LOS BANOS UNIFIED SCHOOL DISTRICT
MINUTES OF THE REGULAR MEETING
OF THE BOARD OF EDUCATION
November 10, 2016

City Council Chambers

Mr. Parreira called the meeting to order at 6:30 P.M. — Call to Order

PRESENT: Mr. Areias, Mrs. Duffy, Mr. Falasco, Mr. Jones, Mr. Martinez, Mr. Parreira, Ms. Smith (6:34) — Roll Call

A closed session was held for: Student Discipline: Cases #6194978234, #62808, #4157496450 and Claim Against the District (Section 910): Government Claim filed by Yolanda Carmo. — Closed Session

The regular meeting was opened by Mr. Parreira at 7:00 P.M. — Regular Meeting

The audience was led in the Pledge of Allegiance by Ms. Jennifer Wilkin, teacher at MSE. — Pledge of Allegiance

On motion by Member Jones, seconded by Member Martinez, Trustees approved the agenda as submitted. Ayes: Areias, Duffy, Falasco, Jones, Martinez, Parreira, Smith; Noes: 0; Absent: 0. Motion carried. — Approval of Agenda

None — Public Hearing

Mr. Stuart McColloch, teacher at LBHS, came forward and voiced concerns regarding recent Board actions. He said it was irresponsible for Board members to not attend the Special Meeting held in September and the public forum. He said Board Members have a responsibility to attend meetings and do what is best for the students and staff of this District. He told Board Members it is their responsibility to care for over 10,000 students and that cannot be accomplished by an empty seat. — Public Forum

Mr. Aaron Barcellos came forward and said he was pleased with the results of the election and thanked everyone that went out and voted. He said it is time for the District to move forward, put students and the community first, without self serving interests. He thanked Mr. Areias for continually standing up what is right, even when being accused of lying.

Mr. Joe Gutierrez came forward and said that good things have been lost in the negativity that has taken place within the District. He thanked Mr. Jones for his years of service as a Veteran and his 20 plus years as a teacher at LBHS. He said that as a teacher he touched the lives of many students. He said he brought his daughter to the last meeting and it was the ugliest meeting he had ever witnessed.

Ms. Cynthia Ramirez, teacher at WUES, questioned why the Burgess Agreement item was on the agenda. She said enough money has been spent by the Board on their own agenda, when it could have been spent on something that would benefit students. She asked that the Board vote no on this item.

Amy Montgomery came forward and said that Mr. Jones should not be allowed to vote due to the bribery charges brought against him. She asked that the Board vote no on the agenda item regarding Superintendent search process; she suggested the District hire within, rather than waste money on a search firm.

Andree Soares came forward and congratulated the newly elected Board members. She thanked Mr. Areias, Mr. Falasco, Mr. Parreira and encouraged community of Los Banos to stay engaged.

Chu'an Menefee came forward and voiced concern regarding the Burgess Agreement on the agenda. She said that she is concerned that Mrs. Duffy, Mr. Martinez and Ms. Smith will vote in favor. She asked that the item be tabled until the next meeting when the new board members are in place.

Patricia Ramos Anderson came forward and congratulated the newly elected Board members and thanked the board members that will be leaving office. She said that she is concerned about how District money is spent, hopes the new members will represent everyone and that quality student education is most important.

Pacheco High School Student Representative, Travis Willmott, reported on the many activities at Los Banos and Pacheco High Schools. — Student Report

No report — CSEA Report

Mr. Jason Walsh, LBTA President, congratulated the newly elected Trustees. He thanked Mrs. Duffy for her years of service as a board member and Mr. Jones for his years of service as a Veteran. He said he was very concerned about the item placed on the agenda by Mr. Jones. He said that he feels it is hypocritical of Mr. Jones to accuse district staff of impropriety, when he has been accused of impropriety. He said the item lacks transparency. He said that we need heroes on the school board and asked Trustees to be heroes, stand up and vote no on this item. — LBTA Report

Mr. Bubar reported that he attended the flag raising ceremony at Volta and HME. He wished all Veterans a Happy Veterans Day thanked them for their years of service to our country. He thanked all that voted in favor of Propositions 51 & 55, stating the successful passing of both propositions will definitely benefit the District. — Superintendent's Report

