

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF TRUSTEES, ALTA LOMA SCHOOL DISTRICT, COUNTY OF SAN BERNARDINO–WEDNESDAY, July 29, 2020**

OPEN SESSION, CALL TO ORDER AND ROLL CALL

The regular meeting was called to order by Board President Rebecca Davies at 6:00 PM. Present were members Buller, Davies, Oerly, Payzant and Roberts. Absent none.

PLEDGE OF ALLIGIANCE

The flag salute was presented by video of students reciting pledge.

PUBLIC COMMENT ANNOUNCEMENT

Mrs. Davies read aloud the Public Comment Announcement.

ADOPTION OF AGENDA

Moved by Mr. Buller, seconded by Mr. Roberts, and carried unanimously to adopt the agenda of the meeting, as presented.

ADOPTION OF MINUTES

Moved by Mrs. Oerly, seconded by Mr. Roberts, and carried unanimously to approve the minutes of June 10, 2020, as presented.

Moved by Mrs. Payzant, seconded by Mrs. Oerly, and carried unanimously to approve the minutes of June 24, 2020, as presented.

WRITTEN COMMUNICATIONS

None.

PUBLIC COMMENT

**Diane Meza**

Dear ALSD School Board, Mr Moore, and Mrs Thompson,

Please do not allow yourself to be deluded. The decision to offer only distance learning hurts children. Children in disadvantaged or abusive homes have suffered due to the schools being closed. Children who are highly invested in their school are experiencing increased sadness and anxiety, and children who are not intrinsically motivated towards academics will not invest in distance learning.

During this pandemic distance learning is an absolutely essential option for families with existing health conditions or elderly household members. It should be offered, but schools which have been so generously funded by the taxes this community pays should provide in person education as well.

I watched the previous board meeting on June 15th and there were so many illogical and contradictory statements made that I found it extremely disheartening. Each board member and district employee who made an argument for distance learning has lost my support for the entirety of their career. Your names have been written down. When the Governors unconstitutional mandate regarding distance learning is overturned I hope that you will make the right choice for children and open our classrooms. Please do not placate the teachers union at the cost of well being in our community. In person education matters, defund the teachers union!

**Peggy Swistock**

Alta Loma Board of Trustees,

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First off, I would like to thank the district for their continued collaboration with the Association on school reopening. We have spent months meeting continuously attempting to find solutions to the ever changing circumstances related to COVID and its effect on our staff and students. While we have reached agreement on several issues, the idea of teacher flexibility during distance learning remains a point of contention.

To review, in March, when schools shut down overnight, we the teachers, contemporaneously reformed our classrooms, assignments, and teaching styles to meet the needs of students. We the teachers, did this without directive from The Board, district administration, or site administrators. We provided "Learning Opportunities" via state directives and guidelines. In addition, we the teachers, went above and beyond those directives and guidelines, and arranged Google Meets sessions with students to meet their needs. We the teachers, responded to parent concerns, including virtually meeting with them at their convenience, often late into the evening. We the teachers, provided immediate feedback to our students, again often late into the evening. We the teachers, did this, often at the sacrifice of our own family time, to meet the needs of our students. We the teachers, provided flexibility in our schedules to teach our students, and ensure those who were engaged met with success.

We now find ourselves facing a similar situation; beginning the year via distance learning. It is now the teachers that request the same flexibility they had in the spring to continue to ensure student success. We understand the district needs to "get this right," and no one wants this to be a success more than the teachers. Our priority is, and always has been, the success of our students. Tying our hands by reducing flexibility is not in the best interest of the district, the teachers, and most importantly, the students.

Flexibility for teachers is a common theme for neighboring districts, and rightly so. By offering flexibility for teachers to provide daily instruction from home or school, neighboring districts demonstrate respect and confidence in their teachers. We the teachers of Alta Loma request the same flexibility. This ensures teachers will remain healthy, and teachers in Alta Loma will continue to provide superb daily live instruction to our students.

**Jenna Peacock-Pollard**

Good morning,

I am asking that the Board DENY this contract with Lozano Smith Attorneys At Law. The District did not have a contract in place with this firm at the time of consultation therefore the board should not backdate this to take away \$20,000 from educational dollars.

On another note, it's very disheartening and disgusting that the district is willing to spend that amount of money to sue and CHILD but will not pay hardly a fraction of that to have an independent review done for a child. Shame on them. As educators it is your job to see that students have proper resources and this system has failed Eli by allowing this ridiculousness.

I hope as the board you will take this DENIAL into consideration given that #1 those dollars are being wasted when they could be used on more important things and #2 to sue a child and deny is rights and is completely asinine.

Again I'm asking, please do not allow this!

Thank you for your time.

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**Sarah Kruse**

Lori, Steve, and Joan,

I would like to start by saying how very proud I am to be a part of the Alta Loma school district team. The teachers have gone above and beyond what is required of them. During this uncertain time we should be allowed to determine as professionals what environment will be best to continue to provide our students with excellent instruction and support, whether this is in a classroom or a home setting. In the spring we were asked to provide learning opportunities from our homes. ALSD teachers went far beyond the requirements and provided support to our students well past our contractual obligations. We ask that we have the ability to decide what will work best for us at this time.

Respectfully,

**Kerry Murphy**

To Whom It May Concern:

I absolute disagree and am completely discontent and disgusted that the Alta Loma School District would dare allot up to \$20,000 to sue a child who has asked for an independent examination/evaluation. The amount of educational money wasted on such a necessary small unburdensome request is very defining for the school district and it's so-called leaders who are presenting this and attempting to backdate it as well. As a school district, you should have every child's best interest at heart instead of attorneys who will gouge money from education and the taxpayers who all back the mother of this child who asked for your help.

