

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

REGULAR MEETING STAMPED ORDER OF BUSINESS

333 South Beaudry Avenue, Board Room

1 p.m., Tuesday, December 11, 2018



Roll Call

Pledge of Allegiance

Student Voices

Celebrating Special Education (National Special Education Day - Dec 2)

Superintendent's Reports

Fall Sports Championship Schools

School Performance Framework Update

Realizing the Promise for All: Close the Gap by 2023! Resolution Update

Public Speaking

Individuals wishing to speak at a Board meeting must sign up at the meeting. Speakers to items for action on this agenda should plan to arrive early as items with no speakers may be acted on at the beginning of the meeting. Speakers to items not on the agenda for action will be heard at the conclusion of the item begun before 4 p.m.

Each speaker is allowed a maximum of three minutes for his or her presentation. Accommodations are made for translation and for those needing assistance. Each speaker may only make a single appearance at each Board Meeting, but exceptions are made for items labeled "Public Hearing".

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. 190 – 18/19
Office of Labor Relations
(Compensation Increases for District-Represented Employees) Recommends approval of compensation increases for District represented employees so their salary will be comparable to other employees as specified in the attachment.

2. Board of Education Report No. 119 – 18/19
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 \$25.3 million for elementary science instruction at one school, software support for transportation systems, web based employment testing, Oracle system support, Chanda Smith Consent Decree Independent Monitor services, and 19,299 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 a five year contract for health benefit consulting services for \$1.6 million, a six monthly contract for operation of the Chanda Smith Consent Decree Independent Monitor office for \$375,000, two contracts for three years for refrigeration parts for an aggregate value of \$2 million, and a purchase agreement for 7 lawn mower tractors for \$849,650. Also approves a revenue contract for nurse practitioner services for Fremont Zone of Choice schools with the University Muslim Medical Association Community Clinic, and 2 revenue contracts for work experience programs with the City of Los Angeles Economic and Workforce Development Department for an approximate total value of \$919,000.

3. Board of Education Report No. 147 – 18/19
Procurement Services Division–Facilities Contracts
(Facilities Contract Actions) Recommends approval of actions executed within the delegated authority of the Superintendent including the approval of the award of 4 advertised construction contracts for approximately \$5 million; 1 job order contract amendment for \$1 million; 168 change orders for approximately \$1.8 million; the completion of 25 contracts; the award of 54 informal contracts for \$947,319; and extra services and amendments for architectural and engineering contracts for \$66,146. Additionally, awards contracts and amendments not under the delegated authority, as detailed in Attachment B, for professional and technical services contracts for archaeological & paleontological services for \$300,000.

4. Board of Education Report No. 200 – 18/19
Accounting and Disbursements Division
(Report of Cash Disbursements, Request to Reissue an Expired Warrant, and Donation of Money) Recommends approval of warrants for things such as salary payments for a total value of \$602,309,555.49; the reissuance of an expired warrant in the amount of \$669.68; and the acceptance of 7 donations to the District of \$240,027.40.

