

**REGULAR Meeting of the Board of Trustees**

December 18, 2018 7:00 PM

Novato Education Center - 1015 Seventh Street, Novato, CA 94945

**1. CALL TO ORDER AND ROLL CALL - 6:00 p.m.**

**2. CLOSED SESSION AGENDA**

**3. CLOSED SESSION ANNOUNCEMENT/RECESS TO CLOSED SESSION - 6:02 p.m.**

**3.a. ANNOUNCEMENT:** Prior to adjourning into closed session, a representative of the legislative body must orally announce items to be discussed. Individuals may address the Board on these items of the agenda.

**3.b. With respect to every item of business to be discussed in closed session pursuant to Gov Code 54957 and 54957.6: Conference with Labor Negotiators (Kris Cosca, Deputy Superintendent, Human Resources & Strategic Development) Employees Organization: Novato Federation of Teachers (NFT)**

**3.c. With respect to every item of business to be discussed in closed session pursuant to Gov Code 54957 and 54957.6: Conference with Labor Negotiators (Kris Cosca, Deputy Superintendent, Human Resources & Strategic Development) Employees Organization: California School Employees Association (CSEA)**

**3.d. With respect to every item of business to be discussed in closed session pursuant to California Education Code 54956.8: Conference with Property Negotiator Real Property Negotiations Price and Term, Novato USD, MCOE, COMPASS program, Hill Education Center, 720 Diablo Avenue, Novato, CA 94947 Negotiator (Yancy Hawkins, Assistant Superintendent, Business and Operations)**

**3.e. With respect to every item of business to be discussed in closed session pursuant to California Education Code 54956.9(d)(2): Conference with Legal Counsel Regarding Anticipated Litigation. Significant exposure to litigation pursuant to Government Code 54956.9(d)(2): One potential case.**

**4. PUBLIC COMMENT ON CLOSED SESSION AGENDA**

None

**5. CALL TO ORDER AND ROLL CALL - 7:00 p.m.**

President Butler call the meeting to order at 7:05 p.m.

**5.a. Pledge of Allegiance**

## **6. ANNOUNCEMENT OF REPORTABLE ACTION/CLOSED SESSION - 7:02 p.m.**

### **6.a. Board Action in closed session must be reported in open session**

Vice President/Clerk Trustee Aguila reported action taken in Closed Session

- With respect to every item of business to be discussed in closed session pursuant to Gov Code 54957 and 54957.6: Conference with Labor Negotiators (Kris Cosca, Deputy Superintendent, Human Resources & Strategic Development) Employees Organization: Novato Federation of Teachers (NFT). Gave direction.
- With respect to every item of business to be discussed in closed session pursuant to Gov Code 54957 and 54957.6: Conference with Labor Negotiators (Kris Cosca, Deputy Superintendent, Human Resources & Strategic Development) Employees Organization: California School Employees Association (CSEA). Information only.
- With respect to every item of business to be discussed in closed session pursuant to California Education Code 54956.8: Conference with Property Negotiator Real Property Negotiations Price and Term, Novato USD, MCOE, COMPASS program, Hill Education Center, 720 Diablo Avenue, Novato, CA 94947 Negotiator (Yancy Hawkins, Assistant Superintendent, Business and Operations). Gave direction.
- With respect to every item of business to be discussed in closed session pursuant to California Education Code 54956.9(d)(2): Conference with Legal Counsel Regarding Anticipated Litigation. Significant exposure to litigation pursuant to Government Code 54956.9(d)(2): One potential case. Information only.

## **7. APPROVAL OF AGENDA - 7:04 p.m.**

**Motion Passed:** A motion to approve the agenda passed with a vote of 7-0.  
Passed with a motion by Mr. Thomas Cooper and a second by Mr. Derek Knell.

