

BOARD OF EDUCATION OF THE CITY OF LOS ANGELES
Governing Board of the Los Angeles Unified School District

REGULAR MEETING ORDER OF BUSINESS

333 South Beaudry Avenue, Board Room

1 p.m. Tuesday, January 13, 2015

Roll Call

Pledge of Allegiance

Board President's Reports

Labor Partners

Committee Reports

Superintendent's Reports

Budget Update

Consent Items

Items for action below assigned by the Board at the meeting to be adopted by a single vote. Any item may be pulled off of consent for further discussion by any Board Member at any time before action is taken.

New Business for Action

1. Board of Education Report No. 292 -14/15
Office of Labor Relations
(Teamsters Local 572 Unit S Memorandum of Understanding for 2014-2017 Supplemental Successor Collective Bargaining Agreement) Recommends adoption of a supplement to the 2014-2017 Memorandum of Understanding with Teamsters Local 572 for Unit S Employees (Classified Supervisors) pending the ratification of union membership. The supplement covers issues such as mileage, respectful treatment, and an addendum for Food Services staff.
2. Board of Education Report No. 275 – 14/15
Procurement Services Division
(Procurement Actions) Recommends approval of procurement actions taken by staff for professional services, agreement amendments and purchases within the delegated authority of the Superintendent as described in Attachment A for a total amount of approximately \$15.2 million for

a music education program, technical assistance for the California Office to Reform Education (CORE) waiver, private school Title 1 services, a health education intervention program, employee applicant tracking software upgrade, physical fitness program for Students Run L.A., professional development, the Jazz in the Classroom program, after hours mental health counseling services, reading program licensing, actuarial valuation services, and 12,703 procurement transactions and low value contracts. Additionally, recommends approval of professional services contracts goods and general services contracts with agreements and amendments for amounts over \$250,000 not under the delegated authority, as detailed in Attachment B, including \$6.4 million for 12 GEAR UP program providers, \$5 million for third party administration of liability claims, \$900,000 for teacher professional development, \$1.6 million for LNG truck tractors, and \$1 million for food services truck trailers.

3. Board of Education Report No. 282 – 14/15
Human Resources Division
(Routine Personnel Actions) Recommends approval of 4,494 routine personnel actions such as promotions, transfers, leaves, terminations, etc.
4. Board of Education Report No. 283 – 14/15
Human Resources Division
(Nonroutine Personnel Actions) Recommends the approval of the dismissals of 2 classified employees, the suspension-dismissals of 2 classified employees, the rescission of dismissal of 1 classified employee, and the rescission of suspension-dismissal of 1 classified employee.
5. Board of Education Report No. 305 – 14/15
Accounting and Disbursements Division
(Report Cash Disbursements, Request to Reissue Expired Warrants, Reimbursement of the Controller’s Revolving Cash Fund, and Donations of Money) Recommends approval of warrants for things such as salary payments for a total value of \$ 533,757,539.70, the reissuance of two expired warrants totaling \$ 1,338.61, reimbursement of the Controller’s revolving cash fund in the amount of \$ 3,147, and the acceptance of one donation to the District totaling \$35,000.
6. Board of Education Report No. 261 – 14/15
Facilities Services Division
(Contract Actions) Recommends approval of actions that have been executed within the delegated authority of the Superintendent including the approval of the award of 6 advertised construction contracts for approximately \$7.7 million; 5 Job Order contracts and amendments totaling \$5 million, rejection of bids, 36 change orders for approximately \$200,000; completion of 35 contracts; award of 64 informal contracts totaling approximately \$630,000; the award of 9 architectural and engineering contract for \$2.5 million; the award of 10 extra services and amendments for architectural and engineering contracts for approximately \$285,000; the award of a sole source contract for a Wellness Clinic for \$10,000; and the award of 2 professional and technical services contracts for \$494,000. Additionally, awards contracts not under the delegated authority, as detailed in Attachment B for a goods and services flooring contract for \$615,000; architectural and engineering geotechnical services to 16 providers for \$10 million; architectural and engineering contract amendments for civil engineering services to 16 providers for an additional \$ 1 million; and architectural and engineering contract amendments for land surveying services to 12 providers for an additional \$1 million.

