

OAK PARK UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION
AGENDA #1010

DATE: November 17, 2020

PLACE: **Oak Park Unified School District – Conference Room**

5801 Conifer Street, Oak Park, CA 91377

Pursuant to Governor Newsom’s Executive Order N-29-20 in regard to the COVID-19 Pandemic, special procedures will be followed for this board meeting. The meeting will be conducted via teleconference/video conference, with some Board and staff members attending in person. Members of the public may offer public comment and view the meeting as provided on page 2 of this agenda.

TIME: **5:00 p.m. Closed Session**

6:00 p.m. Open Session

The Mission of the Oak Park Unified School District is to provide students with a strong foundation for learning, which meets the challenge of the present and of the future through a balanced education, that includes academic achievement, personal growth and social responsibility.

BOARD OF EDUCATION

Barbara Laifman, President

Allen Rosen, Vice President

Drew Hazelton, Clerk

Derek Ross, Member

Denise Helfstein, Member

Charlotte Robertson, Student Board Member



Educating Compassionate and Creative Global Citizens

ADMINISTRATION

Dr. Anthony W. Knight, Superintendent

Ragini Aggarwal, Executive Assistant

Adam Rauch, Assistant Superintendent, Business & Administrative Services

Stewart McGugan, Assistant Superintendent, Human Resources

Dr. Jay Greenlinger, Director Curriculum and Instruction

Enoch Kwok, Director, Educational Technology & Information Systems

Susan Roberts, Director, Pupil Services

Brendan Callahan, Director Bond Program, Sustainability, Maintenance and Operations

Sara Ahl, Director Extended Care Programs

COPY OF ENTIRE AGENDA ON WEB SITE - <https://www.oakparkusd.org/Page/9952>

11/13/20

INDIVIDUALS WHO REQUIRE SPECIAL ACCOMMODATION TO PARTICIPATE IN A BOARD MEETING, INCLUDING BUT NOT LIMITED TO AN AMERICAN SIGN LANGUAGE INTERPRETER, DOCUMENTATION IN ACCESSIBLE FORMATS, OR ACCOMMODATIONS DUE TO THE ELECTRONIC FORMAT OF THIS MEETING, SHOULD CONTACT THE SUPERINTENDENT'S OFFICE 72 HOURS PRIOR TO THE MEETING TO ENABLE THE DISTRICT TO MAKE REASONABLE ARRANGEMENTS TO ENSURE ACCOMMODATION AND ACCESSIBILITY TO THIS MEETING. PHONE (818) 735-3206 or e-mail: raggarwal@opusd.org

Welcome to a meeting of the Oak Park Unified School District Board of Education. Routine items are placed under the Consent Calendar and are approved by a single vote of the Board. When the agenda is adopted, a member of the Board may pull an item from the Consent Calendar and transfer the item to an appropriate place on the agenda for discussion.

PURSUANT TO EXECUTIVE ORDER N-29-20, THE BOARD MEETING ROOM IS CLOSED. TO FIND OUT HOW YOU MAY ELECTRONICALLY ATTEND THE BOARD MEETING AND PROVIDE PUBLIC COMMENT PLEASE READ THE FOLLOWING GUIDELINES:

Members of the public will have the right to observe the meeting using this link: www.opusd.org/livestream

Public Comments may be submitted via this link <http://www.opusd.org/PublicComments>. If you wish to make a comment regarding a matter on the agenda or within the board's jurisdiction please submit your comment via the form accessed by the above link by 6:00 p.m. on November 17, 2020. Although not required, please submit all of the requested information. In keeping with the reasonable time regulations described below, every effort will be made for your name and comment to be read by the Board President, and your comment will be placed into the item's record at the Board meeting. Comments on a matter related to an item on the Agenda may be submitted prior to the meeting and during the meeting using the above link.

This public comment form will be open to members of the public 30 minutes (at 4:30 pm) prior to the closed session of the public meeting which begins at 5:00 pm. This form will take the place of the "yellow speaker cards" available at in-person meetings.

