

Governing Board
Tom Adams, President
Bob Poppenga, Vice-President/Clerk
Barbara Archer
Alan Fernandes
Madhavi Sunder

Board of Education

MINUTES OF REGULAR MEETING

April 5, 2018

I. CALL TO ORDER

President Tom Adams called the regular meeting of the Board of Education of the Davis Joint Unified School District to order at 5:30 p.m. in the South Conference Room at the Susan B. Anthony Administration Building at 526 B Street, Davis, California.

Call to Order

II. CLOSED SESSION

The Board convened in Closed Session for the following purposes: a) discussion and possible action on personnel listed on the Consent Calendar for personnel employment/status actions; b) conference with agency negotiator, Matt Best, regarding collective bargaining with DTA and CSEA; Conference with agency negotiator, John Bowes, regarding unrepresented employees: Deputy Superintendent, Associate Superintendent, Chief Business and Operations Officer, Administrative Leadership Team and Confidential Staff; Conference with labor negotiator, Tom Adams, regarding unrepresented employee: Superintendent; and Consider proposed recommendation to expel Student No. 18-06.

Closed Session

III. INTRODUCTORY ITEMS

III-a. The Board reconvened in Open Session at 7:15 p.m. in the Community Chambers at 23 Russell Boulevard, Davis, California.

Open Session

III-b. Board President Tom Adams called for a moment of silence recognizing the 50th anniversary of the assassination of Dr. Martin Luther King, Jr., and then led those in attendance in the Pledge of Allegiance.

**Patriotic
Observance**

III-c. Board members present: Tom Adams, President
Barbara Archer
Alan Fernandes
Bob Poppenga
Madhavi Sunder

Roll Call

Others present: John A. Bowes, Superintendent

Roll Call

Matt Best, Deputy Superintendent
 Bruce Colby, Chief Business and Operations Officer
 Rody Boonchouy, Associate Superintendent of Instructional Services
 Laura Juanitas, Director of Student Support Services
 Maria Clayton, Public Information Officer
 Student Representative William Ewens
 Dianna Huculak, DTA President
 Jim Herrington, CSEA President
 Penny Pyle, Board Recorder
 Jeff Hudson, Enterprise Reporter
 Other interested citizens

(continued)

III-d. President Adams announced that no decisions were made in Closed Session.

**Announcement
of Any Action
Taken in Closed
Session**

III-e. The agenda was presented for approval. Member Sunder moved to approve the agenda as presented. Member Poppenga seconded the motion.

**Approval of the
Agenda**

Ayes: Adams, Archer, Fernandes, Poppenga, Sunder

Noes: None

Abstain: None

Student Representative Preferential Vote: Ewens

IV. ANNOUNCEMENTS

IV-a. Superintendent Bowes reported on various activities throughout the District.

**Superintendent's
Communication**

IV-b. DTA President/Representative Dianna Huculak addressed the Board.

**DTA
Communications**

IV-c. The CSEA representative was not present.

**CSEA
Communications**

IV-d. Board members shared announcements of events and meetings.

**Announcements
from Board
Members/Board
Liaisons**

IV-e. Student Board Representative, William Ewens, addressed the Board.

**Student Board
Representative**

V. PUBLIC COMMENT

V-a. President Adams invited anyone interested in addressing the Board to do so at this time. Several members of the public addressed the Board, including County Supervisors Don Saylor and Jim Provenza who reported on recent discussions about a possible joint South Davis Library facilities/program venture. They requested two Board of Education members join a subcommittee of two County Supervisors and two City Councilmembers (2x2x2) to review and discuss possibilities related to such a joint venture. Members Sunder and Fernandes, who currently serve on the County/District 2x2, expressed interest in participating in the 2x2x2, and President Adams confirmed their appointment.

**Public
Comment**

**(County/City/
District South
Davis Library
Subcommittee)**

VI. CONSENT CALENDAR

The Consent Calendar was presented for approval. President Adams noted three Consent Calendar items would be removed and addressed separately.

