

**MARYSVILLE JOINT UNIFIED SCHOOL DISTRICT
REGULAR MEETING ~ BOARD OF TRUSTEES**

October 14, 2014

AGENDA

DISTRICT BOARD ROOM

1919 B Street, Marysville, CA 95901

ADDENDUM TO THE AGENDA

10/10/14

(4:30 P.M.) — LONGEVITY AWARDS (Board Room)

The agenda for board meetings can be made available upon request in a format appropriate for a person with a disability. If you are an individual with a disability who needs special accommodations to participate, please call 749-6101 at least 48 hours in advance. Accommodations may include but are not limited to interpreters, parking, and accessible seating.

Related documents on the Open Session agenda (pages in special reports) can be viewed on the MJUSD website [www.mjusd.com – Select: "Board" and "Agendas and Minutes"].

5:00 P.M. ~ OPEN SESSION
CONFERENCE ROOM #1

CALL MEETING TO ORDER

ROLL CALL

Mr. Frank J. Crawford, President	_____
Mr. Bernard P. Rechts, Vice President	_____
Mr. Tony Dannible, Clerk	_____
Mr. Jim C. Flurry, Trustee Representative	_____
Mr. Jeff D. Boom, Member	_____
Mr. Glen E. Harris, Member	_____
Mr. Philip R. Miller, Member	_____

CLOSED SESSION
CONFERENCE ROOM #1

The Board strives to commence open session in a timely manner. To achieve this goal, the Board may be required to continue closed session at the conclusion of the open session agenda. In such cases, the Board will diligently seek to address all matters requiring the attendance of students and parents (e.g. student expulsion/reinstatement and enrollment matters) prior to reconvening in open session. Pursuant to Government Code Section 54954.3, members of the public shall be given the opportunity to address the Board on closed session agenda items prior to the Board's consideration of the item. Typically, this opportunity will occur immediately prior to the Board's consideration.

1. MATTERS PERTAINING TO STUDENTS (Education Code section 35146)

(The Board will hear cases in closed session and return to open session to take action.)

A. EXPULSIONS

EH14-15/04

MOTION

EH14-15/05

MOTION

EH14-15/06

MOTION

EH14-15/08

MOTION

EH14-15/09

MOTION

EH14-15/12

MOTION

B. SUSPENDED EXPULSION CONTRACTS

EH14-15/07

MOTION

EH14-15/10

MOTION

EH14-15/11

MOTION

C. REINSTATEMENTS

EH12-13/72

MOTION

EH13-14/11

MOTION

EH13-14/34

MOTION

**2. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE
(Government Code section 54957)**

DISCUSSION/
MOTION

**3. CONFERENCE WITH LABOR NEGOTIATOR
(Government Code section 54957.6)**

MOTION

Employee organizations:

Agency negotiator: Ramiro Carreon

♦ Marysville Unified Teachers' Association

♦ California School Employees' Association #326 and #648

♦ Operating Engineers Local Union #3

Unrepresented employees:

Agency negotiator: Ramiro Carreon

♦ Supervisory Unit

Agency negotiator: Gay Todd

♦ Association of Management and Confidential Employees

Agency negotiator: Gay Todd

♦ Cabinet members (Assistant Superintendents and Superintendent)

RECONVENE TO OPEN SESSION
5:30 P.M. ~ REGULAR MEETING
Board Room

PLEDGE OF ALLEGIANCE

Bernard Rechs, Vice President to the Board of Trustees.

ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION

STUDENT REPRESENTATIVE TO THE BOARD OF TRUSTEES

Stephanie Velazquez, MCAA Student Representative to the Board of Trustees.

PRESENTATION

- ♦ **Kynoch School 5th Grade Video** — Melissa Morse

SCHOOL REPORT

Browns Valley & Cordua Schools — See Special Reports, Pages 1-3.

COMMENTS FROM BOARD MEMBERS

OPPORTUNITY FOR EMPLOYEE ORGANIZATIONS TO ADDRESS THE BOARD

- ♦ **Marysville Unified Teachers' Association**
- ♦ **Operating Engineers Local Union #3**
- ♦ **California School Employees' Association #326 and #648**
- ♦ **Association of Management and Confidential Employees**
- ♦ **Supervisory Unit**

PUBLIC COMMENTS

Persons wishing to address the Board are requested to fill out a "Public Comments" card before the start of the meeting and give it to the secretary, board president, or superintendent. The public may address topics not on the agenda during this section of the agenda or ask they be heard during a specific agenda item. **Comments are limited to a maximum of three minutes per speaker — 20 minutes total time for public input on each item per Board Bylaw 9323.**

The Ralph M. Brown Act prevents the Board of Trustees from responding to these comments with the exception of clarifying questions. The California Government Code, Section 54954.2.a states, "No action or discussion shall be undertaken on any item not appearing on the posted agenda, except that members of a legislative body or its staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights under Section 54954.3"

How do I get an item placed on a meeting agenda for discussion?

