

Irvine Unified School District
Minutes
Regular Meeting of the Board of Education
April 14, 2020 6:30 PM
IRVINE UNIFIED SCHOOL DISTRICT
Administration Center
5050 Barranca Parkway
Irvine, CA 92604
5:00 p.m. Closed Session / 6:30 p.m. Regular Meeting

Attendance Taken at 5:04 PM:

Present:

Paul Bokota
Lauren Brooks
Betty Carroll
Ira Glasky
Sharon Wallin

Updated Attendance:

Sharon Wallin was updated to absent at: 6:32 PM.

1. CALL TO ORDER

Minutes:

President Carroll called the meeting to order at 5:04 PM.

2. ORAL COMMUNICATION

Minutes:

None.

3. CLOSED SESSION

Minutes:

The Board adjourned to closed session at 5:05 PM.

3.a. Threat to Public Services or Facilities [Government Code Section 54957]

Minutes:

The Board discussed matters concerning Threat to Public Services or Facilities.

4. RECONVENE REGULAR MEETING - 6:30 PM

Minutes:

President Carroll reconvened the meeting at 6:32 PM.

5. PLEDGE OF ALLEGIANCE / MOMENT OF SILENCE / ROLL CALL

Minutes:

The Pledge of Allegiance to the Flag of the United States of America was led by Superintendent Walker, and was followed by a moment of silence in memory of Northwood High School 10th grader, Ali Gholamrezaei.

Members Present:

Paul Bokota (attended via conference call)
Lauren Brooks
Betty Carroll
Ira Glasky
Sharon Wallin (attended via conference call)

Members Absent:

Sharon Wallin (updated to absent at 6:32 PM - excused)

Staff Present:

Terry L. Walker, Superintendent of Schools
John Fogarty, Assistant Superintendent, Business Services
Eamonn O'Donovan, Assistant Superintendent, Human Resources
Cassie Parham, Assistant Superintendent, Education Services
Brienne Ford, Chief Technology Officer
Raianna Chavez, Executive Assistant to the Superintendent

President Carroll appointed Ira Glasky as Acting Clerk.

6. REPORT OF CLOSED SESSION DISCUSSION / ACTION

Minutes:

President Carroll reported on the discussion in Closed Session.

7. APPROVAL OF MINUTES

Motion Passed: Approve the minutes of the following meeting(s), as presented: February 18, 2020 - Regular Meeting; March 3, 2020 - Regular Meeting; and March 13, 2020 - Emergency Special Meeting.

Passed with a motion by Lauren Brooks and a second by Ira Glasky.

Yes	Paul Bokota
Yes	Lauren Brooks
Yes	Betty Carroll
Yes	Ira Glasky
Absent	Sharon Wallin

8. ADOPTION OF AGENDA

Motion Passed: Adopt agenda, as presented.

Passed with a motion by Ira Glasky and a second by Lauren Brooks.

Yes	Paul Bokota
Yes	Lauren Brooks
Yes	Betty Carroll
Yes	Ira Glasky
Absent	Sharon Wallin

9. ORAL COMMUNICATION

Minutes:

Speaking to the topic of Emergency Distance Learning:

Karen Cherry
Deborah Wadkins

Speaking to the topic of salary for general education preschool teachers:

Brittany Fackett
Gabrielle Gamba
Miryam Frank

10. SUPERINTENDENT'S REPORT

Minutes:

Superintendent Walker passed on providing his Superintendent's Report in an effort to conserve time.

11. ANNOUNCEMENTS AND ACKNOWLEDGMENTS

Minutes:

Board Members Bokota, Brooks, Carroll, and Glasky provided their reports on recent activities in support of the District.

12. CONSENT CALENDAR

Motion Passed: Approve Consent Calendar Item Nos. 13.a. - 16.a.

Passed with a motion by Ira Glasky and a second by Paul Bokota.