Yes Ms. Maria Aguila  
Yes Mrs. Debbie Butler  
Yes Mr. Thomas Cooper  
Yes Mrs. Diane Gasson  
Yes Mr. Derek Knell  
Yes Mr. Gregory Mack  
Yes Mr. Ross Millerick

## **8. PUBLIC COMMENT ON CONSENT AGENDA - 7:05 p.m.**

**8.a. Individuals may address the Board in accordance with the Public Comment statement on the last page of the agenda.**

None

## **9. APPROVAL OF CONSENT AGENDA - 7:06 p.m.**

### **9.a. All Consent items approved by a single action**

**Motion Passed:** Trustee Millerick pulled item 16.g. A motion to approve the Consent Agenda excluding item 16.g and with the minor corrections to 16.a., passed with a vote of 7-0. Passed with a motion by Mr. Derek Knell and a second by Mr. Ross Millerick.

Yes Ms. Maria Aguila  
Yes Mrs. Debbie Butler  
Yes Mr. Thomas Cooper  
Yes Mrs. Diane Gasson  
Yes Mr. Derek Knell  
Yes Mr. Gregory Mack  
Yes Mr. Ross Millerick

## **10. STUDENT PRESENTATIONS - 7:07 p.m.**

### **10.a. San Ramon Elementary School**

San Ramon students from each grade level K-5, shared their mindfulness work with MindUP and how they incorporate it in their day.

## **11. PRESENTATION - 7:25 p.m.**

### **11.a. School Fuel**

Susan Mathews, Executive Director and Founding member, reported on the goals and success of School Fuel. Grants were awarded this year to NUSD for \$256,341. School Fuel also continued their support of NUSD libraries, music programs, and Art. Including providing instruments to students who cannot afford them and books in Spanish for the Dual Immersion program at Lynwood.

Susan was joined by Kate McNear and Ricardo Rivas-Avalos.

## **12. ANNOUNCEMENTS: BOARD AND SUPERINTENDENT - 7:45 P.M.**

### Student Board Members

McKenna O'Neill reported from Novato High. Teacher office hours are in place to provide academic support during finals week.

Jimena Lara reported from San Marin. The learning lounge is open all week to help students during finals. The SMHS Rock bands will play at Hopmonk December 20th and a new edition of the Pony Express has been published.

## Board of Trustees

Trustee Millerick reported on an event he attended in Seattle highlighting new tech and tools.

Trustee Gasson commented on school performances.

President Butler attended Leadership Novato and Trustee Gasson joined her in presenting on running for an elected office.

## Superintendent

Superintendent Hogeboom shadowed a Special Education Teacher on December 7th. The Elementary School Size Committee met on December 17<sup>th</sup> and February 6th will be the last meeting. A report will be presented to the Board in February. On December 17th he attended a Mental Health First Aid training at MCOE. NHS Varsity Boy's basketball will be participating in a tournament at Fort Bragg on December 27-29, 2018.

### **13. NON-AGENDA PUBLIC COMMENT - 7:50 p.m.**

**13.a. Individuals may address the Board in accordance with the Public Comment statement on the last page of the agenda.**

None

### **14. STAFF REPORTS - 8:00 p.m.**

#### **14.a. Competency/Proficiency Based Learning**

Jen Larson, Director, Student Success, shared with the Board the purpose and benefits of proficiency based education and NUSD's long term plan for implementation.

Proficiency Based Learning is defined as a system of instruction, assessment, grading, and academic reporting that are based on students demonstrating mastery of concepts and skills they are expected to learn as they progress through their education. The general goal of proficiency-based learning is to ensure that students are acquiring the knowledge and skills that are deemed to be essential to success in school, higher education, careers, and adult life.

Trustees commented.

Superintendent Hogeboom cited the visits to both the Marzano Research Conference and the Lindsay School District by teachers and staff and the momentum for proficiency based learning where failing students is not an option.

#### **14.b. Career Technical Education Update**

Jen Larson, Director, Student Success, reported on the support NUSD's three high schools receive to provide coursework that is aligned with state requirements for college and career readiness. A number of Career Technical Education (CTE) pathways are currently offered with plans to expand the group.

In addition to the standard course funding through NUSD, the CTE programs are fortunate to have access to funds through state and local grant money. The CTE Incentive Grant, Carl Perkins Grant, Haas Grant, and MSA Foundation provide funding to support the ongoing expense necessary to ensure these programs have the most current and industry appropriate resources.