If members of the public wish to have an item agendized for discussion or action, they are required to (1) submit a letter describing the issue to be agendized in as much detail as possible; (2) speak with the board president or other board members, or; (3) speak with the superintendent. In all cases, the request must be received no less than nine business days prior to a board meeting. The Board will determine how and when to agendize the request. The Board may not legally place an item on the agenda at a meeting except in emergency situations or where immediate action must be taken [Government Code Sections 54954.2.b.(1) and (2)].

SUPERINTENDENT'S REPORT

SUPERINTENDENT

1. APPROVAL OF MINUTES

- ♦Minutes from the regular board meeting of 9/23/14.
(absent: Philip Miller)

MOTION

2. CONSENT AGENDA

The Board is requested to approve the Consent Agenda items under **Educational Services, Categorical Services, Personnel Services, Nutrition Services, Student Services, Purchasing Department, Technology Department, Business Services, and Student Discipline and Attendance.** Please refer to details where these items are described fully.

MOTION

EDUCATIONAL SERVICES

1. OVERNIGHT FIELD TRIP — BROWNS VALLEY

Purpose of the agenda item~

The purpose of the agenda item is to request the Board approve an overnight field trip for Browns Valley Elementary School to Sutter's Fort in Sacramento, California on 11/4/14-11/5/14.

**CONSENT
AGENDA**

Background~

Browns Valley Elementary School is requesting to take 53 fourth and fifth grade students with two MJUSD approved teachers and 15 MJUSD approved chaperones. Students will experience hands-on activities related to pioneer life. Students will live like pioneers lived in the 1840s. This trip meets history standards as well as research, writing, and listening/speaking standards. Transportation will be provided by district approved parent chaperones. The program has guaranteed that permission slips will be completed and supplemental insurance will be purchased.

Recommendation~

Recommend the Board approve the overnight field trip.

2. AGREEMENT WITH HEINEMANN PROFESSIONAL DEVELOPMENT

Purpose of the agenda item~

The purpose of the agenda item is to request the Board approve the Heinemann Professional Development agreement in the amount of \$6,400, plus travel expenses not to exceed \$1,500, for the workshops scheduled for 6/8/15-6/9/15 with Carol Jago.

**CONSENT
AGENDA**

Background~

The agreement will provide instructional support to teachers. This professional development is pedagogically based providing educators instructional strategies in writing in response to and using evidence from informational texts, writing that develops from rich collaborative discussion, and writing as performance assessment.

Recommendation~

Recommend the Board approve the agreement. See Special Reports, Pages 4-7.

CATEGORICAL SERVICES

1. 2014-15 AMENDED LICENSING AGREEMENT WITH DOCUMENT TRACKING SERVICES (DTS)

**CONSENT
AGENDA**

Purpose of the agenda item~

The purpose of the agenda item is to request the Board approve the 2014-15 amended licensing agreement with Document Tracking Services (DTS) to include translation services in the amount of \$2,600 for a grand total of \$7,280.

Background ~

The translation services are covered in paragraph Q of the agreement, which was approved by the Board at the 9/9/14 board meeting. It is required to translate the School Accountability Report Card (SARC) if the school site has 15% or more of student population in a specific language. Fourteen schools require Spanish SARC translations, and one school requires Hmong SARC translation.

Recommendation ~

Recommend the Board approve the amended licensing agreement. See Special Reports, Pages 8-11.

2. 2014-15 MCAA SINGLE PLAN FOR STUDENT ACHIEVEMENT

**CONSENT
AGENDA**

Purpose of the agenda item~

The purpose of the agenda item is to request the Board approve the 2014-15 Marysville Charter Academy for the Arts (MCAA) single plan for student achievement.

Background~

The single plan for student achievement is a blueprint for student success that aligns school goals with categorical expenditures. The single plan is developed in conjunction with school site councils and parent input.

Recommendation~

Recommend the Board approve the single plan for student achievement. (The plan is included in each board member's packet and available to review online and/or in the Superintendent's Office.)