Yes	Paul Bokota
Yes	Lauren Brooks
Yes	Betty Carroll
Yes	Ira Glasky
Absent	Sharon Wallin

13. CONSENT CALENDAR - Business Services

13.a. Check Register Report

13.b. Contract Services Action Report 2019-20/14

13.c. Purchase Order Detail Report

13.d. Authorize the Utilization of California Multiple Award Schedule (CMAS) Contract for the Purchase and Warranty of Office Products and Restroom Supplies and Accessories

13.e. Authorize the Utilization of NASPO ValuePoint Contract for Computer Equipment, Peripherals & Related Services

13.f. Claim for Damages #01-2020

13.g. Claim for Damages #02-2020

13.h. Exercise Option to Extend the Education Technology Joint Powers Authority (Ed Tech JPA) Master Contract for the Purchase of a Learning Management System Platform

13.i. Ratification of the License Agreement Between Irvine Unified School District and Emmerson Construction, Inc.

13.j. Ratification for the Utilization of NASPO ValuePoint Contract for Wireless Communication and Equipment

13.k. Receive Bids/Award Contract for Bid No. 19/20-02MO, University High School High Voltage Replacement

14. CONSENT CALENDAR - Education Services

14.a. Quarterly Report on Complaints Pursuant to Ed. Code 35186(d)

15. CONSENT CALENDAR - Human Resources

15.a. Certificated Personnel Action Report 2019-20/14

15.b. Classified Personnel Action Report 2019-20/14

16. CONSENT CALENDAR - Special Education

16.a. Contract for Special Education Related Services

17. CONSENT CALENDAR RESOLUTIONS - Roll Call

Minutes:

Item No. 17.a. Resolution No. 19-20-28: Proclaiming May 4-8, 2020 "Teacher Appreciation Week" was pulled by Member Glasky for separate approval. President Carroll directed Item

No. 17.b. Resolution No. 19-20-29 and Item No. 17.c. Resolution No. 19-20-30 also be moved to Item No. 19. Items Removed from the Consent Calendar for separate approvals.

17.a. Resolution No. 19-20-28: Proclaiming May 4-8, 2020 "Teacher Appreciation Week"

17.b. Resolution No. 19-20-29: Proclaiming May 17-23, 2020 "Classified School Employee Week"

17.c. Resolution No. 19-20-30: Non-Reelection of Temporary Certificated Employees

18. FACILITIES CONSENT CALENDAR

Motion Passed: Approve Facilities Consent Calendar Item Nos. 18.a. - 18.d.

Passed with a motion by Ira Glasky and a second by Lauren Brooks.

Yes	Paul Bokota
Yes	Lauren Brooks
Yes	Betty Carroll
Yes	Ira Glasky
Absent	Sharon Wallin

18.a. Receive Bid/Award Contract for the Skylight Replacements Project at Springbrook Elementary School

18.b. Receive Bids/Award Contracts Woodbridge High School New Bleachers and Scoreboard

18.c. Change Order Request for the Measure E Series 1 Improvements - Classroom Building Expansion Projects at Brywood, Meadow Park, and Springbrook Elementary Schools

18.d. Change Order Requests for the Measure E Series 1 Improvements - Modernization Projects at Springbrook and Westpark Elementary Schools

19. ITEMS REMOVED FROM THE CONSENT CALENDAR

Motion Passed: Approve Item No. 17.a. Resolution No. 19-20-28: Proclaiming May 4-8, 2020 "Teacher Appreciation Week", as revised.

Passed with a motion by Ira Glasky and a second by Lauren Brooks.

Yes	Paul Bokota
Yes	Lauren Brooks
Yes	Betty Carroll
Yes	Ira Glasky
Absent	Sharon Wallin

Minutes:

The agendized resolution, and future Teacher Appreciation Week resolutions, revised the fifth whereas statement as: Whereas, the Irvine Unified School District is keenly aware of the importance of teachers in helping children reach their full potential; and.

Motion Passed: Approve Item No. 17.b. Resolution No. 19-29-29: Proclaiming May 17-23, 2020 "Classified School Employee Week", for separate approval.