Trustees commented.

Superintendent Hogeboom reported he meets regularly with David Wain Coon, President of College of Marin, to ensure our pathways and goals align.

#### **14.c. Updates on Information Technology**

Tim Rocco, Director, Information Technology, updated the Board on projects in the IT Department including 1:World, Data Matters, Measure G technology initiatives, Internet connectivity, and an elementary school robotics pilot.

This is year two of the 1:World project where 2,500 Chromebooks were distributed to grades 4, 6, 9, and 11 in addition to the three grade levels that received them last year. IT is prepared for the final year when an additional 2,000 Chromebooks will be distributed to the remaining three grade levels. They are currently evaluating plans to support technology in grades K-2.

Data Matters is a program that has been developed in-house by Technology Systems Supervisor, Alex Perez, with support from the Marin Community Foundation. The goal is to provide formative and summative assessment data to school and district staff quickly in an easy to read format. The elementary program is live and Alex is developing the secondary component.

Measure G technology initiatives include IT Infrastructure Upgrades, the Classroom Technology Toolkit, and 21st Century Flexible Furniture. These projects have been reprioritized based on current available funding. IT Infrastructure Upgrades take precedence and implementation is planned over the next several years. Schools are being prioritized based on physical infrastructure needs and utilization. Design and cost estimates are not yet finalized. NHS, SMHS, Olive Elementary, and Lynwood Elementary are projected to receive first consideration due to the construction beginning in the summer of 2019 at those sites. Additional funding options are being explored for the Classroom Technology Toolkit components prior to Phase 2. 21st Century Flexible Furniture has been moved to Phase 2.

NUSD's internet connectivity speeds have become an issue as the district adopts 21st Century teaching practices in conjunction with the 1:World program. Item 16.g, on the Consent Agenda, is a recommendation for a firewall that will alleviate the current bottleneck and allow connectivity at 4 Gbps.

IT staff has also begun working with Olive Elementary and Lynwood Elementary to pilot a robotics challenge for students in grades 4 and 5. The programs will run through March and April, anticipating participation in the Sonoma County Robotics Challenge in Santa Rosa on May 4, 2019.

Trustees commented.

**Motion Passed:** A motion to approve passed with a vote of 7-0. Passed with a motion by Mr. Ross Millerick and a second by Mr. Thomas Cooper.

Yes Ms. Maria Aguila  
Yes Mrs. Debbie Butler  
Yes Mr. Thomas Cooper  
Yes Mrs. Diane Gasson  
Yes Mr. Derek Knell  
Yes Mr. Gregory Mack  
Yes Mr. Ross Millerick

#### **14.d. Physical Education Policy Update**

Amie Carter, Assistant Superintendent, Student Success reported on the status of Physical Education waivers.

On September 18, 2018, the Board was given a proposal for NUSD PE waivers. The board requested stronger stakeholder input and directed that a PE discussion group be convened to explore the issue. Additionally, the Board further directed Athletic Directors to create a more efficient way to verify sports athletic participation. This process has been revised as requested.

Every year, PE waiver requests for students possessing exceptional talent or ability and who participate in a vigorous training regimen outside of the regular school day. While involved in this athletic pursuit, the student is committed to a time which is comparable to students participating in a school sponsored sports team. These requests are submitted to Education Services and they are requesting clear direction and district policy relating to the matter. The state of California offers multiple pathways to exempt students from a second year of Physical Education. Education Code permits School Boards to expand upon these established exemptions.

Currently, NUSD grants PE waivers for student athletes who participate in

school competitive athlete programs. According to the high schools, approximately 400 NUSD students per year receive these waivers and even more qualify. Education Services believes that adopting new language is reflective of our anchored belief in Individualized Learning. When a student has demonstrated that they are physically literate individuals who have the knowledge, skills, dedication, and confidence to enjoy a lifetime of healthful physical activity---Education Services believes our policies should reflect that we value this learning and mastery.