5. Board of Education Report No. 204-18/19
Office of the Chief Financial Officer
(Capital Facilities Fund [Developer/Impact Fees] Annual Report for 2017-18) Recommends adoption of the annual accounting report describing the fees collected for commercial and residential construction projects and beginning and ending balances of the fund, as well as other details regarding the account.
6. Board of Education Report No. 206 – 18/19
Chief Financial Officer
(2018-19 First Interim Report, Multi-Year Projections and Fiscal Stabilization Plan)
Recommends approval of submission of First Interim Financial Report to the Los Angeles County Office of Education with qualified certification based on current projections that the District may not be able to meet its financial obligations for the 2020-21 fiscal year and adoption of the Fiscal Stabilization Plan.
7. Board of Education Report No. 166 – 18/19
Human Resources Division
(Routine Personnel Actions) Recommends approval of 2,991 routine personnel actions such as promotions, transfers, leaves, terminations, etc.
8. Board of Education Report No. 168 – 18/19 **NOT ON CONSENT**
Human Resources Division
(Provisional Internship Permits) Recommends approval of the continuing employment of 12 teachers who are employed under the Provisional Internship Permit requirements, allowing the District to continue to staff subject field shortage classrooms.
9. Board of Education Report No. 170 – 18/19
Facilities Services Division
(Amendment to the Facilities Services Division Strategic Executive Plan to Define and Approve Six Board Member Priority Projects) Recommends approval of an amendment to the Strategic Execution Plan to define and approve 6 Board Member priority projects for a combined budget of \$256,909.
10. Board of Education Report No. 171 – 18/19
Facilities Services Division
Parent and Community Services
(Amendment to the Facilities Services Division Strategic Execution Plan to Define and Approve 79 Parent and Family Center Classroom Upgrade and Improvement Projects) Recommends approval of an amendment to the Strategic Execution Plan to define and approve 79 Parent and Family Center classroom upgrade and improvement projects and to authorize the Chief Facilities Executive to make purchases associated with the projects. The combined budget for these projects is \$5,776,612.

11. Board of Education Report No. 172 – 18/19
Facilities Services Division
(Authorization to Enter into a Development Agreement with Granada Hills Charter High School for Alterations to the Former Granada Hills Senior High Campus) Recommends authorization for the District staff to enter into a development agreement with Granada Hills Charter High School for alterations to the existing culinary arts classroom with all project costs related to the Project to be paid for by Granada Hills Charter High School.
12. Board of Education Report No. 192 – 18/19
Charter Schools Division
(Renewal Charter Petition for PUC Nueva Esperanza Charter Academy) Recommends approval of the renewal petition for PUC Nueva Esperanza Charter Academy, for 5 years, to serve up to 360 students in grades 6-8, located at 1218 4th Street, San Fernando, CA 91340.
13. Board of Education Report No. 193 – 18/19
Charter Schools Division
(Renewal Charter Petition for Everest Value) Recommends approval of the renewal petition for Everest Value, for 5 years, to serve up to 480 students in grades TK-8, located at 668 South Catalina Street, Los Angeles, CA 90005.
14. Board of Education Report No. 194 – 18/19
Charter Schools Division
(Proposed Material Revision for Charter High School of the Arts – Multimedia and Performing (CHAMPS) to Add an Admissions Preference) Recommends approval of the proposed material revision of the charter for CHAMPS to add an admissions preference related to geographic boundaries to be determined.
15. Board of Education Report No. 195 – 18/19
Charter Schools Division
(Proposed Material Revision of Global Education Academy to Add Grade Levels, Increase Enrollment Capacity, and Change Lottery Date) Recommends approval of the proposed material revision of the charter for Global Education Academy to add grade levels 6-8, increase the enrollment capacity to 480, and change the lottery date from April to November.
16. Board of Education Report No. 196 – 18/19 **PUBLIC HEARING**
Charter Schools Division
(Waiver Request to the State Board of Education on Behalf of WISH Community) Recommends approval of the submission of a waiver request to the State Board of Education, on behalf of WISH Community, to add admissions preferences for students with moderate to severe disabilities up to 5% of each grade level.
17. Board of Education Report No. 197 – 18/19 **PUBLIC HEARING**
Charter Schools Division
(Waiver Request to the State Board of Education on Behalf of WISH Academy High) Recommends approval of the submission of a waiver request to the State Board of Education, on behalf of WISH Academy High, to add admissions preferences for students with moderate to severe disabilities up to 5% of each grade level.

18. Board of Education Report No. 209 – 18/19
Office of the Board Secretariat
(Independent Analysis Unit Semi-Annual Work Plan for Winter-Spring 2019) Recommends approval of the Independent Analysis Unit’s 2018-19 work plan describing major studies that will be undertaken, other expected tasks, possible topics for future study and the division of time dedicated to the work.

