

## **Eureka City Schools**

### **Eureka City Schools | Board of Education**

District Office - 2100 J Street - Eureka, CA 95501

Frances H. Taplin Board Room

### **Regular Meeting**

6:30 PM

**March 30, 2023**

### **MINUTES**

#### **A. CALL TO ORDER OF OPEN SESSION**

President Duncan called the open session to order at 5:30 p.m.

Members Present: Duncan, Johnson, Ollivier, Pardoe\*, Rebholtz

Members Absent: None

Staff Present: Van Vleck, Ziegler, Storts, Will, Claussen, Harris

Note: Pardoe arrived at 5:35 p.m.

#### **B. PUBLIC COMMENT ON CLOSED SESSION ITEMS**

No public comment on closed session items.

#### **C. CLOSED SESSION (Closed to Public) (Room 118)**

President Duncan moved the meeting to closed session to discuss closed session items.

- (1) Public Employment (Gov. Code §54957) - See Personnel Action Report Consent Agenda Item No. K(15)
- (2) Public Employee Appointment (Gov. Code §54957) - See Personnel Action Report Consent Agenda Item No. K(15)
- (3) Public Employee Discipline, Dismissal, Release, Complaint, Accept the Resignation of a Public Employee (GC § 54957)
- (4) Conference with Labor Negotiator Superintendent Van Vleck Regarding Eureka Teachers Association, Classified White and Blue Collar Units, and/or Unrepresented Employees (Confidential and Classified and Certificated Management) (GC § 54957.6)

- (5) Conference with Legal Counsel – Anticipated Litigation, One Case (GC § 54956.9) - Significant Exposure to Litigation Pursuant to Gov. Code §54956.9(d)(2)
- (6) Consideration of Stipulated Student Expulsion [EC Sec 48900.4 and 48900(A)] [Student #22-23-606; Resolution#22-23-018]
- (7) Consideration of Stipulated Student Expulsion [EC Sec 48900a(1) and 48900a(2)] [Student #22-23-785; Resolution#22-23-019]
- (8) Consideration of Stipulated Student Expulsion [EC Sec 48900a.(l) and 48900a.(2)] [Student #22-23-492; Resolution #22-23-020]
- (9) Consideration of Stipulated Student Expulsion [EC Sec 48900a.(l), 48900 (c), and 48900 (h)] [Student #22-23-123; Resolution #22-23-021]

**D. RECONVENING OF OPEN SESSION (Board Room)**

President Duncan reconvened the meeting at 6:38 p.m.

Members Present: Duncan, Johnson, Ollivier, Pardoe, Rebholtz

Members Absent: Smith

Staff Present: Van Vleck, Ziegler, Storts, Will, Claussen, Harris

**E. REPORT OUT FROM CLOSED SESSION**

There was no action to report on closed session items.

**F. PLEDGE OF ALLEGIANCE TO THE FLAG – Winzler Children’s Center**

Students from Winzler Children’s Center led the Board in the pledge of allegiance.

**G. PUBLIC COMMENT ON TRANSPORTATION SERVICES PLAN**

- (10) Public Comment on Transportation Services Plan - Zoom Link:  
<https://eurekacityschools-org.zoom.us/j/84125854269?pwd=ZytaOTVITlh0SktwbnBrTEoyMGIXUT09> / Passcode: 939488

Leigh Anne Lopez addressed the Board with transportation concerns and ideas for improvement. She believes that all students should have access to transportation so they can participate in clubs and other afterschool site activities. She is concerned with students being unable to participate in tutoring if they do not have transportation home. She would like ECS to offer busing for afterschool tutoring and sports, as well as an expansion of the busing parameters.

No participants logged into Zoom for public comment. Public comment closed.

**H. ADJUSTMENTS TO THE AGENDA**

- (11) Approval of the Agenda



No adjustments to the Agenda.

