

BOARD OF EDUCATION OF THE CITY OF LOS ANGELES
GOVERNING BOARD OF THE LOS ANGELES UNIFIED SCHOOL DISTRICT

REGULAR BOARD MEETING MINUTES

333 South Beaudry Avenue, Board Room

1:00 p.m., Tuesday, September 26, 2023

The Los Angeles Board of Education acting as the Governing Board of the Los Angeles Unified School District met in regular session on Tuesday, September 26, 2023, at the Administrative Offices, Board Room, 333 South Beaudry Avenue, Los Angeles, California.

Mr. Michael McLean, Executive Officer of the Board, called the meeting to order at 2:04 p.m.

The following Board Members were present: Dr. George McKenna, Dr. Rocio Rivas, Mr. Scott Schmerelson, Mr. Nick Melvoin, Ms. Kelly Gonez, and Board President Jackie Goldberg.

Ms. Tanya Ortiz Franklin arrived at 2:16 p.m.

Ms. Karen Ramirez, Student Board Member, was present.

Superintendent Alberto Carvalho was present.

Elisa Flores, Student, Euclid Avenue Elementary School, Board District 2, led the Pledge of Allegiance.

BOARD PRESIDENT'S REPORT

Board President Goldberg presented a Proclamation that asked the Board of Education to recognize September 26, 2023, as Kathryn L. Kurka Day. She briefly shared an overview of Ms. Kurka's career. Karen Maiorca and Maria Reza thanked the Board for recognizing Ms. Kurka and shared a short video highlighting the Kurka Children's Health Fund.

LABOR PARTNERS

Mr. Nery Paiz, President, Associated Administrators of Los Angeles (AALA), Ms. Gloria Martinez, United Teachers of Los Angeles (UTLA), and Mr. Fernando Chavez (UTLA) briefly spoke in support of the resolution - Creating a Charter Schools Co-Location Policy to Mitigate Impacts Caused by Proposition 39 (Res-026-22/23).

COMMITTEE REPORTS

Mr. Schmerelson reported on the September 19, 2023, Committee of the Whole meeting.

Dr. Rivas reported on the September 20, 2023, Greening Schools and Climate Resilience Committee meeting.

Ms. Ortiz Franklin reported on the September 21, 2023, Safety and School Climate Committee meeting.

Board President Goldberg modified the Order of Business.

NEW BUSINESS FOR ACTION

Tab 4: BOARD OF EDUCATION REPORT NO. 051-23/24
Rescission of the LAUSD Vaccination Mandate Requirement

The following speakers addressed the Board:

- Ian Jameson
- Theresa Sanford
- Elizabeth Robles
- Jennifer Kennedy
- Vince Nineli
- Karla Franco
- Ray

Superintendent Carvalho shared brief remarks regarding his recommendation of the Rescission of the LAUSD Vaccination Mandate Requirement.

Dr. Smita Malhotra, Chief Medical Officer, Dr. Vlad Manuel, UCLA, and Mr. Frank Serrato, Chief Human Resources Officer, shared a brief presentation on the proposed Rescission of the LAUSD Vaccination Mandate Requirement.

Mr. Schmerelson moved to adopt the item. Ms. Ortiz Franklin seconded the motion.

Remarks were heard from Board Members.

After discussion and on roll call vote, the item was adopted. The vote was 6 ayes, 1 no, Dr. McKenna.

Ms. Ramirez recorded an advisory vote of abstention.

Board Member Resolution for Action:

Board Member Schmerelson assumed the chair

Tab 6: RESOLUTION NO. 026-23/24
Ms. Goldberg, Dr. Rivas – Creating a Charter Schools Co-Location Policy to Mitigate Impacts Caused by Proposition 39

The following speakers addressed the Board:

- Karla Griego
- Ohmagan Khan
- Lorenza Rangel Yarns
- Mark Kraus
- Nicole Duquette
- Pedro Rodriguez
- Adrian Sandoval
- Antonieta Garcia

Ms. Goldberg moved version 2 of the resolution. Ms. Rivas seconded the motion.

