

**MINUTES OF THE REGULAR MEETING  
OF THE  
BOARD OF EDUCATION  
August 18, 2020  
Closed Session 6:00 p.m./Regular Meeting 7:00 p.m.**

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**Board Members Present:** Mr. Joe Nava, President; Mr. Ron Freitas, Vice President; Mrs. Susan Macfarlane, Clerk; Mr. Ron Heberle; Mr. Gary Knackstedt; Mr. George Neely and Mr. Courtney Porter

**Administrative Staff:** Dr. Cathy Washer, Superintendent; Mr. Mike McKilligan, Assistant Superintendent, Personnel and Mr. Leonard Kahn, Chief Business Officer

**Meeting Recorder:** Mrs. Michelle Armstrong, Executive Assistant to the Board of Education

**Call to Order**

The meeting was called to order at 6:05 p.m. via YouTube and GoToWebinar.

**Public Comment on Closed Session Items**

No public comments were received prior to Closed Session.

**Adjourn to Closed Session**

The Board adjourned to Closed Session.

**Reconvene Open Session**

The meeting was reconvened at 7:08 p.m. and attendance was recorded. The Pledge of Allegiance was led by President Nava.

**Welcome Student Representatives**

Mr. Nava welcomed Arriana Galvan from Tokay High School, Emma Glanville from Bear Creek High School, and William Machado from Lodi High School.

**Closed Session**

President Nava reported that no action was taken in Closed Session.

**Superintendent's Report**

Dr. Washer welcomed the 2020-2021 student representatives and addressed some issues that Board members have brought to her attention, including a concern about contracted workers not wearing masks at school sites. She assured Board that Mr. Kahn has contacted and communicated our mask policy and that signs are posted at school sites. Dr. Washer recognized custodians and all the great work they are doing and following health and safety protocols. She stated that the District follows the San Joaquin County Public Health guidelines and the San Joaquin County Office of Education guidelines. She acknowledged all staff and administrators who have been getting materials out to students at school sites. She recognized and thanked Katie Hutto, Kindergarten teacher at Mosher Elementary and Samantha McCoy, 7<sup>th</sup> grade teacher at Christa McAuliffe Middle School for letting her and Chelsea Vongehr, Public Information Officer and Grant Writer, pop into their virtual classrooms.

## **Comments from the Public**

No comments were received from the public.

## **Comments from Board Members**

Mr. Porter stated he is concerned about large class sizes at Tokay High School. He recognized Jennifer Cassel, English teacher at Tokay High School, for the positive article "Distance Learning: A Learning Curve For All Involved" published in the *Lodi News-Sentinel* on August 12, 2020.

Mrs. Macfarlane thanked everyone for all the extra hours being worked and looks forward to the future when everyone is back in the classroom.

Mr. Knackstedt thanked everyone.

Mr. Freitas thanked everyone involved in getting Lodi Unified School District up and running virtually for the start of school. He stated he is looking forward to the Special Board Meeting; planning for the future and the District's facilities. Mr. Freitas recognized Ms. Cassel for her positive perspective in the *Lodi News-Sentinel* article.

Mr. Neely expressed his gratitude to the entire Lodi Unified School District staff. He stated how important it is to continue to wear masks so kids can get back into the classroom. Mr. Neely commented he is looking forward to a future report on the status of planning for Level 2. He stated he is concerned that Kindergarten through 3<sup>rd</sup> grade children are having a much harder time with Distance Learning, especially at the Title 1 schools.

Mr. Heberle stated he is very appreciative and proud of the District's teachers who are making the best out of a very difficult situation. He recognized how hard Distance Learning is on the parents and families of students. Mr. Heberle thanked all the support workers, particularly technology staff. He stated he would like to see some sort of emotional support for students with anxiety and stress. Mr. Heberle commented on the large class sizes and would like to see the situation corrected.

Mr. Nava commented on the current class sizes and noted he would like to see them balanced out.

## **Comments from Student Representatives**

Arriana Galvan, Student Representative, Tokay High School, commented how social media has been a great platform to reach out to students, especially now and how it has given them the ability to continue with morning announcements. She discussed how difficult Zoom can be and applauded teachers for how well they are doing.

William Machado, Student Representative, Lodi High School, commented on the difficulties of learning a foreign language during Distance Learning. He shared information about some upcoming events, including Charity Closet and Back to School Night. Mr. Machado stated that student government is holding elections soon and they are looking forward to having freshman join student government.