PERSONNEL SERVICES

1. CERTIFICATED EMPLOYMENT

**CONSENT
AGENDA**

Scott D. Buckley, Teacher/MCAA, temporary, 2014-15 SY

2. CERTIFICATED REASSIGNMENT

**CONSENT
AGENDA**

Pete L. Pantoja, Teacher/MCK, to Assistant Principal/Teacher on Special Assignment/KYN, probationary, 10/1/14

3. CERTIFICATED RESIGNATION

**CONSENT
AGENDA**

Kristiane M. Paulucci, Teacher/MCAA, personal reasons, 9/17/14

4. CLASSIFIED EMPLOYMENT

**CONSENT
AGENDA**

Megan E. Arostegui, Stars Activity Provider/KYN, 3.75 hour, 10 month, probationary, 9/1/14

Marissa M. Calapini, Nutrition Assistant/MHS, 3 hour, 10 month, probationary, 9/24/14

Itzel Chavez-Becerra, Stars Activity Provider/ARB, 3.75 hour, 10 month, probationary, 9/4/14

(Personnel Services/Item #4 – continued)

Drew T. Denton, Stars Activity Provider/KYN, 3.75 hour, 10 month, probationary, 9/1/14
Denise C. DeVaughn, Accounting Technician/DO, 8 hour, 12 month, probationary, 10/13/14
Amillia L. Givens, Stars Activity Provider/CLE, 3.75 hour, 10 month, probationary, 9/1/14
Lexi M. Goforth, Stars Activity Provider/OLV, 3.75 hour, 10 month, probationary, 9/1/14
Heather N. Gwinnup, Nutrition Assistant/EDG, 3.5 hour, 10 month, probationary, 9/22/14
Holly M. Huber, Stars Activity Provider/EDG, 3.75 hour, 10 month, probationary, 9/1/14
Maria Lopez-Castro, Nutrition Assistant/MHS, 3.5 hour, 10 month, probationary, 9/23/14
Marisa R. Macias, Para Educator/NMHS, 3.75 hour, 10 month, probationary, 10/1/14
Elyssia M. Niswonger, Stars Activity Provider/CLE, 3.75 hour, 10 month, probationary, 9/1/14
Claudia M. Rivera, High School Attendance Clerk/LHS, 8 hour, 10 month, probationary, 10/1/14
Julia A. Santiago, Stars Activity Provider/KYN, 3.75 hour, 10 month, probationary, 9/1/14
Maria L. Vaca, School Readiness Outreach Specialist/LIN, 6 hour, 10 month, probationary, 9/29/14
Tashina L. Watson, Nutrition Assistant/YGS, 3.5 hour, 10 month, probationary, 9/16/14
Gordon R. Webb, Computer Specialist I/DO, 8 hour, 12 month, probationary, 10/1/14

5. CLASSIFIED PROMOTION

CONSENT
AGENDA

Diane L. Lemstrom, Elementary Student Support/KYN, 8 hour, 10 month to Elementary School Secretary/KYN, 8 hour, 10 month, probationary, 10/31/14

6. CLASSIFIED LAYOFF

CONSENT
AGENDA

Tucker L. O'Hara, Personal Aide/MHS, 5.5 hour, 10 month, lack of work, 10/27/14

7. CLASSIFIED RESIGNATIONS

CONSENT
AGENDA

Kayla S. Carpenter, Para Educator/YGS, 3.5 hour, 10 month, personal, 9/16/14
Samuel F. Holbrook, Custodian/Maintenance Worker/LIN, 8 hour, 12 month, retirement, 12/29/14
James W. McLain, Custodian/Maintenance Worker/LHS, 8 hour, 12 month, personal, 9/19/14
John Q. Mejia, Maintenance Worker III/DO, 8 hour, 12 month, personal, 9/26/14
Mary E. Petlock-Murphy, Bus Driver/TRANS, 6 hour, 10 month, retirement, 9/17/14
Linda J. Rye, Bus Driver/TRANS, 6.5 hour, 10 month, retirement, 11/28/14
Lyndy D. Tucker, Para Educator/ELA, 3.5 hour, 10 month, moving out of state, 10/30/14

(Personnel Services/Item #7 – continued)

Karen S. Walters, Financial Bookkeeper II/DO, 8 hour, 12 month, retirement, 11/21/14

Carrie E. Washburn, Nutrition Assistant/MHS, 3.5 hour, 10 month, personal, 9/12/14

See Special Reports, Pages 12-16.

NUTRITION SERVICES

1. GRANT AWARD NOTIFICATION — FRESH FRUIT AND VEGETABLE PROGRAM (FFVP)

CONSENT AGENDA

Purpose of the agenda item~

The purpose of the agenda item is to request the Board approve the grant award notification in the amount of \$108,243.76 for the Fresh Fruit and Vegetable Program (FFVP) at the following school sites:

- ♦Cedar Lane = \$26,602.28
- ♦Ella = \$26,747.12
- ♦Johnson Park = \$17,622.20
- ♦Linda = \$37,272.16

This is the second allocation of grant funds to spend between 10/1/14-6/30/15 with grantees receiving \$48 per student.