Passed with a motion by Lauren Brooks and a second by Ira Glasky.

- Yes Paul Bokota
- Yes Lauren Brooks
- Yes Betty Carroll
- Yes Ira Glasky
- Absent Sharon Wallin

Motion Passed: Approve Item No. 17.c. Resolution No. 19-20-30: Non-Reelection of Temporary Certificated Employees, for separate approval.

Passed with a motion by Ira Glasky and a second by Lauren Brooks.

- Yes Paul Bokota
- Yes Lauren Brooks
- Yes Betty Carroll
- Yes Ira Glasky
- Absent Sharon Wallin

20. FACILITIES ITEMS OF BUSINESS

20.a. Resolution No. 19-20-31: Authorizing the Execution and Delivery of IUSD CFD No. 06-1 (Portola Springs) Special Tax Refunding Bonds, Series 2020 - Roll Call

Motion Passed: Acting as the governing body of Community Facilities District No. 06-1, adopt Resolution No. 19-20-31 authorizing: (a) the Irvine Unified School District Community Facilities District No. 06-1 (Portola Springs) Special Tax Refunding Bonds, Series 2020, in an Aggregate Principal Amount of Not to Exceed the amount identified; (b) the Execution and Delivery of an Indenture, an Escrow Agreement, a Bond Purchase Agreement, a Continuing Disclosure Agreement and the Preparation and Distribution of an Official Statement for the 2020 Bonds; and (c) the Execution of Necessary Documents and Certificates and Related Actions.

Passed with a motion by Lauren Brooks and a second by Paul Bokota.

- Yes Paul Bokota
- Yes Lauren Brooks
- Yes Betty Carroll
- Yes Ira Glasky
- Absent Sharon Wallin

Minutes:

Assistant Superintendent of Business Services, John Fogarty, presented information regarding the financing plan for CFD No. 06-1 Special Tax Bonds; which prior to now could not be structured as fixed rate bonds. Since the issuance of the bonds, there has been significant development in the area and a significant decrease in interest rates, refunding of the outstanding bonds and issuance of fixed rate bonds will result in a reduction of annual special taxes for homeowners, effective the 2020-21 tax year.

Adam Bauer, President of Fieldman, Rolapp & Associates (available via teleconference) indicated that there had been no CFD transactions in the past two weeks, however, he feels the market is starting to soften and should have a better idea of likely interest rates in the coming week.

20.b. Resolution No. 19-20-32: Authorizing the Execution and Delivery of IUSD CFD No. 09-1 Special Tax Bonds, Series 2020 A - Roll Call

Motion Passed: Acting as the governing body of Community Facilities District No. 09-1, adopt Resolution No. 19-20-32 authorizing: (a) the Irvine Unified School District Community Facilities District No. 09-1 Special Tax Bonds, Series 2020 A, in an Aggregate Principal Amount of Not to Exceed the amount identified; (b) the Execution and Delivery of a Seventh Supplemental Indenture, a Bond Purchase Agreement, a Continuing Disclosure Agreement and the Preparation and Distribution of an Official Statement for the 2020 A Bonds; and (c) the Execution of Necessary Documents and Certificates and Related Actions.

Passed with a motion by Lauren Brooks and a second by Ira Glasky.

Yes	Paul Bokota
Yes	Lauren Brooks
Yes	Betty Carroll
Yes	Ira Glasky
Absent	Sharon Wallin

Minutes:

Assistant Superintendent of Business Services, John Fogarty, presented information regarding the financing plans for CFD No. 09-1 Special Tax Bonds. Since 2017, IUSD has converted six CFD 09-1 adjustable rate instruments to fix rate for an aggregate interest rate under 4%, one remaining adjustment rate instruments remains. Have the developments in the Portola area to support a fixed rate bond. All of the debt for CFD No. 09-1 will be fixed at very low rates, at a tremendous benefit to IUSD and homeowners.