It was M/S by Ollivier/Johnson to approve the Agenda. Student Board Representative: yes 0, no 0, absent 1 (Smith). Governing Board: yes 5, noes 0, absent 0. Motion carried.

## **I. INFORMATION**

(12) Student Reports – No student report.

(13) Superintendent's Report – Van Vleck recognized Sierra Speer Dillon, the District's new Communications & Marketing Coordinator, for the recent video about the new gymnasium, which was circulated widely. Van Vleck has concerns about the GMP for the Albee Stadium, which will be discussed later in the meeting. He attended lunches at Zane and Winship and the Zane STEAM play will happen next week. Van Vleck's son (a graduate of EHS) just accepted his first teaching position in Galt, CA, which is exciting. The next Board meeting is scheduled for Wednesday, April 26<sup>th</sup> (instead of Thursday, April 27<sup>th</sup>) due to a conflict which recently resolved. The Board can move the meeting back to Thursday or leave on Wednesday. The Board would like to leave the meeting as scheduled for Wednesday, April 26<sup>th</sup>.

(14) Board Members' Reports

Ollivier participated in the blood drive at EHS. Ollivier and Duncan also participated in the 2/2 meeting at the City of Eureka. Trustee Duncan's son just graduated from lineman school. All Board members participated in re-prioritizing the strategic plan priority areas at a special meeting.

## **J. PUBLIC COMMENT ON NON-AGENDA ITEMS**

Leigh Anne Lopez, the parent of two Winship students, addressed the Board. Her son was recently the victim of a violent attack at school. There were flaws in the process relating to the response and she would like to bring those concerns to the Board's attention. She is hopeful future situations will be handled better. She would like on-site nurses, counselors, and a police officer, at each school. Her son did not receive medical attention at the school, no nurse was called, and 911 was not called. Resources of trained medical professionals need be utilized. The District needs to do everything to keep students safe. She also requested each school site have a counselor, as the students need support. Mental health is a big issue.

Trisha Sanders addressed the Board and recounted recent events at another school out of the area, which resulted in the death of staff members. At a recent professional development, elementary teachers were informed about safety with YouTube videos that left more questions than answers. There needs to be meaningful action to build trust amongst educators and the District. One option would be for teachers to work with an SRO to create defensible space in their classroom.

Julie Fanucchi addressed the Board. She is concerned and has questions about safety in schools. During a recent training she learned about Portrait of a Graduate, learning intentions, and trauma. In the last 29 minutes of the training, she received active shooter training. She reflected on preparedness and notes more support is needed to protect students and staff. The District needs to focus on what can be controlled. She is concerned offices are open to the public, as well as the after school programs. She questioned why teachers are not instructed to lock classroom doors or have blinds.. She requested window laminate film be put on the windows. She would like to receive training in using the fire extinguishers as a defensible method.

Byron Zinselmair addressed the Board and believes perspective means a lot. The District sees positions as positions and teachers see those positions filled by people. He has built relationships and knows who he can count on around the District. He believes the District counts staff as numbers, which is upsetting. He sits on several groups and knows the District has made accomplishments in various areas. He hopes the next round of negotiations it will be productive with minimal arguments. He would like to leave the lawyers out of the negotiation process.

**K. CONSENT CALENDAR**

It was M/S by Johnson/Ollivier to approve the following Consent Calendar items:

- (15) Approval of Personnel Action Report No. 11  
Referred to the Board by:  
Rena Will, Executive Director of Personnel Services and Public Affairs
- (16) Approval of Minutes from the Regular Meeting on March 9, 2023 and Special Meeting on March 14, 2023  
Referred to the Board by:  
Fred Van Vleck, Ed.D., Superintendent
- (17) Approval for Student Services Staff to Travel to Out of State and Attend the National Community Schools & Family Engagement Conference  
Referred to the Board by:  
Lisa Claussen, Director of Student Services
- (18) Approval of Resolution 22-23-012 - 23-24 Child Development Contract CSPP-1106, California State Preschool Program  
Referred to the Board by:  
Lisa Claussen, Director of Student Services
- (19) Approval of February 2023 Warrants  
Referred to the Board by:  
Paul Ziegler, Assistant Superintendent of Business Services
- (20) Approval of Pre-Qualified Contractors and Sub-Contractors  
Referred to the Board by:  
Paul Ziegler, Assistant Superintendent of Business Services