Background~

In 2002, Congress piloted a program to provide funds to elementary schools for the sole purchase of fresh fruits and vegetables for all students on campus. The program proved successful and was made permanent under the National School Lunch Act in 2004. In 2008, FFVP expanded nationwide and funds were significantly increased each year. This snack is served separate from the meal service program and provides an additional opportunity for students to have access to fresh produce.

California received \$11.5 million in federal funds for the 2014-15 FFVP grant year (7/1/14-6/30/15) and has awarded grants to 367 school sites representing 71 school food authorities. All applicants were ranked on the number of students eligible for free and reduced price meals (FRPM), and the CDE was able to fund schools that were at or above 88% FRPM.

The FFVP is a reimbursement program, and awards are based on each school's student enrollment. The district received the grant award notification on 9/17/14 stating to return the signed award to CDE within ten days (9/27/14). It was determined to return the signed notification before being agendized for board approval on 10/14/14 to avoid jeopardizing the funding.

Recommendation~

Recommend the Board approve the grant award notification. See Special Reports, Page 17.

STUDENT SERVICES

1. 2014-15 AGREEMENT WITH PRIMECARE HEALTH SOLUTIONS INC FOR LICENSED SPEECH LANGUAGE PATHOLOGY (SLP) SERVICES

CONSENT AGENDA

Purpose of the agenda item~

The purpose of the agenda item is to request the Board ratify the agreement with Primecare Health Solutions Inc for Licensed Speech Language Pathology (SLP) services in the estimated amount of \$110,000 for students at Lindhurst High School and Yuba Gardens Intermediate School as required for students who qualify for services under their Individualized Education Plans (IEP). MJUSD will be invoiced monthly.

Background~

Primecare Health Solutions Inc will provide SLP services for eight hours each school day at the rate of \$80 per hour. The SLP will provide necessary therapy, assessment, and case management as needed for the students who qualify under the Federal IDEA law. The SLP is required due to the need to provide services under the Federal IDEA law and the lack of qualified applicants to hire our own therapist.

Recommendation~

Recommend the Board ratify the agreement. See Special Reports, Pages 18-22.

2. 2014-15 AGREEMENT WITH TOGETHER BEHAVIOR SOLUTIONS FOR BOARD CERTIFIED BEHAVIOR INTERVENTION SPECIALISTS

CONSENT AGENDA

Purpose of the agenda item~

The purpose of the agenda item is to request the Board ratify the agreement with Together Behavior Solutions for Board Certified Behavior Intervention Specialists at the rate of \$112.50 per hour with the total amount not to exceed \$22,500 for the 2014-15 school year.

Background~

Together Behavior Solutions will support staff working to assist children with significant behavior and emotional needs attending school in the MJUSD according to their Individual Education Plan (IEP) and as referred by the Student Services Office. They will assist IEP teams with behavior observation, data collection, and necessary analysis of school environments in order to design behavior intervention plans and support students with serious behavior and emotional challenges in an effort to keep students in less restrictive school settings and ensure staff and student safety.

Recommendation~

Recommend the Board ratify the agreement. See Special Reports, Pages 23-31.

PURCHASING DEPARTMENT

(Renumbered from Consent Agenda Purchasing Department #1 to New Business #3)

1. AUTHORIZE EMERGENCY AWARD – MCAA NEW INTERCOM SYSTEM

**CONSENT
AGENDA**

Purpose of the agenda item~

The purpose of the agenda item is to request the Board authorize an emergency contract award for a new intercom system at the Marysville Charter Academy of the Arts (MCAA).

Background~

On 7/22/14, the Board authorized the district to proceed with seeking proposals for a new intercom system for MCAA. An informal proposal was received in July. The district researched alternate pricing avenues to complete the project. The school site has needed to manually operate their bell system. This is not a long term solution to ensure the safety of our students.

Pursuant to Public contract Code 20113, the district recommends accepting a proposal from Voltage Specialists for \$16,248 to complete the intercom project. The scope of work will include the purchase and installation of a new intercom system at MCAA.

Recommendation~

Recommend the Board authorize the emergency contract.

(Renumbered from Consent Agenda Purchasing Department #2 to #1)

2. 1. PURCHASE ORDERS PROCESSED IN SEPTEMBER 2014

**CONSENT
AGENDA**

Purpose of the agenda item~

The purpose of the agenda item is to request the Board ratify purchase order transactions listed for September 2014.

Background~

Per Board Policy 3300, Education Code 17605, and Public Contract Code 20111, a list of purchase orders processed in September 2014 has been provided for Board review. The report is sorted by location and includes a fund recap and change order detail.

