

**Minutes of the Regular Meeting of the Board of Education  
Pomona Unified School District  
Education Center Board Room  
800 South Garey Avenue, Pomona  
Via teleconference at Dechert LLP  
27/F Henley Bldg., 5 Queen's Road Central, Hong Kong, Hong Kong**

Wednesday, February 8, 2017

5:30 p.m.

**CALL TO ORDER**

Jason A. Rothman, Board President, called the meeting to order at 5:40 p.m.

**MEMBERS PRESENT**

Jason A. Rothman, President; Roberta A. Perlman, Vice President; Frank Guzman; Adrienne Konigar-Macklin; and Andrew S. Wong joined the meeting via teleconference.

**STUDENT REPRESENTATIVE**

Marco Ruiz, Palomares Academy of Health Sciences

**ADMINISTRATIVE STAFF PRESENT**

Richard Martinez, Superintendent

Stephanie Baker, Deputy Superintendent, Educational Services

Leslie Barnes, Assistant Superintendent and Chief Financial Officer, Business Services

Fernando Meza, Administrative Director, Pupil & Community Services

Oliver Unaka, Public Information Officer

**OTHERS PRESENT**

Jim C. Moore, Attorney, Mundell, Odlum & Haws, LLP

**CLOSED SESSION ITEMS**

1. Public Employee: Discipline/Dismissal/Release  
Case No. 16-017-007
2. Conference with Legal Counsel pursuant to California Government Code Section 54956.9, Subdivision (d) (4) Regarding Potential/Pending Litigation (3 Cases):  
(1) Case No. BC644620, (2) SB-415, and (3) Case No. 2:15-cv-007895

**PUBLIC COMMENT ON CLOSED SESSION ITEMS: None**

**ADJOURN TO CLOSED SESSION: 5:43 p.m.**

**1 OPENING BUSINESS**

**6:30 p.m.**

**Information: 1.01 Reconvene to Regular Session: 6:32 p.m.**

Mrs. Konigar-Macklin left the meeting.

**Information: 1.02 Pledge of Allegiance**

The Pledge of Allegiance was led by Cadet Major Jose Rivera, Cadet Captain Amy Lopez, Cadet Command Sergeant Major Emmanuel Ramirez, Cadet Sergeant Moazil

Altamirano, Cadet Corporal Angel Sanchez, and Cadet Corporal Julian Rodriguez from Pomona High School.

**Information: 1.03 Action Taken in Closed Session: None**

**Information: 1.04 Superintendent's Comments - Corrections or Additions to the Agenda**

The following items were pulled from the Agenda:

Agenda Item 7.09, Memorandum of Understanding: Los Angeles County Office of Education, pulled.

Agenda Item 5a.05, Certificated Personnel – Leaves of Absence (without pay), pull # 1 only.

Agenda Item 7.17, Fiscal Agreement: DiMare, Brown, Hicks, & Kessler, LLC, pulled for separate consideration.

Teacher Specialist Vicki Tessier introduced Ganesha High School Junior Jacob Ye, the finalist for the *Poetry Out Loud* competition who recited “The Conqueror Worm” by Edgar Allan Poe, and “Personal” by Tony Hoagland. Mr. Martinez presented Mr. Ye with a certificate.

**Information: 1.05 Student Representative Comments**

Marco Ruiz, Student Representative, provided a brief report on high school activities.

**Information: 1.06 California School Employees’ Association Representative Comments:** Marian Orozco, President, California School Employees Association (CSEA), Chapter 14, said she is going to paint a different picture for everybody. She expressed her opinion about how sometimes things are good and sometimes bad. She also spoke about the obligations and responsibilities as elected officials such as herself and how as leaders they do their best to help and make our schools better for our children. They listen to concerns and try to gather all of the facts to come to a solution and work together. She said they do not judge by their own opinions and asked others to not judge her for the work she does. Ms. Orozco said we should allow the employees to address their concerns, students, community, everyone. You never know when you or someone else is going to be there from your family to have to walk that walk. Like Forrest Gump says, she said she is like a box of chocolates. You never know what you are going to get when I come to you and you open that box.

