



**FOUNTAIN VALLEY  
SCHOOL DISTRICT**  
*Board of Trustees Meeting*

## **Annual Organizational Meeting - Dec 14 2023 Agenda**

Thursday, December 14, 2023 at 6:00 PM

Fountain Valley School District Board Room 10055 Slater Avenue Fountain Valley, CA 92708

### **A. CALL TO ORDER- 6:00 P.M.**

1. Pledge of Allegiance
2. Roll Call
  - Jeanne Galindo, President
  - Steve Schultz, President Pro Tem
  - Sandra Crandall, Clerk
  - Dennis Cole, Member
  - Phu Nguyen, Member

### **B. APPROVAL OF AGENDA**

1. Agenda for December 14, 2023, Regular Board of Trustees Meeting  
ACTION:

### **C. SPECIAL PRESENTATION**

1. Celebration of President Jeanne Galindo  
The Board of Trustees would like to recognize and thank outgoing Board President Jeanne Galindo for her leadership this year. The Board of Trustees will join staff and the community in celebrating the successes of 2023 in the Fountain Valley School District under her leadership.

### **D. BOARD MEMBER REPORTS**

### **E. STAFF REPORTS**

1. First Interim Report Presentation (Written and Oral)

Assistant Superintendent, Business, Christine Fullerton and Director, Fiscal Services, Isidro Guerra will present and review with the Board of Trustees the First Interim Report for the Fountain Valley School District.

## **F. PUBLIC COMMENTS**

*Community and staff members are welcome to address the Board of Trustees on any item listed on the Agenda of Business or any other item of specific concern.*

**To address the Board of Trustees, please comply with the procedures listed on the yellow Public Comment form *For Persons Wishing to Address the Board of Trustees* and give the form to the Public Information Officer/Executive Assistant to the Superintendent. Each speaker is limited to 3 minutes.**

As a reminder, Board protocols and California law do not allow Board members to discuss public comments or attempt to answer questions posed by a speaker during the public comment time. If appropriate, the Superintendent will ask staff to follow up with speakers.

## **G. LEGISLATIVE ITEMS**

### **1. Election of Board President for 2024**

The provisions of the Education Code require the governing board of each school district to hold an annual organizational meeting within a prescribed 15-day period. At the board meeting on November 9, 2023, the Board of Trustees acted to select Thursday, December 14, 2023, at 6:00 pm as the date and time for the annual meeting.

As part of the annual organization meeting, the Board of Trustees will elect its officers for the calendar year 2024.

Board members shall make a motion, a second, and vote for a Board President.

It is recommended that the Board of Trustees opens nominations and reaches a consensus on a Board President for the calendar year 2024.

### **2. Election of President Pro Tem 2024**

As part of the annual organizational meeting, the Board of Trustees will elect its officers for the calendar year 2024. Board members shall make a motion, a second, and vote for a Board President Pro Tem.

It is recommended that the Board of Trustees opens nominations and reaches consensus on a Board President Pro Tem for the calendar year 2024.

### **3. Election of Board Clerk for 2024**

As part of the annual organizational meeting, the Board of Trustees

will elect its officers for the calendar year 2024. Board members shall make a motion, a second, and vote for a Board Clerk.

It is recommended that the Board of Trustees opens the nominations and reaches a consensus on a Board Clerk for the calendar year 2024.

4. Selection of Representatives to County Committees and Councils and District Committees

As part of the annual organizational meeting, the Board shall select board representatives to County committees, councils, and various District committees. Alternates may be selected for some of the committees at the discretion of the board.

Nominating Committee/County  
Committee on School District  
Organization

*Representative:*

*Alternate*

District Audit  
Committee:

*Representative:*

*Alternate:*

Health and Wellness Committee

*Representative:*

*Alternate:*

Superintendent Parent  
Council (SPC)

*Representative:*

*Alternate:*

HB Schools Committee

*Representative:*

Fountain Valley Schools  
Foundation:

*Representative:*

*Representative:*

It is recommended that the Board of Trustees opens for discussion and reaches consensus on board representation on County Councils and District Committees.

5. Selection of Board Meeting Dates for 2024

The Board of Trustees shall reach a consensus on board meeting dates for the upcoming year. A proposed calendar of board dates is listed below. Meeting dates are on Thursdays unless noted.

January 11, 2024

February 8, 2024

March 14, 2024

April 18, 2024

May 9, 2024

June 13, 2024

June 20, 2024

August 8, 2024

September 12, 2024

October 10, 2024

November 14, 2024

December 12, 2024

December 19, 2024

It is recommended that the Board of Trustees discusses and reaches consensus on the Board Calendar for 2024.

6. Elementary ELA/ELD Pilot Approval

In May of 2022, FVSD established an Instructional Materials Review Team to initiate the process of reviewing English Language Arts and English Language Development Curriculum for the elementary grade levels (TK-5th Grade).