Recommendation~

Recommend the Board ratify the purchase order transactions for September 2014. See Special Reports, Pages 32-47.

TECHNOLOGY DEPARTMENT

1. CONTRACT WITH SECURE CONTENT SOLUTIONS, INC. FOR SOPHOS LICENSING

**CONSENT
AGENDA**

Purpose of the agenda item~

The purpose of the agenda item is to request the Board ratify the contract with Secure Content Solutions, Inc. for the Sophos four-year licensing in the amount of \$77,752.05 (three yearly installments of \$25,917.35).

Background~

MJUSD uses an antivirus program called Sophos to protect desktops, laptops, and other district devices, as well as the antispam software for the district. Secure Content Solutions, Inc. offered the district a very large discount (four years for the price of three years) if the district renewed the Sophos licensing by the end of September when their quarter ended.

Recommendation~

Recommend the Board ratify the contract. See Special Reports, Page 48.

BUSINESS SERVICES

1. DONATIONS TO THE DISTRICT

Purpose of the agenda item~

The purpose of the agenda item is to request the Board accept the following donations:

A. LINDHURST HIGH SCHOOL

- a. Bill King donated \$100 to the fund for students of need.
- b. Thomas O Conner donated \$336 to the FFA.
- c. Kiwanis Club of Marysville donated \$300 to the football club.

B. MARYSVILLE CHARTER ACADEMY FOR THE ARTS

- a. Catherine Garbacz donated a keyboard and music stand valued at \$150.

**CONSENT
AGENDA**

2. AGREEMENT WITH BOND COUNSEL LEGAL SERVICES RELATING TO BOND REFINANCING FOR THE 2006 GENERAL OBLIGATION BONDS WITH KRONICK, MOSKOVITZ, TIEDEMANN & GIRARD

Purpose of the agenda item~

The purpose of the agenda item is to request the Board approve the agreement with Kronick, Moskovitz, Tiedemann & Girard (Kronick) for bond counsel legal services relating to the issuance of refunding bonds for the district's 2006 General Obligation Bonds in the amount of \$230 per hour with the total amount not to exceed \$25,000.

**CONSENT
AGENDA**

Background~

The district has already contracted with Kronick in the past as bond counsel on the district's general obligation bond issuances and certificates of participation. Under this agreement, Kronick will perform the following services:

- Consult with district and financial advisor and assist in implementation of the financing,
- Prepare any resolutions required for the issuance of the bonds,
- Prepare a paying agent agreement and all other necessary legal documents for the sale of the bonds,
- Prepare a closing memorandum and arrange the execution and delivery of all necessary closing certificates/documents,
- Prepare and deliver to each participant in the financing a complete transcript of proceedings, and
- Deliver final approving opinion confirming validity of bonds.

The fees shall be paid out of the proceeds from the sale of the refunding bonds. The payment for legal services would be contingent on the successful sale of the refunding bonds.

Recommendation~

Recommend the Board approve the agreement. See Special Reports, Pages 49-52.

(Business Services – continued)

3. AMENDED AGREEMENT WITH GOVERNMENT FINANCIAL STRATEGIES INC. FOR FINANCIAL ADVISORY SERVICES

**CONSENT
AGENDA**

Purpose of the agenda item~

The purpose of the agenda item is to request the Board approve the amended agreement with Government Financial Strategies inc. (GFSI) that was approved by the Board at the 8/26/14 board meeting.

Background~

The following amendments will be made to the agreement:

#1. *Additional financial advisory services specific to the refinancing of the Measure H General Obligation Bonds* (\$60,750 in fees and \$3,500 in expenses will be paid out of the proceeds from the sale of the refinancing bonds): The district desires to refinance the Measure H Bond issuance from 2006 in an effort to reduce the tax payment obligations of property owners who live in the district's boundaries. The district has a general financial advisory services contract with GFSI. This amendment would add services specific to the refinancing bonds, including the following: develop and manage schedule of events, assist with identifying and selecting the financing team, assist with the credit rating, assist with qualifying bonds for bond insurance, prepare preliminary and final statements, review all legal documents, conduct a competitive bidding process to select the underwriter for the bonds, and manage closing of bond issue, etc.

#2. *Required disclosure language* (no cost): Effective 7/1/14, GFSI, as a municipal advisor, is required by the Securities and Exchange Commission to provide additional disclosures to clients. These disclosures include municipal advisor registration information, subcontracting information, and conflict of interests (if any).

Recommendation~

Recommend the Board approve the amended agreement. See Special Reports, Pages 53-55.