I ask that you DENY this request and agenda item and realize how completely heartbreaking it is you would do this to any family.

Best Regards,

**Kasey Maldonado**

To Whom It May Concern:

I am asking that board deny this contract for LOZANO SMITH Attorney at Law. There wasn't any contract in place for the consultation. It isn't right for the district to be able to back date this. To take 20,000 dollars out of the public education is insulting for all educators, children, and their parents.

It is also pretty terrible knowing that a child's own school district is willing to spend a lot of money on nonsense versus helping said child. It would be a lot cheaper for the district to pay for an independent reviewer instead of suing the child. This can't even be legal on any means.

I hope the board will take into consideration what this will do to the educational system. Most importantly, what message does it send to the child?

**Ana Duque**

Dear Boardmembers members

I have recently become aware of ALSD position to hire attorneys and go after families Who are trying to seek help and assistance with their children. It takes a village to raise a child! Parents are not educators and need help from the school & district for assistance in regards to their

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children's special needs. I am writing this letter because I am wanting to know from you why are you a board member? Why did you become involved?

I could only imagine that your purpose to be on this board is to make a positive impact in education for all children regardless of their social economic background, disability, or race. I am disgusted and yes I said disgusted with the position that the board has taken to place these obstacle courses before these parents who are only trying to do good by their children. I don't feel it's right nor morally correct for you to spend thousands of dollars on attorney fees that are greater than the resources requested by these parents. Shame on you how do you sleep at night. You should not be allowed to use taxpayer money for these attorneys nor should you be able to retroactively request permission to hire an attorney against any child. You should definitely reconsider your practices of intimidation bullying with your legal actions against parents.

**Rita Loof**

Dear Alta Loma School Board Members,

Recently, a parent in your district shared a letter she received from staff essentially stating that your board has washed their hands of children with disabilities by delegating decisions to sue these children to the Superintendent. This is not the same process used for children who do not have disabilities. For example, when your district proposes to expel a child in general education, that decision goes before the school board.

The letter states:

The Board was not required to act before filing the special education due process proceedings. "The Superintendent is **tasked** with the all-encompassing job to "manage instructional and non-instructional operations of the schools" (Board Policy 2110) thus, **the Board properly delegated special education decision-making authority** under Education Code section 35161 and 35035 and the above-Board Policies."

Second, neither the IDEA nor Education Code require board action before filing special education due process proceedings.

While the IDEA may not have specific provisions requiring board involvement, the California state law does. Under California law, children with disabilities and their families are your constituents. Delegating decisions to the Superintendent, who is most likely following legal advice from the for-profit litigators such as Fagen Friedman and Fulfrost and their parent company Lozano Smith, who are profiting from denying help to children with disabilities, is not only discriminatory but is a recipe for corruption.

Does your board delegate decisions about African American children, English Language Learners or Transgender students to the Superintendent? I would venture to say that they do not so why is it acceptable for your board to decide you will not provide the oversight to special education matters. Your decision not to get involved with special education matters sends out a message that you do not want to represent a part of your constituency. You have decided not to represent students solely based on their disability status. The Superintendent is not an elected official and therefore your decision to ignore special education issues is denying students with disabilities access to be governed by elected officials of the people's choosing; the very bedrock of our democracy.

On March 18, while our state was under "stay-home" orders, FFF sued our family for \$12,000, arguing they are due the money they needlessly spent on hiring private investigators to conduct surveillance of our family's attorney and private tutor. In March 2018, the Upland Unified School Board voted unanimously to settle the case and give my daughter needed services, but yet, FFF continued to pursue litigation without any board approval. The law firm hired a private

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investigators to do surveillance on the student's attorney and private tutor. I have shared the invoices that show the surveillance activities. The surveillance the district paid for with education tax dollars included: Surveillance at the home, Comprehensive background, Establishing whereabouts, Locating picture of subject, Research of social media, Verifying property ownership, and DMV vehicle registration check/verification. All this to fight a request for reading instruction and related services. FFF's legal advice has been proven wrong in a recent federal case in Manhattan Beach. A federal Judge rules a few months ago that the Manhattan Beach school district was in violation of federal special education law because they followed the advice of FFF. The Alta Loma district has already been found in violation by the federal court for following bad FFF legal advice. One of FFF's tactics is to harass service providers by serving subpoenas. They use sub-contractors to serve these subpoenas and conduct surveillance on the professionals that are helping our children. In my case, they subpoena the provider and call them to testify but conveniently forget to notify the provider when there has been a scheduling change. They are either doing this deliberately as a form of harassment or they are incompetent.

It is my understanding that your district is now suing yet another child to deny him a simple vision test which normally costs about \$1,000. Your district is now approving a contract for \$20,000 to deny a request of \$1,000. That does not make any fiscal sense.

The reason lawyers can get away with this type of behavior is because they know there is no oversight by your board. Have you seen a copy of the FFF contract which allows for them to hire investigators to conduct government funded surveillance on the citizens of Alta Loma? No one is looking out for the Alta Loma tax payers. Please look into how lawyers are using your district tax dollars and spend your money on teachers not lawyers. Please change the policy of delegating special education matters to the Superintendent without board approval. This process is oppressive and segregates children with disabilities as second class citizens. Please send out a message that children with disabilities are worth your time and attention. Please support inclusion, not segregation.

**Eileen Terry**

Dear Board Members and ALSD staff,

I am thankful childcare will be offered, but also curious about safety procedures that have been put into place regarding childcare.

Can you explain what Study Hall is?

