplement)

**7.3** Contract/Memorandum of Understanding (MoU) List No. # 07 FY 16-17 (Supplement)

**7.4** Travel and Conference Report No.# 05 (Supplement)

**7.5 Acceptance of Donations**

Pursuant to Board Policy 3290, the South Whittier School District has received donations/gifts which may be accepted by the Board of Education. All gifts, grants, and bequests shall become the property of the South Whittier School District once accepted.

Donor:	Description:	Purpose:	Amount/Value
Marti Ayala	6 large bags of children's clothes and toys	Specific Purpose- Donation center for needy families - "Paws for a Cause"	\$ 100.00
JoAnn Fabrics	10 large boxes of arts & crafts supplies	Any Educational Purpose	\$ -
Lifetouch	Donation Check	Any Educational Purpose	\$ 315.82

**7.6 Resolution #16-17-014 Interfund Transfer for 2016-2017 FY (Supplement)**

School Districts, by law, are allowed to create Funds designed to meet the needs of operations. As such, South Whittier School District established Fund 14 in order to track revenue and expenditures for deferred maintenance.

In order to transfer funds into Fund 14 from Fund 01, the District must have a resolution in place authorizing such movement. This Resolution will allow the District to transfer \$150,000.00 into Fund 14 for the 2016-2017 fiscal year.

**8 GENERAL**

**8.1 Board Policies - BP 5111, BP 5116.1, BP 5117, BP 5144.4, BP 6174 -(Second Reading)(Supplements)**

The following Board Policies are submitted to the Board of Trustees for second reading and possible approval.

**8.1.1 Board Policy 5111 Admissions-(Second Reading) (Supplement)**

Attachments:

**8.1.2 Board Policy 5116.1 Intradistrict Open Enrollment-(Second Reading) (Supplement)**

**8.1.3 Board Policy 5117 Interdistrict Attendance-(Second Reading) (Supplement)**

**8.1.4 Board Policy 5144.4 Required Parental Attendance-(Second Reading) (Supplement)**

**8.1.5 Board Policy 6174 Education for English Language Learners-(Second Reading) (Supplement)**

Motion:\_\_\_\_\_Second:\_\_\_\_\_VOTE: Yes\_\_\_No\_\_\_Abstain:\_\_\_\_\_Absent:\_\_\_\_\_

## 9 EDUCATIONAL SERVICES

### 9.1 Public Hearing: Resolution No. 16-17-10 - Notification of Compliance of Sufficient Textbooks and Instructional Materials (Supplement)

A public hearing is in order to provide an opportunity for discussion on Resolution No. 16-17-10: Notification of Compliance of Sufficiency of Instructional Materials. The public hearing will comply with the requirements of Education Code Section 60119 and Education Code Section 60422(a)

#### 9.1.1 a) Motion to Open Hearing

Motion: \_\_\_\_ Second: \_\_\_\_ VOTE: YES \_\_\_\_ NO \_\_\_\_ Abstain \_\_\_\_ Absent \_\_\_\_

#### 9.1.2 b) Motion to Close Hearing

Motion: \_\_\_\_ Second: \_\_\_\_ VOTE: YES \_\_\_\_ NO \_\_\_\_ Abstain \_\_\_\_ Absent \_\_\_\_

### 9.2 Resolution No. 16-17-10 - Notification of Compliance of Sufficient Textbooks and Instructional Materials (Supplement 9.1)

The Superintendent recommends approval of Resolution No. 16-17-10 - Notification of Compliance of Sufficient Textbooks and Instructional Materials.

Motion: \_\_\_\_ Second: \_\_\_\_ VOTE: Yes: \_\_\_\_ No: \_\_\_\_ Absent: \_\_\_\_ Abstain: \_\_\_\_

## 10 BUSINESS SERVICES

### 10.1 Resolution No. #16-17-12 Certification of Signatures (Supplement)

This Resolution No. #16-17-12 will authorize Stuart Moe, Director II, Facilities, Maintenance & Operations; Monica Klingsporn, Special Education Coordinator; to sign for specified documents effective September 20, 2016 through December 20, 2016

The Superintendent recommends the adoption of Resolution No. # 16-17-12, Certification of Signatures, to authorize signatures are required by law authorizing Stuart Moe to sign Facilities, Maintenance & Operations Documents, Monica Klingsporn to sign Special Education Documents, effective September 20, 2016 through December 20, 2016.

Motion: \_\_\_\_ Second: \_\_\_\_ VOTE: Yes \_\_\_\_ No \_\_\_\_ Abstain: \_\_\_\_ Absent: \_\_\_\_

**10.2 PUBLIC HEARING - Increase of Statutory School Facility Developer Fees Imposed on New Residential and Commercial Development (Supplement)**

A Public Hearing is hereby declared for the purpose of hearing comments regarding the report entitled, "South Whittier School District Developer Fee Justification Study" ("Study") and the proposed adoption of a Resolution of the Board of Trustees to Increase Statutory School Facility Developer Fees Imposed on New Residential and Commercial/Industrial Development Pursuant to Education Code §17620 and Government Code §65995.