4. AGREEMENT WITH PFM ASSET MANAGEMENT GROUP LLC

**CONSENT
AGENDA**

Purpose of the agenda item~

The purpose of the agenda item is to request the Board approve the agreement with The PFM Asset Management Group LLC (PFM) in the amount of \$3,000 paid from Fund 25 Developer Fees to provide arbitrage rebate compliance services for the district's General Obligation Bonds issued in 2009.

Background~

The district has already contracted with PFM to perform similar services on General Obligation Bonds issued in 2006 and 2008 and also for the Certificates of Participation (COPs) issued in 2006. PFM completed those services in the fall of last year, and the district owed money for an arbitrage rebate liability for the 2006 COPs.

(Business Services/Item #4 – continued)

Under this agreement, PFM will perform calculations relating to the rebate requirements contained in Section 148(f) of the Internal Revenue Code of 1986. PFM will calculate the amount of rebate liability with respect to the bonds as of each calculation date and deliver schedules reflecting such rebate liability calculation and the assumptions involved. Essentially, arbitrage rebate liability exists when earnings from a public entity investment of the bond proceeds exceeds the cost of borrowing. The investment proceeds that exceed the cost of borrowing must be paid to the government.

Recommendation~

Recommend the Board approve the agreement. See Special Reports, Pages 56-58.

STUDENT DISCIPLINE AND ATTENDANCE

1. GRANT AWARD NOTIFICATION — AMERICAN INDIAN EARLY CHILDHOOD EDUCATION

**CONSENT
AGENDA**

Purpose of the agenda item~

The purpose of the agenda item is to request the Board approve the grant award notification in the amount of \$80,000 for the 2014-15 American Indian Early Childhood Education.

Background~

The program provides supplemental education services to American Indian students enabling them to become literate, functional, and well-balanced citizens. The Early Childhood Education Program is state funded through the California Department of Education and specific to serving the identified American Indian students at Yuba Feather School and Dobbins Elementary School grades Preschool to 4th grade. No district funds are allocated to support this program.

Recommendation~

Recommend the Board approve the grant award. See Special Reports, Pages 59-61.

2. AMERICAN INDIAN EDUCATION PROGRAM'S JOHNSON O'MALLEY PROGRAM FISCAL YEAR 2014 (2013-14) APPLICATION FOR THE THIRD YEAR IN THE THREE-YEAR GRANT AND FISCAL YEAR 2013 (2012-13) AMENDMENT FOR THE SECOND YEAR IN THE THREE-YEAR GRANT

**CONSENT
AGENDA**

Purpose of the agenda item~

The purpose of the agenda item is to request the Board approve the American Indian Education Program's Johnson O'Malley Program Fiscal Year 2014 (2013-14) application for the third year in the three-year grant and the amended allocation for Johnson O'Malley Fiscal Year 2013 (2012-13) for the second year in the three-year grant in the amount of \$16,817.99.

Background~

The Program provides supplemental education services to American Indian students enabling them to become literate, functional, and well-balanced citizens. The Johnson O'Malley Program is federally funded through the U.S. Department of Interior, Bureau of Indian Affairs. No district funds are allocated to support this program.

(Student Discipline and Attendance/Item #2 – continued)

Recommendation~

Recommend the Board approve the American Indian Education Program's Johnson O'Malley Program Fiscal Year 2014 (2013-14) application for the third year in the three-year grant and the amended allocation for Johnson O'Malley Fiscal Year 2013 (2012-13) for the second year in the three-year grant. See Special Reports, Pages 62-63.

3. AMERICAN INDIAN EDUCATION PROGRAM'S JOHNSON O'MALLEY PROGRAM FISCAL YEAR 2015 (2014-15) APPLICATION FOR THE FIRST YEAR IN THE THREE-YEAR GRANT

**CONSENT
AGENDA**

Purpose of the agenda item~

The purpose of the agenda item is to request the Board approve the American Indian Education Program's Johnson O'Malley Fiscal Year 2015 (2014-15) application for the first year in the three-year grant in the amount of \$8,409.

Background~

The program provides supplemental education services to American Indian students enabling them to become literate, functional, and well-balanced citizens. The Johnson O'Malley Program is federally funded through the U.S. Department of Interior. No district funds are allocated to support this program.

Recommendation~

Recommend the Board approve the American Indian Education Program's Johnson O'Malley Program Fiscal Year 2015 (2014-15) application for the first year in the three-year grant. See Special Reports, Pages 64-75.

❖ **End of Consent Agenda** ❖

NEW BUSINESS

PERSONNEL SERVICES

1. RESCISSION OF RESIGNATION LETTER FOR ASSISTANT SUPERINTENDENT OF BUSINESS SERVICES

MOTION

Purpose of the agenda item~

The purpose of the agenda item is to request the Board consider rescinding the resignation of the Assistant Superintendent of Business Services.