Will children be grouped by grade level in their classrooms?

Will children stay in the same classroom with the same students all day?

Are masks mandatory on the playground during recess?

What is the procedure to ensure all students wash their hands before eating? Are there enough sinks in the school?

Will my child's class be socially distant with other classes, such as on the playground or at lunch?

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What will recesses look like for the children?

**Sarah Doiron**

My name is Sarah Doiron and I am a third grade teacher at Carnelian. I write to you today to ask for you to give flexibility to teachers with the ability to teach from home or their classroom. Many districts in our area are allowing this for their teachers. I am hoping that Alta Loma will also show the same trust and respect for their staff in this regard. In order for my family to stay healthy (including my four month old), I request the flexibility to be able to teach from home.

I understand that the district is under a lot of pressure for distance learning and how it will be different from what we and the students and parents experienced during the spring. I also know that I, along with other Alta Loma teachers, work tirelessly to ensure the best and highest learning experience that we can for the students. We only request that we have the flexibility to do this from our home should we choose.

I appreciate your time and consideration in this.

**Lily**

Hello,

My email today is in regards to giving the teachers/aides the option and flexibility to work from home if they chose to. This request is due to the health issues it could bring to myself and my son with asthma. I hope this can be taken into consideration.

Thank you!

**Ramona Viera**

Good evening District Board Members I first have to say thank you for continuing to have broadcast these meetings live where the public can gain access to information regarding this upcoming school year and other district info. I know you are entrusted to make very difficult decisions and appreciate the open opportunity to hear and give public comments during each meeting. I have a couple comments I would like the board to address and also a couple comments about certain items on the agenda for today's meeting...

Regarding Distance learning model-

Seeing how we are less than 2 weeks out from the first day of school when will families be getting more information regarding distance learning plans? Has the district consulted with any homeschools or Charter schools to get guidance on plans that will make distance learning effective this school year? The more info families are given will help each to prepare. Will we be notified of what teachers our students will be assigned prior to the first day of school?

What can the district offer to families to assist them in having access to internet connection ability this school year? I ask because I have 3 students in my home and in spring when all 3 were on Google meets at the same time I would have connectivity issues and contacted my internet provider about adding a second server to prevent this for the upcoming year but they said the no cost COVID student internet offer expired July 1... If there is no assistance from the limited available internet providers in our area what can the school district do to help families who don't have any internet access?

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Regarding items on today's agenda-

Section N action 1 the board is recommending entering into an agreement with Pitco for furniture/environment, curriculum, software and training not to exceed \$123,000. Seeing how the year is starting out with distanced learning what furniture/environment items will be purchased with those funds? Will those funds be used for protective barriers in anticipation of when on campus learning resumes? Will those funds be used to provide loaner chrome books for more students?

Agenda section 0 #2 approve bid to purchase classroom furniture.

Considering desks are costly and scarce at stores right now while families are preparing for distanced learning at home for the start of the school year and the financial costs families are going to incur with setting up an effective learning space and supplies will our school district consider offering old student desks that would otherwise be discarded to families who may be interested? Or to loan as they are doing with chrome books?

**Marianne Grosner**

I am asking the board to NOT approve the contract for Lozano Smith. In the last month, Lozano Smith was used file a lawsuit against a child with disabilities to deny them services but ALSD did not have a contract with Lozano Smith at the time of filing Due Process. Did the board even vote to approve suing this child with disabilities? It should be noted that in 2005, a federal Judge sanctioned Lozano Smith for unethical practices related to the denial of services to a child with autism.

In the board packet, there is a Memo dated July 29, 2020 from Lori Thompson stating that "it has become necessary to contract with consultant to provide legal services related to special education and pupil services matters". Why is she recommending that the Board approve Lozano Smith starting from a month earlier, July 1, 2020 to June 20, 2021. Why is this agreement retroactive? Also, why is the request to approve the Lozano Smith agreement listed under "CURRICULUM AND INSTRUCTION" in the consent calendar? Law firms don't typically provide curriculum and instruction.

I would also like to note that there is no cover letter, rate sheet or attached contract in the board meeting packet for Lozano Smith so I was wondering how the board can even vote on this contract without actually having seen it? It's like going to buy a car or other expensive purchase and not reading the contract. Wouldn't you want to know what you are agreeing to? Wouldn't you want to do you due diligence?

Instead of spending potentially hundreds of thousands of dollars suing special needs kids, those funds could go toward hiring more amazing teachers and classified staff or even PPE, extra cleaning supplies when students return to school. We need more education and less litigation. Thank you.

**Nicole May**

Good afternoon!

Thank you so much for all of your hard work this summer. As we approach this uncharted territory in education, I appreciate all the time and effort you have all put into creating a plan for

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the upcoming school year. I am writing to you today to request that the district consider allowing ALSD teachers the choice to work from home or school.

When I asked the administration why ALSD would not allow their employees the option to work from home, I was told there were some teachers who did not perform during distance learning in the spring so this would be a way to monitor performance. As much as I understand the need to ensure our students are given quality instruction, I believe these teachers are the minority, not the majority. As a whole, teachers spent countless hours designing instruction, conducting Google Meets, responding to endless student and parent questions, and doing our best to engage students. Personally, I conducted Google Meets or provided videos of instruction every day. In addition, I created contests each week to boost student morale and delivered prizes and treats to students' homes. If I used the minority of my students to make class decisions about instruction, I would be failing the majority of my students. Thus, decisions should be made with the majority in mind, not a select few. If a teacher is not performing well by working from home, it seems like this could be dealt with on a case by case basis with interventions by administration.