**Consent
Calendar**

At the request of Member Fernandes Item VI-a., Certificated Personnel Report No. 16-18 Addendum A was removed from the Consent Calendar. He noted his abstention was not due to the qualifications of the candidate, but due to his view of the need for the position. President Adams called for a motion. Member Archer moved approval of Consent Item VI-a, Certificated Personnel Report No. 16-18 Addendum A only, and Member Poppenga seconded the motion.

Ayes: Adams, Archer, Poppenga

Noes: None

Abstain: Fernandes, Sunder

President Adams requested Item VI-f., Letter of Support for AB 3136: Special Education Funding (Finance Reform) be removed from the Consent Calendar and indicated he would be abstaining. He then turned the meeting over to Vice President Poppenga. Vice President Poppenga called for a vote. Member Fernandes moved approval of the Letter of Support for AB 3136, and Member Archer seconded the motion.

Ayes: Archer, Fernandes, Poppenga, Sunder

Noes: None

Abstain: Adams

President Adams also requested, due to a conflict of interest, item VI-h(e), CA Department of Education for the Migrant Education Program Agreement be removed from the Consent Calendar. Vice President Poppenga called for a motion to approve Item VI-h(e). Member Archer moved to approve VI-h (e), CA Department of Education for the Migrant Education Program Agreement, and member Fernandes seconded the motion.

Ayes: Archer, Fernandes, Poppenga, Sunder

Noes: None

Abstain: Adams

Member Fernandes moved to approve the Consent Calendar as amended—with Consent Items VI-a (Addendum A only), VI-f, and VI-h(e) (CDE contract only) removed. Member Sunder seconded the motion.

Consent Calendar

Ayes: Adams, Archer, Fernandes, Poppenga, Sunder

Noes: None

Abstain: None

A listing of approved Consent Calendar items follows:

- a) **Approve Certificated Personnel Report No. 16-18** (Addendum A was approved on a separate vote as noted above.)
- b) **Approve Classified Personnel Report No. 16-18**
- c) **Approve Meeting Minutes of February 15, 2018**
- d) **Secondary Course Approval**
- e) **Quarterly Report on Williams Uniform Complaints**
- f) Approve Letter of Support for AB 3136: Special Education Funding (Finance Reform) was approved on a separate vote as noted above.
- g) **Acceptance of Gifts**
- h) **Ratification of Contracts and Agreements** (VI-h(f) was approved on a separate vote as noted above.)

VII. PRESENTATION/DISCUSSION/ACTION

VII-a. The Board discussed the District's response, actions and responsibilities related to the March 14 student walkout/protest, and the upcoming April 20 student protest/walkout. Board members' comments and thoughts about District policies and regulations, and interpretation and implementation of the policies were diverse; ranging from standing by the actions implemented during the last protest and supporting diverse opinions, to feeling there were inconsistencies and further review of the policies/regulations was warranted.

Board Policy and Administrative Regulation 5131.4: Student Disturbances

President Adams invited public comment and two members of the public addressed the Board.

The Board continued their discussion focusing on student participation in civic engagement, student rights related to free speech, and supporting diverse opinions and perspectives. Following this discussion, Member Sunder moved to direct staff to educate the student body about their First Amendment rights at school before April 20. Member Fernandes seconded the motion.

Ayes: Adams, Fernandes, Poppenga, Sunder

Noes: None

Abstain: Archer

President Adams moved to give school sites latitude to have activities around this issue on April 20 at school sites that involve students, teachers and site leaders to determine the level of activities. Member Sunder seconded the motion.

Teachers Dianna Huculak and Greg Brucker addressed the Board.

Staff requested further clarification from the Board about implementing and applying Board Policy as it related to student absences and participation in non-District sanctioned events. The unexcused absence policy for protests was not changed. Following this discussion, President Adams noted his earlier motion was not necessary, and made the following motion: Encourage schools and staff to turn April 20 into a teachable moment and involve student engagement. Member Sunder seconded the motion.