**Information: 1.07 Associated Pomona Teachers’ Representative Comments:**

Michael da Rosa, President, Associated Pomona Teachers, said since our presidential inauguration with the executive orders and cabinet appointments there has been a great deal of unease and uncertainty not only throughout the nation and the world but here at the local level as well. There has been a significant impact of fear and anxiety expressed by students and family members in our community. He expressed his concerns regarding the confirmation of Secretary of Education Betsy DeVos. Mr. da Rosa said now more than ever our educators that have chosen Pomona need to be empathetic and supportive to our students and the new circumstances they face under this new federal regime. He remembers the words of assurance and encouragement from Superintendent Martinez after the presidential election, that within the boundaries of PUSD we will take care of our own. We have our students’ backs. He said he has

heard similar comments from other cabinet members and trusts that our school board feels the same. This is something that the Association of Pomona Teachers can and will stand behind. He said they are committed to providing sanctuary for our students and we are willing to take a stand on behalf of our students ensuring that they are safe while they are under our care.

Mr. da Rosa said on a different note we understand that some of our colleagues have found the salary schedule under the new contract to be confusing. The IBB (Inter-Based Bargaining) team whether on the union side or administrative side is learning from this experience. He said we need to better help our members to understand that they are not losing any years under the re-structure. The agreement reached with the PUSD bargaining team was to eliminate longevity and does not take anything from anyone. He said we appreciate the work that Mr. Knowles and Mr. Brown have done over the past two weeks helping individual members and providing clarification about members' individual placement on the salary schedule. Both Mr. Knowles and Mr. Brown are committed to providing individual assistance as long as needed.

**Information: 1.08 Audience Comments**

Alfredo Camacho-Gonzales representing Day One and Healthy in Pomona expressed his support for American Heart month in February that started in 1964. He said they work with our high school students in health preventions and installed hydration stations this last year. He thanked the board for their support.

Jesus Sanchez, director of Gente Organizada and a Pomona resident expressed his displeasure regarding the LCAP (Local Control Accountability Plan) process and asked for a higher percent of funds to be given to school site councils.

Gladis Chavez, member of Padres Unidos de Pomona asked for the LCAP process to be transparent and democratic and for a board resolution to be passed establishing a higher percentage of funds to be given to school site councils.

Cortez Math and Science Magnet School parent and Padres Unidos de Pomona member Ana Beltran asked for transparency of how LCAP funds are allocated and distributed.

Ranch Hills Elementary School parent and member of Padres Unidos de Pomona Ana Portillo asked for transparency and education for parents about what school site councils do at the sites.

Gaby Cortez, member of Padres Unidos de Pomona and a Pomona resident asked to create a more transparent LCAP process and to increase the amount of supplemental funds given to school site councils.

Diamond Ranch High School parent and member of Padres Unidos de Pomona Evelia Rocha, asked for transparency and a democratic process regarding LCAP funds. She also asked for a democratic plan to increase supplemental LCAP funds to reach school site councils.

Pomona High School student Samantha Salvador and a member of PSU (Pomona

Students Union) asked that youth be added to the LCAP steering committee to ensure students are properly represented in the LCAP process.

Garey High School Senior Ariel Andres and representative of the Pomona Students Union asked for students to be included on the LCAP steering committee.

Ranch Hills Elementary School parent and community member Jeffery Mitchell who also has a student in Walnut Valley School District through District of Choice gave an example and shared a comparison of math textbooks used in Pomona and Walnut school districts. He also expressed his opinion about the District of Choice lawsuit filed by Pomona Unified School District against Walnut Valley School District and asked that the Board of Education withdraw the lawsuit.

Village Academy High School Senior Class President Jasmine Torres invited everyone to attend their sweetheart dance fundraiser being held this Friday. Ticket donations are \$8.00 per person for the pasta dinner and dance, and she said they would appreciate it if everyone would attend.

Village Academy High School Teacher and Freshmen Class Advisor John Muscente said Village Academy does not have a PTA (Parent Teacher Association) or PTSO (Parent Teacher Student Organization). They are trying to raise \$6,000 so seniors can have a grad night, an inexpensive prom, and things for the remainder of the year.

Vejar Elementary School parent and Harrison Elementary School Teacher Rosaura Jimenez-Mireles expressed her opinion about students having practices or games on student free days and asking for teachers to refrain from giving students work on those days and weekends to give them more time with their families and friends.

Community member Larry Ortega expressed his opinion about the confirmation of Secretary of Education DeVos and the need to work together with parents and community members with the acceptance of new people and ideas in this process.