By returning to instruction in the classroom space, we will also be using communal spaces like copy machines, bathrooms, etc. It seems like a logistical nightmare if an employee contracts COVID, and then we all have to work from home again. By having the option to work from home, we would create less potential disruptions to learning for students. In addition, if one of our spouses, children, or extended family members contracts COVID and we have been exposed, we may unknowingly expose our fellow teachers and staff members at school. There are several teachers who have compromised immune systems or live with spouses or children who have preexisting health conditions. I would be devastated if I had no symptoms and passed it on to a colleague or his or her family member, who could be significantly at risk.

These are just a few of the school districts within 20 miles that are not requiring instruction at school:

Redlands USD- option to teach from home or from school (can bring your own children if they stay with you and have a temperature check)

Glendora USD- required to teach from home

Charter Oak USD- option to teach from home or school

Fontana USD- option to teach from home or school

San Bernardino- required to teach from home

Thank you again for your coordination and commitment, and I hope the district listens to the concerns of teachers and allows the opportunity to work from home or school.

**Marianne Grosner**

I am asking the board to NOT approve PO #210391 in the board packet in the amount of \$20,000 for Lozano Smith. I am aware that ALSD has filed a lawsuit against a student with disabilities to deny them services and the law firm used was Lozano Smith. It appears that ALSD filed a lawsuit against this child before signing any agreements with Lozano Smith. Is this why there is a start date that is retroactive to July 1, 2020? Board members, \$20,000 is a considerable amount of money. \$20,000 that can be used for PPE, extra cleaning supplies, hand sanitizers etc or curriculum or even a raise for one of the awesome teachers or staff that deserve it. It does not need to be wasted litigating against a child with disabilities.



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Special Education is operating in the red. Budgets have been reduced due to the pandemic. There needs to be oversight to special education matters.

Board members, you are the stewards of the public trust and the public rightfully expects trustees to vet this information sufficiently and scrutinize spending with careful analysis and due diligence.

As a taxpayer, I am requesting that you look into how your contracted and non-contracted law firms for special education are using our taxpayer dollars and change the focus towards funding teachers and classified staff and not lawyers. Thank you.

**Victoria Groves Parent**

Good afternoon board members,

First I would like to thank you as well as all of the Alta Loma Staff and teachers for their hard work, dedication, as well as flexibility during these unique times. It's difficult for everyone, and it's not meant to be easy.

With that being said, I do have a concern. I wanted to know how you can instill confidence in parents when your own administrators and teachers are pulling out their children away from this district and enrolling them into private institutions. I have a hard time coming to grips with the fact that when times are tough, your own leadership decided the educational options that were provided through your hard work and decision making, just wasn't good enough. As a parent, what would these leaders say if I asked "why did you pull out your child?" "Is the Alta Loma District not a good choice for my kindergarten student?". "Is there a lack of Confidence in your district that would cause you to take your child away from this district?"

I would be concerned if my leadership team decided that when times were tough, that they would solve the problem by looking elsewhere, instead of pulling together and rising to the occasion. This lack of confidence would definitely be a cause for concern.

I take pride that my children are being taught by parents whose children are also their peers. It's something that makes this district strong. I don't feel that our current situation is normal, and I don't feel that everyone will get it right the first, second, or even third go around. However, I like this district and Victoria Groves has been good to my child and will be good for my kindergartener.

**Jaimee Sakaoghli**

To all of you wonderful people making tough decisions regarding our children I would like to say thank you. I can tell that you are keeping the safety of students and staff in mind while making these decisions. It is appreciated. I love it that you will be holding students accountable for being in their online classes this year. As a parent, I love the thought of our teachers teaching from their classrooms. I think that will add a level of professionalism and normalcy to this crazy time. Please know that I support you and the decisions that you have made. I feel blessed to be a part of this district, now more than ever.

**Kazim Suda**

Good evening members of the board,

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I am writing to ask you reconsider approving Agenda Item N-3, "consulting agreement with Lozano Smith, Attorney's at Law." Please deny this agenda item, as this agreement is for yet another law firm retained for "legal services related to special education [...] matters" though it is listed under the agenda items titled "Curriculum and Instruction related needs." Not only do these law firms provide absolutely no instruction or curriculum to the Alta Loma school district's population of special needs children, but it is absolutely absurd to think the Board would approve an agreement that allows retroactive payment for almost a month's worth of services, knowing the full intent of consulting with this law firm is to actually attempt to "legally" DENY instruction to children with special needs.

This law firm was already contacted and retained to file due process PRIOR to the retroactive July 1, 2020 start date of this agenda item and has already been used to attempt to deny one of your ALSD special needs students a simple assessment. The attached Educational Services Memorandum does not paint the full picture of why another law firm is needed by the district to represent the district in special education matters."

**Sonya Hess**

Good evening Alta Loma School District Board of Trustees,

My name is Sonya Hess and I am currently a teacher in the Alta Loma School District. I am writing to you today, to ask you to be flexible and accommodating by allowing your teachers the opportunity to choose to teach from their classrooms or their homes. These are unprecedented times and your decisions affect each and every one of us. This is not a time to make a one size fits all decision.

I have 2 children who both have autoimmune disorders and my daughter has asthma. By requiring me to report to school and teach from my classroom, I am exposing myself to numerous people and increasing the chance of bringing Covid19 home to my children. We have over 40 women working at my school who would all be sharing 2 restrooms throughout the day. We would all be sharing the copy machine and touching frequently touched surfaces throughout the day.