Education Services wishes to resolve this ambiguity with a clearly established waiver policy which acknowledges the learning and mastery of these students who possess exceptional talent or ability and who engage in a vigorous training regimen outside of the regular school day.

Dennis Davis, Athletic Director, San Marin High School reported that both he and Michelle Sanner, Athletic Director at Novato High School, have met with stakeholders to discuss the issue and do not want to grant waivers for sports outside of the NUSD programs.

Amie Carter requested direction from the Board and Trustees commented.

President Butler would like to see PE waivers awarded for sports outside of NUSD, when deemed qualified.

Superintendent Hogeboom urged everyone to take the individual needs of the student into account, one size does not fit all. Many districts are awarding PE waivers and we need to take some time to explore this further.

## **15. DISCUSSION/ACTION - 9:00 p.m.**

### **15.a. Approve the 2018-2019 First Interim Budget Report**

Yancy Hawkins, Assistant Superintendent, reported on the 2018-2019 First Interim Budget Report. Recognition was given to Nancy Walker, Director, Fiscal Services, who prepared the report.

Obtain Board approval of the 2018-2019 First Interim Budget Report.

State law requires that school districts review their budgets twice during the fiscal year. The first report is prepared using October 31<sup>st</sup> data, and is due December 15th of each year.

The first review, referred to as the "First Interim Budget Report", documents that the District certifies its ability to meet its financial obligations for the current, and two subsequent, fiscal years. With declining enrollment, increased STRS and PERS and decrease in state funding, additional cuts need to be made in both the 2019 and 2020 school years.

Staff will attend the Governor's budget conference on January 15, 2018; at

that time, staff expects to learn more detailed information regarding funding for 2019-2020.

Trustees commented.

**Motion Passed:** A motion to approve passed with a vote of 7-0. Passed with a motion by Mr. Ross Millerick and a second by Mr. Thomas Cooper.

Yes Ms. Maria Aguila  
Yes Mrs. Debbie Butler  
Yes Mr. Thomas Cooper  
Yes Mrs. Diane Gasson  
Yes Mr. Derek Knell  
Yes Mr. Gregory Mack  
Yes Mr. Ross Millerick

#### **15.b. Approval to Use Lease-Leaseback (LLB) Contract for Athletic Field Complex Project at Novato HS**

Mike Woolard, Executive Director, Facilities, requested approval of a Lease-Leaseback (LLB) contract for the athletic field complex project at Novato High.

LLB delivery, under Education Code 17406, is an alternative to the design-bid-build process for construction contracts that is available to school districts. An LLB contract can be negotiated and allows coordination to begin sooner compared to a bid in the traditional design-bid-build method.

An LLB contract selects the general contractor early and subcontract work is bid during the more favorable winter bid climate with a pre-construction services agreement. Once the project design is DSA-approved, NUSD will award the Guaranteed Maximum Price construction contract to the general contractor. An LLB contract brings subcontractors and suppliers onboard early, and maximizes the chances of an early summer start.

**Motion Passed:** A motion to approve was passed with a vote of 7-0. Passed with a motion by Mr. Derek Knell and a second by Mr. Gregory Mack.

Yes Ms. Maria Aguila  
Yes Mrs. Debbie Butler  
Yes Mr. Thomas Cooper  
Yes Mrs. Diane Gasson  
Yes Mr. Derek Knell  
Yes Mr. Gregory Mack  
Yes Mr. Ross Millerick

#### **15.c. Approve Resolution No. 15-2018/2019 Finding BHM Construction, Inc. as a Best Value Contractor and Approving Award of a Preconstruction Services Agreement to BHM Construction, Inc. for the San Marin HS LLB Project**

Mike Woolard, Executive Director, Facilities, requested approval for Resolution No. 15 finding BHM Construction, Inc. as a best value contractor, and approves award of a preconstruction services agreement to BHM Construction, Inc.

Todd Lee from Greystone West described the four-step process of awarding best value contracts.

Trustees commented.

**Motion Passed:** A motion to approve passed with a vote of 7-0. Passed with a motion by Mr. Gregory Mack and a second by Ms. Maria Aguila.