## **Reports**

### **Update on the Start of the 2020-2021 School Year**

Dr. Washer shared information about students logging on and average daily attendance (ADA). She stated that the ADA information is located on the District website under the Business Services page.

Dr. Washer spoke about responding to students not in class and the steps that are being taken to support students, and the resources available to them. She commented about the technology assistance/virtual support for parents and that more hot spots are available.

Dr. Washer introduced Allen Dosty, Program Coordinator for Child Welfare and Attendance, who spoke about how truancy will be managed during Distance Learning.

Scott McGregor, Assistant Superintendent of Elementary Education, introduced Michael Coughlin, Principal at Ansel Adams Elementary; Lindsay Wudel-Streeter, Principal at Nichols Elementary; Analia Puga, teacher at Heritage Elementary; Bailey Smith, teacher at George L. Mosher Elementary, who all touched on their experiences from the first week of Distance Learning and starting the school year.

Jeff Palmquist, Assistant Superintendent of Secondary Education, introduced Pierre Kirby, Principal at Christa McAuliffe Middle School; Samantha McCoy, teacher at Christa McAuliffe Middle School; Adam Auerbach, Principal at Lodi High School; and Marco Marciasini, teacher at Lodi High School, who all spoke about their positive experiences and perspective of the start of the school year.

Dr. Washer introduced Jose Maciel, Categorical Program Manager for Educational Support Services. Mr. Maciel spoke about the after school programs and stated that thirty-one schools are participating in after school programs, including all Title 1 elementary sites. Mr. Maciel commented that four high schools are in the early planning phases of preparing for after school programs.

Discussion ensued.

Dr. Washer introduced Rafael Ceja, Program Coordinator for Curriculum and Instruction, to briefly discuss support for English learners.

Paul Warren, Administrative Director, Student Services/SELPA, spoke briefly about special education and the requirements during Distance Learning.

Dr. Washer stated that the free lunch waiver did not get extended by the federal government, thus the pay structure is the same as it was during in-person instruction. She commented that as of August 13, 2020, over 32,400 meals have been served to District students.

Mr. Kahn gave an update on health and safety, personal protective equipment orders, and site distribution in preparation for operational Level 2.

Discussion ensued.

Public Comments  
Michelle Orgon, President, Lodi Education Association

**Proposed Business Services Position for Facilities and Risk Management as Part of a Reorganization Plan for the Maintenance & Operation Department**  
The Board tabled this report to a future meeting.

**Proposed Adoption of an Unmanned Aircraft Systems (Drone) Policy**  
The Board tabled this report to a future meeting.

## **Consent Agenda A, Routine Business**

Mr. Kahn pulled Item A-7 and Ms. Orgon pulled Items A-10, A-12, and A-14 from Consent Agenda A for discussion.

- Item A-1 Contracts List
- Item A-2 Warrant Report
- Item A-3 Changes to the Adopted Budget
- Item A-4 45-Day Revision to the Adopted Budget
- Item A-5 Purchase Order Detail Report
- Item A-6 Purchase Order Detail Report
- Item A-8 Approval of Resolution 2020-64 Authorizing Filing of the Notice of Completion for the New Maintenance and Operations Building Project No. 0893-8993
- Item A-9 Notice of Completion for Public Works Projects under the California Uniform Construction Cost Accounting Act (CUPCCAA)
- Item A-11 Resolution 2020-65 Authorizing the Filing of the Notice of Completion (NOC) for the Needham Elementary School Electrical Service Upgrades Project No. 0917-8217-2
- Item A-13 Minutes of the Regular Meeting of August 4, 2020

Mr. Neely moved, Mrs. Macfarlane seconded, and the Board voted unanimously to approve Consent Agenda A, Routine Business, as amended.

## **Individual Action on Items Pulled from Consent Agenda A – Routine Business**

### **Item A-7 Approval of Construction Project Change Order 1 Facility Improvement-New Maintenance and Operations Building Project Number 0893-8993**

Mr. Kahn commented that the change order is additional work for the contractor and believes that the project will still come in at or under budget for the entire project.