7. Board of Education Report No. 294 – 14/15
Facilities Services Division
(Resolution of Intention to Dedicate Easements at the Accelerated Charter Elementary School Project) Recommends adoption of a resolution of intention on the dedication of an easement to the City of Los Angeles for street and alley widening and storm drain purposes at the school located at 3914 South Main Street, Los Angeles.

8. Board of Education Report No. 295 – 14/15
Facilities Services Division
(Authorization to Negotiate and Enter into Agreements with Four Partner Organizations for the Construction of Urban Greening Projects on a Portion of Six School Sites) Recommends authorization for specified staff to enter into agreements with the Hollywood Beautification Team, Los Angeles County Department of Public Works, the Los Angeles Conservation Corps, and the Korean Youth and Community Center for urban greening projects at Eagle Rock, Victory, Hillcrest, Walnut Park, Saturn and Wilshire Park Elementary Schools using grant funds.

9. Board of Education Report No. 296 – 14/15
Facilities Services Division
(Amendment to the Facilities Services Division Strategic Execution Plan to Define and Approve Nine Sustainable Environment Enhancement Developments for Schools (SEEDS) Projects) Recommends amendment to the Strategic Execution Plan to define and approve 9 Sustainable Environment Enhancement Developments for Schools (SEEDS) projects for a combined budget of \$196,000.

10. Board of Education Report No. 306 – 14/15
Facilities Services Division
(Authorization to Enter into a Contract for the Design and Construction of a Mandarin Dual-Language Immersion Elementary School Project) Recommends authorization for specified staff to enter into an agreement with Swinterton Builders, in partnership with LPA, Inc. for the design and construction of a Mandarin dual-language elementary school, on the campus of Mark Twain Middle School, under Education Code 17250 for a not-to-exceed amount of \$20,890,000.

11. Board of Education Report No. 281 – 14/15
Office of the Superintendent
Facilities Services Division
(Proposition 39 Charter Facilities Compliance for the 2015-2016 School Year – Findings and Written Statements of Reasons Why Certain Charter Schools Cannot be Accommodated on a Single School Site) Recommends adoption of findings and written statements of reasons why certain charter schools that submitted a Proposition 39 facilities request for the 2015-2016 school year cannot be accommodated on a single site.

12. Board of Education Report No. 284 – 14/15 **PUBLIC HEARING**
Charter School Division
(Renewal of the Charter for KIPP Comienza Community Prep) Recommends the approval of the renewal of the charter for KIPP Comienza Community Prep for 5 years to serve 575 students in grades K-4 at the school located at 6410 Rita Avenue in the Huntington Park area of Los Angeles.

13. Board of Education Report No. 285 – 14/15 **PUBLIC HEARING**
 Charter School Division
 (Renewal of the Charter for KIPP Empower Academy) Recommends the approval of the renewal of the charter for KIPP Empower Academy for 5 years to serve 578 students in grades K-4 at the school located at 8466 S. Figueroa Street, Los Angeles.
14. Board of Education Report No. 286 – 14/15 **PUBLIC HEARING**
 Charter School Division
 (Renewal of the Charter for Para Los Niños Evelyn Thurman Gratts Primary Center) Recommends the approval of the renewal of the charter for Para Los Niños Evelyn Thurman Gratts Primary Center for 5 years to serve 360 students in grades TK-2 at the school located at 474 South Hartford Avenue, Los Angeles.
15. Board of Education Report No. 288 – 14/15 **PUBLIC HEARING**
 Charter School Division
 (Renewal of the Charter for Valley Charter Middle School) Recommends the approval of the renewal of the charter for Valley Charter Middle School for 5 years to serve 384 students in grades 6-8 at the school located at 6952 Van Nuys Blvd. in the Van Nuys area of Los Angeles.
16. Board of Education Report No. 280 – 14/15
 Office of the Deputy Superintendent of Instruction
 (Submission of Carl D. Perkins Career and Technical Education Application for 2014-2015)
 Recommends authorization to submit the 2014-2015 application to the California Department of Education for secondary education funding from the Carl D. Perkins Career and Technical Education Act in the amount of \$7.460 million.
17. Board of Education Report No. 302 – 14/15
 Federal and State Education Programs/Division of Instruction
 (State Board of Education Waivers Request for Three Exiting Quality Education Investment Act (QEIA) Schools) Recommends authorization for the submission of QEIA waivers to the State Board of Education on behalf of Bell High School requesting relief from class size reduction targets, LeConte Middle School requesting release from the Rule of 27, and Western Elementary School requesting waiver from QEIA Alternative Program requirements.
18. Board of Education Report No. 300 – 14/15
 Beyond the Bell Branch
 (Amendment to Memorandum of Agreement with LA’s BEST) Recommends approval of an amendment to the MOA with LA’s BEST to add a Notice of Funding in the amount of \$3,472,083 to reimburse LA’s BEST for services it will provide in the 2014-15 fiscal year.
19. Board of Education Report No. 304 – 14/15
 Student Health and Human Services
 (Los Angeles Trust for Children’s Health MOU Revision) Recommends the approval of an amendment to the MOU with the Los Angeles Trust for Children’s Health to align the language with the Joint Powers Agreement to enable The Trust to collect aggregate data on the delivery of care at LAUSD Wellness Centers.