My classroom is connected to 3 other classrooms. And in those classrooms I teach with someone over 60 whose husband has health issues, as well as a teacher who is pregnant. I cannot fathom accidentally exposing them to Covid19. They deserve the opportunity to be able to choose between teaching in their classroom or from home.

Please give your teachers the same opportunity that our neighboring districts are giving to their teachers. Chaffey Joint High School District, Etiwanda School District, and Fontana Unified School District are just a few examples of districts who value their teacher's health by giving them the opportunity to teach from school or their home.

I am asking the Alta Loma School District and Board of Trustees to be flexible and accommodating to their teachers. Please give us the opportunity to choose what is best for our health. Allow us to choose between teaching from school or teaching from home.

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**Jahmal C. Williams**

Good evening members of the board,

I am writing to ask you reconsider approving Agenda Item N-3, “consulting agreement with Lozano Smith, Attorney’s at Law.” Please deny this agenda item, as this agreement is for yet another law firm retained for “legal services related to special education matters” though it is listed under the agenda items titled “Curriculum and Instruction related needs.” Not only do these law firms provide absolutely no instruction or curriculum to the Alta Loma school district’s population of special needs children, but it is absolutely absurd to think the Board would approve an agreement that allows retroactive payment for almost a month’s worth of services, knowing the full intent of consulting with this law firm is to actually attempt to “legally” DENY instruction to children with special needs.

I have spoken closely to the family of Eli Kabia and this situation reeks of the same types of discriminatory practices and systemic racism that only serve to alienate and keep Black children like my friend's black son, and other underserved communities from achieving equal levels of opportunity. Studies have shown that Black children in SPED don't receive the same services and education as their white counterparts, and this feels like an attempt to perpetuate these same oppressive practices.

Two more due process cases with Alta Loma were filed this month on July 6, 2020 and July 28, 2020 respectively. Continuing to blindly fund attorney’s instead of taking a look at the issues behind why there is a need for the many different consultation agreements with various attorney’s for “special education matters” is irresponsible and can no longer be tolerated. Too often, this litigation is happening in the cross-hairs of what should be your protected classes of special needs and minority children, with your minority constituents bearing the full brunt of being litigated against then blamed for taking up too much of the educational dollars and funding. But the real issue is the law firms you allow to engage in unfettered litigation against your students, and the money they suck out of your pockets that you turn a blind eye to, and could be used to better educate, support, and protect the students that need it most.

This law firm was already contacted and retained to file due process PRIOR to the retroactive July 1, 2020 start date of this agenda item and has already been used to attempt to deny one of your ALSD special needs students a simple assessment. The Educational Services Memorandum does not paint the full picture of why another law firm is needed by the district to represent the district in special education matters.

As a Black parent, my expectation is that the school that my children go to, and the district they are enrolled in, will do everything in their power to educate my children at the highest level possible. That is what I deserve as a parent entrusting my children to a system that has continually failed Black America. If you all are not doing everything you can, and instead inhibiting the growth and progress of children in SPED, that is not acceptable and will not be tolerated.

I am reiterating my request on behalf of all the families that may have to endure similar circumstances, please DENY Agenda Item N-3, and do not give another law firm any more money to litigate against your special needs students. Do not allow retroactive payments to this

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law firm to deny ALSD students an education, and please request that the board needs to approve ALL cases before allowing them to go to due process/litigation.

**Dana Kizlaitis**

Taxpayers need to be aware how taxes have been spent at District.

Alta Loma Elementary has a long history of litigating students with disabilities. Students who are in special education have a legal agreement for their education. The legal agreement is called an Independent Education Plan (IEP). General Education students don't have a legal agreement with District, only students with disabilities. Special Education operates in the red and that is why District uses law firms to fight services for students with disabilities. A former Superintendent told me that this is big business for the law firms. The lawyers at the law firms are profiting with our tax dollars from families who struggle.

To look at the cases that have been brought in front of a judge and the name of the Special Education Administrators who has attended trails, Google, Office of Administrative Hearings Special Education

SELECT: Search the Decision Data Base

Type in Alta Loma Elementary. You will find cases that District has used with our taxpayer dollars paying private law firms who fight, not support students with disabilities. I would bet that none of the lawyers in the firms have a child with a disability.

This is similar to what happened to Rosa Parks. She too had to be represented in court. Many African American have had to fight for their rights and lawyers were fighting against them. Woman had to fight for their rights in court. In 2020, special education students are being denied rights to an equal education and District is using your tax dollars to fight these vulnerable children.

More Teachers, less lawyers at Alta Loma Elementary.

**Ethel Simpson**

I have been friends with the Aubrey & Rashid and their family for 8 yrs and in that 8 years they have become a part of my family. Aubrey and Rashid have wanted nothing but best for their boys. They love the boys going to Carnelian, it a great school and their teachers are the best. Mr Deagon came in, and has been a great change for their son E. E loved going to school to see him, and Mr. Deegan would go out of his way to make E feel just like any of the other kids. E is an amazing little boy with a heart of gold. He gives the best, warmest hugs and always goes out of his way to show those around him love. Sometimes, he has his moments where he is confused or sad but a warm hug and telling him we love him and everything is gonna be ok almost always helps him. He got that from the staff at Carnelian this past year.

Before the district wants to sue a child, they should go and get to know the child and their family. I think it would save a lot of money that could be used to make our schools a safer place for our kids. Please deny the contract for the lawyers Lozano Smith, which are being used to sue the family. Put that money into Carnelian that still has a lot things much in need of an upgrade.