Ms. Goldberg clarified the purpose of the resolution.

Ms. Gonez moved the following amendment to the resolution:

Resolved, That the Superintendent shall seek community input, including from parents, students, educators, labor partners and independent charter school representatives, and report back to the Board in 90 days with a Proposition 39 Charter Schools Co-Location Policy (Policy) for potential Board adoption that, as operationally feasible and permitted by law:

1. Preserves District schools' programmatic spaces that are essential to enriching instruction and student health/human services; potential examples include music rooms, robotics labs and maker spaces, computer labs, contractually required spaces for itinerant staff to perform their work and provide direct services to students, intervention rooms (classrooms dedicated to regular and articulated academic intervention services for struggling students), parent centers, and spaces dedicated to necessary components of Community Schools, Priority Schools and BSAP Schools;
2. Improves existing processes to immediately address student safety issues and maintains student safety as the foremost consideration when determining site offers and space configurations;
3. Provides for ongoing tracking of and accountability in response to instances of repeated and significant overestimated in-district ADA that results in overallocation of space;
4. Evaluates and modifies or removes existing District policies that create unnecessary barriers to charters expeditiously moving off of co-located campuses;
5. Explores and puts forward options for Board consideration of multi-year, non-Prop 39 shared facilities agreements, lease, license, joint use, and joint occupancy at appropriate co-located campuses or underutilized/vacant space which adhere to the above-mentioned stipulations;
6. Allocates up to \$5M annually in bond funds for facilities investments at co-located District schools to ensure equity in facilities conditions and amenities, such as the painting of classrooms, new classroom furniture, and technology, as appropriate;
7. Improves the efficacy of collaboration between co-located schools and the sharing of best practices across charter and District schools; and

8. Evaluates the need for additional administrative and operational support at co-located District campuses, such as the dedication of additional campus aides, office staff, assistant principals, or stipends for such existing personnel to provide for the additional responsibilities necessitated by co-locations;

Resolved further, That the policy on preserving District programmatic spaces (#1 above) shall only guide District decisions related to co-location requests where the charter has not previously occupied a specific campus and shall also be applied whenever existing colocations change due to material revisions that expand grade levels or increase enrollment capacity;

~~Resolved, That the Superintendent shall report back to the Committee of the Whole in 90-45 days with a Proposition 39 Charter Schools Co-Location Policy (Policy) recommended for adoption by the Governing Board of the Los Angeles Unified School District;~~

~~Resolved further, That the Policy, as operationally feasible and permitted by law, shall enumerate clear guidelines that: prohibit co-locations on the District's 100 Priority Schools, prohibit grade span arrangements that negatively impact student safety and build charter school pipelines that actively deter students from attending district schools, prohibit co-locations on schools with special programs such as BSAP, and Community Schools, and prevent co-locations that compromise schools' capacity to serve neighborhood kids, as operationally feasible and permitted by law, avoid Proposition 39 co-locations that: (1) are on school sites with the District's 100 Priority Schools, BSAP schools, and Community Schools, (2) compromise District schools' capacity to serve neighborhood children, and/or (3) result in grade span arrangements that negatively impact student safety and build charter school pipelines that actively deter students from attending District schools, all so that the District can focus on supporting its most fragile students and schools, key programs, and student safety;~~

~~Resolved further, That the Policy shall guide District decisions related to all new school co-location requests and shall also be applied whenever existing co-locations change, for reasons including, but not limited to insufficient space, addition of grade levels, and other material revisions to their charter;~~

Resolved further, That the Policy shall, **as permitted by law**, modify ~~the District's existing Proposition 39~~ practices to **require ensure the following**: more robust information-gathering, including a site visit to the ~~District~~ school before recommending a co-locations, ~~require improved and more frequent~~ verification of charter **schools'** average daily attendance, ~~create Board oversight of a Board vote on the approval of all Alternate Agreements,~~ and **improve** monitoring, **enforcement**, and reporting of charter **schools'** payment of co-location fees **facilities costs** and ~~overallocation fees~~ **overallocated space reimbursements**;

Resolved, That the Superintendent shall report back in 90 days with a clear plan and timeline for the creation of a redesigned Charter Schools Division page on the district's website or a standalone website which, in addition to its current content, will provide a clearinghouse to the public for information about charter schools, including charter petitions, co-location requests and offers, reports to the Board, Local Control and Accountability Plans, average daily attendance reports, and other relevant data.