20. Board of Education Report No. 307 – 14/15
Office of the General Counsel
(Advocating for Youth Unaccompanied in Deportation Actions [AYUDA]) Recommends approval of the AYUDA program, under California Education Code sections 35160 and 35041.5, authorizing District attorneys to handle a limited number of deportation cases for unaccompanied minors residing within LAUSD boundaries, on a pro bono basis, with assistance from District staff.

Board Member Resolutions For Action

21. Mr. Zimmer, Ms. Ratliff – Resolution to Close the Commercial Property Loophole
(Res-027-14/15) (Noticed October 14, 2014 and Postponed from Previous Meetings)
TO BE POSTPONED

Whereas, Voters in the state of California approved Proposition 13 in 1978;

Whereas, Proposition 13 created limits on the property taxes paid by residential and commercial properties;

Whereas, Residential and commercial property values in California are reassessed upon change of ownership;

Whereas, On average, California residential property changes hands every 10 years, while change of ownership for commercial property is far more complicated and therefore generates reassessments less often;

Whereas, Commercial property owners are able to avoid reassessment of their property by limiting the portion of ownership that changes hands to ensure that no single party owns more than 50 percent;

Whereas, Property taxes represent the single largest source of funding for public schools;

Whereas, Proposition 13 resulted in a 53 percent drop in property tax collections and through subsequent legislation the State assumed a greater role in funding of schools;

Whereas, Since the State of California has assumed a greater role in the funding of public schools, per-pupil support has declined from the top 10 in the nation to the bottom 10;

Whereas, Proposition 13 is anti-competitive in that new entrepreneurs and businesses must pay fair market value for their property, while commercial property owners who have owned their property for a longer time pay disproportionately lower property tax rates;

Whereas, California's schools enroll the largest share of English learners (ELs) in the US, and has a larger percentage of students from low-income families than does the rest of the US;

Whereas, Research shows that ELs and students from low-income families cost more to educate;

Whereas, California spends far less per student than do states – such as Illinois and New York - that have smaller percentages of both ELs and economically disadvantaged students;

Whereas, Among states, California ranks 51st in the number of students per teacher, 51st in the number of students per guidance counselor, 51st in the number of students per librarian, and 48th nationally in the number of students per administrator;

Whereas, Public schools in California face challenges in providing an equitable and fair education for a student population with vast differences in language, poverty, parental education level, and other social, educational and economic factors; and

Whereas, Regularly reassessing non-residential property would, according to an analysis of data provided by the California Board of Equalization, generate at least \$6 billion in additional revenue for public schools and other public services; now, therefore, be it

Resolved, That the Governing Board of the Los Angeles Unified School District supports efforts to modify how the value of commercial properties in California are reassessed to allow for more regular and fair commercial property value reassessment while maintaining Proposition 13 protections for residential properties and small businesses;

Resolved further, That tax revenues generated by modernizing how commercial property is reassessed benefit local schools and essential social services, and, be it finally

Resolved, That the Los Angeles Unified School District supports this effort and will communicate this position to local elected officials including members of the Los Angeles Board of Supervisors, the Los Angeles City Council, as well as Senators, and Assembly members.