The President of the Board will inquire if there is anyone in the audience who desires to address the board with respect to any item appearing on the regular meeting agenda, or on any issue within the jurisdiction of the Governing Board. Individual speakers will be allowed three minutes to address the Board on each agenda or non-agenda item. The Board shall limit the total time for public input on each item to 20 minutes. With Board consent, the Board president may increase or decrease the time allowed for public presentation, depending on the topic and the number of persons wishing to be heard. Due to the electronic nature of this meeting and to maintain the integrity of providing an opportunity for public comment, every effort will be made to read your comment into the record. In order to ensure that non-English speakers receive the same opportunity to directly address the Board, Google Translate will be used to translate any emails to the Superintendent's Executive Assistant at raggarwal@opusd.org who will receive and submit the public comments in open session.

Your comments are greatly appreciated. However, in regard to comments which are not on the agenda, the Board cannot enter into a formal discussion at this time, nor can a decision be made. Matters warranting discussion will be placed on a future agenda. Thank you for your cooperation and compliance with these guidelines.

All Board Actions and Discussions are electronically recorded and maintained for thirty days. Interested parties may review the recording upon request. Upon request by a student's parent/guardian, or by the student if age 18 or older, the minutes shall not include the student's or parent/guardian's address, telephone number, date of birth, or email address, or the student's name or other directory information as defined in Education Code 49061. The request to exclude such information shall be made in writing to the secretary or clerk of the Board. (Education Code 49073.2)

NEXT MEETING-Organizational Meeting

Tuesday, December 15, 2020

Closed Session at 5:00 p.m.

Open Session at 6:00 p.m.

AGENDA IS POSTED AT THE – OPUSD WEBSITE:

<https://www.oakparkusd.org/Page/9952>

**OAK PARK UNIFIED SCHOOL DISTRICT
AGENDA – REGULAR BOARD MEETING #1010
November 17, 2020**

CALL TO ORDER – Followed by Public Comments/5:00 p.m.

CLOSED SESSION: 5:00 p.m.

OPEN SESSION: 6:00 p.m.

The Oak Park Unified School District Board of Education will meet in Regular Session at the **Oak Park Unified School District – Conference Room**, 5801 Conifer Street, Oak Park, CA 91377

Pursuant to Governor Newsom’s Executive Order N-29-20 in regard to the COVID-19 Pandemic, special procedures will be followed for this board meeting and the conference room will be closed for members of the public. The meeting will be conducted via teleconference/video conference with, with some Board and staff members attending in person. Members of the public will have the right to observe the meeting using this link: www.opusd.org/livestream. Public Comments may be submitted via this link <http://www.opusd.org/PublicComments>

I. CALL TO ORDER: _____ p.m.

II. PUBLIC SPEAKERS – CLOSED SESSION AGENDA ITEMS

III. RECESS TO CLOSED SESSION FOR DISCUSSION AND/OR ACTION ON THE FOLLOWING ITEMS:

- A. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE:** Government Code Section 54957
- B. PUBLIC EMPLOYEE EMPLOYMENT :** Campus Supervisors, Walk-on-Coaches, Instructional Assistants I PE, Instructional Assistants I – Math, Extended Care Site Leader, Health Technician, Instructional Assistant II Special Education Sub, Instruction Assistants III Behavior
- C. CONFERENCE WITH LEGAL COUNSEL- EXISTING LITIGATION :**
(Paragraph (1) of subdivision (d) of Section 54956.9)
Name of Case : OAH No. 2020090177
- D. CONFERENCE WITH LABOR NEGOTIATORS :** Government Code 54957.6
Agency designated representatives: Adam Rauch and Stewart McGugan
Employee organizations: Oak Park Teachers Association & Oak Park Classified Association

IV. CALL TO ORDER – RECONVENE IN OPEN SESSION AT: _____ p.m.

- A. ROLL CALL**
- B. FLAG SALUTE**
- C. REPORT OF CLOSED SESSION ACTIONS TAKEN**

D. ADOPTION OF AGENDA

V. PUBLIC SPEAKERS: SPEAKERS ON AGENDA AND NON-AGENDA ITEMS

VI. OPEN COMMUNICATIONS/PRESENTATIONS

A. BOARD REPORTS/DISCUSSION/COMMUNICATIONS

1. Remarks from Board Members
2. Report from Student Board Member
3. Remarks from Superintendent
4. Report from Oak Park Education Foundation
5. Update on COVID-19 Impact on Oak Park USD Schools

B. BUSINESS SESSION:

1. CONSENT AGENDA

Consent items shall be items of a routine nature or items for which no Board discussion is anticipated and for which the Superintendent recommends approval.