Background~

On 9/10/14, the district's Personnel Department received and accepted a resignation letter with an effective date of 10/17/14 submitted by the Assistant Superintendent of Business Services Ryan DiGiulio. Mr. DiGiulio's resignation letter was placed on the 10/14/14 board agenda for consideration for final Board approval.

Since then, however, Mr. DiGiulio has requested his resignation be rescinded. He submitted his request on 10/6/14.

Recommendation~

Recommend the Board approve the rescission requested by Mr. DiGiulio. See Special Reports, Pages 76-77.

PURCHASING DEPARTMENT

1. RESOLUTION 2014-15/09 — DISPOSAL OF OBSOLETE TEXTBOOKS/ INSTRUCTIONAL MATERIAL FOR 2014-15 SCHOOL YEAR

MOTION

Purpose of the agenda item~

The purpose of the agenda item is to request the Board approve a resolution to authorize the disposal of obsolete elementary and secondary textbooks and instructional material.

Background~

In the normal course of operations, the district accumulates obsolete textbooks and instructional material. These items are worn or have been replaced by new editions or adoptions. The volume of obsolete materials can vary throughout the year with most materials having little or no estimated value due to age and/or condition.

There is a need to have authorization in place for ongoing removal of instructional material that has been declared obsolete. Education Code section 60510, 60530, and Board Policy 3270 outline procedures for proper disposal of these items. There will be an emphasis to have items with any value sold. Materials with no value may be donated, recycled, or sent to disposal.

Recommendation~

Recommend the Board approve the resolution. See Special Reports, Page 78.

(New Agenda Item)

2. RESOLUTION 2014-15/11 — EMERGENCY AWARD OF CONTRACT WITHOUT BIDDING AND ADVERTISEMENT TO INSTALL NEW INTERCOM SYSTEM AT MCAA

MOTION

Purpose of the agenda item~

The purpose of the agenda item is to request the Board approve the resolution for the new intercom system at the Marysville Charter Academy for the Arts (MCAA) per California Public Contract Code section 20113, which provides the authority for declaration of an emergency when repairs, alterations, work, or improvement is necessary to any facility of public schools to permit the continuance of existing school classes or to avoid danger to life and property.

Background~

The resolution is necessary to authorize the award of a contract to install a new intercom system at MCAA. Time is of the essence since MCAA has no functioning intercom system and has been manually operating the bells component of the system manually. The lack of a functioning intercom system places students and staff at risk as the school has no ability to issue a site-wide “all-call” in the event of an emergency.

California Public Contract Code section 20113 further authorizes the Board of Trustees, by unanimous vote, with the approval of the County Superintendent, to make a contract in writing or otherwise on behalf of the District for the performance of labor and furnishings of materials or supplies for the purpose of meeting the emergency without advertising for or inviting bids.

Recommendation~

Recommend the Board approve the resolution. See Special Reports, Pages 78a & 78b.

(Purchasing Department – continued)

(Renumbered from Consent Agenda Purchasing Department #1 to New Business #3)

3. AUTHORIZE EMERGENCY AWARD – MCAA NEW INTERCOM SYSTEM

MOTION

Purpose of the agenda item~

The purpose of the agenda item is to request the Board authorize an emergency contract award for a new intercom system at the Marysville Charter Academy of the Arts (MCAA).

Background~

On 7/22/14, the Board authorized the district to proceed with seeking proposals for a new intercom system for MCAA. An informal proposal was received in July. The district researched alternate pricing avenues to complete the project. The school site has needed to manually operate their bell system. This is not a long term solution to ensure the safety of our students.

Pursuant to Public contract Code 20113, the district recommends accepting a proposal from Voltage Specialists for \$16,248 to complete the intercom project. The scope of work will include the purchase and installation of a new intercom system at MCAA.

Recommendation~

Recommend the Board authorize the emergency contract.

BUSINESS SERVICES

1. RESOLUTION 2014-15/10 — PRESCRIBING THE TERMS AND AUTHORIZING THE ISSUANCE OF REFUNDING BONDS, APPROVING FORMS OF DOCUMENTS, AND AUTHORIZING EXECUTION OF NECESSARY CERTIFICATES AND RELATED ACTIONS

MOTION

Purpose of the agenda item~

The purpose of the agenda item is to request the Board approve the resolution that authorizes the issuance of refunding bonds, along with necessary documents and certificates, to refinance the district's Measure H Series 2006 bonds and potentially the Series 2008 bonds if interest rates allow.