Ms. Ortiz Franklin seconded the motion.

Ms. Goldberg and Dr. Rivas rejected the amendment as friendly.

Remarks were heard from Board Members and staff.

Ms. Gonez clarified that the amendment maintains the Whereas sections of the resolution and only amends the Resolved section of the resolution.

After discussion and on roll call vote, the amendment failed. 3 ayes, 4 noes, Dr. McKenna, Ms. Goldberg, Dr. Rivas, Mr. Schmerelson.

Student Board Member Ramirez recorded an advisory vote of no.

Ms. Goldberg moved the following amendment:

Resolved, That the Policy should clarify the definition of an empty classroom for the purposes of co-location, and preserve District schools' programmatic spaces that are essential to enriching instruction and student health and human services; potential examples include music rooms, robotics labs, and maker spaces, computer labs, contractually required spaces for itinerant staff to perform their work and provide direct services to students, intervention rooms (classrooms dedicated to regular and articulated academic intervention services for struggling students), and parent centers.

Dr. Rivas seconded the motion.

Remarks were heard from Board Members and staff.

Ms. Goldberg and Dr. Rivas accepted the amendment as friendly.

Dr. Rivas called the question on Res-026-23/24. Ms. Goldberg seconded the motion.

Dr. Rivas withdrew her call to the question -- to suspend all discussion on the item.

After discussion and on roll call vote, the amendment was adopted. The vote was 4 ayes, 2 noes, Mr. Melvoin, and. Ms. Ortiz Franklin. Later in the meeting Ms. Gonez recorded an abstention.

The final resolution reads as follows:

Whereas, It is the responsibility of the Governing Board of the Los Angeles Unified School District to ensure the best possible learning environment for our students, which includes a commitment to continuous evaluation and improvement of existing practices, policies, and procedures, including those relating to the District's Proposition 39 compliance efforts and resulting impacts caused by co-locations;

Whereas, The co-location of charter schools, pursuant to Proposition 39, is often detrimental to District schools and the students they educate, and has a tangible negative impact on the District's ability to maintain and grow important priorities including, but not limited to, Black Student Achievement Program (BSAP), Priority Schools, and Community Schools; now, therefore, be it

Resolved, That the Superintendent shall report back to the Committee of the Whole in ~~90~~ 45 days with a Proposition 39 Charter Schools Co-Location Policy (Policy) recommended for adoption by the Governing Board of the Los Angeles Unified School District;

Resolved further, That the Policy, as operationally feasible and permitted by law, shall enumerate clear guidelines that avoid Proposition 39 co-locations that: (1) are on school sites with the District's 100 Priority Schools, BSAP schools, and Community Schools, (2) compromise District schools' capacity to serve neighborhood children, and/or (3) result in grade span arrangements that negatively impact student safety and build charter school pipelines that actively deter students from attending District schools, all so that the District can focus on supporting its most fragile students and schools, key programs, and student safety;

Resolved, That the Policy should clarify the definition of an empty classroom for the purposes of co-location, and preserve District schools' programmatic spaces that are essential to enriching instruction and student health and human services; potential examples include music rooms, robotics labs, and maker spaces, computer labs, contractually required spaces for itinerant staff to perform their work and provide direct services to students, intervention rooms (classrooms dedicated to regular and articulated academic intervention services for struggling students), and parent centers.

