

**Minutes of the Regular Meeting of the Board of Education
Pomona Unified School District
Mendoza Center – Multi-Purpose Room
851 S. Hamilton Blvd., Pomona, CA 91766
~~Via teleconference at Intercontinental Hotel
Kaufmann Street 12, Tel Aviv, Israel~~**

Wednesday, September 13, 2017

5:00 p.m.

CALL TO ORDER

Jason A. Rothman, Board President, called the meeting to order at 5:39 p.m.

MEMBERS PRESENT

Jason A. Rothman, President; Roberta A. Perlman, Vice President; Frank Guzman, Andrew S. Wong arrived at 6:11 p.m., and Adrienne Konigar-Macklin arrived at 6:22 p.m.

STUDENT REPRESENTATIVE

Omar Lopez, Park West High School

ADMINISTRATIVE STAFF PRESENT

Richard Martinez, Superintendent

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

Lilia Fuentes, Director, Elementary Curriculum and Instruction, Educational Services

Darren Knowles, Assistant Superintendent, Human Resources

Fernando Meza, Assistant Superintendent, Pupil & Community Services

Oliver Unaka, Public Information Officer

OTHERS PRESENT

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

CLOSED SESSION ITEMS

1. Employee: Discipline/Dismissal/Release
Case Number: 17-018-004; 17-018-005
2. Conference with Legal Counsel – Existing Litigation Pursuant to California Government Code Section: 54956(a)
Case Number: (2 cases) BC581936; ADJ8668097
3. Conference with Real Property Negotiator Pursuant to California Government Code Section 54956.8 (1) APN's 8322-022-900 through 901, 8322-23-902 through 903 (East End), (2) APN 8322-023-901 (Tower), (3) 8344-033-901 through 905 with a portion of 902 (Rio Rancho), and (4) 8358-035-908 to 915, 918, 925, 928 to 929, 935 to 936, 939, and portions of 917, 922 to 923, 926, 937 to 938, and 940 to 941 (Dudley): Agency Negotiator(s): Superintendent; Assistant Superintendent/Chief Financial Officer – negotiations
4. Conference with Legal Counsel Pursuant to California Government Code Section 54956.9, Subdivision (d) (4) Regarding Pending Litigation (2 cases: (1) Case No. BC644620; (2) Case No. 2:15-cv-007895

5. Public Employee Performance Evaluation Pursuant to Government Code
Section 54957 – Title of Position: Superintendent

PUBLIC COMMENT ON CLOSED SESSION ITEMS: None

ADJOURN TO CLOSED SESSION: 5:41 p.m.

1 OPENING BUSINESS

6:30 p.m.

Information: 1.01 Reconvene to Regular Session: 6:40 p.m.

Information: 1.02 Pledge of Allegiance

The Pledge of Allegiance was led by Battalion Commander Cadet Lieutenant Colonel Melanie Andreo and Command Sergeant Major Josue Garcia-Minjarez from Garey High School.

Information: 1.03 Action Taken in Closed Session

Mr. Moore said there was a decision to initiate dismissal proceedings against certificated employee # 17-018-004.

Final Resolution: Motion Carries

Yea: Frank Guzman, Roberta Perlman, Jason Rothman

Absent: Adrienne Konigar-Macklin, Jason Rothman

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

The following items were pulled from the Agenda:

Agenda Item 4.03 Certificated Personnel – Special Assignments, Section W, # 69 only, pulled.

Agenda Item 5b.03 Classified Personnel – Intermittent Leave of Absence and Leaves of Absence without Pay, Section B, # 2 only, pulled.

Agenda Item 5c.02 Non-Classified Personnel – Release of Substitutes and Non-Classified Employees, pull # 49 only.

Agenda Item 6.02 Classified – Establishment of Fund for Position: Accounting Technician (HS), pulled.

Agenda Item 6.03 Classified – Establishment of Fund for Position: Buyer, pulled.

Agenda Item 6.06 Classified – Establishment of Fund for Position: Fiscal Services Analyst, pulled.

Agenda Item 6.07 Classified – Establishment of Fund for Position: Fiscal Services Clerk, pulled.

Agenda Item 6.08 Classified – Establishment of Fund for Position: Fiscal Services Technical Assistant, pulled.

Agenda Item 6.11 Classified – Establishment of Fund for Position: Position Control Supervisor, pulled.