**Victoria Celis-Castillo**

Greetings Alta Loma School Board, and to the administrators of our school district,

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Thank you so much for all of the time and painstaking planning that you have undertaken this summer. We know how difficult each task has been, and we understand that there are no easy answers to any of the issues you have faced and will continue to face for the upcoming school year. Given everything that has been considered, we are incredibly grateful, but there is one area that remains difficult for us to understand, and that is in the area of teacher flexibility during distance learning.

It has been communicated to us that despite beginning the year with distance learning, the district has the viewpoint right now that all teachers must report to their classrooms to work. I have a few concerns with that. For one, as of this time, all offices in California are encouraged to have employees telework if that is possible. As we have experienced, it is possible for teachers to teach from their homes. While some teachers may have more challenges in doing so than others, for many, teaching from home is the better, safer option.

Another concern in having all teachers teach from school is that, according to the schedule we have received, all teachers will have all breaks at the same time. Guidelines state that breaks for employees should be staggered, but that is not the protocol suggested for us. That concerns me for a couple of reasons. There are limited restrooms on campus, and our lunchroom is small and houses only one microwave. This will make it difficult for teachers to be able to social distance during break times, as well as have time to eat and use the facilities.

Teachers are capable of doing their jobs safely from home and should be given the option to do so. Teachers went above and beyond expectations in spring, and will continue to do so in the upcoming school year. Teachers should be afforded the respect and trust to be able to make the best decision for their students, their families, and themselves.

**Emily Laskey**

Good evening members of the board,

I am writing to ask you to remove approval Agenda Item N-3, “consulting agreement with Lozano Smith, Attorney’s at Law.” Please deny this agenda item, as this agreement is for yet another law firm retained for “legal services related to special education [...] matters” though it is listed under the agenda items titled “Curriculum and Instruction related needs.”

Not only do these law firms provide absolutely no instruction or curriculum to the Alta Loma school district’s population of special needs children, but it is absolutely absurd to think the Board would approve an agreement that allows retroactive payment for almost a month’s worth of services, knowing the full intent of consulting with this law firm is to actually attempt to “legally” DENY instruction to children with special needs.

This law firm was already contacted and retained to file due process PRIOR to the retroactive July 1, 2020 start date of this agenda item and has already been used to attempt to deny one of your ALSD special needs students a simple assessment. The attached Educational Services Memorandum does not paint the full picture of why another law firm is needed by the district to represent the district in special education matters."

**Jessica Martinez**

Dear Board Members,

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My name is Jessica Martinez. In recent correspondence from the previous District's Special Education Director, Beth Freer, she expressed that the Alta Loma School District's Board has washed their hands from representing students with disabilities. Beth Freer outlined that the Board members, who are elected officials, defer all decisions regarding students with disabilities to the Superintendent who is not an elected official.

Beth Freer's letter specifically states:

The Board was not required to act before filing the special education due process proceedings.

"The Superintendent is **tasked** with the all-encompassing job to "manage instructional and non-instructional operations of the schools" (Board Policy 2110) thus, **the Board properly delegated special education decision-making authority** under Education Code section 35161 and 35035 and the above-Board Policies." End of quote.

As a member of the Alta Loma community and as a parent this is an appalling practice. It leaves students with disabilities underrepresented. This is not the same practice used for children who do not have disabilities.

Regarding, the budget I urge the board to ask ALSD staff for a comprehensive report on how special education dollars in our district are being spent. It is my experience that the ALSD denies special education services and promotes litigation. On April 14, 2020, during the COVID-19 pandemic the ALSD law firm- which is for profit- Fagen, Friedman and Fulfrosted sued our family. At the same time this law firm requested a \$5 million dollar PPP loan which will be forgiven. Our tax dollars are being used to sue children instead of providing services.

On June 30, 2020 the ALSD sued another special education child in order to deny him appropriate assessments. Now by a different law firm named Lozano Smith Attorneys at Law. I ask the Board to deny this contract with Lozano Smith. The ALSD did not have an approved contract in place with this firm law firm and is now putting it on the agenda after the fact.

I urge the Board to promote equality and to carry out their board duties and represent **ALL** students and look into the doings of these law firm using our tax dollars.

These issues are why I am announcing my candidacy as Alta Loma School District board member area 2 for the upcoming elections which includes Carnelian Elementary. I want to correct these injustices, lack of accountability and transparency.

Inclusion not segregation! Thank you,

**PUBLIC HEARING**

None.

**BOARD REPORT**

Board member Brad Buller . . . voiced there is a lot of territory to cover on all the issues before them; Mr. Buller is making sure he will be fully equipped to make a decision that is best for the Alta Loma School District.

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Board member Dave Roberts . . . like fellow Board member B. Buller, has been reading everything he can get his hands on while sequestered at home; there are difficult decisions before the Board and Mr. Roberts will do everything he can to make intelligent and informed decisions.

Board member Sandie Oerly . . . like fellow Board members B. Buller and D. Roberts, Mrs. Oerly has continued to watch webinars daily, read everything she can get her hands on to stay informed and continue to learn from other districts however we can; had the opportunity to have fun by distributing lunches for two days at Alta Loma Elementary; it's always nice to see the excitement of the students when they see staff they know.

Board member Caryn Payzant . . . June 25, attended the virtual installation of the new Chamber of Commerce President, Liliana Andriani; Alta Loma School District is a member of the Chamber of Commerce and the Board appreciates the information we get to share with the other leaders in our community; Mrs. Payzant wished Liliana well during her term as the Chamber of Commerce President; attended a report of the Healthy RC Committee Meeting; Mrs. Payzant has served on and off this committee the entire time Healthy RC has been a part of our city; topics discussed were: what happened to the community garden, the new bike lanes, equity during this time, isolation of our youth (with no sports right now), lots of concern addressing the isolation of our young people in the area of sports.