22. Mr. Zimmer - Investing Strategically in Expanding K-12 Dual Language Instructional Pathways (Res-040-14/15) (Noticed December 9, 2014)

Whereas, The Governing Board of the Los Angeles Unified School District approved the resolution “Commitment to Prepare Students for a Multilingual Global Economy” on February 12, 2013;

Whereas, This resolution called for the creation of a committee tasked with identifying the resources needed to grow enrollment in dual language programs;

Whereas, The committee produced a report detailing recommendations and investments needed to address the goals of the resolution;

Whereas, District staff has made significant progress addressing the recommendations in the report, including many related to investing in and operationalizing diverse recruiting strategies, developing comprehensive professional development plans for teachers in dual language programs, determining and funding the use of external assessment instruments for less commonly taught languages, and developing comprehensive outreach and retention strategies; now, therefore, be it

Resolved, That the Governing Board of the Los Angeles Unified School District directs the Superintendent to prepare a strategic investment plan to address the short-, mid- and long-term goals of creating K-12 dual immersion instructional pathways in the District, as per the recommendations of the committee ~~including, but not limited to:~~

- ~~1. Allocating resources to schools to allow a lower norm of 24 students per teacher in grades 4 and 5;~~
- ~~2. Providing curriculum specialists to oversee, support and guide curriculum design and professional development at dual language schools;~~
- ~~3. Provide support and incentives to the current pool of teachers and substitutes who are seeking Bilingual, Crosscultural, Language and Academic Development (BCLAD) certificates or need training, and maintain and expand paraprofessional career ladder for BCLAD candidates;~~
- ~~4. Provide school level planning time for dual language teachers;~~
5. Incentives to create K-12 dual immersion instructional pathways in every Board District; and, be it finally

Resolved, That the Board requests the Superintendent report back on this plan by the ~~February 10, 2014~~ March 2015 meeting of the Board or the March 2015 meeting of the Curriculum, Instruction and Assessment committee.

23. Ms. Ratliff – Request to Delay Use of Smarter Balanced Assessment Consortium Assessments for High Stakes Purposes for the 2014-2015 School Year (Res-048-14/15) (Noticed January 13, 2015, 10am)

Whereas, While students in grades 3-8 and 11 throughout the Los Angeles Unified School District participated in the Spring 2014 Field Test of Math and English Language Arts assessments by the Smarter Balanced Assessment Consortium (SBAC), students and schools received no results from SBAC from the 2014 assessments;

Whereas, Following the Spring 2014 SBAC Field Test, the District collected testing devices from its school sites, is experiencing significant delays in returning the devices to the school sites, and has not yet deployed the additional testing devices that the District has determined are required for the Spring 2015 SBAC assessments;

Whereas, Although thousands of teachers and administrators are working very hard to prepare students for the transition to the new standards, for reasons outside of their control, students, teachers and principals in the District will not have had sufficient time to work with their testing devices and prepare for the mechanics of the new testing medium in advance of the Spring 2015 SBAC assessments;

Whereas, Unlike the 2014 Field Test, SBAC is planning to release scores from the Spring 2015 SBAC assessments to parents, teachers, students and schools, the release of which the Governing Board of the Los Angeles Unified School District supports;

Whereas, However, a likely result of the abovementioned lack of preparation with the testing devices and testing medium is that scores on the Spring 2015 SBAC assessments in the District may not be indicative of student achievement, instructional quality or fidelity to the new Common

Core State Standards that the assessments seek to measure;

Whereas, In light of the forgoing, it would be patently unfair to use the Spring 2015 SBAC assessment results for high stakes accountability purposes with respect to the students, teachers and schools of the District and any other school districts in a similar situation; and

Whereas, Superintendent Ramon Cortines has requested that State Superintendent of Public Instruction Torlakson and the State of California not use the Spring 2015 SBAC testing results for any high stakes accountability measures, and that any data or scores derived from SBAC testing not have a negative impact on state and/or federal funds that are allocated to the students of the District; now, therefore, be it

Resolved, That the Governing Board of the Los Angeles Unified School District hereby urges the California State Superintendent of Public Instruction and the California State Board of Education to not use the Spring 2015 SBAC assessment results to make any judgments regarding the District's students, teachers or schools; and be it finally

Resolved, That a copy of this resolution and word of its approval be promptly delivered to State Superintendent of Public Instruction Torlakson and the California State Board of Education and that the appropriate personnel from the Los Angeles Unified School District's Office of Governmental Relations be directed to timely meet with the aforementioned State officials and advocate for the Board's position.