Agenda Item 6.12 Classified – Establishment of Fund for Position: Senior Position Control Technician, pulled.

Agenda Item 6.13 Classified – Establishment of Fund for Position: Senior Technical Assistant, Budget, pulled.

Agenda Item 8.02 Resolution No. 9 (2017-2018) – Board Member Compensation – pulled.

Agenda Item 4.03 Certificated Personnel – Special Assignments, pull Section X, # 146 only for separate vote.

Agenda Item 5a.13 Certificated Personnel – Special Assignment – Sixth Period, pull Section C, # 16 only for separate vote.

Information: 1.05 California School Employees' Association Representative Comments: None

Information: 1.06 Associated Pomona Teachers' Representative Comments: Dorothy Kim, President, Associated Pomona Teachers, said she is deeply saddened for our country by the actions of President Trump last week with the revocation of the Deferred Action for Childhood Arrivals (DACA) program which protects young people who were brought to the United States as children from deportation many we know who are our Pomona children.

On the morning the decision was announced, President Eric Heins of the California Teachers Association said, "Today's calculated action by President Donald Trump and his administration threatens the futures of nearly a million young Dreamers and places them at risk of deportation from the only country most of them have ever truly known as home. This is an outrageous breach of faith and a broken promise to these young people who applied for DACA protection and who have met the education and/or military service requirements. It threatens to break up families, ruin lives, and is a betrayal not only to the affected young people and their loved ones, but to the very core values we share as a nation." California educators understand what DACA has meant for the security and well-being of thousands of our students. DACA participants have graduated with distinction from our schools and many are in our classrooms today.

She said she recently ran into a former student from the first class she taught, here in Pomona, over 17 years ago and she is a DACA student. She was new to the country and did not know one word of English. The student's mother thanked her for supporting her daughter and other DACA students. Ms. Kim said her former student told her a story about learning her first word in kindergarten which was "hug." The student said she went home that day and taught her mom the word by hugging her and she said she would never forget that. Ms. Kim said this student has lived in Pomona for 17 years. She is a graduate of Pomona High School, and serves as a Spanish interpreter for the county. She is a productive member of our community. DACA is not unconstitutional and we, as educators should continue to advocate for our Dreamers.

Many leaders in our community rallied at a press conference for our DACA students hosted by the Latina/Latino Roundtable. The Pomona School Board already passed a resolution for Safe Schools, but this isn't enough. We need everyone's help so please call Congress at 855-764-1010 and tell them you support the Dream Act of 2017 and you hope they do too. It is quick and easy and will take less than two minutes to make a difference. We are stronger together.

Information: 1.07 Audience Comments

Mother of five and a product of PUSD herself, Cassandra Hendricks expressed her opinion about special education services needed for one of her daughters.

Marshall Middle School student Laura Cazares expressed her opinion about the Roosevelt Elementary School campus and encouraged the board to approve the necessary updates to the campus.

Vejar Elementary School 8th grade student Ari Vazquez expressed her opinion about Vejar and her desire to bring back Mr. Noll to teach at the school.

Garey High School student Melanie Andreo expressed her opinion about Vejar and appreciation for her former teacher Mr. Noll.

Parent Claudia Bedolla expressed her thanks to the superintendent and board members for their support they give to students during these difficult times and asked what funding was being used to pay for agenda items 7.40 and 7.41.

Community member Adrian Aguilar said he has a petition signed by approximately 100 community members requesting Mr. Noll return to Vejar Elementary School and said their organization titled Pan United is comprised of parents, students and teachers. He said they had turned in the petition previously and had not yet received a response.

Mr. Martinez thanked the parents and students from Vejar for coming and sharing their hearts and thoughts. He said the board will present their petition to legal counsel. He said he wanted to share information about Andrew Noll. Under section 5.a.01 there is an item requesting the board approve for him to retire. Mr. Noll requested to retire from personnel and that it is hard to bring back someone that has chosen to retire.

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 August 16, 2017

Motion made by: Adrienne Konigar-Macklin

Seconded by: Frank Guzman

Final Resolution: Motion Carries

Yea: Frank Guzman, Adrienne Konigar-Macklin, Roberta Perlman, Andrew Wong

Abstain: Jason Rothman

Information: 2.03 Student Representative to the Board of Education and Administration of Oath of Office for 2017-2018

Mr. Martinez administered the Oath of Office to Omar Lopez of Park West High School.