California Education Code Section 60210 permits school districts to review and adopt materials that are on the state-approved program list, as well as materials that are not on the state-approved program list. Approval from the local Board of Education is required if a District seeks to pilot instructional materials that are not on the California Department of Education's approved list of programs.

FVSD's Instructional Materials Review Team recommends that the District pilot the Benchmark Advanced Program (on the CDE-approved list of programs) and Benchmark Workshop (not on the CDE-approved list of programs). Piloting of the two programs will take place between January and April 2024. Subsequent to the completion of the piloting program, a recommendation of adoption will be brought forward to the FVSD Board of Trustees in June 2024.

It is recommended that the Board of Trustees approve the plan to pilot the Benchmark Advanced Program and the Benchmark Workshop Program for English Language Arts and English Language Development for the elementary grade levels.

7. Memorandum of Understanding Between Fountain Valley School District and Fountain Valley Education Association

**Background:**

FVSD and FVEA enter into this MOU to provide academic tutoring for students attending the afterschool ESP program at our seven

elementary school sites to be funded by the Expanded Learning Opportunities Program (ELOP) Funds.

**Submitted by:**

Personnel Services

**Attachments:**

[MOU -FVSD and FVEA November 30, 2023.pdf](#) 

It is recommended that the Board of Trustees approves the Memorandum of Understanding between Fountain Valley School District and Fountain Valley Education Association dated November 30, 2023.

8. Memorandum of Understanding Between Fountain Valley School District and CSEA and its Fountain Valley Chapter #358

**Background:**

Fountain Valley School District and CSEA and its Fountain Valley Chapter #358 to change the job title of Payroll Clerk to Payroll Technician and change the placement of Payroll Technician on the Classified Salary Schedule from Range 49 to Range 52 effective January 1, 2024.

**Submitted by:**

Personnel Services

**Attachment:**

[MOU FVSD And CSEA 11-2023.pdf](#) 

It is recommended that the Board of Trustees approves the Memorandum of Understanding between Fountain Valley School District and CSEA and its Fountain Valley Chapter #358 dated November 14, 2023.

## **H. CONSENT CALENDAR/ ROUTINE ITEMS OF BUSINESS**

1. Minutes of November 9, 2023, Board of Education Meeting  
<https://fvsd.diligent.community/home/meeting/preview/66/minutes/public>

2. Classified Personnel Report

**Background:**

Approval of the consent calendar will approve the Classified Personnel Report, including various actions required to meet the needs of the District.

It is necessary to process various personnel actions to meet staffing and operational needs. Compensation to personnel is within budgeted amounts in accordance with Board Policy.

**Submitted by:**

Human Resources

**Recommended Action:**

Approval/Ratification of the Classified Personnel Report.

**Attachments:**

[Classified Personnel Items 2023-12-14.pdf](#) 

[Confidential Salary Schedule 2023 2024 5% for Board with values.pdf](#)



[Class Mgmt Salary Sch 2023-2024 5% for Board w Values.pdf](#) 

3. Certificated Personnel Items

**Background:**

Approval of the consent calendar will approve the Certificated Personnel items, including various actions required to meet the needs of the District.

It is necessary to process various personnel actions to meet staffing and operational needs. Compensation to personnel is within budgeted amounts in accordance with Board Policy.

**Submitted by:**

Personnel Services

**Recommended Action:** Approval/Ratification of the Certificated Personnel items.

**Attachments:**

[Certificated Personnel Items](#) 

C. Salary Schedules effective 7/1/2023:

1. [2023-2024 Certificated Management](#) 
2. [2023-2024 School Psychologist](#) 

D. [CalStateTEACH Student Teacher Placement MOU](#) 

E. [CalStateTEACH University Intern MOU](#) 

4. Donations

**Background:**

Donations to the district must be presented to the board. Donations come from multiple sources, as listed.

**Submitted by:**

Business Services

**Attachments:**

[Donations.pdf](#) 

5. Purchase Orders



**Background:**

Purchase orders have been processed in accordance with the rules and regulations of the Board of Trustees and applicable legal requirements of the State of California.

**Submitted by:**

Business Services

**Attachments:**

[PO Change Order Report 11-09-2023 thru 11-28-2023.pdf](#)  [PO Detail Report 11-09-2023 thru 11-28-2023.pdf](#) 

6. Approve/Ratify Warrants

**Background:**

In order for vendors to be paid, the County School Claims Office requires all vendors' checks to be approved by the Board of Trustees.

**Submitted by:**

Business Services

**Attachments:**

[Warrant listing and ACH payment - Dec 14 2023.pdf](#) 

7. Budget Adjustments and Transfers

[Budget Adjustments-11.30.23.pdf](#) 

[Budget Transfers-11.30.23.pdf](#) 

8. Williams Uniform Complaint Quarterly Report (Q#1: Jul 1- Sep 30)

**Background:**

The Orange County Department of Education is requesting the report of uniform complaints received in your district per the requirements of Education Code section 35186(d).1 This is a reporting requirement for all school districts and county-operated programs.