Resolved further, That the Policy shall guide District decisions related to all new school co-location requests and shall also be applied whenever existing co-locations change, for reasons including, but not limited to insufficient space, addition of grade levels, and other material revisions to their charter;

Resolved further, That the Policy shall, as permitted by law, modify the District's existing Proposition 39 practices to ensure the following: more robust information-gathering, including a site visit to the District school before recommending a co-location, more frequent verification of charter schools' average daily attendance, a Board vote on the approval of all Alternate Agreements, and monitoring, enforcement, and reporting of charter schools' payment of facilities costs and overallocated space reimbursements;

Resolved further, That the District's annual preliminary co-location proposals, final offers, and Alternative Agreements should all be accompanied by a report to the Board on how the Policy was adhered to in the process; and, be it finally

Resolved, That the Superintendent shall report back in 90 days with a clear plan and timeline for the creation of a redesigned Charter Schools Division page on the district's website or a standalone website which, in addition to its current content, will provide a clearinghouse to the public for information about charter schools, including charter petitions, co-location requests and offers, reports to the Board, Local Control and Accountability Plans, average daily attendance reports, and other relevant data.

- - -

Board President Goldberg resumed the chair and the Order of Business.

- - -

CONSENT ITEMS

Items for action below to be adopted by single vote:

NEW BUSINESS FOR ACTION:

Tab 1: BOARD OF EDUCATION REPORT NO. 050-23/24
Accounting and Disbursement Division
(Unaudited Actuals Report for Fiscal Year 2022-23; Gann Limit Resolution - Public Hearing; and Closure of the State School Building Lease-Purchase Fund) Recommends approval of the Unaudited Actuals Report for Fiscal Year 2022-23 (Attachment A) and directs staff to submit the Report to the County Superintendent of Schools as required by Ed Code; adoption of the Gann Limit Resolution as required under Ed Code Section 42132 (Attachment B); approval of the board resolution for the closure of State School Building Lease-Purchase (SSBLP) Fund 300-7710 (Attachment C); and, approval of the enclosed Resolution to Commit Fund Balance for specific use of programs that meet various obligations and compensation (Attachment D).

Later in the meeting, Mr. McLean read the public hearing statement.

Tab 2: BOARD OF EDUCATION REPORT NO. 054-23/24
Human Resources Division
(Approval of Routine Personnel Actions) Recommends approval of 6,841 routine personnel actions (including, but not limited to, elections, promotions, transfers, leaves, terminations, etc.)

Tab 5: BOARD OF EDUCATION REPORT NO. 052-23/24
Beyond the Bell
Division of Instruction
(Tobacco-Use Prevention Education (TUPE) Tier 2 from the California Department of Education (CDE)) Recommends approval to accept TUPE Tier 2 Grant from the CDE in the amount of \$1,786,028 for the 2023-24 school year, for an estimated total of \$5,358,084 over a three-year period.

RESOLUTION REQUESTED BY THE SUPERINTENDENT

- Tab 7: Appointment of Member to School Construction Bond Citizens' Oversight Committee (Sup-Res 002-23/24)
Resolved, That the Governing Board of the Los Angeles Unified School District ratifies the appointment of Ms. Aleigh Lewis, representing the City of Los Angeles Controller's Office, as Member to the School Construction Bond Citizens' Oversight Committee for a two-year term commencing immediately and determines that Ms. Lewis is not an employee, official, vendor, contractor, or consultant of the District.

NEW BUSINESS FOR ACTION CONTINUED:

- Tab 8: BOARD OF EDUCATION REPORT NO. 030-23/24
Division of Instruction
Integrated Library & Textbook Support Services (ILTSS)
(Textbooks and Instructional Materials Certification Resolution) Recommends adoption of the attached resolution certifying the sufficiency of textbooks and instructional materials in the core and required subject areas.

Later in the meeting, Mr. McLean read the public hearing statement.

PUBLIC COMMENT

The following speaker addressed the Board:

- Maria Luisa Palma, Parent Committees
- Jade, Student, Westchester High School Co-Location
- Madison Rodriguez, Student, Westchester High School Co-Location
- Richard Thomas, New Horizons Academy, Co-Location
- Shauna Draxton, Executive Director, Wish Community & Academy Schools, Co-Location
- Alberta Moore, Parent, Safe Passage for Students, Parent Engagement
- Vanesa Garza, Founding Principal, GALs, Co-Location
- Antonia Montes, RSP Teacher, Eastman Elementary School, Co-Location
- Eric White, Parent, Reclaim Our Schools LA
- Diana Guillen, Parent, Co-Location
- Norma Gonzales, Parent, In Support of School Police on Campus
- Erin Mann, Co-Location

- - -

President Goldberg resumed the Order of Business.