Omar Lopez, Student Representative, provided a brief report on high school activities.

Information: 2.04 Associated Pomona Teacher 2017-2018 Teacher of the Year

Director of Secondary Curriculum and Instruction Mrs. Monica Principe said it is her honor to introduce this year's Pomona Unified Associated Pomona Teacher 2017-2018 Teacher of the Year Ms. Donna Rivera. Mr. Martinez presented Ms. Rivera with a certificate of congratulations from the Board of Education and Ms. Kim presented her with a bouquet of flowers.

3 CONSENT CALENDAR

Information: 3.01 Oral Communications on Consent Calendar Items Only: None

Action: (Consent): 3.02 Consent Calendar

Consent Calendar (Agenda Items 3-8)

Motion made by: Adrienne Konigar-Macklin

Seconded by: Frank Guzman

Final Resolution: Motion Carries Unanimously

Yea: Frank Guzman, Adrienne Konigar-Macklin, Roberta Perlman, Jason Rothman, Andrew Wong

Separate action was taken on the following agenda items:

Mr. Guzman left the chamber for the following vote.

Action: 4.03 Certificated Personnel – Special Assignments, pull Section X, # 146 only.

5a.13 Certificated Personnel – Special Assignment – Sixth Period, pull Section C, # 16 only.

Motion made by: Roberta Perlman

Seconded by: Adrienne Konigar-Macklin

Final Resolution: Motion Carries

Yea: Adrienne Konigar-Macklin, Roberta Perlman, Jason Rothman, Andrew Wong

Abstain: Frank Guzman

Mr. Guzman returned to the chamber.

9 SPECIAL ACTION ITEMS

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

Action: 9.02 Adoption of Resolution No. 15 (2017-2018) Reaffirming Prior Controls on Student Transfers Under the District of Choice Program

Motion made by: Frank Guzman

Seconded by: Roberta Perlman

Final Resolution: Motion Carries

Yea: Frank Guzman, Adrienne Konigar-Macklin, Roberta Perlman, Jason Rothman

Abstain: Andrew Wong

Action: 9.03 Resolution No. 10 (2017-2018) Notice of Public Hearing and Adoption of Sufficiency of Textbooks or Instructional Materials

Mrs. Principe gave a report on this item.

Mr. Rothman announced that this was the time and place for a Public Hearing. Hearing no response from the public, Mr. Rothman declared the hearing closed.

Motion made by: Roberta Perlman

Seconded by: Adrienne Konigar-Macklin

Final Resolution: Motion Carries Unanimously

Yea: Frank Guzman, Adrienne Konigar-Macklin, Roberta Perlman, Jason Rothman, Andrew Wong

Action: 9.04 Resolution No. 12 (2017-18) – Approval for Teaching Assignment in

Specific Areas Under Ed. Code 44256(b)

Mr. Knowles gave a report on items 9.05 and 9.06.

Motion made by: Adrienne Konigar-Macklin

Seconded by: Roberta Perlman

Final Resolution: Motion Carries Unanimously

Yea: Frank Guzman, Adrienne Konigar-Macklin, Roberta Perlman, Jason Rothman, Andrew Wong

Action: 9.05 Resolution No. 13 (2017-18) – Approval for Teaching Assignment in Specific Areas Under Ed. Code 44258.7(b)

Motion made by: Frank Guzman

Seconded by: Roberta Perlman

Final Resolution: Motion Carries Unanimously

Yea: Frank Guzman, Adrienne Konigar-Macklin, Roberta Perlman, Jason Rothman, Andrew Wong

Action: 9.06 Resolution No. 14 (2017-18) – Approval for Teaching Assignment in Specific Areas Under Ed. Code 44263

Motion made by: Adrienne Konigar-Macklin

Seconded by: Roberta Perlman

Final Resolution: Motion Carries Unanimously

Yea: Frank Guzman, Adrienne Konigar-Macklin, Roberta Perlman, Jason Rothman, Andrew Wong

10 OPEN ORAL COMMUNICATIONS

Information: 10.01 Audience Comments: None

Information: 10.02 Board and Superintendent Oral Communications and Concluding Comments