## **2 INFORMATION ITEMS/PRESENTATIONS**

**Information: 2.01 Superintendent Oral Communications on Agenda Items: None**

**Action: 2.02 Approval of the Minutes for the Regular Board Meeting of December 12, 2016**

Motion made by: Frank Guzman

Seconded by: Roberta Perlman

Final Resolution: Motion Carries

Yea: Frank Guzman, Roberta Perlman, Jason Rothman, Andrew Wong

Absent: Adrienne Konigar-Macklin

**Action: 2.03 Proclamation in Support of the Pomona Kindness Project**

Mr. Martinez said students are here from the Superintendents Student Advisory Council. Garey High School Senior Marleni Munguia, said the Council came up with a great idea that corresponded with the month of February and for National Kindness Day. Students do acts of kindness each day, and teachers can recognize them. She said they will give

presentations at their high school feeder schools to inform students about the kindness challenge districtwide and share why they should be kind especially in troubling times. Garey High School Junior Jose De Anda said they came up with this idea which they named the Pomona Kindness Project to promote kindness. There is a lot of hatred around and we need to promote happiness by doing little acts of kindness like opening a door or picking up books at all of the schools. Student Representative Marco Ruiz read the Proclamation in Support of the Pomona Kindness Project aloud.

Motion made by: Roberta Perlman

Seconded by: Frank Guzman

Final Resolution: Motion Carries

Vote: Frank Guzman, Roberta Perlman, Jason Rothman, Andrew Wong

Absent: Adrienne Konigar-Macklin

### **3 CONSENT CALENDAR**

Mr. Rothman asked for a motion to consider Agenda Item 3.03.

#### **Action: 3.03 Proclamation in Recognition of American Heart Month**

Alfredo Camacho-Gonzales from Day One said on behalf of supervisor Hilda Solis gave us a certificate for the school board for their commitment to health in the community that he presented

Student Representative Marco Ruiz read the Proclamation in Recognition of American Heart Month.

Motion made by: Frank Guzman

Seconded by: Roberta Perlman

Final Resolution: Motion Carries

Yea: Frank Guzman, Roberta Perlman, Jason Rothman, Andrew Wong

Absent: Adrienne Konigar-Macklin

#### **Information: 3.01 Oral Communications on Consent Calendar Items Only**

Harrison Elementary School Teacher Rosaura Jimenéz-Mireles expressed her opinion both the union both and bargaining team failed to adequately explain the contract language "intent" to APT members before the tentative agreement was voted on and passed. She gave examples from the current and proposed salary schedules and longevity pay.

Separate action was taken on the following agenda items:

#### **Action: 7.17 Fiscal Agreement: DiMare, Brown, Hicks, & Kessler, LLC**

Motion made by: Roberta Perlman

Seconded by: Frank Guzman

Final Resolution: Motion Carries

Yea: Frank Guzman, Roberta Perlman, Jason Rothman

Absent: Adrienne Konigar-Macklin

No: Andrew Wong

#### **Action: (Consent): 3.02 Consent Calendar**

Consent Calendar (Agenda Items 3-8)

Motion made by: Frank Guzman

Seconded by: Roberta Perlman

Final Resolution: Motion Carries  
Yea: Frank Guzman, Roberta Perlman, Jason Rothman, Andrew Wong  
Absent: Adrienne Konigar-Macklin

## **9 SPECIAL ACTION ITEMS**

**Information: 9.01 Oral Communications on Special Action Items Only: None**

### **Action: 9.02 Closure of Community Day School**

Mr. Meza gave a report on this item.

Motion made by: Roberta Perlman

Seconded by: Frank Guzman

Final Resolution: Motion Carries

Vote: Frank Guzman, Roberta Perlman, Jason Rothman, Andrew Wong

Absent: Adrienne Konigar-Macklin

## **10 OPEN ORAL COMMUNICATIONS**

**Information: 10.01 Audience Comments: None**

### **Information: 10.02 Board and Superintendent Oral Communications and Concluding Comments**

Mr. Martinez said the District Spelling Bee for upper grade elementary students is being held on the 16<sup>th</sup> of February in the district auditorium. February 25 is the Health Career Ladder at Western University and he encouraged parents of students in grades 6 through 9 to take their children. It is a great event where students get to work lab settings in nine different disciplines of medicine. Also on February 25 the Peace Games are being held at Pomona High School. Information can be found on line and many of our schools in north Pomona will be participating in that event. February 28 is the State of the District event for business and community leaders at the Village Conference Center, to give you a report on how we are doing as an organization and where we are going. Mr. Rothman will be there with me presenting the direction of our system. Mr. Martinez thanked the parents, teachers and all of those that came tonight to speak about the greatness of Pomona Unified and also to share their concerns. That is the way we grow and learn about how we are doing. Currently we do use the Student Advisory Council for the District for student input. Mr. Martinez said we may look at different ways to schedule to allow more direct student participation.