No report — Facilities Report

Trustee Reports

Mr. Areias thanked the teachers, staff and community for voicing their opinion by voting in the election. He said the election results are a big plus for the District. He said Ms. Smith, Mr. Jones, Mrs. Duffy and Mr. Martinez have lied, cheated and stolen from the District; he voiced disappointment in their actions as Board members and stated he was glad that Mrs. Duffy and Mr. Jones would no longer be on the Board. He read a letter that Mr. Martinez recently had sent to all principals. He stated that if Mr. Martinez felt the District was doing so well, he owed Mr. Mueller an apology. He said he would like to call a truce with the CAC. He asked that the CAC stop telling lies and in turn he would stop telling the truth about them. He reported on a recent safety meeting at LBHS, sporting events he had attended, the MSE drive-thru dinner and the Volta School flag raising ceremony. He also thanked all Veterans. Ms. Smith stated she believes the Board does have heroes and when she commented that there were no heroes at a previous meeting it was in reference to a particular issue the Board was dealing with at that time. She stated she has not read the text Mr. Areias mentioned in regards to her meeting with Tommy Jones and Mr. Opinski. She said she still stands firm that she never met with Mr. Opinski. Mr. Jones thanked the community. He said he was proud of his service in Vietnam. He said he served because it was the right thing to do and he has served this community for the same reason. He said he appreciates his time serving as a Trustee. He wished the new board the best. Mrs. Duffy thanked all Veterans, congratulated the new Board members and wished the Board the very best. Mr. Martinez thanked all Veterans, thanked the out-going board members, congratulated and looks forward to working with the incoming board members. He said that one of his goals as a board member was to visit all sites and he is amazed with what he has seen. He wants to work together to make the District what it needs to be and would like to see a board member schedule for visiting all sites on a regular basis. Mr. Falasco thanked all Veterans for their service to our country. He thanked all those that voted in the election, stating that he is currently ahead by 31 votes, but absentee ballots still need to be counted. He hopes to stay elected and return for another term. He thanked everyone for their support and said it has truly been an honor to serve on the Board and hopes he is chosen to continue to serve. Mr. Parreira reported that he recently judged the LBE spelling bee, attended the Day of the Dead Art Show sponsored by PHS/LBHS, LBE literacy night, and the Volta school flag raising ceremony. He commended the community for hosting a great Veterans Day Parade and the schools that participated in the event. He thanked all Veterans for their service to our country. He congratulated the LBHS fall athletes that had an average 3.37 GPA. He also commended that teachers supporting athletics and helping student athletes be successful.

Williams Report

Dr. Steve Tietjen, Merced County Office of Education Deputy Superintendent, introduced Mr. John Magneson, Assistant Superintendent of Educational Services, to present the annual Williams Settlement Report.

Burgess Consulting Agreement

Mr. Parreira asked Mr. Jones for clarification regarding this item. Mr. Jones said he is concerned about the bid process, the amount of money spent on past lease leaseback projects, where that money really went and if we can get some of that money back. He said this company would come in and preserve the records. He feels this is necessary should the FBI come in to examine who possibly took millions of dollars of District money. Mr. Parreira questioned the validity of the actual agreement. Mr. Jones said the FBI will do the investigation; this agreement would just preserve the records. Mr. Parreira suggested that there be a Request for Proposal through a bid process, rather than just Mr. Jones' recommendation.

Public Comment: Mr. Jason Walsh came forward and asked Mr. Jones if this process investigate whether the District is owed money, does it also mean Mr. Opinski will also get money back. Ms. Jennifer Wilken came forward and suggested that the District wait for the FBI to come in and seize the records at no cost to the District. She cautioned the Board to stop and think about what they are about to vote on. Ms. Andrea Clarke came forward and told Mr. Jones to look in the mirror when questioning where the money went. She voiced concern regarding the cost of the agreement and past agreements that Mr. Jones has brought to the Board. She told Mr. Jones, once you were a man I respected, but no more. Mr. Montemurro questioned why Mr. Jones would be so concerned about a lease lease back project and not about the hiring of Mr. Opinski with his history of lawsuit with our District and others. Money could be better spent in this District. Mr. Aaron Barcellos asked Mr. Jones if the District is under investigation by the FBI. Mr. Jones had no comment. He asked him if he had any proof of wrong doing by the District. Mr. Jones had no comment. He asked Mr. Bubar if the lease lease back projects were handled incorrectly. Mr. Bubar acknowledged that there are no problems that he is aware of. Mr. Barcellos asked Mr. Jones how this benefits the students and moves the District forward. Mr. Jones stated that if there was millions of dollars that were misappropriated, then is needs to be investigated and this agreement would preserve the records for the investigation. Mr. Barcellos said he had no problem with the agreement if there was some proof. He then directed his comments to Ms. Smith and Mr. Martinez telling them that he believes their heart is in the right place, they want to do what is best for the students and asked them to do what is right for the District. He asked that if they chose to vote in favor of the agreement, to explain how it benefits the District. He told Ms. Smith that she has not benefited from her friendship with Mr. Jones. He said it was time for her to come forward, think on her own and do what is best for the students of the District. Ms. Kathy Davis, teacher at CE, came forward and said that she has always been proud to work in this District and if someone handed her a letter without proper letterhead she would throw it in the garbage. She said if the FBI were involved the District would have already been informed. She told Mr. Jones that she is admires his years of service as a Veteran but her admiration stops there. Ms. Andree Soares came forward and said she believes Mr. Jones is trying to get this information for his own defense at the Districts expense. She asked Mr. Jones to use his own money and stop taking money from everyone. She told Mrs. Duffy, Ms. Smith and Mr. Martinez that Mr. Jones has been preying upon them. She said he has been leading