21. ITEMS OF BUSINESS

21.a. Resolution No. 19-20-33: Making Findings and Determinations Relating to the Termination of the Levy of Final Map Property and Undeveloped Property of the Special Tax for IUSD CFD No. 09-1 and Authorizing and Related Actions - Roll Call

Motion Passed: Acting as the Board of Education adopt Resolution No. 19-20-33 Making Findings and Determinations Relating to the Termination of the Levy on Final Map Property and Undeveloped Property of the Special Tax for the Irvine Unified School District CFD No. 09-1 and Authorizing and Related Actions.

Passed with a motion by Paul Bokota and a second by Lauren Brooks.

Yes	Paul Bokota
Yes	Lauren Brooks
Yes	Betty Carroll
Yes	Ira Glasky
Absent	Sharon Wallin

Minutes:

Assistant Superintendent of Business Services, John Fogarty, introduced Andreas Chialtas, Partner of Atkinson, Andelson, Loya, Ruud & Romo (available via teleconference), who discussed both items 21.a. and 21.b. which involves the Mitigation Agreement with the Irvine Company. Noting, conversion of the last series of CFD No. 09-1 adjustable rate bonds to fixed rate bonds allows the District to eliminate a potential obligation, which would have allowed the District to levy the CFD No. 09-1 special taxes on undeveloped land to meet debt requirements. With all of the CFD No. 09-1 debt authorized to be fixed, and the debt fully supported by the fees collected on occupied parcels, this requirement is no longer necessary. Approval of this Resolution will terminate the levy of CFD No. 09-1 Special Taxes on undeveloped property provided the final series of CFD No. 09-1 outstanding adjustable rate bonds are converted to fixed rate bonds by October 5, 2020.

In relation, he discussed Item No. 21.b. Resolution No. 19-20-34: Authorizing the Execution and Delivery of a Third Amendment to Mitigation Agreement, noting when the District and the Irvine Company entered into the Mitigation Agreement in 2009, neither party envisioned that there would be a sustained period of historically low interest rates that would allow the District to secure long-term financing without the use of State Funds. Thus, the Mitigation Agreement, as currently written, contains very prescriptive language dictating the use of State Funds. The use of State Funds assumed the debt issued to purchase the land and construct the schools within CFD No. 09-1 would remain adjustable rate debt. Essentially, the Mitigation Agreement required initial State Funds be used to pay off existing bonds. By amending the last series of adjustable rate CFD No. 09-1 bonds and securing very low long-term debt requirements, there is no longer the need to pay down outstanding adjustable rate notes.

By fixing the last of the CFD No. 09-1 adjustable rate bonds and taking action to eliminate future obligations, the Third Amendment to the Mitigation Agreement now provides the District the flexibility to use State Funding as it deems appropriate within CFD No. 09-1. Thus, the District will no longer be required to pay-off the remaining variable CFD No. 09-1 bonds (to be fixed), only later to find itself needing to borrow at a higher rate and cost of issuance. The Mitigation Agreement is proposed to be amended to reflect these changes subsequent to the approval of the CFD No. 09-1 2020A fixed rate bonds.

Additionally, the Amendment also extends the Irvine Company's obligation to reserve a site in Los Olivos from December 31, 2020 to at least December 31, 2022 should a school site be necessary.

Board members asked questions regarding contingency plans, timing of determining the need for additional facilities and requirements of the agreement, noting appreciation to both District staff, consultants, and our developer partner the Irvine Company.

21.b. Resolution No. 19-20-34: Authorizing the Execution and Delivery of a Third Amendment to Mitigation Agreement (The Irvine Company) - Roll Call

Motion Passed: Acting as the Board of Education adopt Resolution No. 19-20-34 Authorizing the Execution and Delivery of a Third Amendment to Mitigation Agreement.

Passed with a motion by Ira Glasky and a second by Lauren Brooks.

Yes	Paul Bokota
Yes	Lauren Brooks
Yes	Betty Carroll
Yes	Ira Glasky
Absent	Sharon Wallin

21.c. Districtwide Grading During COVID-19 for the Final Reporting Period of the 2019-2020 School Year

Motion Passed: Adopt credit/no credit grades for the final reporting period of the 2019-2020 school year.