Board Member Resolutions for Action

19. Ms. García, Mr. Melvoin - Creating a Village by Investing in School Communities: Supporting District Staff through Affordable Housing (Res-011-18/19) (Noticed November 13, 2018)

Whereas, Building vibrant and healthy schools involves the entire community and requires creative and innovative solutions, partnering public and private institutions with community groups and stakeholders;

Whereas, The Los Angeles Unified School District seeks to be a national leader in creating equity for our students and families both inside and outside of the classroom;

Whereas, Insufficient affordable housing is a significant obstacle faced by individuals and families throughout Southern California, and contributes significantly to issues of transiency, housing insecurity, and homelessness;

Whereas, The District serves a homeless population of nearly 17,000 students who lack safe, permanent housing, having a dramatic effect on individual student achievement, overall quality of life, and equitable outcomes for individual students and their families;

Whereas, Education Code Section 17515 provides for any school district to enter into leases and agreements relating to real property and buildings to be used jointly by a district and any private person, firm, or local governmental agency for a term not to exceed 66 years;

Whereas, The District has executed four such agreements between 2008 and 2011, pursuant to Section 17515, for the development of affordable workforce housing on District-owned property including space used jointly by the District and a developer;

Whereas, Affordable workforce housing projects were funded and developed by non-profit affordable housing developers, and all upfront District costs were reimbursed by those developers;

Whereas, All development agreements executed between the District and affordable workforce housing developers included terms stipulating that each developer will pay the District for the long-term lease of District property, with three agreements providing preference in unit rentals to District employees;

Whereas, Of the 185 units developed under condition of specific renting preferences for District employees, such individuals initially occupied 151 units representing an initial occupancy rate of approximately 82%;

Whereas, A critical source of financing for many affordable housing projects includes Low Income Housing Tax Credits (LIHTC) administered by the California Tax Credit Allocation Committee (TCAC);

Whereas, Using various financing vehicles, including LIHTC, all four affordable workforce housing projects were developed with units available to individuals in the 30 percent to 60 percent Average Median Income (AMI) bracket;

Whereas, Certain full and part-time classified employees, such as teacher assistants, library aides, cafeteria workers, school office workers, and custodians may be eligible for housing developed for individuals in the 30 percent to 60 percent AMI bracket;

Whereas, Such staff members provide valuable services that ensure healthy and safe teaching and learning environments and cultures of high student achievement in schools across Los Angeles;

Whereas, The TCAC recently informed the District that tax credit reservations to future projects subject to an employer specific preference will not be issued until such time as the Internal Revenue Service (IRS) approves of the preference or the California State Legislature enacts a law allowing so;

Whereas, Certain properties or portions of the District's approximate 6,400 acres of land assets could be considered underutilized, opportunities exist for the District to leverage these assets to support the development of additional affordable housing for District employees, generate revenue, and, using the Joint Occupancy provision of the Education Code, provide facilities for District use; now, therefore, be it

Resolved, That the Governing Board of the Los Angeles Unified School District directs the Superintendent to make recommendations regarding the following in a report to the Board within 180 days:

1. Goals and priorities for future developments including:
 - a. Developing affordable workforce housing for eligible employees
 - b. Developing housing and/or securing housing vouchers for students and families experiencing homelessness
 - c. Maximizing revenue generation using District land assets (i.e. market rate housing or commercial developments)
2. Pursuing the potential development of additional housing projects to address the critical needs of District employees, students, and families in securing affordable housing, particularly on land owned by the District using Joint Occupancy or other means available in accordance with Education Code and, when possible, through partnerships, joint efforts, or programs within the County of Los Angeles, the City of Los Angeles and elsewhere
3. Identifying potential sites and relevant funding, including potential -funds from external sources, to consider for future developments; and, be it finally

Resolved, That the Board directs the Superintendent to engage TCAC leadership, the Internal Revenue Service, and the State Legislature to enact relevant laws or regulations and provide approval to allow preferences for the rental of housing units developed on school district property to employees, students, and families of the respective school district.