**Recommended Action:**

It is recommended that the Board of Trustees receives and approves the Williams Quarterly Report for the first quarter of the 2023-24 year and approves its submittal to the Orange County Department of Education.

**Submitted by:**

Superintendent's Office

**Attachments:**

[UCP Report Form District 2023-24 Q#1.pdf](#) 

9. CELLCO Partnership, D/B/A Verizon Wireless Contract for hotspots

**Background:**

The District purchased 140 Hotspots from T-Mobile to address remote and hybrid learning during Covid. The contract with T-Mobile has since expired; however, there is still a need to have a limited number of hotspots for distribution to students with no or unreliable internet access.

The IT department evaluated multiple hotspot carriers and determined Verizon Wireless offers the best pricing. The price includes a one-time cost of \$42 per device and \$10 for unlimited monthly data usage. The IT department plans to purchase five hotspots and purchase more as needed.

**Fiscal Impact:**

The contract will be funded with the 2023-2024 IT budget.

**Submitted by:**

Business Services

**Recommended Action:**

It is recommended that the Board of Trustees award Verizon Wireless the contract to provide internet hotspots.

**Attachment:**

[DL agreement.pdf](#)  [NASPO Participating Addendum Verizon v07.01.2023 Locked \(1\) \(2\).docx](#) 

10. Use of the Irvine Unified School District Piggyback Bid for the Purchase of Computer and Technology Products, Service and Related Items from CDW Government, LLC

**Background:**

The District has been using the Irvine Unified School District piggyback bid with CDW Government, LLC (CDWG) to purchase technology products and services since 2020. Bid No. 19/20-01 was awarded to CDWG on December 17, 2019. The original contract was through December 31, 2021, with the option to extend it for three additional one-year terms. The most current extension will add an additional year through December 31, 2024. As a result of this extension, staff is seeking approval to continue to use the piggyback clause in the bid to purchase technology and equipment.

**Fiscal Impact:**

The use of the piggyback clause in the Irvine Unified School District Bid allows the District to purchase technology products, services, and related items at a cost below standard retail price.

**Submitted by:**

Business Services

**Recommended Action:**

It is recommended that the Board of Trustees approves the use of the Irvine Unified School District Piggyback Bid for the Purchase of



Computer and Technology Products, Services, and Related Items from CDW Government, LLC.

**Attachments:**

[CDWG 11.7.23.pdf](#) 

11. Approve the Contract with Wolverine Fence Company for FVSD 23-01 Fence and Gate Upgrades Complete and Authorize Staff to File the Appropriate Notice of Completion

**Background:**

On April 6, 2023, the Board of Trustees awarded the FVSD 23-01, Fence and Gate Upgrades, to Wolverine Fence Company. The project is now substantially complete, and the Notice of Completion needs to be filed with the Orange County Clerk-Recorder.

The Notice of Completion (NOC), once executed and recorded, serves to give formal notice to subcontractors, manufacturers, and material suppliers that they have 30 days in which to submit any claims to the District for payment due from the contractor. The NOC also triggers the start of warranty/guarantee periods, which generally run one year from the date the NOC is recorded.

The retention payment of 5% will be released no sooner than 35 days after the filing and recording of the Notice of Completion at the Orange County Clerk-Recorder's Office, in accordance with Public Contract Code Section 7107.

**Fiscal Impact:**

There is no additional fiscal impact.

**Recommendation:**

It is recommended that the Board of Trustees approves the contract with Wolverine Fence Company for FVSD 23-01 Fence and Gate Upgrades complete and authorize the Superintendent or his designee to file the appropriate Notice of Completion on behalf of the District.

**Attachment:**

[NOC Fencing Phase 1 - Fulton, Gisler, Oka.docx](#) 

12. Approve 2023-24 First Interim Report

**Background:**

School districts are required to complete two interim financial reports during a fiscal year: one as of October 31 and one as of January 31. The First Interim Report presents the results of actual financial operations through October 31 and the projected budget for the fiscal year for all District funds. A three-year projection for the General Fund is also included. The District is required to certify its financial outlook as Positive, Qualified, or Negative and submit it to

the Orange County Department of Education. Board Members received a copy of the complete First Interim Report in the required State format, along with a descriptive narrative and comparative financial projections, and will be available on the District's website for review after Board approval.

**Submitted by:**

Business Services

**Recommended Action:**

It is recommended that the Board of Trustees approve the First Interim Report for fiscal year 2023-24 with a Positive Certification. Per State guidelines, a positive certification indicates that, based on current projections, the District will meet its financial obligations for the current and subsequent two fiscal years.

