

SANTA MARIA JOINT UNION HIGH SCHOOL DISTRICT

BOARD OF EDUCATION

CSBA Professional Governance Standards

Adopted by the Santa Maria Joint Union High School District April 11, 2001

THE BOARD

School districts and county offices of education are governed by boards, not by individual trustees. While understanding their separate roles, the board and superintendent work together as a “governance team.” This team assumes collective responsibility for building unity and creating a positive organizational culture in order to govern effectively.

To operate effectively, the board must have a unity of purpose and:

- Keep the district focused on learning and achievement for all students.
- Communicate a common vision.
- Operate openly, with trust and integrity.
- Govern in a dignified and professional manner, treating everyone with civility and respect.
- Govern within board-adopted policies and procedures.
- Take collective responsibility for the board’s performance.
- Periodically evaluate its own effectiveness.
- Ensure opportunities for the diverse range of views in the community to inform board deliberations.

THE INDIVIDUAL TRUSTEE

In California’s public education system, a trustee is a person elected or appointed to serve on a school district or county board of education. Individual trustees bring unique skills, values and beliefs to their board. In order to govern effectively, individual trustees must work with each other and the superintendent to ensure that a high quality education is provided to each student.

To be effective, an individual trustee:

- Keeps learning and achievement for *all* students as the primary focus.
- Values, supports and advocates for public education.
- Recognizes and respects differences of perspective and style on the board and among staff, students, parents and the community.
- Acts with dignity, and understands the implications of demeanor and behavior.
- Keeps confidential matters confidential.
- Participates in professional development and commits the time and energy necessary to be an informed and effective leader.
- Understands the distinctions between board and staff roles, and refrains from performing management functions that are the responsibility of the superintendent and staff.
- Understands that authority rests with the board as a whole and not with individuals.



Board of Trustee Action Plans
Santa Maria Joint Union High School District

- **Maximize Student Success**
- **Develop and Maintain a Districtwide Accountability System**
- **Enhance Student Support Services: Facilities, Technology, Safe, Clean, Nurturing Environment; Expand Food Services**
- **Foster Partnerships**
- **Manage Rapid District Growth**

RESPONSIBILITIES OF THE BOARD

The primary responsibilities of the board are to set a direction for the district, provide a structure by establishing policies, ensure accountability and provide community leadership on behalf of the district and public education. To fulfill these responsibilities, there are a number of specific jobs that effective boards must carry out.

Effective boards:

- Involve the community, parents, students and staff in developing a common vision for the district focused on learning and achievement and responsive to the needs of all students.
- Adopt, evaluate and update policies consistent with the law and the district's vision and goals.
- Maintain accountability for student learning by adopting the district curriculum and monitoring student progress.
- Hire and support the superintendent so that the vision, goals and policies of the district can be implemented.
- Conduct regular and timely evaluations of the superintendent based on the vision, goals and performance of the district, and ensure that the superintendent holds district personnel accountable.
- Adopt a fiscally responsible budget based on the district's vision and goals, and regularly monitor the fiscal health of the district.
- Ensure that a safe and appropriate educational environment is provided to all students.
- Establish a framework for the district's collective bargaining process and adopt responsible agreements.
- Provide community leadership on educational issues and advocate on behalf of students and public education at the local, state and federal levels.



BOARD OF EDUCATION

Special Meeting
March 14, 2023

Santa Maria Joint Union High School District
2560 Skyway Drive, Santa Maria, California 93455

This is an estimated start time.

The March 14 Special Board Meeting will begin immediately following the conclusion of the March 14, 2023 Regular Board Meeting. The Special Board Meeting may start as early as 8:00 p.m.

YouTube links to VIEW only:

English: <https://www.youtube.com/channel/UCvPYs34Im9h0dAwgfi-gDGg>

Spanish: <https://www.youtube.com/channel/UCvP0f03ekQDsiYfv6OFbfg>

Mixteco: <https://www.youtube.com/channel/UCviEi9hvcQI96poD0PDiSIA>

In compliance with the Americans with Disabilities Act, for those requiring special assistance to access the Board meeting room or to access written documents being discussed at the Board meeting, please contact Arcy Pineda at 805-922-4573, Ext. 4202 for assistance. A reasonable amount of time before the meeting will enable the District to make appropriate arrangements to ensure accessibility to the Board meeting and to provide any required accommodations, auxiliary aids or services.