Passed with a motion by Ira Glasky and a second by Lauren Brooks.

Yes	Paul Bokota
Yes	Lauren Brooks
Yes	Betty Carroll
Yes	Ira Glasky
Absent	Sharon Wallin

Minutes:

Assistant Superintendent of Education Services, Cassie Parham, presented the Districtwide grading proposal during COVID-19 for the final reporting period of the 2019-20 school year. She addressed the local and national challenges of responding to COVID-19, while maintaining IUSD's commitment to serve students. IUSD staff continue to work diligently to provide Emergency Distance Learning (EDL) and to find ways to engage and connect with students in a different medium; however, given the circumstances, students may struggle to process new material or demonstrate their knowledge and understanding of course content. Our lower income students and students with special needs may experience even greater challenges. In recognition of the anxiety, stress, and inherent educational inequities that exist across the nation, institutions of higher education are promoting a credit/no credit model as the most equitable approach to codifying student learning. After careful consideration, staff

recommend following the example set by higher education and to join the vast majority of school districts in California in implementing the same credit/no credit model. Assigning letter grades in an environment where we cannot evaluate the authenticity of student work or ensure there are sufficient supports in place to mitigate challenging home circumstances isn't prudent or defensible. Students unable to complete required course work may also elect to receive an incomplete grade, which will allow them to make up course work and earn credit for the course.

To clarify, transitioning from letter grades for the remainder of this school year does not mean that students will not be learning. The focus for these remaining weeks will be to keep students highly engaged, connected, and invested in their learning. Teachers will continue to have daily contact, to assign work, to provide feedback on the work, to host online discussion forums, and to provide resources to ensure that students have a variety of opportunities to strengthen their understanding of essential learning targets. The focus will remain squarely on learning and preparing students to be successful at the next level and beyond. This proposal is presented knowing it is an imperfect solution. We know there are students who are working diligently to maintain their grades and have advocated to receive them; while we also have students advocating fiercely for credit/no credit because they are dealing with challenges that make it impossible for them to produce the same level of work. In our communications with higher education institutions, they have stated they will not consider grades from students this semester because they understand the gross inequities. Grades do not make sense in an environment so desperate. If we believed this recommendation would harm our students, we would not make it.

Superintendent Walker provided his comments noting that staff have considered all the different grading options available. To the extent possible, the District needs to do what is best for all students. He stated, normally, we would have our principals in attendance to provide their comments, in person, as to why they unanimously support the proposal and why. Since they are not able to attend in person, he read principal statements in support of the Credit/No Credit grading model from Principal Leslie Roach, Northwood High School; Principal Christopher Krebs, Woodbridge High School; Principal Rebecca Roberts, Creekside High School; Principal John Pehrson, Portola High School; Principal Kevin Astor, University High School; and Principal Monica Colunga, Irvine High School.

Speaking to the topic:

Colman Sun
Ethan Winterstein
Lindsay Lewis
Marianne Porto
Therese Sorey
Jenny Graham
Christopher Ray
Judith Gass
Sondos Elbershawi
Anish Patel
Claudine Kim
Matthew Dimaandal
Hannah Park
History Social Sciences Teachers of Northwood High School

Superintendent Walker added while not all of the comments were read, all received comments have or will be shared with the Board; and of the public comments received, there were overwhelmingly more (three times more) in support of credit/no credit. Additionally, the sentiments and concerns provided were in line with the comments that were not able to read during the meeting.

Board members questioned staff on a variety of concerns including the quantity of students and teachers who are feeling disadvantaged, plans to keep students engaged and accountable, evidence of higher education institutions acceptance of credit/no credit grades, equitable justification of assigning letter grades for a course provided under normal circumstances to the current circumstances, what no credit means for students, concern regarding maintaining engagement and student motivation, and APPAS and GATE testing concerns.