Mr. Jim Moore thanked the superintendent for the opportunity to share a few thoughts on this subject. He said California Education Code Section 48200 Ed § is known as District of Choice and has existed for approximately 22 years. Under that Education Code Section there is a ten percent cap preventing districts of residence from being artificially reduced in terms of attendance. The lawsuit filed by Pomona Unified School District in December is for declaratory relief. In other words it is a request to the judiciary to state what the law is and how best to comply with the law with both parties involved. As a result of the filing of the lawsuit we have engaged and continue to engage in amicable conversations with Walnut Valley. Both parties are coming to the matter in good faith and we are convinced that this lawsuit constitutes nothing more than a strong invitation to have an amicable and open conversation. He said he can report that that

conversation is being had appropriately between the parties. At this point the matter continues. However he can also report that both school districts are looking for the earliest complete and amicable resolution that can be found.

Mr. Martinez thanked Mr. Moore and said there are a few other dates to share. The Young Men's Conference on March 3 and the African American Male Summit is on the 4<sup>th</sup> at the Village conference center. He wished everyone a good evening.

Mr. Guzman thanked everyone for being here. He expressed his thanks to the students for presenting the kindness challenge to all involved at all grade levels. He thanked the parents who came and addressed their concerns. Mr. Guzman said he is confident that we will do all we can to make sure those concerns are addressed. He thanked staff who has come out and shared how we can work with one another in a more amicable way, and how we can listen; and further thanked the community for coming out to share their thoughts with us as well. He wished everyone a good evening.

Mr. Wong thanked all of the speakers for coming to the meeting and sharing their thoughts and their concerns. We are here as a board to listen to issues that our community and our stakeholders have. We take them seriously and will look into them. He said he had the opportunity to go the Pantera awards ceremony last week. Principal Tan is doing a great job and it was good to see the K through 6 grade students receive awards which we hope is just the beginning for them. Mr. Wong said he met with the superintendent and Pomona mayor at the beginning of Principal for a Day. He said we had members of the community as principal for a day at each of our sites. It was an exciting day for all who participated and he thanked the mayor for being a part of that. He wished everyone the best.

Dr. Perlman expressed her thanks to the students and parents who attended the board meeting. Thank you to Padres Unidos de Pomona for taking the time to think about and evaluate these issues. She said that the District is working to address those issues; so thank you. As Superintendent Martinez said, "...that is how we get better." Dr. Perlman offered her congratulations to Jacob Ye for the beautiful poetry. He was phenomenal. She said she is not surprised he won an award, as he is exceptional. Dr. Perlman expressed her thanks to Jeff for coming forward with the issues about the mathematic textbooks, adding that we are definitely having conversations regarding this issue. A few things that are coming up are: the Sarah Ross Science Fair on February 25 at Ganesha High School. For those who don't have projects to submit, and just want to come and view the projects, judging will be completed by about noon and it will be open to the public. On February 18 there is a solo ensemble festival at Garey High School. Dr. Perlman said if you want to go and listen to the exceptional music that our students create it is open to the public. The festival is from 8:00 a.m. to 6:00 p.m. She thanked everyone for coming out tonight.

Mr. Rothman thanked everyone for coming out tonight and especially thanked Padres Unidos de Pomona. He said he enjoys being grilled in public. He is very glad that our community feels confident enough they can walk in to a school board meeting and voice their concerns and not worry about repercussions; and that everyone takes it in stride and enjoys that everyone's voices are heard. Mr. Rothman said perhaps yelling at the board president is not the best vehicle for that, but he still appreciates them coming

none the less. He said he liked the very pleasant student comments about putting students on the LCAP steering committee. He said he thinks that is definitely something that is worth looking into. Perhaps we can look at alternative scheduling of our LCAP meetings, or perhaps another way at getting them on that committee to have that student voice. He said that definitely merits looking in to. Mr. Rothman said he is looking forward to the District Science Fair. He enjoys it and encouraged everyone to attend. He said if you enjoy hearing him speak for up to five minutes on February 28 he will be opening the State of the School District for Superintendent Martinez. He thanked everyone who attended our Principal for a Day. We had a lot of civic and business leaders come out and see a little bit of a preview of what all of our principals do in the trenches of our schools each and every day.

**NEXT BOARD MEETING: Regular Board Meeting March 8, 2017, at 6:30 p.m.**

**12 ADJOURNMENT**

**12.01 Adjournment: 8:04 p.m.**

  
Secretary, Board of Education

Attested and Approved:

  
President, Board of Education