



Mountain View Whisman School District Board of Trustees - Regular Meeting

1400 Montecito Avenue
April 24, 2025

Meeting ID: 871 0961 6635
Passcode: 511048
There is no participant ID

Members of the public who call in to the meeting will be placed in a waiting room until the appropriate time to address the Board. During that time in the waiting room, the caller will not be able to hear the meeting. Callers can view and hear the meeting here: youtube.com/mvwsd

Members of the public who wish to address the Board during the Board of Trustees meeting may email comments to publiccomments@mvwsd.org. In order to expedite the meeting, please send your comments by the Wednesday before the meeting. Staff will make all attempts to share and record any submissions received, however, depending on timing, late submissions will be provided to the Board after the conclusion of the meeting.

(Live streaming available at www.mvwsd.org)

As a courtesy to others, please turn off your cell phone upon entering.

Under Approval of Agenda, item order may be changed. All times are approximate.

I. CALL TO ORDER (4:30 p.m.)

The meeting was called to order at 4:35 p.m.

A. Roll Call

Present: Conley, DiFazio, Henry, Lambert

Absent: Reed

B. Approval of Agenda

A motion was made by Charles DiFazio and seconded by Devon Conley to approve the Agenda with moving up item X.K. Board Policy 5145.13 Response to Immigration Enforcement to X.B.

Ayes: Conley, DiFazio, Henry, Lambert

Absent: Reed

II. OPPORTUNITY FOR MEMBERS OF THE PUBLIC TO ADDRESS THE BOARD CONCERNING ITEMS ON THE CLOSED SESSION AGENDA

No member of the public wished to address the Board concerning items on the Closed Session.

III. CLOSED SESSION

A. Existing Litigation

1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
(Gov. Code, § 54956.9, subd. (d)(1))
JOHN ROE 1, JOHN ROE 2, JOHN ROE 3, JOHN ROE 4, and JOHN ROE 5 v. MOUNTAIN VIEW WHISMAN SCHOOL DISTRICT, STEVEN MYERS, TRAVELING SCHOOL INCORPORATED, SANTA CRUZ CITY SCHOOLS, and TRAVELING SCHOOL INTERNATIONAL, Case No.: 22CV02834
2. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
(Gov. Code, § 54956.9, subd. (d)(1))
JOHN ROE 1, JOHN ROE 2, JOHN ROE 3, JOHN ROE 4, and JOHN ROE 5, each individually v. MOUNTAIN VIEW WHISMAN SCHOOL DISTRICT, a public entity; SANTA CLARA UNIFIED SCHOOL DISTRICT, a public entity; NATHANIEL MCCRAY, an individual; ROGER RAY MURRAY, an individual; RONALD WAYNE MURPHY, an individual; KENNETH STEVE CARPENTER, Case No.: 22CV408177

B. Real Property Negotiations

1. CONFERENCE WITH REAL PROPERTY NEGOTIATORS Government Code § 54956.8
Properties: 1625 San Luis Avenue, Mountain View, CA 94043
District Negotiator: Jeffrey Baier, Superintendent; Dr. Rebecca Westover, Chief Business Officer; Phil Henderson, Orbach Huff & Henderson
Party With Whom District Is Negotiating: Google Inc.
Under Negotiation: Price and terms of payment
2. CONFERENCE WITH REAL PROPERTY NEGOTIATORS Government Code § 54956.8
Properties: 325 Gladys Avenue, Mountain View, California 94043
District Negotiator: Jeffrey Baier, Superintendent; Dr. Rebecca Westover, Chief Business Officer; Phil Henderson, Orbach Huff & Henderson
Party With Whom District Is Negotiating: Google, Inc.
Under Negotiation: Price and terms of payment
3. CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Pursuant to Government Code section 54956.8)
Property: 777 West Middlefield Rd., Mountain View, California
Agency Negotiator: Rebecca Westover, Chief Business Official, Jeff Baier, Superintendent; Phil Henderson & Sarine Abrahamian, Orbach Huff & Henderson
Negotiating Parties: Mountain View Owner, LLC

Under Negotiation: Price and terms of payment related to Option to Purchase Real Property

IV. RECONVENE OPEN SESSION

The meeting was reconvened to Open Session at 6:00 p.m.

Trustee Reed arrived for Closed Session.