Board Member Resolutions For Initial Announcement

24. Dr. McKenna, Ms. García, Ms. Ratliff – Celebration of Black History Month (Res-045-14/15) (For Action February 10, 2015)

Whereas, Black History Month, or National African American History Month, is an annual celebration of achievements by Black Americans and a time for recognizing the central role of African Americans in U.S. history;

Whereas, Carter G. Woodson, a Harvard-trained historian, like W.E.B. Du Bois before him, believed that truth would not be denied and that reason would prevail over prejudice, and as a result announced "Negro History Week" in 1925 to raise the awareness of the contributions of African Americans;

Whereas, Since 1976, the commemoration was extended from a week-long event to the entire month of February;

Whereas, Every U.S. president has officially designated the month of February as Black History Month and other countries around the world, including Canada and the United Kingdom, also devote a month to celebrating Black history;

Whereas, Over the past century, Black American life, history, and culture have become major influences throughout America in music, art, literature, politics, athletics, education and diplomacy and has become appreciated by the global community;

Whereas, Last year marked the 50th anniversary of Freedom Summer - a 1964 voter registration project in Mississippi, part of a larger effort by civil rights groups such as the Congress on Racial Equality (CORE) and the Student Non-Violent Coordinating Committee (SNCC) to expand black voting in the South;

Whereas, Last year marked the 50th anniversary of The Civil Rights Act of 1964 - the nation's benchmark civil rights legislation that prohibits discrimination on the basis of race, color, religion, sex or national origin. Passage of the Act ended the application of "Jim Crow" laws, in which the Court held that racial segregation purported to be "separate but equal" was constitutional;

Whereas, The respect that fellow citizens have for one another determines the values of our country and reinforces the premise that Black life matters; and

Whereas, The Governing Board of the Los Angeles Unified School District recognizes the 2015 theme to be *A Century of Black Life, History and Culture*; now, therefore, be it

Resolved, That the Governing Board of the Los Angeles Unified School District recognizes February as National Black American History Month;

Resolved further, That the Board acknowledges that all of the people of the United States are the recipients of the wealth of history given to us by Black culture; and, be it be finally

Resolved, That the Superintendent will work with educators, librarians, and all the schools of the District, and the community, to recognize and celebrate this month with appropriate programs, ceremonies and activities that generate in-depth discussions of the complex factual history of the United States and the legacy of Black Americans.

25. Dr. Vladovic – National No One Eats Alone Day (Res-046-14/15) (For Action February 10, 2015)

Whereas, Social isolation is a problem that affects far too many youth in our middle schools;

Whereas, Social isolation can all too often be a precursor to teasing, bullying and even violence to oneself and others;

Whereas, Beyond Differences was established in 2010 to create an end to social isolation by changing the culture of middle school;

Whereas, Beyond Differences is dedicated to the proposition that all students should feel included, valued, and accepted by their peers;

Whereas, Beyond Differences has had a tremendous impact because it is a teen-led social movement which emphasizes peer to peer training and school-based activities;

Whereas, www.nooneeatsalone.org is being used as a web tool to sign up schools to encourage their participation;

Whereas, Beyond Differences Teen Board has been leading middle school assembly programs for four years and has presented to nearly 10,000 students; and

Whereas, Beyond Differences is leading National No One Eats Alone Day, “Spread the Love”, on February 13, 2015; now, therefore, be it

Resolved, That the Governing Board of Los Angeles Unified School District joins Beyond Differences in proclaiming February 13, 2015 National No One Eats Alone Day and encourages all middle schools to join in this effort and hold a No One Eats Alone on their campus.