Yes Ms. Maria Aguila  
Yes Mrs. Debbie Butler  
Yes Mr. Thomas Cooper  
Yes Mrs. Diane Gasson  
Yes Mr. Derek Knell  
Yes Mr. Gregory Mack  
Yes Mr. Ross Millerick

**15.d. Approve Resolution No. 16-2018/2019 Finding Wright Contracting, LLC as a Best Value Contractor and Approving Award of a Preconstruction Services Agreement to Wright Contracting, LLC for the Novato HS LLB Project**

Mike Woolard, Executive Director, Facilities, requested approval for Resolution No. 16 Finding Wright Contracting, LLC as a Best Value Contractor and Approving Award of a Preconstruction Services Agreement to Wright Contracting, LLC for the Novato HS LLB Project.

Trustees commented.

**Motion Passed:** A motion to approve passed with a vote of 7-0. Passed with a motion by Mr. Thomas Cooper and a second by Ms. Maria Aguila.

Yes Ms. Maria Aguila  
Yes Mrs. Debbie Butler  
Yes Mr. Thomas Cooper  
Yes Mrs. Diane Gasson  
Yes Mr. Derek Knell  
Yes Mr. Gregory Mack  
Yes Mr. Ross Millerick

**15.e. Approval for Change Order #3 to Re-Roof Project at San Ramon ES**

Mike Woolard, Executive Director, Facilities, requested approval for Change Order #3 to the Re-Roof Project at San Ramon ES; credit for Skylight Framing. The framing for 56 skylights was assumed to be in need of replacement.

During demolition the skylight framing was found to be in good condition and did not require replacement. A credit for reduction in project scope was requested earlier in the project, but the specific credit value was (and still is) a point of contention between ARC and the project team. The credit is in the amount of (\$163,545.81).

Yancy Hawkins and Todd Lee explained the request for credit in more detail.

**Motion Passed:** A motion to approve passed with a vote of 7-0. Passed with a motion by Mr. Ross Millerick and a second by Mr. Gregory Mack.

Yes Ms. Maria Aguila  
Yes Mrs. Debbie Butler  
Yes Mr. Thomas Cooper  
Yes Mrs. Diane Gasson  
Yes Mr. Derek Knell  
Yes Mr. Gregory Mack  
Yes Mr. Ross Millerick

## **16. CONSENT: All items approved by a single action - 10:00 p.m.**

### **16.a. Minutes of the Regular Meeting of December 4, 2018**

**Motion Passed:** A motion to approve as amended was passed with a vote of 7-0. Passed with a motion by Mr. Derek Knell and a second by Mr. Ross Millerick.

Yes Ms. Maria Aguila  
Yes Mrs. Debbie Butler  
Yes Mr. Thomas Cooper  
Yes Mrs. Diane Gasson  
Yes Mr. Derek Knell  
Yes Mr. Gregory Mack  
Yes Mr. Ross Millerick

### **16.b. Personnel Actions of December 18, 2018**

**Motion Passed:** Passed with a motion by Mr. Derek Knell and a second by Mr. Ross Millerick.

Yes Ms. Maria Aguila  
Yes Mrs. Debbie Butler  
Yes Mr. Thomas Cooper  
Yes Mrs. Diane Gasson  
Yes Mr. Derek Knell  
Yes Mr. Gregory Mack  
Yes Mr. Ross Millerick

**16.c. Review and Approve Updated Human Resources Related Board Policies and Administrative Regulations (9)**

**Motion Passed:** Passed with a motion by Mr. Derek Knell and a second by Mr. Ross Millerick.

Yes Ms. Maria Aguila  
Yes Mrs. Debbie Butler  
Yes Mr. Thomas Cooper  
Yes Mrs. Diane Gasson  
Yes Mr. Derek Knell  
Yes Mr. Gregory Mack  
Yes Mr. Ross Millerick

**16.d. Approve Human Resources Related Board Policies and Administrative Regulations for Deletion (2)**

**Motion Passed:** Passed with a motion by Mr. Derek Knell and a second by Mr. Ross Millerick.

Yes Ms. Maria Aguila  
Yes Mrs. Debbie Butler  
Yes Mr. Thomas Cooper  
Yes Mrs. Diane Gasson  
Yes Mr. Derek Knell  
Yes Mr. Gregory Mack  
Yes Mr. Ross Millerick