- - -

Mr. McLean read the following Public Hearing Statements:

- Before action is taken on Board Report No. 050-23/24, Unaudited Actuals Report for Fiscal Year 2022-23 and Gann Limit Resolution, a public hearing must be held.

This constitutes a public hearing on Report No. 050-23/24, Unaudited Actuals Report for Fiscal Year 2022-23 and Gann Limit Resolution, and a maximum of 12 individuals who wish to address the Board on the item will be heard. Those who wish to speak should sign-up in the rear of the Board Room. Speakers will be called by name.

- Before action is taken on Board Report No. 030-23/24, Textbooks and Instructional Materials Certification Resolution, a public hearing must be held.

This constitutes a public hearing on Report No. 030-22/23, Textbooks and Instructional Materials Certification Resolution, and a maximum of 12 individuals who wish to address the Board on the item will be heard. Those who wish to speak should sign-up online. Speakers will be called by name.

CONSENT ITEMS Continued

The following speakers addressed the Board on consent items:

Tab 1: Board of Education Report No. 050-23/24
Accounting and Disbursement Division (Unaudited Actuals Report for Fiscal Year 2022-23; Gann Limit Resolution - Public Hearing; and Closure of the State School Building Lease-Purchase Fund)

- Maria Daisy Ortiz
- David Tokofsy

Tab 2: Board of Education Report No. 054-23/24
Human Resources Division (Approval of Routine Personnel Actions)

- Yvette Price
- Rosalba
- Leticia Pepper
- Jason Knopke

Tab 5: Board of Education Report No. 052-23/24
Beyond the Bell Division of Instruction (Tobacco-Use Prevention Education (TUPE)

- David Tokofsky

Tab 7: Appointment of Member to School Construction Bond Citizens' Oversight Committee
(Sup-Res 002-23/24)

- Keith Dell'Aquila

Tab 8: Board of Education Report No. 030-23/24
Division of Instruction Integrated Library & Textbook Support Services (ILTSS)
(Textbooks and Instructional Materials Certification Resolution)

- Maria Daisy Ortiz
- David Tokofsky

Remarks were heard from Board Members and staff.

Mr. Melvoin moved that the Consent Items be adopted. Mr. Schmerelson seconded the motion.

After discussion and on roll call vote, the Consent Items were adopted. The vote was 7 ayes.

NEW BUSINESS FOR ACTION CONTINUED:

Mr. Melvoin moved the following item:

Tab 3: BOARD OF EDUCATION REPORT NO. 061-23/24
Human Resources Division
(Provisional Internship Permits) Recommends approval of the continuing employment of 46 teachers under the Provisional Internship Permit requirements, allowing the District to continue to staff subject field shortage classrooms.

Mr. Schmerelson seconded the motion.

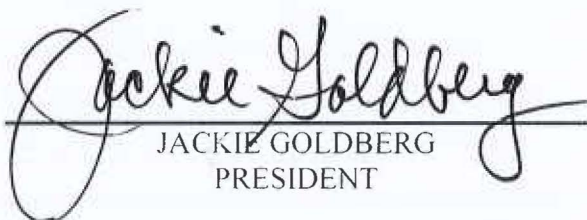
After discussion and on roll call vote, the item was adopted. The vote was 7 ayes.


ADJOURNMENT

Ms. Gonez asked the Board to adjourn the meeting in memory of Board District 6 Campus Assistant Rosalinda Broussard.

On motion by Dr. Rivas, seconded by Mr. Melvoin, and by general consent, the meeting was adjourned at 7:23 p.m.

APPROVED BY THE BOARD: **October 17, 2023**


JACKIE GOLDBERG
PRESIDENT


MICHAEL MCLEAN
EXECUTIVE OFFICER OF THE BOARD

ew