At the request of any member of the Board, any item on the Consent Agenda shall be removed and given individual consideration for action as a regular agenda item.

a. [Approve Minutes of Regular Board Meeting October 21, 2020 , Special Board Meeting held on October 28, 2020 and Special Closed Session Meeting held on November 5, 2020](#)

Board Bylaw 9324 requires Board approval of minutes from previous meetings

b. [Approve Public Employee/Employment Changes 01CL24780-01CL24842 & 01CE10508-01CE10555](#)

Board approval required for public employee employment and changes

c. [Ratify Purchase Orders - October 1 – October 31, 2020](#)

Board Policy 3300 requires Board approval of Purchase Orders

d. [Approve Agreement with Loyola Marymount University for School Leadership and Administrative Fieldwork – November 2020-June 2021](#)

Board Policy 3312 requires Board approval for contracts for services

e. [Approve Change Order #2 Measure S Project 18-21S, Classroom Replacement at Medea Creek Middle School, Agreement with NV5 West Inc.](#)

Board approval required for change orders, per Cal. Pub. Cont. Code §20118.4

f. [Approve Renewal of Contract with Super CO OP\(USDA\) Foods and Purchase Delivery](#)

Board Policy 3312 requires Board approval for contracts for services

ACTION

2. BUSINESS SERVICES

a. [Approve Resolution #2020-22, Participation in District of Choice Program for School Year 2021-2022](#)

According to provisions of the DOC program, the Board is required to approve this Resolution annually

b. [Approve Consultant Agreement for Elementary and Middle School Garden Program](#)

Board Policy 3312 requires Board approval for contracts for services

c. [Authorize Measure S Project 20-23S HVAC Upgrades Districtwide](#)

Board approval required for Projects funded by the Measure S Bond Fund

d. Authorize Measure S Project 20-26S Medea Creek Middle School Computer Lab Apple iMac Refresh and Approve Associated Purchases

Board approval required for Projects funded by the Measure S Bond Fund

e. Approve Revised Resolution #2020-08 Authorizing the Increase to the Maximum Amount of Borrowing in Tax and Revenue Anticipation Notes (TRAN) for 2020-2021

Board approval required to revise Resolution authorizing the Increase to the Maximum Borrowing amount for TRAN.

f. Approve Revised Coronavirus Relief Expenditures

The 2020–21 budget package allocated funds to Local Educational Agencies in order to support transitional Kindergarten through 12th grade pupil academic achievement and mitigate learning loss related to COVID-19 school closures. Staff is requesting Board to approve a revised plan for allocating these funds

g. Approve the Re-appointment of an Oak Park Citizens' Oversight Committee Member and Authorize a Recruitment Process for New Member for the 2020-22 Term

Board approval required for appointments to Citizens Oversight Committee

3. CURRICULUM AND INSTRUCTION

a. Review and Discuss Student Data Related to Placement in Mathematics Courses

Board Policy 6152.1 requires the Board and Superintendent to annually review student data related to placement in mathematics courses offered at district high schools to ensure that students who are qualified to progress in mathematics courses based on their performance on objective academic measures are not being held back in a disproportionate manner on the basis of any subjective or discriminatory basis

b. Approve Additional Instructional Materials for English 1 Course at OPHS

Board approval required for additional instructional materials

c. Approve Additional Instructional Materials for English 2 CP Course at OPHS

Board approval required for additional instructional materials

d. Approve Additional Instructional Materials for English 1V Honors Course at OPHS

Board approval required for additional instructional materials

4. HUMAN RESOURCES

a. Approve COVID-19 Testing Agreement for Employees with Quest Diagnostics for 2020-2021

Board Policy 3312 requires Board approval for contracts for services

b. Approve COVID-19 Testing Agreement for Employees with Curative Labs Inc. for 2020-2021