13. Review and approval of 2022-23 Financial Audit Report

**Background:**

The 2022-23 Financial Audit, completed by EideBailly is presented to the Board of Trustees for review and acceptance. The Audit Report includes financial statements, supplemental information, compliance statements, findings, and recommendations.

There was an audit finding related to a discrepancy in student eligibility for free or reduced-price meals. The District did not properly determine the eligibility of students by comparing the data reported by the child's household to the published income eligibility guidelines. As a result, 3 of 60 randomly students selected for testing were improperly marked as eligible for free meals. Based on the income eligibility guidelines, 2 of the 3 students have been determined as eligible for reduced-price meals, and 1 of the 3 students have been determined as ineligible for free or reduced-price meals. There are no questioned costs associated with this finding.

There are no restatements to the District's financial operating results, and the audit received an unmodified opinion in all areas, including Financial Statements, Federal Awards, and State Compliance, the best possible certification. Going forward, the District will implement a process to review, update, and verify the eligibility of students when the annual application or statement, which furnishes such information as family income and family size are received and compare the data reported by the child's household to the published income eligibility guidelines.

A copy of the Audit Report is available in the Business Services office for review.

**Submitted by:**

Business Services

**Recommended Action:**

It is recommended that the Board of Trustees receive and accept the 2022-23 Financial Audit.

14. Resolution 2024-11 to Close General Obligation Bond (GOB) Funds No. 21-21, 21-22 and 21-23

**Background:**

Given the expenditure of all Measure O funds as of June 30, 2022, there is no need to keep these funds active.

**Submitted by:**

Business Services

**Recommended Action:**

It is recommended that the Board of Trustees adopts Resolution 2024-11 to close General Obligation Bond (GOB) funds No. 21-22, 21-22 and 21-23.

**Attachments:**

[FVSD 2023-24 Resolution to Close Bldg Fund 21.pdf](#) 

15. Special Education Settlement Agreement 2023-2024-C

**Background:**

According to the Special Education Agreement signed on November 28, 2023, between Parents and the Fountain Valley School District, the District agrees to the following:

1. Compensatory Reimbursement provided to Parents in the amount not to exceed Fifteen Thousand Dollars (\$15,000.00) for (1) academic tutoring services provided to the Student; (2) speech and language services provided to the Student; (3) counseling services provided to the Student.

Term of the settlement agreement is through July 30, 2025.

Furthermore, the District agrees to provide reimbursement for attorney fees incurred on behalf of the Student directly to the Parents in the amount of Nine Thousand Dollars (\$9,000.00).

**Submitted by:**

Educational Services

**Recommended Action:**

It is recommended that the Board of Trustees approves this Special Education Settlement Agreement 2023-2024-C.

16. Special Education Settlement Agreement 2023-2024-D

**Background:**

According to the Special Education Settlement Agreement signed on December 1, 2023, between Parents and the Fountain Valley School District, the District agrees to the following:

1. The District agrees to pay attorney fees incurred on behalf of the Student directly to the attorney in the amount of Two Thousand Dollars (\$2,000.00).

**Submitted by:**

Educational Services

**Recommended Action:**

It is recommended that the Board of Trustees approves this Special Education Settlement Agreement 2023-2024-D.

17. Approve/Ratify Non-Public Agency Contracts

**Background:**

Under current consortium budget agreements, any unfunded cost of non-public school or non-public agency placement is a cost to the general fund of the resident district.

**Submitted by:**

Educational Services

**Recommended Action:**

It is recommended that the following non-public school/agency contracts/addendums be approved, and the West Orange County Consortium for Special Education be authorized to receive invoices and process payment.

**Attachment:**

[12-14-23 Board NPA-S Contracts Approval FVSD Public.pdf](#) 

**I. SUPERINTENDENT'S REPORT/ NEW BUSINESS**

**J. CLOSED SESSION**

1. Consultation with Assistant Superintendent, Personnel, Assistant Superintendent, Business Services and Assistant Superintendent, Educational Services: Government Code 54956.5
2. Personnel Matters: Government Code 54957 and 54957.1 Appointment/Assignment/Promotion of employees; employee discipline/dismissal/release; evaluation of employee performance; complaints/charges against an employee; other personnel matters.
3. Pupil Personnel: Education Code 35146
4. Negotiations: Government Code 54957.6 Update and review of negotiations with the FVEA and CSEA Bargaining Units with

the Board's designated representative, Cathie Abdel.

5. Conference with Legal Counsel - Anticipated Litigation  
Government Code section 54956.9. Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Government Code section 54956.9. (One potential case)

**K. REPORT OF CLOSED SESSION**

1. The Board President will report out on action taken if any.

**L. ADJOURNMENT**

1. Meeting Adjourned  
ACTION:
2. Next Meeting January 11, 2024, pending board approval