- (21) Approval of Grant Intent to Apply: 2023-24 Local Food for Schools  
Referred to the Board by:  
Paul Ziegler, Assistant Superintendent of Business Services
- (22) Approval of Change Order No. 6: EHS Science Building Project  
Referred to the Board by:  
Paul Ziegler, Assistant Superintendent of Business Services
- (23) Approval of Grant Award Notification: HVIP Public School Bus Set-Aside for Small and Medium Air Districts  
Referred to the Board by:  
Paul Ziegler, Assistant Superintendent of Business Services
- (24) Approval of Agreement between Matson & Vallerga Architects, Inc. and Eureka City Schools: Alice Birney 2023 Paving Work Project  
Referred to the Board by:  
Paul Ziegler, Assistant Superintendent of Business Services
- (25) Approval of Agreement between Matson & Vallerga Architects, Inc. and Eureka City Schools: Alice Birney 2023 Reroofing Project  
Referred to the Board by:  
Paul Ziegler, Assistant Superintendent of Business Services
- (26) Approval for Staff to Travel Out of State to Attend the The National Indian Child Welfare Association (NICWA) Conference  
Referred to the Board by:  
Gary Storts, Assistant Superintendent of Educational Services
- (27) Approval of Field Trip Request for Indian Education-Sponsored College Tour - April 11-14, 2023  
Referred to the Board by:  
Renae Will, Executive Director of Personnel Services and Public Affairs
- (28) Approval of Intent to Apply for Elementary and Secondary School Emergency Relief (ESSER) III Summer Grant Program Funding  
Referred to the Board by:  
Gary Storts, Assistant Superintendent of Educational Services
- (29) Approval of Policy Updates from CSBA - September 2022  
Referred to the Board by:  
Fred Van Vleck, Ed.D., Superintendent
- (30) Approval of the Quarterly Report to the Governing Board as Mandated by the State, In Regards to the Williams Lawsuit  
Referred to the Board by:  
Gary Storts, Assistant Superintendent of Educational Services
- (31) Approval of 2022-23 Supporting Inclusive Practices Grant Application

Referred to the Board by:  
Lisa Claussen, Director of Student Services

- (32) Approval of Second Amendment Memorandum of Understanding By And Between County of Humboldt And Eureka City Schools For Fiscal Years 2021-2022 Through 2024-2025

Referred to the Board by:  
Lisa Claussen, Director of Student Services

- (33) Approval of ECS Contract with Non Public School (NPS): Change Academy of Lake of the Ozarks (Calo)

Referred to the Board by:  
Lisa Claussen, Director of Student Services

Student Board Representative: yes 0, no 0, absent 1 (Smith). Governing Board: yes 5, noes 0, absent 0. Motion carried.

**L. DISCUSSION/ACTION**

- (34) Consideration of Stipulated Student Expulsion [EC Sec 48900.4 and 48900(A)] [Student #22-23-606; Resolution#22-23-018]

Referred to the Board by:  
Lisa Claussen, Director of Student Services

It was M/S by Johnson/Ollivier to approve the Stipulated Student Expulsion [EC Sec 48900.4 and 48900(A)] [Student #22-23-606; Resolution#22-23-018]. Student Board Representative: aye 0, no 0, absent 1 (Smith). Governing Board: ayes 5, noes 0, absent 0. Motion carried.