Mr. Martinez thanked Pomona High School students and staff that came out at 5:00 a.m. a few weeks ago to represent Los Angeles and the region that *Univision* covers to celebrate the opening of a new school year. He thanked Mr. Casarrubias, Mr. Meza and Ms. Gomez, along with community members and the mayor who during the attendance campaign last Friday, went door to door to invite students back to school who had decided school wasn't for them. For three hours they visited a couple of hundred homes and many students returned. He said Los Angeles is hosting the 2028 Olympics and city leadership invited Ganesha High School band to lead a parade to help in the celebration of this news in this region at the Los Angeles County Fair. Members of the band, cheer, football team and JROTC, over one-third of the school will be there at noon on Saturday, representing Pomona, Los Angeles and the United States. Los Angeles could have selected any band to represent us and they chose Ganesha from Pomona Unified School District.

Mr. Guzman said he had the opportunity to attend a few of the high school football games which are always great. It was a blast to support our students. If you have not yet gone to the Fair he encouraged everyone to go. He welcomed Omar Lopez to the board and wished everyone a wonderful evening.

Mrs. Konigar-Macklin thanked the parents, students and all of the speakers who presented tonight. She said it is always nice to hear from you, to know what you think so we can think more about what it is that concerns you. She congratulated Ms. Rivera for being selected as teacher of the year. She knows it is very heartfelt and when you do your job, and do it well and don't expect anyone to congratulate you for it, it is even better because we know your students come first with you. She said she wanted to take the opportunity to talk about our current government. While we are looking at the devastation of the storm and the probes going on in to Russia, other things are happening too. Today school lunch is gone; and our children more than any children need the benefit of a healthy nutritious lunch. It was instituted to create a level playing field for all students so they would not go hungry for whatever reason and that they could focus and concentrate. We cannot give up on pushing back against things that we know in our hearts is necessary. While her position as a school board member is not necessarily one to be a pulpit for anything other than the students of Pomona; this affects the students of Pomona, DACA affects the students of Pomona. All of it affects the students of Pomona. Mrs. Konigar-Macklin said so when you do your morning reading or listening to the news, be careful not to be so enamored for wanting to listen to just hearing those things that are put out there for us but dig a little deeper and explore what else is happening so that we can push back on those issues too. She thanked everyone for coming tonight.

Mr. Wong thanked all of the community members, parents and students from Vejar and Roosevelt who came to speak to the board. He welcomed new student board member Mr. Lopez and said he looks forward to his reports and hearing more about him. Mr. Wong offered his congratulations to the teacher of the year and said it is exciting and well deserved, and he wanted to join the community in celebrating her achievements. Mr. Wong reported about his back to school night visits with Dr. Perlman and the superintendent, and thanked all of the school sites, the administrators, teachers and staff for their great back to school nights for the students, their families and the community.

Dr. Perlman welcomed Omar to the board. She said she looks forward to getting to know him better. She offered her congratulations to Donna Rivera. She said she knows her from her work at Simons and is a phenomenal teacher who gives her heart and soul to her students. She also thanked Melanie and Josue for being here tonight. She said she knows they do exceptional work in the community. Mr. Meza is working on various projects to support our DACA students and we will be distributing that information. Dr. Perlman said last Saturday they had a great librarian recognition event at the dA Gallery. Our students put on a skit and they were great natural actors. On October 2 the Homework Help Club at the Pomona Public Library begins, Mondays through Thursdays from 3:30 to 6:00 p.m. She said they focus on kindergarten through 6th graders but will take children through middle school. All of their volunteers are college students and they are fingerprinted.

Mr. Rothman echoed the sentiments of all of his board members and congratulated the teacher of the year. It is an outstanding recognition and is well deserved. He welcomed Mr. Lopez to the board as our student representative and said he looks forward to hearing his reports at every meeting and learning about him. Mr. Rothman announced that at 9:58 a.m. on August 17th the official census for the city of Pomona was wrong by

one child as his wife had a baby and that is why he was not at the last meeting. He does not miss a lot of board meetings. She is four weeks old.

NEXT BOARD MEETING: Regular Board Meeting October 10, 2017, at 6:30 p.m.


12 ADJOURNMENT

12.01 Adjournment: 7:45 p.m.



Secretary, Board of Education

Attested and Approved:



President, Board of Education