**10.2.1 a) Motion to Open Hearing**

A Public Hearing is hereby declared open at: \_\_\_\_\_:\_\_\_\_\_p.m.

Motion:\_\_\_\_\_Second:\_\_\_\_\_VOTE:Yes:\_\_\_No:\_\_\_Abstain:\_\_\_\_\_Absent:\_\_\_\_\_

**10.2.2 b) Motion to Close Hearing**

There be no further discussion, the Public Hearing is hereby declared closed at \_\_\_\_\_:\_\_\_\_\_p.m.

Motion:\_\_\_\_\_Second:\_\_\_\_\_VOTE:Yes:\_\_\_No:\_\_\_Abstain:\_\_\_\_\_Absent:\_\_\_\_\_

**10.3 Resolution 16-17-15 Increase of School Facility Developer Fees for Residential, Commercial and Industrial Development, Under California Government Code §65995 and California Education Code §17620**

Government Code (G.C.) §65995(b)(3) provides for a biennial adjustment to the maximum statutory school facility developer fees that can be imposed by school districts on new development. The adjustment is an amount equal to the change in construction costs (based on the RS Means Class B Construction Cost Index) as determined by the State Allocation Board (SAB). On February 24, 2016, the SAB took action to adjust fees for new residential and commercial/industrial construction. School districts are authorized to levy up to \$3.48 per square foot on new residential construction and \$0.56 per square foot on new commercial/industrial construction, if the district has justified that its costs for providing school facilities to accommodate growth from development are shown to equal or exceed these levels.

Eric Hall and Associates has prepared a 2016 Developer Fee Justification Study (DFJS). The 2016 DFJS justifies the District to collect the maximum statutory residential level fees (sometimes called "Level 1" fees) of \$3.48 pursuant to current statute, for residential development. The District is also justified in collecting the current maximum statutory level commercial/industrial fee of \$0.56 for all categories except for rental self-storage which is justified at a lower rate of \$0.02; industrial parks/warehousing which is justified at a lower rate of \$0.49; and hospitality/lodging which is justified at a lower rate of \$0.41. A copy of the 2016 DFJS is on file and available for public review in the Business Office. Under the fee-sharing agreement with Whittier Union High School District, SWSD is entitled to two-thirds of the justified fee.

This equates to \$2.32 per sq. ft. for residential development and \$0.37 per sq. ft. for commercial/industrial development, except for rental self-storage which is justified at a lower rate of \$0.02; industrial parks/warehousing which is justified at a lower rate of \$0.49; and hospitality/lodging which is justified at a lower rate of \$0.41.

As required by law a Public Hearing must be held prior to considering the fee increases. A 10-day notice period is required. The Public Notice was published in the Whittier Daily News newspaper on September 6, 2016 and September 13, 2016.

In order to update the justification for the collection and levy of developer fees, the Board's approval of the continuation of collecting fees at the statutory developer fee rate as justified in the 2016 DFJS prepared by Eric Hall & Associates is required. The Board's adoption of Resolution 16-17-15 would authorize the Superintendent or designee to sign all necessary documents on behalf of the District. The increased fee levels will take effect 60 days after approval, on November 12, 2016.

The Superintendent recommends adoption of Resolution 16-17-15, Increase of School Facility Developer Fees for Residential, Commercial and Industrial Development, Under California Government Code §65995 and California Education Code §17620.

Motion: \_\_\_\_ Second: \_\_\_\_ VOTE: YES \_\_\_ NO \_\_\_ Abstain\_\_\_ Absent \_\_\_\_

**10.4 2015-2016 Unaudited Actuals Presentation**

Mr. Keriakous will present a report on the 2015-2016 Unaudited Actuals

**10.5 2015-2016 Unaudited Actuals (Supplement)**

**Executive Summary:**

At the end of each fiscal year, the books of the District are closed. Closing the books is the recordkeeping process where revenues and expenditures are adjusted to reflect final balances for the fiscal year. The Unaudited Actuals financial reports are then prepared in a format required by the California Department of Education. Education Code 42100(a), requires school districts to adopt the Unaudited Actuals by September of each year.

**Financial Condition:**

The district's accounting records for fiscal year 2015-16 were closed in August 2016. The General Fund is the largest and most important operating fund of the district. The Unrestricted General Fund is used for general education expenses such as classroom teacher salaries while the Restricted General Fund is used for specific state, federal, and local programs.

The district has a positive financial status at the end of 2015-16. The District met the minimum Reserve for Economic Uncertainties of 3% of expenditures and other uses.