them into believing what he wants them to believe. She asked them to listen to their own voice, do the right thing and vote no. Mr. Bob Plass came forward and asked Mr. Parreira what he would do if this document had come to him in an email. Mr. Parreira stated he would delete it. Mr. Plass then asked Mr. Jones why the FBI chose him to be their spokesperson. Mr. Norm Betteridge, District Information Systems Specialist, came forward and said that the system does not keep email data for eight years. If an employee leaves the district they will do a 30 day back-up and erase the rest. He said that IS has the ability to retrieve information and it would be a waste of money to hire a firm.

Board Members discussed the validity, cost of the agreement and possibly tabling the item for a future meeting. A motion was made by Member Jones, seconded by Member Martinez, to approve the agreement. Ayes: Duffy, Jones, Martinez; Noes: Areias, Falasco, Parreira, Smith; Absent: 0. Motion failed.

On motion by Member Areias, seconded by Member Falasco, Trustees chose not to censure Mr. Jones or adopt Resolution #37-16. Ayes: Areias, Duffy, Falasco, Jones, Martinez, Parreira, Smith; Noes: 0; Absent: 0. Motion to not censure Mr. Jones carried.	Censure
On a motion of Member Falasco, seconded by Member Areias, Trustees approved December 8, 2016, 7:00 P.M., as the date and time of its annual organizational meeting. Ayes: Areias, Duffy, Falasco, Jones, Martinez, Parreira, Smith; Noes 0; Absent: 0. Motion carried.	Annual Organizational Meeting
Ms. Mastrangelo provided a report and the Board reviewed the proposed spending plan of the Educator Effectiveness Grant.	2016-17 Educator Effectiveness Plan
On a motion by Member Jones, seconded by Member Martinez, Trustees approved the LEA Plan as submitted. Ayes: Areias, Duffy, Falasco, Jones, Martinez, Parreira, Smith; Noes 0; Absent 0. Motion carried.	LEA Plan
Ms. Mastrangelo provided a report on the proposed boundary change for MSE. The Board reviewed and discussed the plan.	MSE Boundary Change
On a motion by Member Areias, seconded by Member Falasco, Trustees approved boundary change #1 for PHS/LBHS. Ayes: Areias, Duffy, Falasco, Jones, Martinez, Parreira, Smith; Noes 0; Absent 0. Motion carried.	LBHS/PHS Boundary Change
This item was tabled for a future meeting with a recommendation to seek other proposals.	LDA Partners Agreement
On a motion by Member Areias, seconded by Member Falasco, Trustees approved to seek from 3-5 executive search firms to be used during the process to hire a superintendent. Ayes: Areias, Duffy, Falasco, Jones, Martinez, Parreira, Smith; Noes 0; Absent 0. Motion carried.	Superintendent Search

