

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



**REGULAR MEETING ORDER OF BUSINESS**

**Including Closed Session Items**

333 South Beaudry Avenue, Board Room

11:00 a.m., Tuesday, July 10, 2018

**Roll Call of Members**

**Public Comment**

The public can address the Board at the commencement of the meeting in the Board Room on any item that will be approved by the Board or falls under the subject matter jurisdiction of the Board of Education . At the conclusion of the closed session portion of the meeting, announcements regarding actions taken by the Board of Education will be made in the Board Room.

**OPEN SESSION ITEMS**

**New Business for Action**

1. Board of Education Report No. 001 – 18/19 **PUBLIC HEARING**  
Office of the Superintendent  
(November 6, 2018 Local Parcel Tax Resolution) Recommends issuance of order to hold a qualified special tax measure election on November 6, 2018 for a property parcel tax of \$610 to raise approximately \$500 million annually for educational purposes with exemptions for any parcel owned by a person 65 years of age or over who occupy the parcel as a principal in residence and for any parcel owned by a person receiving supplemental security income for a disability or social security disability insurance benefits, whose yearly income does not exceed 250 percent of the 2012 federal poverty guidelines who occupies the parcel as a principal in residence.
2. Board of Education Report No. 002 – 18/19  
Human Resources Division  
(Routine Personnel Actions) Recommends approval of 9,661 routine personnel actions such as promotions, transfers, leaves, terminations, etc.
3. Board of Education Report No. 003 – 18/19  
Chief Financial Officer  
(Authorization to Negotiate and Enter Into a Five-Year License Agreement with Youth Policy Institute (YPI) for the Use of Van Ness Elementary School) Recommends authorization for District staff to negotiate and enter into a five-year license agreement with an additional five year option with Youth Policy Institute for use of Van Ness Elementary School to provide educational services where the District will receive an estimated \$177,600 per year.
4. Board of Education Report No. 004 – 18/19  
Procurement Services Division  
(Procurement Action) Recommends approval of procurement action taken by staff for professional services within the delegated authority of the Superintendent as described in Attachment B for a total amount of approximately \$25,000.

## Board Member Resolutions for Action

5. Dr. McKenna, Mr. Schmerelson - Fulfilling Our Commitment to Raise Revenue for Increased School Funding (Res-053-17/18) (Postponed as Amended from June 19, 2018 Board Meeting)

Whereas, All policy, instructional, operational, staffing and leadership decisions at Los Angeles Unified School District are currently being driven by the projection that the District faces a budget deficit in 2020 that impairs our ability to fulfill our core mission of providing a quality public education for the children of Los Angeles;

Whereas, All Board Members, on taking our oaths of office, agree to accept fiduciary responsibility for the financial security and future well-being of our core mission;

Whereas, For 161 years, the Governing Board of the Los Angeles Unified School District has acted responsibly and has never ended a fiscal year with a negative balance;

Whereas, This Board has committed to raising the minimum funding level to \$20,000 per student by the year 2020;

Whereas, District staff has been preparing for months to ask voters to consider a tax measure to help finance the education that our children deserve and that our future economy demands; and

Whereas, School bond measures enjoyed an overall successful election cycle throughout California, scoring 27 victories out of a total of 35 initiatives put before local voters in the recent June 5 election; now, therefore be it

Resolved, That the Governing Board of the Los Angeles Unified School District directs and authorizes the Superintendent to submit ~~to the County language~~ to the Board of Education to allow for timely submission to the County to appear on the November 2018 ballot for a parcel tax of sufficient size to significantly reduce ~~eliminate~~ the projected 2020 deficit; ~~or approximately \$150 million per year; and, be it finally~~

Resolved further, That a majority of this funding be directed towards District employees; and, be it finally

Resolved, That the Superintendent formulate language to set the parameters of the proposed parcel tax to achieve the Board's objective of exempting ~~fixed-income seniors and properties with a valuation of less than \$750,000 from the tax formula~~ any owner of a parcel used solely for owner-occupied, single-family residential purposes and who are either (a) 65 years of age or older, (b) receiving Supplemental Security Income for a disability, regardless of age, or (c) receiving Social Security Disability Insurance benefits, regardless of age, whose yearly income does not exceed 250 percent of the 2012 federal poverty guidelines issued by the United States Department of Health and Human Services, upon application for exemption.

6. Mr. Melvoin, Ms. García - Putting Kids First Means Keeping Families Together (Res-001-18/19)  
(Waiver of Board Rule 72)

Whereas, The Los Angeles Unified School District remains steadfast in our responsibility to serve all kids with a high-quality education and is proud of the remarkable diversity that comprises the second-largest school district in the United States;

Whereas, President Donald Trump's administration has created a humanitarian crisis by separating children of all ages, including those as young as infancy and those who are still breastfeeding, from their parents as their families flee violence and seek asylum at the southern border of the United States;

Whereas, Attorney General Jeff Sessions, Homeland Security Secretary Kirstjen Nielsen, White House Chief of Staff John Kelly, and other federal officials have agreed in public statements that the effect of current federal immigration policies includes the separation of children from parents;

Whereas, Secretary of Education Betsy DeVos has not issued a public condemnation of family separation despite the devastating and traumatic impact separation policies have on students' emotional and psychological well-being;

Whereas, The California Supreme Court case *Serrano v. Priest* determined that education is a fundamental right for all children in the state of California and the United States Supreme Court case *Plyler v. Doe* held that districts cannot constitutionally deny undocumented children free public K-12 education on account of their immigration status;