Background~

The resolution is necessary to authorize the issuance of refunding bonds for the district's Measure H Series 2006 bonds (and potentially the Series 2008 bonds if interest rates allow). The resolution establishes minimum savings that must be achieved to complete the refinancing of the Series 2006 bonds (net present value savings of at least 3% of the par amount of the Series 2006 bonds to be refunded) and the Series 2008 bonds (net present value savings of at least 6% of the par amount of the Series 2008 bonds to be refunded).

Accompanying the resolution for the refunding of the bonds are the following necessary forms and certificates:

(Business Services/Item #1 – continued)

Paying Agent Agreement

The *Paying Agent Agreement* defines the responsibilities of the paying agent, The Bank of New York Mellon Trust Company, N.A., which includes maintaining the list of bondholders, receiving debt service payments from the county, and forwarding such payments to the bondholders on the payment dates. The *Paying Agent Agreement* also prescribes certain terms and conditions of the Refunding Bonds, including the principal maturity dates, interest payment dates, and how these bonds may be refinanced in the future. The paying agent will also be responsible for paying various professional invoices from bond proceeds for services rendered in connection with the bond issuances.

The final bonds, the form of which are included as appendices to the *Paying Agent Agreement*, will be executed by the district prior to closing and entitle the holders thereof to receive principal and interest pursuant to the terms described in the *Paying Agent Agreement*. Included to the form of bonds is the form of the legal opinion from bond counsel, Kronick, Moskovitz, Tiedemann & Girard. The legal opinion documents bond counsel's opinion that 1) the bonds have been legally authorized and issued and 2) the bonds are exempt from federal and state income tax.

Escrow Agent Agreement

The *Escrow Agent Agreement* defines the responsibilities of the escrow agent, also The Bank of New York Mellon Trust Company, N.A., including maintaining the escrow fund for redemption of the bonds to be refinanced with the proceeds of the Refunding Bonds.

Bond Purchase Agreement

The *Bond Purchase Agreement* specifies the terms and conditions under which the underwriter will purchase the Refunding Bonds.

Preliminary Official Statement

The function of the preliminary *Official Statement*, which is authorized to be distributed by the *Resolution*, is to provide potential investors with material information about the Refunding Bonds being offered for sale.

Each Board member should review the preliminary *Official Statement* and let district staff know if there are any concerns that the preliminary *Official Statement* fails to provide accurate and complete information that a reasonable investor would consider significant in making a decision to purchase the Refunding Bonds. Based on the current schedule of events, it would be very helpful if any questions or comments regarding the preliminary *Official Statement* by 10/16/14.

(Business Services/Item #1 – continued)

In reviewing the preliminary *Official Statement*, please keep in mind that it is written with a certain amount of disclaimer and formality. This style is consistent with the industry standard for preparing such documents. Also note that the preliminary *Official Statement* is currently in draft form, with certain time sensitive information unavailable at the time of this draft and will not be finalized until approximately one week before the planned sale date on 10/28/14. After the sale of the bonds, the terms of the sale will be incorporated, including the final principal amounts and interest rates, at which point this document becomes the final *Official Statement*. The resolution also authorizes officers of the district to execute the final *Official Statement*.

Continuing Disclosure Certificate

The *Continuing Disclosure Certificate* (which will also be included in the appendix of the *Official Statement*) sets forth the district's obligations to provide ongoing disclosure of certain information (*e.g.*, financial statements) to the bond market.

Recommendation~

Recommend the Board approve the resolution and accompanying documents. See Special Reports, Pages 79-221.

CLOSED SESSION - *continued if needed*

If the Board did not complete all items on the closed session agenda, they will continue closed session.

ADJOURNMENT



NEXT REGULAR BOARD MEETING – October 28, 2014 – 5:30 P.M. – DISTRICT BOARD ROOM

SCHOOL BOARD MEETING FORMAT

What is a School Board Meeting?

A School Board Meeting is the normal business meeting of the governing board at which district business is conducted. It is not a public meeting where questions and discussion come from the audience. Members of the audience may address their comments to the Board during the *time at which the Board is discussing the agenda item*. A five minute time limit will be imposed *except for special presentations approved in advance*.

Notification of Meetings

To provide the public with information about what will be on each board meeting agenda, a public notice is published in the newspaper on the Thursday prior to a regularly scheduled board meeting listing items of interest being considered by the Board. In addition, a copy of every board meeting agenda is posted at all schools, sent to each school PTA President and School Site Council Chairperson, posted on the district website, and available for review at the following locations: District Office "Public Notice Bulletin Board," Yuba County Library, and the Chamber of Commerce.

 lm

Dated: October 10, 2014
Posted: October 10, 2014