Mr. Frietas moved, Mrs. Macfarlane seconded and the Board voted unanimously to approve Consent Agenda A, Item A-7 Approval of Construction Project Change Order 1 Facility Improvement-New Maintenance and Operations Building Project Number 0893-8993.

### **Item A-10 Approval of Construction Project Change Order 1 Facility Improvement-Needham Elementary School Electrical Service Upgrades Project Number 0917-8217-2**

Michelle Orgon, President, Lodi Education Association, asked for clarification on the revised contract amount for Needham Elementary School.

Mr. Kahn responded stating the Needham project overall will likely come in over budget; however, the electrical service upgrade portion of the Needham project came in under budget.

Mr. Neely moved, Mr. Heberle seconded and the Board voted unanimously to approve Consent Agenda A, Item A-10 Approval of Construction Project Change Order 1 Facility Improvement-Needham Elementary School Electrical Service Upgrades Project Number 0917-8217-2.

**Item A-12 Consolidated Application for Funding Categorical Aid Programs for Fiscal Year 2020-2021**

Michelle Orgon, President, Lodi Education Association, asked if a message would be going out to teachers about electing school site council members. Dr. Sahli confirmed that communication will be going out.

Mr. Neely moved, Mr. Heberle seconded and the Board voted unanimously to approve Consent Agenda A, Item A-12 Consolidated Application for Funding Categorical Aid Programs for Fiscal Year 2020-2021.

**Item A-14 Addition of Braille Abilities, LLC and California Sped Solutions to the 2020-2021 Non Public Agency Master Contract**

Michelle Orgon, President, Lodi Education Association, commented that she hopes the District will fill positions from within Lodi Unified School District and not contract out.

Mr. Neely moved, Mrs. Macfarlane seconded and the Board voted unanimously to approve Consent Agenda A, Item A-14 Addition of Braille Abilities, LLC and California Sped Solutions to the 2020-2021 Non Public Agency Master Contract.

**Consent Agenda B – Student Discipline Cases**

- Item B-1 Readmission: Student # 18/19-7-57
- Item B-2 Reinstatement: Student # 19/20-9-24
- Item B-3 Reinstatement: Student # 19/20-6-28
- Item B-4 Reinstatement: Student # 19/20-9-36

Mr. Neely moved, Mrs. Macfarlane seconded and the Board voted unanimously to approve Consent Agenda B, Student Discipline Cases, as presented.

**Other Action Items**

**Item OAI-1 Apex Learning Online Courses**

Robert Sahli, Assistant Superintendent, Curriculum and Instruction, explained that the contract is an opportunity to extend the District's Apex Learning courses and licenses for 7<sup>th</sup> – 12<sup>th</sup> grade students for a three year commitment.

Mr. Porter questioned the Apex program, explaining that the program should be for credit recovery only and feels like the proposed contract is now trying to substitute a curriculum-based class. He stated he is strongly against moving forward.

Discussion ensued.

Mr. Freitas questioned how many students and sites use Apex and the price we currently pay. He stated he is against the proposed contract and feels like there is not enough information presented tonight.

Mr. Neely stated the District needs to look at Apex as a mode of curriculum delivery and that it gives the teacher flexibility in the classroom. He felt that the price was good for what is being offered and extending the Apex program is the first step to modernizing education. Mr. Neely highly recommended the approval.

Mr. Heberle stated he has lots of questions and does not see the answers anywhere. He does not want Apex to be a quick fix for students to pass a class.

Mr. Knackstedt stated he looks at Apex as another tool in the toolbox that provides teachers with options. He feels like the price is good and would approve moving forward.

Discussion ensued.

Mrs. Macfarlane stated she is concerned Apex will infiltrate the master schedules. She feels like Apex is a great tool for how it has been used in the past for credit recovery but she would like more information on the intended use of the proposed contract.

Mr. Nava commented that when he researched Apex he found no negative comments and therefor is all for the program.

Discussion continued.

Public Comment

Michelle Orgon, President, Lodi Education Association

The Board did not take action on this item.

**Item OAI-2 Staff will present the 45 Day Revision to the 2020-21 Adopted Budget**

Mr. Kahn presented the 45 Day Revision to the 2020-21 Adopted Budget and introduced Adina Andris, Director of Budgets, to discuss the budget.

No comments were received.