Board member Rebecca Davies . . . has been watching many webinars and reading publications she receives; a lot to digest as things keep changing rapidly; working as hard as she can to stay updated and abreast of the changing dynamics and trying to help figure out what is best for our students in the Alta Loma School District.

### SUPERINTENDENT & STAFF REPORTS

Superintendent Moore commended and recognized the Board for staying up to date with all the webinars and publications. Superintendent Moore shared that on Monday, teachers will start reconnecting with their colleagues and planning as they come back to work.

Associate Superintendent Lori Thompson shared that the District has provided school sites with the Distance Learning Schedules that are outlined by Senate Bill 98. Each school site will be posting their own welcome back letters on their website. Back to school nights will be held virtually and very early this year. Elementary sites will hold their back to school night on August 13 and the Junior Highs will hold their back to school night on August 18. The Board has expressed how important it is, that the first day of school be special for a child. The sites have been working on themes and ideas to make the first day of school memorable.

L. Thompson shared the Child Care team has been preparing and reviewing all the safety measures, that include PPE, protocols, and social distancing practices in order to bring Child Care students to four of the locations in the District during Distance Learning. Child Care staff is ready to supervise and guide students while they are online with their teacher.

Associate Superintendent Lori Thompson thanked staff that have returned to school early and volunteered their time to get this school year off to a great start.

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Mr. Moore shared the Williams Quarterly Reporting, no complaints received during the period of April 1, 2020 – June 30, 2020.

CONSENT CALENDAR

Moved by Mrs. Oerly, seconded by Mr. Roberts, and carried unanimously to adopt the following Consent Calendar items:

Vendor Agreements

Approved agreements with the following vendors, and authorized James Moore and/or Applicable administrators to sign all related documents: 1) A & I Reprographics; 2) Abraxas Energy Consulting, LLC; 3) ACSA, Association of California School Administrators; 4) Atkinson, Andelson, Loya, Ruud & Romo Professional Corporation; 5) Auto & RV Specialist Inc.; 6) Bill & Wag's Inc.; 7) California Financial Services; 8) California School Boards Association; 9) Certified Transportation Services Inc.; 10) Department of Industrial Relations; 11) Document Tracking Services; 12) Emics Inc. DBA Informed K12; 13) Envision Consulting Group; 14) Fieldman Rolapp & Associates; 15) Illuminate; 16) Inland Valley Daily Bulletin; 17) KC Services; 18) Language Line Services Inc.; 19) MCC Carpet Cleaning Inc.; 20) Ontario-Montclair School District; 21) Pacific Hearing; 22) Quality Teleservices; 23) Robinson and Associated LLC; 24) San Joaquin Office of Education; 25) Shalimar Inc. DBA California Bus Service; 26) South Coast AQMD; 27) Sweetman System; 28) Thyssenkrupp Elevator, Inc.; 29) Worxtime LLC.

Accepted with appreciation the following donation:

- a. Donation of \$30,032.00 from Stork Elementary Parent Faculty Student Association to Stork Elementary School to be used to enhance the instructional program.

Board Payment Report

Approved the Board Payment Report as presented.

Routine Personnel Items

Approved employment, terminations, resignations, leaves and temporary assignments, as presented.

Teacher Assignments

Approved the following teacher assignments for the 2020-21 school year per Education Code section 44256(b):

- Terri Federico – Science, Vineyard Junior High (5 sections)
- Pam Roberts – Language Arts, Vineyard Junior High (4 sections)

Teacher Assignments

Approved the following teacher assignments for the 2020-21 school year per Education Code sections 44258.3, 44256(b) and 44258.7 (c, d):

- Andy Bailey – Yearbook, Vineyard Junior High (1 section)
- Jacque La Vallee – Art, Alta Loma Junior High (4 sections)
- Clarissa Dorr – PE, Alta Loma Junior High (1 section)



Conference Attendance

Authorized Board members Brad Buller, Rebecca Davies, Sandie Oerly, Caryn Payzant and Dave Roberts; Superintendent James Moore, Associate Superintendent Steve Thomas and Associate Superintendent Lori Thompson to attend The California School Boards Association Annual Education Conference on December 3 – 5, 2020 in Anaheim, California.

Deposits and Prepayments

Approved deposits and prepayments be made as required to the following vendors which have been determined to offer excellent educational programs for our students. This approval is for all District Schools for the 2020-21 school year and further authorize Superintendent James Moore and/or Associate Superintendent Steve Thomas to sign all related documents. 1) California Science Center; 2) Catalina Island Marine Institute (CIMI) 3) Newport Landing Whale Watching/Balboa/Newport harbor; 4) Ocean Institute; 5) Pali Institute Camp; 6) San Diego Mission Harbor Tour; 7) San Francisco/Monterey Bay; 8) Sea World; 9) The Queen Mary; 10) Three Oaks.

Update Signers

Approved the request to update signers on the Carnelian Elementary School checking account. This actions would add Victoria Carrera, Attendance Clerk, to sign all related documents for Carnelian Elementary School.

GENERAL FUNCTIONS

The California School Boards Association (CSBA) Nomination

Moved by Mr. Roberts, seconded by Caryn Payzant, and carried unanimously to nominate **Henry Cowles** to The California School Boards Association (CSBA) Delegate Assembly representing 16-B for San Bernardino. The two-year term begins April 1, 2020 and ends March 31, 2022.