A. Closed Session Report

Trustee President Lambert reported that no reportable action was taken in the Closed Session and mentioned that Trustee DiFazio recused himself from items B. Real Property Negotiations Nos. 1 and 2, Google Inc., with whom the district is currently negotiating.

V. SCHOOL SHOWCASE by Benjamin Bubb Elementary

A. Pledge

Bubb students led the Pledge of Allegiance.

VI. SPECIAL RECOGNITION - Turtle Awards

A. (Action) Employee Recognition for Turtle Award

The Trustees recognized the seven admirable employees of the Turtle Award who demonstrated exceptional collaboration and teamwork with their colleagues and/or students.

The seven employees receiving recognition for the Turtle Awards were:

1. Ali Leopold
2. John Zepezauer
3. Kim Barrie
4. Kimberly Martinez
5. Leigh Wilson
6. Lisset Tellez
7. Margaret Poor

The following member of the community addressed the Board of Trustees:

- Aytok Celik

VII. CONSENT AGENDA

All items on the Consent Agenda are considered to be routine and will be approved in one motion. If discussion is required, items may be removed for separate consideration.

A motion was made by Charles DiFazio and seconded by William Lambert to approve the Consent Agenda.

Ayes: Conley, DiFazio, Henry, Lambert, Reed

Trustee DiFazio pulled item K. Board Policy 5145.13 Response to Immigration Enforcement for further discussion.

Trustee Lambert pulled item D. Award of contract for Chromebooks to CDW, for further discussion.

A. Personnel Report

1. Personnel Report to the Board of Trustees

B. Minutes

1. Minutes for the March 27, 2025 Special Meeting Study Session
2. Minutes for the April 3, 2025 Regular Board MeetingMeeting
3. Minutes for the April 15, 2025, Special Board Meeting

C. Contracts

The following member of the community addressed the Board of Trustees:

- Mohan Gurunathan
1. (Action) Ratification of Contracts

D. Award of contract for Chromebooks to CDW

The following member of the community addressed the Board of Trustees:

- Atyek Celik
- Nhung Liu
- Ling Wang
- Mohan Gurunathan

Trustee Lambert would like an assessment or an understanding of how the district utilizes technology in the classroom and how it helps students.

Trustee Reed mentioned the detailed explanation in response to the trustees' questions regarding the Chromebooks and why, with a timeline to phase out the use of Chromebooks for the younger grades, there was no movement in that direction.

Trustee Conley thought a Study Session or Town Hall would be beneficial to have around technology usage. The trustees supported the idea of holding a Study Session to gather information and feedback on what types of curriculum students need to be able to access the technology and the proper ways to interact with it.

E. Reading Difficulty Risk Screener Adoption

F. Disposal of Obsolete Equipment

- G. Notice of Completion - Vargas Outdoor Learning Phase 1 Tree Replacement Project - Marina Landscape, Inc.
- H. Notice of Completion - District Wide Access Control Project - Paladin Technologies, Inc.
- I. Short Term Contract - S Doi
- J. Second Reading-Board Bylaws and Board Policies Updates
- K. Approval of Monthly Reports for the Month of March 2025; Ratifying some contracts and Reviewing other contracts
- L. MEMORANDUM OF UNDERSTANDING (MOU) Between Mountain View Whisman School District (MVWSD) And Mountain View Los Altos High School School District (MVLA) for Use of Auditoriums
- M. Reoccurring Credit Card Charges
- N. Quarterly Report on Williams Uniform Complaints
- O. Change Order #4 Justification: District Wide Window Replacement Project
- P. Award of Contract – Heating, Ventilation, and Air Conditioning (HVAC) Services

VIII. COMMUNICATIONS

A. Employee Organizations

No member of the community wished to address the Board of Trustees.

B. Superintendent Report

Superintendent Baier mentioned:

- MVWSD was recently named a 2025 California Green Ribbon School District Sustainability Honoree for the second consecutive year.
- Graham Middle School's first-ever Leadership Mountain View Career Day was organized with the Leadership Mountain View Class of 2025. Eighth graders heard from professionals across diverse fields.
- New tenant incentive, offering two months of free rent to new tenants for eligible applicants who have submitted applications on or after April 4, 2025
- A U.S. Coast Guard helicopter will land on the Stevenson/Theuerkauf field as part of a special community engagement event for Día del Niño (Children's Day) at Theuerkauf.
- MVWSD received a staff housing Certificate of Occupancy after a successful State and City inspection.