- (35) Consideration of Stipulated Student Expulsion [EC Sec 48900a(1) and 48900a(2)] [Student #22-23-785; Resolution#22-23-019]

Referred to the Board by:  
Lisa Claussen, Director of Student Services

It was M/S by Johnson/Ollivier to approve the Stipulated Student Expulsion [EC Sec 48900a(1) and 48900a(2)] [Student #22-23-785; Resolution#22-23-019]. Student Board Representative: aye 0, no 0, absent 1 (Smith). Governing Board: ayes 5, noes 0, absent 0. Motion carried.

- (36) Consideration of Stipulated Student Expulsion [EC Sec 48900a.(l) and 48900a.(2)] [Student #22-23-492; Resolution #22-23-020]

Referred to the Board by:  
Lisa Claussen, Director of Student Services

It was M/S by Johnson/Pardoe to approve the Stipulated Student Expulsion [EC Sec 48900a.(l) and 48900a.(2)] [Student #22-23-492; Resolution #22-23-020]. Student Board Representative: aye 0, no 0, absent 1 (Smith). Governing Board: ayes 5, noes 0, absent 0. Motion carried.



- (37) Consideration of Stipulated Student Expulsion [EC Sec 48900a.(l), 48900 (c), and 48900 (h)] [Student #22-23-123; Resolution #22-23-021]  
Referred to the Board by:  
Lisa Claussen, Director of Student Services

It was M/S by Johnson/Rebholtz to approve the Stipulated Student Expulsion [EC Sec 48900a.(l), 48900 (c), and 48900 (h)] [Student #22-23-123; Resolution #22-23-021]. Student Board Representative: aye 0, no 0, absent 1 (Smith). Governing Board: ayes 5, noes 0, absent 0. Motion carried.

- (38) Receipt of the 2021-2022 Independent Audit Report  
Referred to the Board by:  
Paul Ziegler, Assistant Superintendent of Business Services

Ziegler introduced Jesse Deol, the District's CPA from James Marta & Company. Deol provided a summary of the 2021-2022 Independent Audit Report to the Board including the responsibilities and opinion. An unmodified opinion was issued to the District, which is the best opinion that can be provided. Deol provided a presentation outlining the process, procedures, and results of the audit. There was a material weakness regarding internal control (fixed assets) and a significant deficiency – internal control (independent study).

It was M/S by Johnson/Ollivier to accept the 2021-2022 Independent Audit Report. Student Board Representative: aye 0, no 0, absent 1 (Smith). Governing Board: ayes 5, noes 0, absent 0. Motion carried.

- (39) Receipt of the Measure S 2021–2022 Bond Financial and Performance Audit Report  
Referred to the Board by:  
Paul Ziegler, Assistant Superintendent of Business Services

Jesse Deol provided an overview to the Board on the Measure S and Measure T 2021–2022 Bond Financial and Performance Audit Report. An unmodified opinion was issued on both Measure S and Measure T.

It was M/S by Ollivier/Rebholtz to accept the Measure S 2021–2022 Bond Financial and Performance Audit Report. Student Board Representative: aye 0, no 0, absent 1 (Smith). Governing Board: ayes 5, noes 0, absent 0. Motion carried.

- (40) Receipt of the Measure T 2021–2022 Bond Financial and Performance Audit Report  
Referred to the Board by:  
Paul Ziegler, Assistant Superintendent of Business Services  
It was M/S by Johnson/Ollivier to accept the Measure T 2021–2022 Bond Financial and Performance Audit Report. Student Board Representative: aye

0, no 0, absent 1 (Smith). Governing Board: ayes 5, noes 0, absent 0. Motion carried.

- (41) Resolution #22-23-017; Adopting Level 1 Developer Fee Justification Study  
Referred to the Board by:  
Paul Ziegler, Assistant Superintendent of Business Services

Ziegler presented to the Board and requested the Board approve Resolution #22-23-017, Adopting Level 1 Developer Fee Justification Study. The study was generated by King Consulting. Through development of the study and the reevaluation process, the District looked into the viability of charging developer fees. Based on the assumptions and conclusions of the Fee Justification Study, it was determined that the District is not justified in charging developer fees at this time. Approving the justification study shows the District has looked into this issue, and found it is not be justified to charge the developer fees.