20. **WITHDRAWN PRIOR TO MEETING**

21. Mr. Schmerelson, Mr. McKenna - Strategic Planning for Adequate Funding of Public Education in Los Angeles (Res-014-18/19) (Waiver of Board Rule72)

Whereas, In both the primary and general elections of 2018, Los Angeles County voters, as well as voters in urban counties throughout California, overwhelmingly voted for statewide candidates who strongly supported traditional K-12 public education, publicly-funded early childhood, college, and career-education, and whose campaigns were funded more through smaller-dollar contributions from local individuals than from wealthy out-of-state individuals and entities;

Whereas, The results of 2018 California statewide elections affirm a grassroots commitment to promote, protect, preserve and invest in strengthening the public benefits of our public school system for our communities and for all our children;

Whereas, Voters approved 21 of the 27 school parcel tax measures that were on the ballot in California in 2018;

Whereas, Nine of the ten parcel tax or school bond measures on the ballot in Los Angeles County in November 2018 were approved by voters;

Whereas, In June 2018, a majority of the Governing Board of the Los Angeles Unified School District voted to reject a proposal to authorize a parcel tax in November 2018, despite favorable polling of likely voters in the June and November 2018 election cycles;

Whereas, The Board has been directed by the Los Angeles County Office of Education to implement an aggressive fiscal stabilization plan for the District that should reasonably consist of plans for generating additional revenue as well as reductions in spending;

Whereas, The Legislative Analyst Office for the State of California (LAO) is projecting a significant increase in Proposition 98 funding for the 2019-20 fiscal year, due to unexpectedly high tax revenues, that is expected to generate a meaningful improvement to the District's General Funds for the upcoming year;

Whereas, A number of recent financial analyses of the District's structural deficit has shown that about 50 percent of declining enrollment and the associated declining revenue is due to excess proliferation of charter schools within the District;

Whereas, Despite continued representations by charter school advocates that charter schools maintain long waiting-lists of students seeking alternatives to District schools, a recent report issued by the Charter School Division (CSD) revealed widespread under-enrollment of charter schools operating in the District, calling into question the District's legislative priorities with regard to the efforts and advocacy required to modify outdated state law which allows unlimited new charter authorization and growth;

Whereas, Under-enrolled charter schools that are co-located at District facilities under Proposition 39 are legally subject to monetary penalties that go mostly uncollected by the District;

Whereas, The fiscal pressures on public school districts caused by the historic under-funding of Special Education mandates could be alleviated by seeking a more equitable allocation of state funding in the following areas:

- Inclusion of Special Education as an unduplicated pupil category for purposes of the Local Control Funding Formula (LCFF) funding;
- The allocation of Special Education funding based on identified need rather than general enrollment; and
- Distribution of funding based on average enrollment rather than Average Daily Attendance;

Whereas, While philanthropic dollars and community partnerships are appreciated resources, they are short term solutions because those monies fail to offer the District reliable, predictable, consistent, and sustainable revenue sources, resulting in reductions in academic programs and services for students when those dollars reach the end of the grant cycle;

Whereas, The recent establishment of the Fund for Equity and Excellence has resulted in donated funds being directed primarily to consulting companies with expertise in leveraging debt and imposing austerity measures for private industry, equity firms, and, to a lesser degree, educational organizations, with a goal of "reimagining" the District;

Whereas, The Board is soon going to be asked to make profound and far reaching decisions regarding the financial and organizational future of public education in Los Angeles; now, therefore, be it

Resolved, That the Governing Board of the Los Angeles Unified School District directs the Superintendent to submit a comprehensive, three-year enterprise plan and timeline, by January 18, 2019, that details sincere and efficacious strategies likely to increase District revenues including, but not limited to: enrollment stabilization and growth; parcel tax and school bond measures; property tax reform; legislative and executive advocacy at the local, state and federal level; and philanthropic support.