Mr. Freitas moved and Mr. Heberle seconded to approve Item OAI-2 Staff will present the 45 Day Revision to the 2020-21 Adopted Budget, as follows:

Ayes:	Freitas; Heberle; Knackstedt; Macfarlane; Nava; Porter
Noes:	None
Absent:	Neely*
Abstain:	None

Motion Carried

\*Mr. Neely was briefly absent from the meeting.

**Item OAI-3 Approval of the Board of Education of Amendment #1 to Facilities Lease between Lodi Unified School District ("District") and JL Construction, Inc. in association with JL Modular, Inc. (JLC) for construction of the Tokay High School Classroom Modular Project Increment 2 Installation of Modular and/or Prefabricated Classroom Building ("Project"), located at 1111 Century Blvd., Lodi, CA 95240 ("Site")**

Mr. Kahn stated that this is the last contract that the Board needs to award for the Tokay High Measure U modernization project; adding 2 science classrooms for a total of 20 classrooms.

No comments were received.



Mr. Heberle moved, Mrs. Macfarlane seconded and the Board voted unanimously to approve Item OAI-3 Approval of the Board of Education of Amendment #1 to Facilities Lease between Lodi Unified School District ("District") and JL Construction, Inc. in association with JL Modular, Inc. (JLC) for construction of the Tokay High School Classroom Modular Project Increment 2 Installation of Modular and/or Prefabricated Classroom Building ("Project"), located at 1111 Century Blvd., Lodi, CA 95240 ("Site").

**Item OAI-4 Ratification of the Tentative Agreement with California School Employees Association (4-15-20)**

Mike McKilligan, Assistant Superintendent, Personnel, presented the ratification of a tentative agreement reached with California School Employees Association on April 15, 2020.

No comments were received.

Mr. Neely moved, Mrs. Macfarlane seconded and the Board voted unanimously to approve Item OAI-4 Ratification of the Tentative Agreement with California School Employees Association (4-15-20).

**Item OAI-5 Ratification of the Tentative Agreement with California School Employees Association (5-27-20)**

Mike McKilligan, Assistant Superintendent, Personnel, presented the ratification of a tentative agreement reached with California School Employees Association on May 27, 2020.

No comments were received.

Mr. Neely moved, Mr. Freitas seconded and the Board voted unanimously to approve Item OAI-5 Ratification of the Tentative Agreement with California School Employees Association (5-27-20).

**Item OAI-6 Expansion of Valley Robotics Academy to Include Grades K-6 Beginning with the 2020-2021 School Year**

Dr. Washer presented the Expansion of Valley Robotics Academy to Include Grades K-6 Beginning with the 2020-2021 School Year.

**Public Comment**

Michelle Orgon, President, Lodi Education Association

Mr. Neely moved and Mr. Knackstedt seconded to approve Item OAI-6 Expansion of Valley Robotics Academy to Include Grades K-6 Beginning with the 2020-2021 School Year, as follows:

Ayes:	Knackstedt; Nava; Neely
Noes:	Freitas; Heberle; Macfarlane; Porter
Absent:	None
Abstain:	None

Motion Failed

**Personnel Matters**

Mike McKilligan, Assistant Superintendent, Personnel, presented Personnel Matters for Board consideration.

No comments were received.

Mr. Neely moved, Mr. Heberle seconded and the Board voted unanimously to approve Personnel Matters.

## **Communications**

### **Comments from Employee Group Representatives**

Michelle Orgon, President, Lodi Education Association, stated that as the District goes forward with Distance Learning she expects more amazing work from teachers and hopes that the District does everything possible to keep teachers and students safe. She commented on class size and appreciated the conversation earlier in the Board meeting. Ms. Orgon would like to see automated calls done right away when a possible intruder is on campus and would also like better language on cleaning protocols. She commented that timecards could hopefully be increased for site tech leads and coaches who are working overtime to help teachers.

### **Comments from the Superintendent**

Dr. Washer had no further comments.

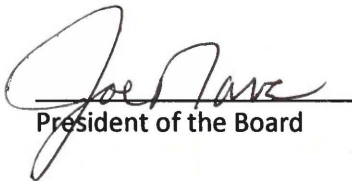
## **Board Advisory Committee Reports**

No reports were presented.

## **Adjourn**

Mr. Neely moved, Mrs. Macfarlane seconded and the Board voted unanimously to adjourn the meeting at 11:34 p.m.

  
Clerk of the Board

  
President of the Board