IX. COMMUNITY COMMENTS

The following member of the community addressed the Board of Trustees:

- Aytek Celik
- Kyle Miller
- Nhung Liu
- Ling Wang

Trustee Lambert recognized Mr. Miller's concerns regarding laundry and mail service, agreed that the conditions mentioned were unacceptable, apologized for the situation, and shared that the superintendent and staff would address the issues immediately.

X. REVIEW AND ACTION

A. (Discussion) Update on MVWSD+ Expanded Learning Programs

Staff shared an update on MVWSD+, the district's afterschool and school break program, provided for free to qualifying students. The program is offered at every MVWSD school and helps students succeed academically and socially. Next year, the program will continue collaborating with the YMCA of Silicon Valley and Beyond the Bell (BTB). MVWSD+ serves approximately 1,100 students during the school year and 700 in the summer.

The following member of the community addressed the Board of Trustees:

- Ling Wang

B. (Action) Declaration of Need for Fully Qualified Educators

A motion was made by Charles DiFazio and seconded by Lisa Henry to approve the Declaration of Need for Fully Qualified Educators for 2025-26 as presented.

Ayes: Conley, DiFazio, Henry, Lambert, Reed

The District must submit a Declaration of Need for Fully Qualified Educators to the California Commission on Teacher Credentialing each year. Submission by the employing agency of a Declaration of Need for Fully Qualified Educators shall be a prerequisite to issuing any emergency permit and/or limited assignment permit for that agency.

The Declaration of Need for Fully Qualified Educators by an employing agency is valid for no more than twelve months. It expires on the 30th day of June following its submission to the Commission.

MVWSD is still looking to hire Language Teachers at the Middle School level.

C. (Action) Resolution No. 02-042425 Recognizing May 14, 2025 as Day of the Teacher

A motion was made by Devon Conley and seconded by Ana Reed to Staff recommend that the Board of Trustees approve and adopt Resolution No. 02-042425 Recognizing May 14, 2025, as Day of the Teacher as presented.

Ayes: Conley, DiFazio, Henry, Lambert, Reed

Teachers make a crucial difference in the lives of all the District's students. California's "Day of the Teacher" is recognized on the second Wednesday in May of each year.

D. (Action) Resolution No. 01-042425, Recognizing May 18-24, 2025 as Classified School Employee Week

A motion was made by Ana Reed and seconded by Devon Conley to approve and adopt Resolution No. 01-042425, Recognizing May 18 through May 24, 2025, as Classified School Employee Week..

Ayes: Conley, DiFazio, Henry, Lambert, Reed

Each year, the Governor and Legislature in California designate the third week in May as "Classified School Employees Week." Classified school employees perform valuable school services that enhance the educational process for all the District's students.

E. (Action) Resolution No. 06-042425 Approving the Formation of a Non-Profit Corporation to Govern Staff Housing at 699 N. Shoreline Blvd

A motion was made by Devon Conley and seconded by William Lambert to approve Resolution No. 06-042425 The Formation of a Non-Profit Corporation to Govern Staff Housing at 699 N. Shoreline Blvd, with the striking out of section 4, and in paragraph 5, remove the bylaws of the corporation, and paragraph six remove the reference to bylaws otherwise as presented.

Ayes: Conley, DiFazio, Henry, Lambert, Reed

At the March 27 Board of Trustees Study Session, the trustees agreed upon several "Success Criteria" for the lease-up and stabilization of the MVW at the Sevens staff housing project.

The Board's consensus was to move quickly to form a non-profit 501(c)(3) corporation to govern staff housing in the future.

Trustee Lambert asked if the Bylaws needed to be approved that evening, and the answer was no; they could be a work in progress. He recommended that the Board start the 501(c)(3) and do the Articles of Incorporation. The trustees will forward their comments to Superintendent Baier to be incorporated into the bylaws.

The following member of the community addressed the Board of Trustees:

- Mohan Gurunathan
- Karin Dillion
- Rakhee Kaushik
- Nancy Achter
- Nhung Liu
- Ling Wang

F. (Action) Approval and Adoption of Resolution No. 03-042425 Determining the

Acquisition of Approximately 1.8 Acres of Real Property Commonly Referred to as 699 N. Shoreline Blvd., in the City of Mountain View, California, County of Santa Clara with an Assessor Parcel Number of 153-24-027 Project is Exempt from the California Environmental Quality Act (CEQA) and Deciding to Carry Out the Project

A motion was made by Devon Conley and seconded by William Lambert to approve and adopt of Resolution No. 03-042425 Determining the Acquisition of Approximately 1.8 Acres of Real Property Commonly Referred to as 699 N. Shoreline Blvd., in the City of Mountain View, California, County of Santa Clara with an Assessor Parcel Number of 153-24-027 Project is Exempt from the California Environmental Quality Act (CEQA) and Deciding to Carry Out the Project.