Whereas, The LAUSD Board's 2017 resolution "Reaffirmation of Los Angeles Unified School District Schools as Safe Zones for Families Threatened by Immigration Enforcement" (Res-093-16/17) affirmed the Board's commitment to this responsibility by declaring all our schools "safe zones," which:

- Ensure that students and their families would not be asked about their immigration status pursuant to the Family Education Rights and Privacy Act (FERPA);
- Declare that school administrators and LAUSD School Police will not cooperate with federal Immigration and Customs Enforcement (ICE) agents;
- Provide information and resources to all families to "Know Your Rights;"

Whereas, L.A. Unified has shown further commitment to protecting all despite immigration status by joining in an Amicus Brief in *The Regents of the University of California v. United States Department of Homeland Security and Kirstjen Nielsen*, a 2017 California lawsuit challenging the termination of DACA;

Whereas, A health study by Bessel van der Kolk, *The Body Keeps Score* (New York: Viking, 2014) found that forcible separation of children from parents can cause irreparable trauma which can deeply affect the areas of a child's brain dedicated to pleasure, engagement, control, and trust;

Whereas, Further health studies, including Patricia Gandara and Jongyeon (Joy) Ee, "U.S. Immigration Enforcement Policy and Its Impact on Teaching and Learning in the Nation's Schools" find that forced separation from parents causes children's severe and inevitable cognitive

and emotional damage, including inability to focus on learning, anxiety and withdrawal, requiring access to mental health services and long-term counseling;

Whereas, Although a U.S. District Court preliminary injunction ruled that all children under five years of age be returned to their parents within 14 days, and that all children over the age of five be reunited within 30 days, the Trump administration has stated plans to appeal this injunction, further demonstrating their lack of concern or intent in reunifying children and their families; and

Whereas, the separation of families seeking asylum at our nation's southern border does not merely affect those in detention, but can cause emotional hardship or distress to families and staff who may have family, friends, or loved ones affected by current immigration policies; now, therefore, be it

Resolved, That the Governing Board of the Los Angeles Unified School District hereby demands the immediate end to inhumane and irresponsible immigration policies leading to the forcible separation of children and families;

Resolved further, That the Board reaffirms Resolution 093-16/17 which instructed District personnel to refuse the sharing of all voluntary information with immigration agents across all aspects of the District to the fullest extent possible under the law, pursuant to the Family Education Rights and Privacy Act (FERPA);

Resolved further, That the Board reaffirms the guidelines established in Reference Guide 6767.1 which require that, absent exigent circumstances, any request by immigration agents for information or access to a school site should be provided with adequate, written notice, and that District personnel reserve the right to verify the immigration agent's credentials, ask the agent why the agent requires access, and ask to see a warrant signed by a federal or state judge, pursuant to Resolution 093-16/17;

Resolved further, That the Board directs the Superintendent to coordinate with:

- The Student Health and Human Services division to seek out and ensure that any student identified as having suffered forcible family separation receives necessary health and mental health services corresponding to the emotional, mental, and physical trauma caused by forcible separation policies;
- The Office of Foster Youth to create a plan of action consisting of three main components: identification of youth placed into foster services due to the family separation policy, concerted efforts to reunite children with their families until every possible avenue for doing so is exhausted, and identification of additional services necessary to support incoming foster youth who are victims of forcible separation or lack of reunification;
- The Office of Government Relations to use its power to its fullest extent to advocate for the permanent end of immigration-related family separation policies and advocate for the swift rejoining of separated families;
- The Office of General Counsel (OGC) to investigate creation of a program to provide pro bono legal counsel to District students and families who have suffered traumatic separation due to federal immigration policies, and that within 30 days the OGC should issue a report to the Board with a plan proposal;

Resolved further, That the Board welcomes all students to District schools, regardless and irrespective of documentation status, and that the Board reaffirms its steadfast commitment to providing an excellent education to every student as an inalienable civil right; and be it finally

Resolved, That the Board offers its full support to any District employees who may be impacted by family separation immigration policies, and that any employee who has endured forcible family separation should receive access to necessary health and mental health services respective of the trauma they have suffered.

## **CLOSED SESSION ITEMS (Purpose and Authority)**

### A. Conference with Legal Counsel

Existing Litigation (Government Code Section 54956.9(d)(1))

Chanda Smith v. Los Angeles Unified School District  
United States District Court Central District of California  
Case No. CV-93-7044-RSWL

United States Court of Appeals for the Ninth Circuit Consolidated Appeal No. 17-558800  
Related to 14-55224; 55256, 16-72912, 17-80115; 80116

Committee to Defend Roosevelt v. Los Angeles Unified School District  
LASC Case No. BS174198

Anticipated Litigation (Government Code Section 54956.9(d)(2))

1 Case

### B. Personnel (Government Code Section 54957)

Employee Evaluation  
Superintendent of Schools

Public Employment  
Inspector General  
Chief of Staff  
Local District Superintendent  
Senior Advisor to the Superintendent (2)  
Senior Executive Director of Finance Policy

### C. Conference with Labor Negotiators (Government Code Section 54957.6)

Negotiator: Mr. Najeeb Khoury  
Employee Organizations:

Associated Administrators of Los Angeles  
California School Employees Association  
Los Angeles County Building and Construction Trades Council

Los Angeles School Police Association  
Los Angeles School Police Sergeants and Lieutenants Association  
Service Employees International Union, SEIU Local 99  
Teamsters  
United Teachers Los Angeles  
District Represented Employees and Contract Management Personnel

## **Public Comment**

## **Recess into Closed Session**

## **Reconvene to Open Session**

Report on any actions taken

## **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.

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](http://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/07-10-18RegBdCS>. Items circulated after the initial distribution of materials are available for inspection at the Security Desk.