The general fund had an unrestricted ending balance of \$4,314,144.07 a restricted ending balance of \$1,695,950.28 for a combined ending balance of \$6,010,094.35

The Superintendent recommends the Board to approve the 2015-16 Unaudited Actuals financial report as presented.

Motion: \_\_\_\_ Second: \_\_\_\_ VOTE: YES \_\_\_ NO \_\_\_ Abstain\_\_\_ Absent \_\_\_\_

**10.6 Resolution #16-17-013 - GANN Limit**

The Gann Limit is intended to constrain the growth in state and local government spending by limiting year-over-year changes in expenditures to changes in inflation (represented by per capita personal income) and caseloads (represented by average daily attendance [ADA] for schools). It is important to understand that not all revenue sources count against the district's Gann Limit. The Gann Limit only constrains the appropriations from state and local tax sources, so federal aid is excluded, as well as non-tax income, such as revenues from cafeteria sales, adult education fees, and foundations.

Education Code Section 42132 specifies that school district governing boards shall adopt a resolution by September 15 each year identifying the estimated appropriations limit for the current year and the actual appropriations limit for the preceding year. Documentation supporting the adopted resolution shall be made available to the public.

The attached resolution and Gann Form show that the district's limit for 2015-16 was \$16,300,567.76 and the estimated limit for 2016-17 is \$16,540,399.64

The District was in compliance with the appropriations limit for 2015-16 and the budgeted expenditures for 2016-17 are within the GANN limits.  
Financial Impact: There is no fiscal impact on the General Fund.

The Superintendent recommends approve of resolution 16-17-013, Gann Limit.

Motion: \_\_\_\_ Second: \_\_\_\_ VOTE: YES \_\_\_ NO \_\_\_ Abstain\_\_\_ Absent \_\_\_\_

**11 PUBLIC COMMENTS ON CLOSED SESSION ITEMS**

A total of 10 minutes is provided so members of the public can address the Board. Speakers are limited to three minutes. (Superintendent will present requests from the public to speak to closed session items).

**12 CLOSED SESSION**

The Board may be required to adjourn to closed session for discussion on matters of personnel, security, negotiations, student discipline, litigation and other matters as authorized by Government Code Sections 3459.1, 54956.6, 54956.8, 54957 and 54957.6 and Education Code Sections 35146 and 48914.

**12.1** Conference with Agency Labor Negotiators: South Whittier Teachers Association and California School Employees Association. Agency Negotiators:Gail Baxter, Cecilia Laidemitt, Martha Mestanza-Rojas,Mark Keriakous,James C. Romo, Tina L.Kannarr

**12.2 Conference Real Property Negotiator**

**12.2.1** The property under consideration is situated at Carmela School field, 5.1 acres of land at 13300 Lakeland Road, Whittier, CA 90605, which property is known generally as a portion of the District's Carmela Elementary School site ("Property"). South Whittier School District (Proposed Lessor), Real Property is known generally as a portion of the District's Carmela Elementary School Site ("Property"). South Whittier School District (Proposed Lessor), Real Property Negotiators, Superintendent Gail Baxter, (along with real estate consultants and legal counsel, Andreas Chialtas); and Storm Properties which may lease the property pursuant to applicable California law (Proposed Lessee(s)). Instruction to negotiators will concern price and terms of payment associated with the possible lease of the identified Property, or portion thereof.

**12.3 Classified -Public Employee Appointment/Employment/Evaluation**

12.3.1 Breakfast Duty Supervisor	(14.1)
12.3.2 AVID Tutor	(14.1)
12.3.3 Instructional Aide RSP	(14.1)
12.3.4 Instructional Aide Interventionist	(14.1)
12.3.5 Instructional Aide (RTI) Interventionist	(14.1)
12.3.6 Substitute Instructional Aides (Ratification)	(14.1)
12.3.7 Substitute Instructional Aides	(14.1)
12.3.8 Substitute School Secretaries	(14.1)
12.3.9 Substitute Health Clerks	(14.1)
12.3.10 Substitute Custodian	(14.1)
12.3.11 Substitute Receptionists	(14.1)
12.3.12 Substitute Administrative Secretary (Confidential D.O., Ratification)	(14.1)
12.3.13 Noon Duty Supervisors	(14.1)
12.3.14 Café Manager/Assistant Supervisor Food Services	(14.1)
12.3.15 LVN/Health Clerks	(14.1)
12.3.16 Instructional Aide TK	(14.1)
12.3.17 Health Clerks	(14.1)

**12.4 Classified - Public Employee Dismissal/Release/Discipline/Transfers/Reassignments/Retirement**

12.4.1 Employee # MK3561890	(14.1)
12.4.2 Employee # HA2055094	(14.1)

**12.5 Classified - Public Employee Request for Medical Leave of Absence/Paid (Ratification)**

12.5.1 Employee #RZ8153504	(14.1)
12.5.2 Employee #UW4399570	(14.1)
12.5.3 Employee #VA2891549	(14.1)

**12.6 Classified - Public Employee Request for Leave of Absence/Unpaid**

12.6.1 Employee #TY7473154	(14.1)
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**12.7 Certificated - Public Employee Appointment/Employment/Evaluation**