It was M/S by Johnson/Ollivier to adopt Resolution #22-23-017; Adopting the Level 1 Developer Fee Justification Study. Student Board Representative: aye 0, no 0, absent 1 (Smith). Governing Board: ayes 5, noes 0, absent 0. Motion carried.

- (42) Adoption of the 2022-23 Transportation Services Plan  
Referred to the Board by:  
Paul Ziegler, Assistant Superintendent of Business Services

Ziegler presented the 2022-23 Transportation Services Plan with the Board. He reviewed the required elements of the plan, including an annual adoption by the Board. Ziegler reviewed the transportation services, including the transport/non-transport zones, hardship requests, prioritization, services for students with disabilities and homeless students. He notes the steps taken by the District with a variety of stakeholder groups and consulting/requests for feedback. There are currently 730 registered bus riders and 178 riders have hardships. The District currently has five bus drivers and ideally needs to have nine drivers. The issue with adding additional duties (such as afterschool, sports, etc.) is not so much an issue of funding as it is with capacity. The District would need to implement split shifts in order to accommodate afterschool routes, would make it even more challenging to recruit and retain bus drivers.

It was M/S by Ollivier/Johnson to adopt the 2022-23 Transportation Services Plan. Student Board Representative: aye 0, no 0, absent 1 (Smith). Governing Board: ayes 5, noes 0, absent 0. Motion carried.

## **M. DISCUSSION**

- (43) After School Education and Safety & Expanded Learning Program Update  
Referred to the Board by:



Gary Storts, Assistant Superintendent of Educational Services

Storts provided an update to the Board on the after school and expanded learning programs. He reviewed the mission, required elements (educational components, enrichment activities, meals and snacks), measurable outcomes, current enrollment, and community partnerships.

(44) Annual Indian Education Public Hearing

Referred to the Board by:

Gary Storts, Assistant Superintendent of Educational Services

Storts notes Sonny Tripp, NCIDC, recently attended a Board meeting had nice things to say about the collaboration with Eureka City Schools. Storts provided a review of the Indian education program at ECS and some of the current projects. Storts is thankful for the community support in building the program. Approximately 14 Native American students will be participating in a community college tour of several college campuses. Storts reviewed the program objectives and goals of the Indian Education Program, student progress, grant allocations, meaningful consultation with tribes, and Parent Advisory Committee (PAC) meetings.

**Allison Robbins**, Blue Lake Rancheria Tribal Education Agency, addressed to the Board. She recently met with Storts and was in touch with the District about this meeting. She would like to meet with the District and update the list of priorities. She emphasized the importance of contacting all the tribes and is concerned the Yurok Tribe is not included on the District's list. She would like the Yurok and Wyott tribes to be able to have contribute to the application. From her perspective, there was some confusion with the date of the Board meeting, which was initially conveyed as March 31<sup>st</sup> and only recently corrected. She is concerned there are not more representatives at the meeting. The Blue Lake Rancheria is submitting many grants and would like to have ECS be involved.

**Karen Skolund** addressed the Board to offer up some suggestions. There is a lot of good information being provided at tonight's meeting regarding the Indian Education Program. She would like this information provided to families as a way to build the program and increase parent involvement. This would allow for additional community input. The tribes would like to participate in the program.

Storts notes the District is working on scheduling an alternative date for the next PAC meeting in late-April/early May. Van Vleck notes an appreciation for Blue Lake Rancheria supporting the "Grow Your Own" Leader Program.