CURRICULUM AND INSTRUCTION

Agreement with Pitsco Education

Moved by Mrs. Oerly, seconded by Mr. Roberts, and carried unanimously to enter into agreement with Pitsco Education for furniture/environment, curriculum and software, installation and training for an amount not-to-exceed \$123,000 and authorize Superintendent James Moore and/or Associate Superintendent Steve Thomas to sign all related documents.

Purchase and Implementation of Language! Live

Moved by Mr. Buller, seconded by Mrs. Payzant, and carried unanimously to approve the purchase and implementation of Language! Live for grades 5-8 for 2020-2021 school year.

Consulting Agreement with LOZANO SMITH, ATTORNEYS AT LAW

Moved by Mrs. Oerly, seconded by Mr. Roberts, and carried unanimously to approve a consulting agreement with LOZANO SMITH, ATTORNEYS AT LAW

from July 1, 2020 through June 30, 2021 for an amount not-to-exceed \$20,000, and authorize Superintendent James Moore and/or Associate Superintendent Steve Thomas to sign all related documents.

Consulting Agreement with ADVANCED MEDICAL PERSONNEL SERVICES

Moved by Mr. Buller, seconded by Mrs. Payzant, and carried unanimously to approve a consulting agreement with ADVANCED MEDICAL PERSONNEL SERVICES for provision of a Speech and Language Therapist from August 4, 2020 through December 17, 2022 for an amount not-to-exceed \$48,000, and authorize Superintendent James Moore and/or Associate Superintendent Steve Thomas to sign all related documents.

2020-2021 Consolidated Application and Reporting System

Moved by Mr. Roberts, seconded by Mr. Buller, and carried unanimously to approve the 2020-2021 Consolidated Application and Reporting System as presented.

Title I, Part A

Title II, Part A (Teacher Quality)

Title III, Part A (LEP Students)

Title IV, Part A (Student Support)

Comprehensive Needs Assessment

Moved by Mr. Roberts, seconded by Mrs. Oerly, and carried unanimously to approve the Comprehensive Needs Assessment to move Title 1 schools to a Schoolwide Program (SWP). (An Executive Summary for each school was distributed to the Board of Trustees for their review prior to the meeting.)

BUSINESS AND FINANCIAL PROCEDURES

Competitive Bid from Pomona Valley Cooperative

Moved by Mr. Buller, seconded by Mrs. Oerly, and carried unanimously to authorize Alta Loma School District to utilize approved competitive bid from the Pomona Valley Cooperative for Child Nutrition purchases and further authorize Superintendent James Moore and/or Associate Superintendent Steve Thomas to sign all related documents.

Piggyback Bid Number 19/20-1273

Moved by Mrs. Payzant, seconded by Mr. Buller, and carried unanimously to approve the use of the Piggyback San Bernardino County Superintendent of Schools, Bid Number 19/20-1273 to purchase classroom furniture from Culver-Newlin.

Transportation Administrative Regulation

Moved by Mr. Buller, seconded by Mrs. Oerly, and carried unanimously to suspend Transportation Administrative Regulation 3541.

HUMAN RESOURCES

Request for Retirement

Moved by Mrs. Oerly, seconded by Mr. Buller, and carried unanimously to accept the request for retirement from Nancy Barboza, Instructional Aide – P.E., effective May 21, 2020, for a total of 20 years of service to the District.

Request for Retirement

Moved by Mrs. Payzant, seconded by Mrs. Oerly, and carried unanimously to accept the request for retirement from Dianna Mellinger, Library/Media Clerk, Vineyard Junior High, effective May 21, 2020, for a total of 30 years of service to the District.

Declaration of Need

Moved by Mrs. Oerly, seconded by Mr. Roberts, and carried unanimously to approve the Declaration of Need for Fully Qualified Educators, and authorize Superintendent James Moore and/or Associate Superintendent Steve Thomas to sign all related documents.

Board Policy 4040 – Employee Use of Technology

Moved by Mr. Buller, seconded by Mrs. Payzant, and carried unanimously To amend Board Policy related to Personnel BP 40410 – Employee Use of Technology.

BOARD INFORMATION/DISCUSSION

Budget Update

None.

Bond Progress

Associate Superintendent Steve Thomas shared with the Board the progress of the bond projects. Deer Canyon's main campus is in the middle of being modernized. Trim on the office building has been painted and bolstered the siding around the roof line in the front of the school. Deer Canyon's outdoor patio had to have the concrete redone to comply with ADA. Every part of Deer Canyon's campus is being touched.

Demolition has started at Jasper and there is already significant removal in some of the classrooms. Pleased to be able to take advantage of the non-student time to make progress.

At Vineyard Jr. High, a ramp has been put in by the front office for wheelchair access. The front parking area will be re-poured. The old wooden shingles on the roof have been removed and replaced with new screens to shield the HVAC units on the roof. Next year a STEM Lab will be added to the campus.

Alta Loma Junior has been completely remodeled. Some of the science classrooms have been combined to form larger rooms and an old home economics classroom has been

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repurposed for a special day class. A STEM Lab has been added to ALJH, each student has a work station with a computer and video monitor.

Future Agenda Items

Under Superintendent and Staff Reports - Virtual Learning Update

ANNOUNCEMENTS

The date of the next regular meeting of the Board of Trustees has been changed from Wednesday, August 5, 2020 to Wednesday, August 19, 2020 at 6:00 PM via Zoom Conference.

CLOSED SESSION

The Board adjourned to Closed Session at 7:44 PM for the purpose of discussing matters expressly authorized by government Code Section 3549.1, 54956.9, 54956.9(d), 54957, and 54957.6.

OPEN SESSION AND ADJOURNMENT

The Board reconvened to Open Session, no announcements were made. The meeting was adjourned at 8:30 PM.