Board Policy 3312 requires Board approval for contracts for services

c. Approve Variable Term Waiver Request

The Commission on Teacher Credentialing provides a process whereby a teacher may be employed by a district under an approved Variable Term Waiver

5. BOARD

a. Approve Selection of Annual Organizational Board Meeting – December 15, 2020

Education Code 35143 requires the Board to select its organizational meeting Date

b. Superintendent Search Process

The Board will discuss the search process for the new Superintendent

6. BOARD POLICIES

a. Approve Amendment to Administrative Regulation 4030 Nondiscrimination in Employment – First Reading

Administrative Regulation updated to reflect NEW LAW (SB 778) which delays until January 1, 2021 a requirement for districts with five or more employees to provide at least two hours of sexual harassment training to supervisory employees and at least one hour of sexual harassment training to nonsupervisory employees. Regulation also reflects NEW LAW (AB 9) which allows complaints of employment discrimination to be filed with the Department of Fair Employment and Housing up to three years after the alleged act. Regulation also reflects NEW FEDERAL REGULATIONS (85 Fed. Reg. 30026) which require that allegations of sexual harassment that meet the federal definition be investigated through Title IX complaint procedures, as described in AR 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures, rather than the complaint procedures detailed in this regulation.

b. Approve Amendment to Board Policy and Administrative Regulation 4119.11/4219.11/4319.11 Sexual Harassment – First Reading

Board Policy updated to reflect NEW FEDERAL REGULATIONS (85 Fed. Reg. 30026) which require that complaints of behavior that meets the federal definition of sexual harassment be addressed through new Title IX complaint procedures. Policy also 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 reflect NEW LAW (SB 778, 2019), and NEW FEDERAL REGULATIONS (85 Fed. Reg. 30026). 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" and "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.

c. Approve Adoption of New Administrative Regulation and Exhibit 4119.12/4219.12/4319.12 Title IX Sexual Harassment Complaint Procedures– First Reading

New regulation reflects NEW FEDERAL REGULATIONS (85 Fed. Reg. 30026) which establish a Title IX complaint procedure for addressing complaints of behavior that meets the federal definition of sexual harassment. Regulation clarifies that a sexual harassment complaint that is dismissed or denied under Title IX may still be subject to review under state law pursuant to AR 4030 - Nondiscrimination in Employment and thus the two procedures should be implemented concurrently in order to meet the applicable timelines. Regulation also updated to clarify that the applicability of the Title IX sexual harassment complaint procedures is limited to conduct that allegedly occurs in an education program or activity over which the district exercises control; revise the timeframe for concluding the complaint process from 45 to 60 days; reflect the right to pursue civil law remedies; and add the requirement to maintain a record of any actions, including supportive measures, taken in response to a report or formal complaint of sexual harassment. New exhibit presents a sample of the required notification to employees, job applicants, and employee organizations regarding the district's Title IX sexual harassment policy, the district's Title IX coordinator, and grievance procedures pursuant to 34 CFR 106.8.

d. Approve Amendment to Board Policy 4151/4251/4351 Employee Compensation – First Reading

Policy updated to clarify that, in determining whether an executive, administrative, or professional employee is exempt from overtime rules, the salary threshold established by state law supersedes the threshold established by federal law (as raised by new federal rule September 24, 2019). Policy also deletes complex information on Internal Revenue Service forms that must be completed by employees who earn compensation over 9 or 10 months but elect to spread salary payments over 12 months, thereby creating "deferred compensation." Policy also updated to delete Labor Code citation that is not applicable to public agencies and instead reflect Education Code provisions related to overtime compensation for classified employees.

e. Approve Amendment to Board Policy and Administrative Regulation 5145.3 Nondiscrimination/Harassment – First Reading