26. Mr. Zimmer – Support of Compliance with Fair Labor Practices for Agricultural Vendors (Res-047-14/15) (For Action February 10, 2015)

Whereas, The Governing Board of the Los Angeles Unified School District has learned that Gerawan Farming has had contracts with the District and is currently under consideration for further contracts;

Whereas, In 2013, Gerawan Farming workers invoked a California law allowing neutral state-appointed mediators to decide union contracts when employers refuse to sign them, and in late 2013, the State Agricultural Labor Relations Board (ALRB) ordered that the three-year contract was to take immediate effect;

Whereas, Since workers requested the state mediator, the ALRB general counsel has filed five complaints—tantamount to indictments—accusing Gerawan Farming of “illegally excluding some of its farm workers from the benefits of a [union contract]”; illegally “instigating and encouraging the gathering of signatures” on petitions to decertify the UFW; “unlawfully interrogating workers about their union activities” and “surveilling” workers; “failing to bargain in good faith with its employees’ union”; “intimidating [employees] in the exercise of their right to participate in negotiations”; and failing to implement the state-issued union contract;

Whereas, Gerawan Farming’s refusal to implement the contract means its roughly 5,000 employees have not been paid many millions of dollars they are owed by Gerawan Farming from July 2013 to July 2014, and many millions of dollars more over the contract’s duration; now, therefore, be it

Resolved, That the Governing Board of the Los Angeles Unified School District calls upon Gerawan Farming to comply with state and federal laws, including labor relations, anti-discrimination, and minimum wage and hour laws, and to immediately implement the agreement issued by the neutral mediator and the State of California;

Resolved further, That the Board ensures that agricultural vendors and suppliers be in compliance with all local, state, and federal laws including the Agricultural Labor Relations Act; and, be it finally

Resolved, That the Procurement Services Division report back to the Board updating Gerawan Farming’s compliance with fair labor practices before any contracts with this vendor are brought to the Board for approval.

Resolution Requested by the Superintendent

27. Appointment of Member to School Construction Bond Oversight Committee (Sup Res002)

Resolved, That the Governing Board of the Los Angeles Unified School District ratifies the appointment of Aurora “Betty” Valles, representing the AARP, as member to the School Construction Bond Citizens’ Oversight Committee for a two-year term commencing immediately. The Board determines that Ms. Valle is not an employee, official, vendor, contractor, or consultant of the District.

28. Reappointment of Member to School Construction Bond Oversight Committee (Sup Res003)

Resolved, That the Governing Board of the Los Angeles Unified School District ratifies the reappointment of Ron Miller, representing the Los Angeles County Federation of Labor, AFL-CIO, as member to the School Construction Bond Citizens’ Oversight Committee for a two-year term commencing on January 16, 2015. The Board determines that Mr. Miller is not an employee, official, vendor, contractor, or consultant of the District.

Miscellaneous Business

Special Reports

29. Receipt of 2013-2014 Comprehensive Annual Financial Report

Public Hearings (0052-14/15)

30. Prepa Tec Los Angeles High School
Consideration of the level of support for a charter petition requesting a 5-year term to serve 204 students in grades 9-12 with a proposed location of Huntington Park.

Correspondence and Petitions

31. Report of Correspondence (0053-14/15)

Minutes for Board Approval (0051-14/15)

32. 5 p.m., Special Closed Session Meeting, November 18, 2014
10 a.m., Regular Closed Session Meeting, December 2, 2014

Announcements

Public Comment

Adjournment

Please note that the Board of Education may consider at this meeting any item referred from a Board Meeting five calendar days prior to this meeting (Education Code 54954.2(b)(3)).

The Board of Education may also refer any item on this Order of Business for the consideration of a committee or meeting of the Board of Education, which meets on the Thursday immediately after this meeting.

Requests for disability related modifications or accommodations shall be made 24 hours prior to the meeting to the Board Secretariat in person or by calling (213) 241-7002.

Individuals wishing to speak at a Board meeting must sign up at the meeting. There will be no sign ups in advance of the meeting. Speakers must sign up prior to the item being acted upon by the Board. Speakers should plan to arrive early as items with no speakers may be acted on at the beginning of the meeting.

If you or your organization is seeking to influence an agreement, policy, site selection or any other LAUSD decision, registration may be required under the District's Lobbying Disclosure Code. Please visit www.lausd.net/ethics to determine if you need to register or call (213) 241-3330.

Materials related to an item on this Order of Business distributed to the Board of Education are available for public inspection at the Security Desk on the first floor of the Administrative Headquarters, and at:
<http://laschoolboard.org/01-13-15RegBd>

Items circulated after the initial distribution of materials are available for inspection at the Security Desk.