- 12.7.1 Substitute Teachers (14.2)
- 12.7.2 BTSA Induction Program – Support Providers (Teachers DW) (14.2)
- 12.7.8 AVID Coordinators (14.2)
- 12.7.8 Teachers on Special Assignment (TOSAs) (14.2)
- 12.7.9 Stipend – Teaching Vice Principal (14.2)
- 12.7.10 PBIS Teacher Leaders (Ratification) (14.2)
- 12.7.11 Assistant Intervention Teacher (14.2)
- 12.7.12 Administrative Designee for IEP meetings (14.2)
- 12.7.13 Special Sub Request (14.2)

**12.8 Certificated - Public Employee Dismissal/Release/Discipline/Transfers/Reassignments/Retirement**

- 12.8.1** Employee # TT5123052 (14.2)
- 12.8.2** Employee # UR2734514 (14.2)

**12.8.3 Voluntary Transfers – Teachers 2016-2017** (14.2)

- Yolanda Holguin FR: LV Fourth TO: LV Third
- Christopher Losoya FR: MN Fourth TO: MN Sixth
- Maria Teresa Martinez FR: LV TK/Kinder TO: LV Kindergarten
- Debra Wease FR: CR Fifth TO: CR Third
- Sheril Carrasco-Tolentino FR: LV Kinder TO: LV TK/ Kinder

**12.8.4 Voluntary Reassignments – Teachers 2016-2017** (14.2)

- Denise Zazueta FR: LM second TO: LM Third
- Kristen Ryan FR: LA TK/Kinder TO: LA Kindergarten
- Gloria Berry Siemers FR: LA Kindergarten TO: LA TK/Kinder
- Tiffany Baides From: Fifth Grade Teacher CR To: TOSA /Instructional Coach MV
- Janette Tyrone From: Sixth Grade Teacher LV To: TOSA /Instructional Coach MN

**12.9 Superintendent's Evaluation** (14.2)

**13 OPEN SESSION**

The Superintendent will report related to any action taken in closed session.

**14 PERSONNEL SERVICES**

**14.1 Classified Personnel Report No.# 09-20-16-03 (Supplement)**

The Superintendent recommends approval of the Classified Personnel Report No. 09-20-16-03

Motion: \_\_\_\_ Second: \_\_\_\_ VOTE: YES \_\_\_ NO \_\_\_ Abstain \_\_\_ Absent \_\_\_\_

**14.2 Certificated Personnel Report No.# 09-20-16-03 (Supplement)**

The Superintendent recommends approval of the Certificated Personnel Report No. 09-20-16-03

Motion: \_\_\_\_ Second: \_\_\_\_ VOTE: YES \_\_\_ NO \_\_\_ Abstain \_\_\_ Absent \_\_\_\_

**14.3 PUBLIC HEARING:** California School Employees Association, Chapter 348 CSEA) Initial Proposal, Successor Agreement, to the South Whittier School District (Supplement)

A public hearing is in order for the California School Employees Association, Chapter 348 (CSEA) Initial Proposal, Successor Agreement, to the South Whittier School District to provide an opportunity for communication on the initial proposal by any interested party.

**14.3.1 a) Motion to Open Hearing**

Motion: \_\_\_\_\_ Second: \_\_\_\_\_ VOTE: Yes: \_\_\_\_\_ No: \_\_\_\_\_ Abstain: \_\_\_\_\_ Absent: \_\_\_\_\_

**14.3.2 b) Motion to Close Hearing**

Motion: \_\_\_\_\_ Second: \_\_\_\_\_ VOTE: Yes: \_\_\_\_\_ No: \_\_\_\_\_ Abstain: \_\_\_\_\_ Absent: \_\_\_\_\_

**14.4 California School Employees Association, Chapter 348 (CSEA) Initial Proposal, Successor Agreement, to the South Whittier School District (Supplement 14.3)**

The Superintendent recommends approval of the California School Employees Association, Chapter 348 (CSEA) Initial Proposal, Successor Agreement, to the South Whittier School District.

Motion: \_\_\_\_\_ Second: \_\_\_\_\_ VOTE: Yes: \_\_\_\_\_ No: \_\_\_\_\_ Abstain: \_\_\_\_\_ Absent: \_\_\_\_\_

**15 ADJOURNMENT**

Unless otherwise posted, the next regularly scheduled meeting will be held  
**October 18, 2016 at 6:00 p.m.**  
District office Board Room, 11200 Telechron Ave., Whittier, CA 90605