Board Member Resolutions for Initial Announcement

22. Mr. Melvoin, Dr. Vladovic – Empowering Schools and Teachers with Choice of Employment (Res-015-18/19) (For Action January 8, 2019)

Whereas, The Los Angeles Unified School District is dedicated to ensuring that every student has access to a high quality education in a positive school environment shaped by dedicated and mission-driven professionals;

Whereas, The District applauds and respects the tireless dedication of educators and other school staff who deserve agency to make professional decisions about their own careers;

Whereas, The District applauds and supports the capacity of school leaders and school site decision-makers to select, support, and manage teachers who are aligned with and committed to a common, local vision for success at each District school;

Whereas, A strong and aligned team of teachers and school leadership promote student academic success and college-readiness; now, therefore, be it;

Resolved, That no teacher shall be employed at a school without the mutual agreement of the teacher and the school site decision-maker, subject to legal or contractual requirements (such as reasonable accommodations for teachers with disabilities); and, be it finally

Resolved, That the Superintendent amends or modifies any policies or practices and negotiate contractual obligations where necessary to ensure that by the 2019-2020 school year employment of all Los Angeles Unified School District teachers will be upon mutual agreement of the employee and the school site decision-maker, subject to legal or contractual requirements. The Superintendent will report to the Board within 90 days outlining efforts to ensure implementation of this resolution.

Resolutions Requested by the Superintendent

23. Reappointment of Member to the Personnel Commission (Sup Res 003-18/19)

Resolved, That the Governing Board of the Los Angeles Unified School District reappoints Joseph L. Paller, Jr. as a member of the Personnel Commission of the Los Angeles Unified School District for a three year term pursuant to California Education Code Section 45245.

Miscellaneous Business

Correspondence and Petitions

24. Report of Correspondence (ROC-005-18/19)

Announcements

25. Motion finding Ms. Gonez absent due to Board business from the Special Board meeting of November 27, 2018 (022-18/19)

Public Hearings

26. Charter Petitions for Public Hearing (023-18/19)

Academy of Media Arts

Consideration of the level of support for a start-up independent charter petition requesting a 5-year term to serve up to 500 students in grades 9-12 with a proposed location in the Baldwin Village area of Los Angeles.

Accelerated

Consideration of the level of support for a start-up independent charter renewal petition requesting a 5-year term to serve up to 907 students in grades TK-8 with a proposed location at 4000 South Main Street in Los Angeles.

Community Preparatory Academy

Consideration of the level of support for a start-up independent charter renewal petition requesting a 5-year term to serve up to 520 students in grades TK-8 with proposed locations at 7019 South Van Ness Avenue in Los Angeles and 24910 South Avalon Boulevard in Wilmington.

New Designs Charter

Consideration of the level of support for a start-up independent charter renewal petition requesting a 5-year term to serve up to 910 students in grades 6-12 with a proposed location at 2303 South Figueroa Way in Los Angeles.

New Design Charter School - Watts

Consideration of the level of support for a start-up independent charter renewal petition requesting a 5-year term to serve up to 632 students in grades 6-12 with a proposed location at 12714 South Avalon Boulevard in Los Angeles.

Synergy Kinetic Academy

Consideration of the approval of a material revision to amend lottery preferences consistent with Education Code section 47605(d)(2)(B).

Synergy Quantum Academy

Consideration of the approval of a material revision to amend lottery preferences consistent with Education Code section 47605(d)(2)(B).

Public Comment – Speakers to items not on the Order of Business for action will be heard no earlier than 4 p.m.

Adjournment

Please note that the Board of Education may consider at this meeting any item referred from a Board Meeting 5 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 <http://ethics.lausd.net/> 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/12-11-18RegBd>

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