**16.e. Approve Amendment to Student Teaching Agreement with Sonoma State University**

**Motion Passed:** Passed with a motion by Mr. Derek Knell and a second by Mr. Ross Millerick.

Yes Ms. Maria Aguila  
Yes Mrs. Debbie Butler  
Yes Mr. Thomas Cooper  
Yes Mrs. Diane Gasson  
Yes Mr. Derek Knell  
Yes Mr. Gregory Mack  
Yes Mr. Ross Millerick

**16.f. Approve the Memorandum of Understanding with the University of California, San Francisco, Young Adult & Family Center**

**Motion Passed:** Passed with a motion by Mr. Derek Knell and a second by Mr. Ross Millerick.

Yes Ms. Maria Aguila  
Yes Mrs. Debbie Butler

Yes Mr. Thomas Cooper  
Yes Mrs. Diane Gasson  
Yes Mr. Derek Knell  
Yes Mr. Gregory Mack  
Yes Mr. Ross Millerick

**16.g. Approval to Purchase Firewall/Associated Equipment to Improve NUSD's IT Infrastructure**

**Motion Passed:** Item pulled by Trustee Millerick, voted on following the Staff Report item 14.c., and passed with a vote of 7-0. Passed with a motion by Mr. Ross Millerick and a second by Mr. Thomas Cooper.

Yes Ms. Maria Aguila  
Yes Mrs. Debbie Butler  
Yes Mr. Thomas Cooper  
Yes Mrs. Diane Gasson  
Yes Mr. Derek Knell  
Yes Mr. Gregory Mack  
Yes Mr. Ross Millerick

**16.h. Approval of Field Trip Requests of Overnight Field Trips and Trips Exceeding 100 Miles Per Board Policy 6153**

**16.h.1. San Ramon 5th Grade, Walker Creek, Jan 22-25, 2019**

**Motion Passed:** Passed with a motion by Mr. Derek Knell and a second by Mr. Ross Millerick.

Yes Ms. Maria Aguila  
Yes Mrs. Debbie Butler  
Yes Mr. Thomas Cooper  
Yes Mrs. Diane Gasson  
Yes Mr. Derek Knell  
Yes Mr. Gregory Mack  
Yes Mr. Ross Millerick

**16.i. Approve Disposal of Obsolete Textbooks/Instructional Materials**

**Motion Passed:** Passed with a motion by Mr. Derek Knell and a second by Mr. Ross Millerick.

Yes Ms. Maria Aguila  
Yes Mrs. Debbie Butler  
Yes Mr. Thomas Cooper  
Yes Mrs. Diane Gasson  
Yes Mr. Derek Knell  
Yes Mr. Gregory Mack  
Yes Mr. Ross Millerick

**16.j. Ratify Warrant Register for Warrants Issued November 30, 2018 Through December 13, 2018**

**Motion Passed:** Passed with a motion by Mr. Derek Knell and a second by Mr. Ross Millerick.

Yes Ms. Maria Aguila  
Yes Mrs. Debbie Butler  
Yes Mr. Thomas Cooper  
Yes Mrs. Diane Gasson  
Yes Mr. Derek Knell  
Yes Mr. Gregory Mack  
Yes Mr. Ross Millerick

**16.k. Annual Accounting of Developer Fees for the Fiscal Year Ending June 30, 2018**

**Motion Passed:** Passed with a motion by Mr. Derek Knell and a second by Mr. Ross Millerick.

Yes Ms. Maria Aguila  
Yes Mrs. Debbie Butler  
Yes Mr. Thomas Cooper  
Yes Mrs. Diane Gasson  
Yes Mr. Derek Knell  
Yes Mr. Gregory Mack  
Yes Mr. Ross Millerick

**17. ADJOURNMENT - 10:00 p.m.**

President Butler adjourned the meeting at 10:25 p.m.