Ayes: Adams, Fernandes, Poppenga, Sunder

Noes: None

Abstain: Archer

Member Sunder requested the Board Policy Subcommittee consider reviewing BP and AR 5131.4 to determine if they are consistent with Tinker v. Des Moines.

VII-b. AB 1200 requires public disclosure of the financial impact of the negotiated agreement between the District and the employee unions. CBOO Bruce Colby presented the fiscal impact of the agreement between the District and the Davis Teachers Association (DTA).

President Adams invited public comment, and two individuals addressed the Board.

Member Archer moved to accept the public disclosure report, and member Poppenga seconded the motion.

Ayes: Adams, Archer, Fernandes, Poppenga, Sunder

Noes: None

Abstain: None

VII-c. Deputy Superintendent Matt Best presented the Tentative Agreements and Memorandum of Understandings between the District and the Davis Teachers Association (DTA). President Adams invited public comment. There were none.

Member Fernandes moved to approve the tentative agreements and the memorandum of understanding with DTA. Member Sunder seconded the motion.

Ayes: Adams, Archer, Fernandes, Poppenga, Sunder

Noes: None

Abstain: None

VII-d. A revised DTA salary schedule reflecting the ongoing 3.5% increase retroactive to July 1, 2017 as presented for approval. President Adams invited public comment, but there no public comments.

Member Sunder moved to approve the DTA salary schedule as presented. Member Poppenga seconded the motion.

**Board Policy
and
Administrative
Regulation
5131.4:
Student
Disturbances
(continued)**

**Public
Disclosure of,
and Public
Input in
Accordance
with AB 1200
Regarding
Compensation
for the Davis
Teachers
Association**

**Approve the
Tentative
Agreements
between the
Davis Joint
Unified School
District and the
Davis Teachers
Association**

**Approve DTA
Salary
Schedule
Retroactive to
July 1, 2017**

Ayes: Adams, Archer, Fernandes, Poppenga, Sunder
 Noes: None
 Abstain: None

**Approve DTA
 Salary
 Schedule
 Retroactive to
 July 1, 2017
 (continued)**

VII-e. Associate Superintendent Rody Boonchouy and Directors Matt Duffy and Troy Allen presented an overview of the Dashboard, its purpose and how to utilize the information. The Board was led through an interactive workshop reviewing DJUSD Dashboard information, including areas of high performance, areas in need of further growth, and a “root cause” protocol.

**Dashboard
 Presentation
 and Workshop**

During the Dashboard workshop, Member Fernandes moved to extend the meeting to 11:30 p.m. Member Sunder seconded the motion.

Ayes: Adams, Archer, Fernandes, Poppenga, Sunder
 Noes: None
 Abstain: None

VII-f. The Board considered in Closed Session the recommendation to Expel Student No. 18-06. Member Fernandes moved to approve the Stipulated Expulsion Agreement for Student No. 18-06 as presented. Member Poppenga seconded the motion.

**Consider
 Proposed
 Recommendation
 on to Expel
 Student no. 18-
 06**

Ayes: Adams, Archer, Fernandes, Poppenga, Sunder
 Noes: None
 Abstain: None

VIII. UPDATE ON TENTATIVE BOARD CALENDAR

VIII-a. A Tentative Board Calendar was presented for consideration.

**Update on
 Tentative
 Board
 Calendar**

IX. DATE, TIME, AND PLACE OF NEXT SCHEDULED MEETING

The next meeting of the Board of Education is scheduled for April 19, 2018. The Board will convene at 5:30 p.m. in the Susan B. Anthony Administration Building at 526 B Street, Davis, for the purpose of immediately adjourning into closed session after any public input about items that will be considered in Closed Session. The Board will reconvene in open session at approximately 7:00 p.m. in the Community Chambers, located at 23 Russell Boulevard, Davis, California.

**Date, Time,
 and Place of
 Next Scheduled
 Meeting**

X. ADJOURNMENT

The meeting was adjourned at 11:25 p.m.

| Adjournment

Tom Adams, President

John A. Bowes, Secretary

These minutes were approved at the Board meeting on: _____