On motion by Member Jones, seconded by Member Falasco, Trustees approved the Consent Calendar as submitted. Ayes: Areias, Duffy, Falasco, Jones, Martinez, Parreira, Smith; Noes: 0; Absent: 0. Motion carried.	CONSENT CALENDAR
Trustees approved the minutes of the following meetings as submitted: 1. Regular Meeting, October 13, 2016	Minutes
Appointment: Extra Duty Appointments: –Leila Melgar-Auxilary Advisor-LBHS, Erica Martinez-8th Grade Basketball Coach Girls-LBJS, Carla Cazares-7th Grade Basketball Coach-LBJH, Rachel Barcellos-8th grade Asst. Basketball Coach-Girls-LBJH, Robert Smith-7th Grade Asst. Basketball Coach-Girls-LBJH, Mikell Benton-8th Grade Asst. Basketball Coach-Girls-CSH, Kelly Todd-7th Grade Asst. Basketball Coach-Girls-CSJH, Cody Mabe-7th Grade Basketball Coach-Girls-CSJH, Christopher Bell-8th Grade Basketball Coach-Girls-CSJH, Daryl Barger-7th Grade Basketball Coach-Boys-LBJH, Doug Fuentes-8th Grade Basketball Coach-Boys-LBJH, Nicole Souza-Spirit Team Advisor-LBJH, Manuel Silva-Wrestling Coach-PHS, Deborah Germinaro-Theater Director-PHS, Armando Fuentes-7th Grade Soccer coach-CSJH, Cynthia Hernandez-Soccer Coach JV Girls-PHS; Resigned: Michael Parrillo-Theater Director-PHS, Luis Martinez-Asst. Wrestling Coach-PHS, Carrie O'Banion-Spirit Team Advisor-LBJH Classified New Hires: Aguilar, Abigail – PS, Instructional Aide (4.0 Hrs), Ceja, Michelle – LBE, Instructional Aide I (6.0 Hrs), Cusimano, Angelina – HME, Instructional Aide (3.25 Hrs), Lorenzana, Alejandra – HME, Instructional Aide (3.25 Hrs), Rosales Otero, German – LEAP, Instructional Aide (4.5 Hrs); Promotional: Gaines, Kate – SS, Behavior Support Specialist (6.0 Hrs), Herrera, Patricia – HME, Bilingual Clerical Aide (6.0 Hrs), Lisotto, Deborah – SS, Health Assistant (8.0 Hrs), Marquez, Alma – VE, Instructional Aide (6.0 Hrs)	Personnel Actions
The monthly Fiscal Report was submitted.	Fiscal Report
The quarterly GASB 45 Trust Investment Report was provided for informational purposes.	Quarterly SISC GASB 45 Trust
Trustees approved the 2017-18 School Calendar.	2017-18 School Calendar
Trustees approved the donation of $2,412.33 from Morning Star Packing Company for the purchase of 6th grade basketball jerseys for both boys and girls.	Donation
Trustees approved the following agreements/contracts: 1. Agreement, Padre Associates Inc., Alternative Education Program	Contracts and Agreements

Trustees approved Overnight/Out-of-State travel:

Overnight/Out-of-State Travel

1. LBHS Varsity Girls' Wrestling travel to: Napa Valley Girls Classic, Napa, CA, January 5-7, 2017, Sac-Joaquin Girls Regional: TBD, February 3-4, 2017, Sac-Joaquin Girls Masters: Stockton, CA, February 16-18, 2017, CIF Girls State Wrestling Championships, Visalia, CA February 23-24, 2017
2. LBHS Varsity Boys Wrestling travel to: Rumble for the Rig, Bakersfield, December 2-3, 2016, California Coast Classic, Aptos, December 27-28, 2016, Sac-Joaquin Section Div. IV Dual Team Championship, Stockton, February 3-4, 2017, Boys Divisional, Union Mine HS, February 16-18, 2017, Sac-Joaquin Sections Masters, Stockton, February 23-25, 2017 CIF State Championship, Bakersfield, March 2-4, 2017
3. PHS Varsity Volleyball, Anaheim, Ca, January 13-15, 2017

Trustees declared specific library books and textbooks obsolete and authorize their disposal in accordance with Board Policy #3270.

Obsolete Books

Trustees approved the removal and disposal of obsolete electronic equipment.

Obsolete Electronic Equipment

Approved the warrants for payment.

Warrants

Discussion/Information/Future Agenda Items: None

Discussion, future agenda items

Student Discipline Case #4157496450: On motion by Member Areias, seconded by Member Falasco, Trustees expelled student for the current and spring semesters of the 2016-17 school year. Ayes: Areias, Duffy, Falasco, Jones, Martinez, Parreira, Smith; Noes: 0; Absent: 0. Motion carried.

Reporting Closed Session Action

Student Discipline Case #62808: On motion by Member Areias, seconded by Member Duffy, Trustees expelled student for the current and spring semesters of the 2016-17 school year. Ayes: Areias, Duffy, Falasco, Jones, Martinez, Parreira, Smith; Noes: 0; Absent: 0. Motion carried

Student Discipline Case #6194978234: On motion by Member Areias, seconded by Member Falasco, Trustees expelled student through November 10, 2017. Ayes: Areias, Duffy, Falasco, Jones, Martinez, Parreira, Smith; Noes: 0; Absent: 0. Motion carried

On motion by Member Falasco, seconded by Member Areias, Trustees denied the Claim Against the District (Section 910): Government Claim filed by Yolanda Carmo. Ayes: Areias, Duffy, Falasco, Jones, Martinez, Parreira, Smith; Noes: 0; Absent: 0. Motion carried.

The meeting was adjourned at 9:24 by Mr. Parreira.

Adjournment

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SECRETARY