In response to questions from Board members, Superintendent Walker and Assistant Superintendent Parham shared, that IUSD has 20% Title I students; however, that is not the only indicator of being disadvantaged, as there are other factors impacting both students and teachers. They stressed that engagement and education of students will continue, with a recognition of the incredible professionalism and dedication of IUSD teachers. They added, the District will be providing a survey to parents and student to obtain feedback on how EDL has been going.

In response to the question regarding evidence of higher education institutions acceptance of credit/no credit Cassie stated, the COVID-19 crisis is not just a California or America problem, it is a world problem. Staff have talked with a wide variety of higher education institutions and who have made it clear they will hold students harmless, especially when the school district makes the decision for the student.

It's not possible to replicate a typical in-person class in an online environment. In Irvine we offer blended courses rather than fully online because research supports the need for in-person connection not to mention the need for verification when testing. Additionally, to hold students harmless, districts who are allowing for letter grades are accepting a student's grade as of the last date of in-person instruction; therefore, if a student had a grade of "A" it doesn't mean they did any additional work, it just means they had that grade as of March. We are in the business of educating students; the letter grade option creates gaps in students' education. Students must stay engaged, participate and work towards mastery of the standards. If a student does not or is not able to participate, we would connect with a student to support them, and if they are unable, they will receive a no credit (incomplete) mark and will have the ability to make up that course. Clarification was provided that teachers will continue to provide feedback and provide grades on assignments as they have been as a mechanism of communicating to student on how they are doing and how they can improve, which will help a teacher evaluate if there are any learning gaps to receive credit or no credit. APPAS and GATE testing was, for the most part, already completed in March; however, staff will adapt as needed.

Board member Bokota shared information from speaking with college admissions administrators of their confirmed acceptance of credit/no credit and preference for not

having confusing grades for evaluations. Student acceptance will be determined holistically by looking at a student's body of work and escalation in its entirety. Board member Brooks expressed concern for students' social, emotional wellness in addition to their academics. Board member Glasky shared his understanding that there are many factors effecting how our students can perform in this new environment, if grades were to be issued, it would be as if we are issuing grades based on a student's home life environment rather than the more level playing field of the classroom. Board member Carroll restated the need for student engagement and teacher feedback to continue and for the focus to be on student's futures rather than the immediate semester. Board members expressed the need to do what is in the best interest for all 36,000 IUSD students, understanding that not everyone will agree with the decision.

21.d. Public Disclosure of the Collective Bargaining Agreement (AB 1200) Between the Irvine Unified School District and the California School Employees Association (CSEA), Chapter 517

Motion Passed: Accept the Public Disclosure of Collective Bargaining Agreement (AB 1200) between the Irvine Unified School District and the California School Employees Association (CSEA), Chapter 517 for salary and related benefits for 2019-20.

Passed with a motion by Ira Glasky and a second by Lauren Brooks.

Yes	Paul Bokota
Yes	Lauren Brooks
Yes	Betty Carroll
Yes	Ira Glasky
Absent	Sharon Wallin

21.e. Ratification of Agreement Between the Irvine Unified School District and the California School Employees Association (CSEA), Chapter 517 on Salary and Other Related Articles

Motion Passed: Approve the Tentative Agreement between the Irvine Unified School District and the California School Employees Association (Chapter 517) for compensation for 2019-20 and enumerated articles.

Passed with a motion by Lauren Brooks and a second by Paul Bokota.

Yes	Paul Bokota
Yes	Lauren Brooks
Yes	Betty Carroll
Yes	Ira Glasky
Absent	Sharon Wallin

22. ORAL COMMUNICATION

Minutes:
None.

23. CLOSED SESSION

Minutes:
None.

24. ADJOURNMENT

Motion Passed: Meeting adjourned at 9:41 PM.

Passed with a motion by Paul Bokota and a second by Ira Glasky.

Yes	Paul Bokota
Yes	Lauren Brooks
Yes	Betty Carroll
Yes	Ira Glasky
Absent	Sharon Wallin