(45) Discussion of Guaranteed Maximum Price (GMP) for the EHS Albee Stadium Increment #1 Project

Referred to the Board by:

Paul Ziegler, Assistant Superintendent of Business Services



Ziegler provided an update to the Board on the GMP for Albee Stadium. The first stage of the stadium project had an original budget of \$11-15 million and the GMP came in at \$23.6 million, which puts the District in a difficult situation. Staff will be asking the Board for direction moving forward. Staff are still working on determining costs for the second stage, to determine a final estimated cost.

Van Vleck notes a worst case scenario would be starting the first stage and being unable to complete the second stage, due to high costs. Staff are evaluating how to reduce costs/increase revenue.

The District is working to confirm how much will be paid by OPSC, but there is no firm timeline to know the exact amount. Options include coming back to the Board with a non-committal GMP (an overall number, an allowance essentially) to cover what the District knows needs to be corrected, i.e. fixing the drain, demo of the ag shop, etc.

The Board would like staff to come back with a more adjusted GMP.

*Note: President Duncan left the meeting at 8:28 p.m. due to a previous commitment. Clerk Johnson took over in running the meeting.*

- (46) Lincoln Campus Facility Usage  
Referred to the Board by:  
Paul Ziegler, Assistant Superintendent of Business Services

Ziegler conveyed this item offers the Board an opportunity to discuss the use of the Lincoln Campus. The previous modernization was done in a way that would allow for the Lincoln Campus to be used as an elementary school. The Lincoln Campus is currently used as a continuation high school but may be used as an elementary school campus at some point in the future. Staff will bring a resolution back to the Board at the April 26, 2023 Board meeting, showing an intent to bring the Zoe students over to the Marshall Campus in the 2026-2027 school year, which would allow the Lincoln Campus to be used as an elementary charter school campus. The delay is due to the Albee Stadium project, which is not projected to be complete until 2025. Trustees notes an excitement with Zoe students being able to be closer to the EHS campus, with easier access to CTE classes.

- (47) Consideration of Request from Eureka High School Athletic Boosters  
Referred to the Board by:  
Fred Van Vleck, Ed.D., Superintendent

The EHS Athletic Boosters has requested the Board authorize a one-time exception to the “no alcohol on campus” rule for a fundraiser in the old Jay Willard Gymnasium. The District has spoken with legal and it is possible for



the Board to consider this for school-related groups, i.e. PTA, Boosters, etc. The attorney has indicated it will be difficult to do a one-time exception and the Board will need to change Board policy. The attorney has recommended the Board not allow this, as it could be a slippery slope. It is staff's recommendation to follow the attorney's recommendation.

A Trustee asked if staff could look into creative options, such as allowing it in the old gym building only, knowing the old building will be demolished over the summer. If this can be a one-time event, and be memorialized correctly, the majority of the Board members present are in support (Rebholtz, Johnson, Pardoe). Trustee Ollivier is not in support of allowing alcohol on a school campus. [Note: Trustee Duncan is not present.]

The Board provided direction to staff to work with the District's attorney to determine if there is avenue for a one-time allowance for this special occasion. If this can be done with minimal risk, the Board would like to move forward with it.

**N. CLOSED SESSION**

Closed session did not continue.

**O. RECONVENING OF OPEN SESSION**

Not applicable. Closed session did not continue.

**P. REPORT OUT FROM CLOSED SESSION**

Not applicable. Closed session did not continue.

**Q. INFORMATIONAL ONLY ITEMS**

(48) Information Only: Review of Proposed Dates for Board Meetings - 2024

(49) Information Only: April 2023 - Review of CDE Calendar of Events

(50) Information Only: Meaningful Board Report (Future Annual Items)

**R. ADJOURNMENT**

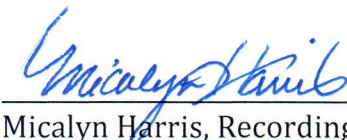
Clerk Johnson adjourned the meeting at 8:42 p.m.

Respectfully submitted,



Fred Van Vleck, Ed.D.

Secretary of the Board of Education



Micalyn Harris, Recording Secretary