Ayes: Conley, DiFazio, Henry, Lambert, Reed

The resolution does not commit to purchasing the land but allows the Board to proceed if it chooses to.

The item is the Board directing staff to file a Notice of Exemption for the California Environmental Quality Act (CEQA). If the Board decides to purchase the land, the Notice of Exemption will be formalized.

G. (Action) Resolution No. 05-042425 Supporting Recognition of Jewish American Heritage Month

A motion was made by Devon Conley and seconded by Charles DiFazio to adopt Resolution No. 05-042425, A Resolution In Support of Recognizing Jewish American Heritage Month, as presented.

Ayes: Conley, DiFazio, Henry, Lambert, Reed

May 1, 2025, marks the beginning of Jewish American Heritage Month. MVWSD recognizes the importance of honoring the achievements of its Jewish community members and thoughtfully reflecting on the history of pain and oppression they have endured and continue to endure; they are honored this month ad infinitum.

H. (Action) Resolution No. 04-042425 in Support of Recognizing Asian American Pacific Islander Heritage Month

A motion was made by Devon Conley and seconded by Ana Reed to adopt Resolution No. 04-042425, A Resolution In Support of Recognizing Asian American Pacific Islander Heritage Month, as presented.

Ayes: Conley, DiFazio, Henry, Lambert, Reed

May 1, 2025, marks the beginning of Asian American Pacific Islander Heritage Month. MVWSD recognizes the importance of honoring the achievements of our Asian American Pacific Islander community members and thoughtfully reflecting on the history of pain and oppression they have endured and continue to endure; they are honored this month ad infinitum.

Trustee Reed recognized that the Jose Antonio Vargas School was named after an Asian American.

I. (Action) Year End Closing and Board Authority

A motion was made by William Lambert and seconded by Devon Conley to to extend the meeting to 10:30 p.m..

Ayes: Conley, DiFazio, Henry, Lambert, Reed

The district must close its financial books by state reporting timelines and accounting standards.

Three options were presented to the trustees:

1. A temporary Resolution that grants limited authority to the Superintendent or Board President to approve and ratify late or unexpected expenses to close the books accurately.
2. Defer payment to the next fiscal year, risking the expense to be recorded in the wrong year and possible audit findings.
3. A Special Board meeting will be held in July to approve the remaining items.

Trustees Conley, Henry, and Reed agreed with excluding some categories, that a public report should be prepared, ratification should occur at the Board retreat in early August, and the resolution delegating authority to the Superintendent be approved.

Trustee DiFazio agreed with the disclosure and categorization but disagreed with delegating the authority solely to the Superintendent.

Trustee Lambert prefers to hold a Special Meeting and disapproves of delegating authority to the Superintendent.

Staff will return with the trustees' suggestions at a following meeting.

J. (Discussion) First Reading-Board Policies Updates

Trustee DiFazio provided background information from the April 16, 2025, Policy Committee Meeting on CSBA's policy recommendations, acknowledging that policies remain the responsibility of the entire board. In some cases, policy recommendations are not ready, and continued work is needed.

Trustee Conley mentioned not having BP 6144, Controversial Issues. Trustee DiFazio commented that fifteen policies were reviewed during the last Policy Committee Meeting, that the Policy Committee had reviewed BP 6144, and that it would be included in a subsequent batch.

Trustee Reed appreciated the smaller batch of policies being brought to the trustees.

K. (Action) Board Policy 5145.13 Response To Immigration Enforcement

A motion was made by Charles DiFazio and seconded by Ana Reed to Motion.

Ayes: Conley, DiFazio, Henry, Lambert, Reed

Superintendent Baier stated that the Policy Committee did not intend to reduce the obligation to train the MVWSD Staff. The proposed language change from CSBA seemed to move from a passive staff receiving to a more active superintendent or designee providing, and it was suggested that the operative language remain "shall" rather than change to "may."