Policy updated to reflect law prohibiting discrimination based on medical condition and to reflect NEW LAW (AB 34, 2019) which requires the district, starting in the 2020-21 school year, to post its nondiscrimination policies, and specified state and federal laws regarding discrimination, bullying, and harassment, in a prominent location on the district's web site in a manner that is easily accessible to parents/guardians and students. Regulation updated to reflect NEW LAW (AB 34, 2019) which requires the district, starting in the 2020-21 school year, to post its nondiscrimination policies, specified state and federal laws regarding discrimination, bullying, and harassment, and a link to CDE resources in a prominent location on the district's web site in a manner that is easily accessible to parents/guardians and students. Regulation also reflects NEW LAW (AB 711, 2019) which requires the district to update a former student's records upon receiving government-issued documentation or a written request for a name and/or gender change. Regulation also updated to reflect NEW FEDERAL REGULATIONS (85 Fed. Reg. 30026) which require that allegations of sexual harassment that meet the federal definition be investigated through Title IX complaint procedures, as described in AR 5145.71 - Title IX Sexual Harassment Complaint Procedures, rather than the district's uniform complaint procedures.

f. Approve Amendment to Board Policy and Administrative Regulation 5145.7 Sexual Harassment – First Reading

Policy updated to include examples of actions to reinforce the district's sexual harassment policy, consistent with NEW LAWS (AB 34, 2019), (AB 543, 2019) and NEW FEDERAL REGULATIONS (85 Fed. Reg. 30026) which require that complaints of behavior that meet the federal definition of sexual harassment be addressed through new Title IX complaint procedures. Regulation updated to reflect NEW FEDERAL REGULATIONS (85 Fed. Reg. 30026), NEW LAW (AB 543, 2019) and NEW LAW (AB 34, 2019). 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 5145.71 - Title IX Sexual Harassment Complaint Procedures. Section on "Notifications" adds requirement to notify students and parents/guardians that the district does not discriminate on the basis of sex and that inquiries about the application of Title IX may be referred to the Title IX Coordinator or the U.S. Department of Education; deletes requirement to provide contact information of the Title IX Coordinator to employees, bargaining units, and job applicants which is addressed in AR 4119.11/4219.11/4319.11 - Sexual Harassment; and reflects NEW LAW (AB 34, 2019) which requires districts to post the definition of sex discrimination and harassment in a prominent location on the district's web site.

g. Approve Adoption of New Administrative Regulation and Exhibit 5145.71 Title IX Sexual Harassment Complaint Procedures– First Reading

New regulation reflects NEW FEDERAL REGULATIONS (85 Fed. Reg. 30026) which establish

a Title IX complaint procedure for addressing complaints of behavior that meets the federal definition of sexual harassment. Regulation clarifies that a sexual harassment complaint that is dismissed or denied under Title IX may still be subject to review under the district's UCP and thus the two procedures should be implemented concurrently in order to meet the applicable timelines. Regulation also clarifies that the applicability of the Title IX sexual harassment complaint procedures is limited to conduct that allegedly occurs in an education program or activity over which the district exercises control; add optional language providing that an employee must forward a report of sexual harassment to the Title IX Coordinator within one day, consistent with AR 5145.7 - Sexual Harassment; revise the timeframe for concluding the complaint process from 45 to 60 days to align with requirements of the UCP; reflect the right to appeal the district's decision to the California Department of Education consistent with the UCP or to pursue civil law remedies; and add the requirement to maintain a record of any actions, including supportive measures, taken in response to a report or formal complaint of sexual harassment. New exhibit presents a sample of the required notification to students and parents/guardians regarding the district's Title IX sexual harassment policy, the district's Title IX coordinator, and grievance procedures pursuant to 34 CFR 106.8.

h. Approve Amendment to Board Bylaw E9270 – Conflict of Interest and Revise Conflict of Interest Code - First Reading

Government Code 87306.5 states that all Conflict of Interest Codes must be reviewed and amended as needed by local agencies during even-numbered years, The County Supervisors have recommended that the Board revise the disclosure categories of designated positions in the Exhibit for Board Bylaw 9270 and Appendix A of the Conflict of Interest Code which was previously approved by the Board at the September 15 Meeting. The Exhibit and Conflict of Interest Code are being submitted with recommended revisions.

VII. INFORMATION ITEMS

- 1. Monthly Cash Flow Report**
- 2. Monthly Measure S Status Report**
- 3. Monthly General Fund Budget Report**

VIII. OPEN DISCUSSION

- 1. Discussion on Staff Welcome for New Year**

IX. ADJOURNMENT:

There being no further business before this Board, the meeting is declared adjourned at ____ p.m.