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 at the noted address above, during normal business hours. In addition, such writings and documents may be posted on the District's website: www.smjuhsd.org

PUBLIC COMMENT:

Public comment for a special board meeting is limited to items on the agenda. If you would like to address the SMJUHSB Board of Education at the March 14, 2023 Special meeting on the noted item, see the options for participation below. Please note: The Board appreciates all public participation in the meeting, but it cannot engage in discussion or specifically respond during the public comment period (Board Bylaw 9323; citing Education Code § 35145.5; Government Code § 54954.3).

- A. **In person:** Persons wishing to speak should complete a blue request form and hand it to the Board secretary. Please note: The time limit to address the Board may not exceed two minutes.
- B. **In writing:** Submit your comment via email to SMJUHSB-Public-Comment@smjuhsd.org by 1:00 p.m. on March 14, 2023. Please include your name, contact information, and topic. Written public comment will be submitted to the Board prior to the start of the Board meeting for their review but will not be read publicly at the meeting.

AGENDA

I. OPEN SESSION

A. Call to Order

II. OPEN SESSION PUBLIC COMMENTS

Please refer to Page 1 of this agenda for instructions on how to submit Public Comment.

III. ITEMS SCHEDULED FOR ACTION

A. BUSINESS

**1. Emergency Resolution - Pioneer Valley High School Flood -
*Resolution Number 10-2022-2023***

Resource Person: Yolanda Ortiz, Assistant Superintendent of Business Services;
Reese Thompson, Director of Maintenance, Operations, & Transportation

On March 10, 2023, the Performing Arts Center at Pioneer Valley High School experienced flood damage thereby requiring immediate remediation to mitigate further damage to the facility, and for the safety and health of students, staff and other persons.

Subject to the California Uniform Public Construction Cost Accounting Act, Public Contract Code section 22000, et seq. ("CUPCCAA"), any contract for construction work exceeding \$60,000.00 and up to \$200,000.00 in value must be informally and construction work exceeding \$200,000 in value must be formally bid. An exception, pursuant to Public Contract Code section 22035, exists in cases of emergency when repair and/or replacements are necessary. The emergency work requires a four-fifths vote of the Board pursuant to Public Contract Code section 22050. In Resolution Number 10-2022-2023, the Board is being asked to make a finding of emergency. The resolution also authorizes the District's superintendent or designee to execute contracts or change orders, as appropriate and as necessary with firms to perform flood remediation work, without further advertising for or inviting of bids, and to take all steps and perform all actions necessary to execute and implement those contracts, which will subsequently be presented to the Board for ratification. The resolution also ratifies any action already taken in this regard by the District's superintendent or designee.

District staff will report on the status of this emergency to the Board at the next

regularly scheduled Board meeting and at all subsequent meetings.

*** **IT IS RECOMMENDED THAT** the Board of Education approve Resolution Number 10-2022-2023 determining that an emergency exists, that bidding of the remediation of flood damage to the Performing Arts Center at Pioneer Valley High School should be waived, and to ratify any contracts already entered into to address said emergency.

Moved _____ **Second** _____

A Roll Call Vote is Required:

Ms. Perez	_____
Ms. Lopez	_____
Dr. Garvin	_____
Mr. Aguilar	_____
Mr. Baskett	_____

SANTA MARIA JOINT UNION HIGH SCHOOL DISTRICT
RESOLUTION NUMBER 10-2022-2023

DETERMINE THAT AN EMERGENCY EXISTS AND THAT BIDDING OF THE REMEDIATION OF FLOOD DAMAGE AT PIONEER VALLEY HIGH SCHOOL SHOULD BE WAIVED

WHEREAS, for school districts subject to the California Uniform Public Construction Cost Accounting Act, Public Contract Code section 22000, et seq. (“CUPCCAA”), including the District, any contract for construction work exceeding \$60,000.00 and up to \$200,000.00 in value must be informally and any contract for construction work exceeding \$200,000.00 in value must be formally bid; and

WHEREAS, pursuant to Public Contract Code section 22035, in cases of emergency, the governing board of the District (“Board”) may proceed to immediately replace or repair any public facility without adopting plans, specifications, strain sheets, or working details, or giving notice for bids to let contracts; and

WHEREAS, Public Contract Code section 1102 defines an emergency as a sudden, unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services; and

WHEREAS, Public Contract Code section 22035 requires the Board to comply with Public Contract Code section 22050, including the following steps:

SPECIAL MEETING
March 14, 2023

- (1) Pursuant to a four-fifths vote of the Board, the District may repair or replace a public facility, take any directly related and immediate action required by an emergency, and procure the necessary equipment, services, and supplies for those purposes, without giving notice for bids to let contracts;
- (2) Before taking any action pursuant to paragraph (1), the Board shall make a finding, based on substantial evidence set forth in the minutes of its meeting, that the emergency will not permit a delay resulting from a competitive solicitation for bids, and that the action is necessary to respond to the emergency;
- (3) The Board, by a four-fifths vote, may delegate to the District Superintendent and/or his designee, the authority to order any action pursuant to paragraph (1);
- (4) If a person with authority delegated pursuant to paragraph (3) orders any action specified in paragraph (1), that person shall report to the Board, at its next meeting, the reasons justifying why the emergency will not permit a delay resulting from a competitive solicitation for bids and why the action is necessary to respond to the emergency;
- (5) If the Board orders any action specified above, the Board shall review the emergency action at its next regularly scheduled meeting and, except as specified below, at every regularly scheduled meeting thereafter until the action is terminated, to determine, by a four-fifths vote, that there is a need to continue the action. If the Board meets weekly, it may review the emergency action in accordance with this provision every 14 days;
- (6) If a person with delegated authority orders any action specified in paragraph (1), the Board shall initially review the emergency action not later than seven days after the action, or at its next regularly scheduled meeting if that meeting will occur not later than 14 days after the action, and at least at every regularly scheduled meeting thereafter until the action is terminated, to determine, by a four-fifths vote, that there is a need to continue the action, unless a person with delegated authority has terminated that action prior to the Board reviewing the emergency action and making a determination pursuant to this provision. If the Board meets weekly, it may, after the initial review, review the emergency action in accordance with this provision every 14 days;
- (7) When the Board reviews the emergency action, it shall terminate the action at the earliest possible date that conditions warrant so that the remainder of the emergency action may be completed by giving notice for bids to let contracts; and

WHEREAS, on March 10, 2023, a fire sprinkler went off over the stage at the SMJUHS Performing Arts Center at Pioneer Valley High School inundating the main stage area; and

WHEREAS, water penetrated through the main stage laminate flooring, subsurface tongue and groove supports, and 2 x 4 inch sleepers (“Affected Areas”); and

WHEREAS, the District needed to remediate the damage at the Affected Areas to minimize any possible injury to persons and mitigate any adverse conditions that would trigger further damage to School facilities or potential health issues for students or staff; and

WHEREAS, the District contracted with Oliveira’s Fashion Floors, Inc. (“Contractor”) to commence flood remediation work in Affected Areas and anticipates further remediation work from Contractor and other contractor(s) will be necessary; and

WHEREAS, the continued health and safety of staff and students is paramount, and a delay in completing remediation work of the Affected Areas to repair the flood-caused damage could expose students and staff to a danger to life or health from structural damage, risk of fire safety due to damaged drywall or ceiling tiles, and possible mold growth; and

WHEREAS, the work is necessary to minimize any possible injury to persons and mitigate any adverse conditions that would trigger further damage to School facilities or potential health issues for students or staff; and

WHEREAS, without the Performing Arts Center, there is no alternate housing arrangements for the currently scheduled student performances; and

WHEREAS, there is not sufficient time for bidding to secure a contract to perform the flood remediation work; and

WHEREAS, due to concerns about student and teacher safety, the District believes that pursuing a contract without bidding pursuant to Public Contract Code sections 22035 and 22050 is warranted; and

WHEREAS, the District will present a contract for the flood remediation work to the Board for the Board’s ratification.

NOW, THEREFORE BE IT RESOLVED by the Governing Board of the Santa Maria Joint Union High School District hereby resolves, determines, and finds by at least a four-fifths vote the following:

Section 1. That the above recitals are true and correct.

Section 2. That an emergency existed that would not permit a delay resulting from a competitive solicitation for bids, and that the action taken was necessary to respond to the emergency.

Section 3. That District’s superintendent or designee is authorized to execute contracts or change orders, as appropriate and as necessary with firms to perform flood remediation work, without further advertising for or inviting of bids, and to take all steps and perform all actions necessary to execute and implement those contracts.

Section 4. That all actions already taken by the District’s superintendent or designee under Section 3 are hereby ratified.

Section 5. That District staff report on the status of this emergency to the District’s Board at the Board’s next regularly scheduled Board meeting and at all subsequent regularly scheduled Board meetings until the Board terminates the emergency action.

APPROVED, PASSED AND ADOPTED by the Governing Board of the Santa Maria Joint Union High School District on this 14th day of March 2023, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

President of the Governing Board
Santa Maria Joint Union High School District

ATTEST:

Clerk of the Governing Board
Santa Maria Joint Union High School District

IV. ADJOURN