Trustee Henry commented that the policy was adopted in 2018, out of the attorney general's recommendation; additional guidance from the attorney general was released in December 2024. The CSBA recommended changes was to incorporate the specific changes to the model language from the original attorney general's policy.

Trustee DiFazio mentioned the Board Development Bylaw as one of the policies being updated; in part, it states that a board calendar shall be developed for board development. It would be helpful when refreshing the older policies as they are updated.

L. (Action) Resolution No.07-042425 to Establish Special Reserve Fund for Other than Capital Outlay Projects Fund 170

A motion was made by Ana Reed and seconded by Devon Conley to approve Resolution No.07-042425 to Establish Special Reserve Fund for Other than Capital Outlay Projects Fund 170.

Ayes: Conley, DiFazio, Henry, Lambert, Reed

The resolution would enable the Mountain View Whisman School District to request that the Santa Clara County Auditor and Treasurer establish a restricted fund, known as the Special Reserve-Other Than Capital Outlay Projects Fund 170. Such a fund is authorized to provide for the accumulation of general fund monies for general operating costs, and the School District has accumulated funds for these purposes.

XI. BOARD UPDATES

Board Updates:

- Trustee Reed attended a CSBA finance session and a CTA Board training session. She found that the CTA session's focus differed from CSBA's training. The CTA focused on empowering one as a board member, covering what can and should be done, what questions to ask, and where to find relevant documents, such as the SACS document. The slide deck will be shared with MVWSD's MVEA President.
- Trustee Conley organized the visit from CSBA President Betty Lusk to tour the County along with the executive officers of the Santa Clara County School Boards Association. They visited Loma Prieta, the San Jose Unified School District, the Baressa School District, and the Hester Cluster, a special education site for high school students.

- Trustee Conley also participated in a meeting with staff at Foothill and members of the Advocacy Committee for Unhoused Students of the Santa Clara County School Board Association, seeking support for the Family Congregate Shelter in Sunnyvale.
- Trustee Conley mentioned attending the Hoffmann Award in May. The California School Board Association awards the Hoffmann Awards.

XII. ITEMS FOR FUTURE AGENDAS

Trustee DiFazio mentioned that the "Item for Future Agendas" was an informational section where board members could discuss items they would like to see added to the agenda in the future; it's not an official vote.

Trustee Lambert Conley would like to have the policy amended.

XIII. FUTURE BOARD MEETING DATES

A. Future Board Meeting Dates

May 8, 2025

May 29, 2025

June 12, 2025

B. MVWSD 2024-25 Governance Calendar

2024-2025 Governance Calendar

Agenda items listed on a designated month on the Governance Calendar are subject to change.

XIV. ADJOURNMENT

The meeting was adjourned at 10:23 p.m.

NOTICES FOR AUDIENCE MEMBERS

1. RECORDING OF MEETINGS:

The open session will be video recorded and live streamed on the District's website (www.mwvsd.org).

2. CELL PHONES:

As a courtesy to others, please turn off your cell phone upon entering.

3. FRAGRANCE SENSITIVITY:

Persons attending Board meetings are requested to refrain from using perfumes, colognes or any other products that might produce a scent or chemical emission.

4. SPECIAL ASSISTANCE FOR ENGLISH TRANSLATION/INTERPRETATION:

The Mountain View Whisman School District is dedicated to providing access and communication for all those who desire to attend Board meetings. Anyone planning to attend a Board meeting who requires special assistance or English translation or interpretation is asked to call the Superintendent's Office at (650) 526-3552 at least 48 hours in advance of the time and date of the meeting.

El Distrito Escolar de Mountain View Whisman esta dedicado a proveer acceso y comunicacion a todas las personas que deseen asistir a las reuniones de la Junta. Se pide que aquellas personas que planean asistir a esta reunion y requieren de asistencia especial llamen a la Oficina del Superintendente al (650) 526-3552 con por lo menos 48 horas de anticipacion del horario y fecha de esta reunion, para asi poder coordinar los arreglos especiales.

5. **DOCUMENT AVAILABILITY:**

Documents provided to a majority of the Governing Board regarding an open session item on this agenda will be made available for public inspection in the District Office, located at 1400 Montecito Avenue during normal business hours.

Los documentos que se les proveen a la mayoria de los miembros de la Mesa Directiva sobre los temas en la sesion abierta de este orden del dia estaran disponibles para la inspeccion publica en la Oficina del Distrito, localizada en el 1400 Montecito Avenue durante las horas de oficinas regulares.