



SPECIAL BOARD OF EDUCATION MEETING

Access to all Board of Education Agendas and additional information can be found at:
www.srvusd.net/About-Us/Board-of-Education/Agendas-and-Minutes

June 23, 2023

8:45 AM CLOSED SESSION

Rachel Hurd, President
Laura Bratt, Vice President
Shelley Clark, Clerk

Susanna Ordway, Member
Jesse vanZee, Member
Anya Ayyappan, Student Board Member

1.0 Call to Order

2.0 Attendance

3.0 Acceptance of Closed Session Agenda

4.0 Public Comment on Agenda Items Only

5.0 Closed Session

5.1 Public Employee Appointments

(Government Code Section 54957)

- a) Director I, Human Resources - Compliance
- b) Director II, Transportation
- c) Principals, Elementary

Adjourn to open session

6.0 Report of Actions Taken in Closed Session

7.0 Acceptance of Minutes

7.1 Minutes of June 6, 2023 and June 13, 2023

Action

Adjourn to closed session - (the Board will not return to open session)

8.0 Closed Session

8.1 Employment Contract - Superintendent

In compliance with Brown Act regulations, this agenda was posted 24 hours before the noted meeting. Cindy Fischer, Executive Assistant



BOARD OF EDUCATION MEETING

June 6, 2023

MINUTES FROM REGULAR MEETING

The video from this meeting can be found on the District website at www.srvusd.net.

- 1.0 Call to Order** The meeting was called to order at 4:32 PM.
- 2.0 Attendance** Board Members Present: Board President Rachel Hurd, Board Vice President Laura Bratt, Board Clerk Shelley Clark, Board Members Susanna Ordway and Jesse vanZee.
- Administrators Present: Superintendent John Malloy, Assistant Superintendents Christine Huajardo, Stella Kemp and Melanie Jones
- Director Ilana Israel Samuels, legal team from F3; Jim Trabor, Emily Roberts and Namita Brown and Recording Secretary Cindy Fischer
- 3.0 Acceptance of Closed Session Agenda and Public Comment** On a motion by Shelley Clark, seconded by Jesse vanZee the closed session agenda was approved (5/0).
- 4.0 Closed Session** The closed session was adjourned at 6:19 PM.
- 5.0 Pledge of Allegiance/Attendance** Board President Rachel Hurd reconvened the meeting at 6:20 PM.
- Board Members Present: Board President Rachel Hurd, Board Vice President Laura Bratt, Board Clerk Shelley Clark, Board Members Suzanna Ordway, and Jesse vanZee. Student Board Member Anya Ayyappan.
- Administrators Present: Superintendent John Malloy, Assistant Superintendents Christine Huajardo, Stella Kemp and Melanie Jones, Executive Directors Debbie Petish, Nadine Rosenzweig, Evan Miller and Jon Campopiano, Directors Ilana Israel Samuels, Amy Capurro, Erin Hirst, and Hong Nguyen.
- Others Present: 80 visitors attended. Recording Secretary Cindy Fischer
- 6.0 Student/Staff Recognition** The Board recognized students from the following sports team who achieved the highest competitive level during the Spring season.:
- California High School Track and Field
 - California High School Swimming and Diving
 - California High School Stunt Team
 - California High School Softball Team
 - Dougherty Valley Badminton Team

Dougherty Valley High School Swimming and Diving
 Monte Vista Track and Field
 Monte Vista Swimming and Diving
 San Ramon Valley High School Women's Lacrosse Team
 San Ramon Valley High School Softball Team
 San Ramon Valley High School Swimming and Diving
 San Ramon Valley High School Track and Field

Public Comment: None

7.0 Report of Action Taken in Closed Session

The Board made the following appointments. (5/0)
 Director I, Instructional Services - Annabel Hurlburt
 Assistant Principal, California High School - Oriana Yanes
 Assistant Principal, California High School - Tiffany Zammit
 Assistant Principal, Charlotte Wood Middle School - Adria Ibarra
 Assistant Principal Athletics, Dougherty Valley High School - SueEllen Thomas

The Board authorized the District to settle a student matter with the family (5/0)

8.0 Acceptance of Minutes

8.1 Minutes of May 16, 2023

On a motion by Shelley Clark and seconded by Susanna Ordway, the May 16, 2023 meeting minutes were approved.(5/0) Ayyappan (advisory) - yea

8.2 Minutes of Workshop/Special Meeting of May 30, 2023

On a motion by Laura Bratt and seconded by Shelley Clark, the May 30, 2023 workshop/special meeting minutes were approved.(5/0) Ayyappan (advisory) - Not in attendance

8.2 Minutes of Special Meeting of May 30, 2023

On a motion by Jesse vanZee and seconded by Laura Bratt, the May 30, 2023 special meeting minutes were approved.(5/0) Ayyappan (advisory) - Not in attendance

9.0 Agenda Approval and Consent Action

9.1 Acceptance of Open Session Agenda

On a motion by Susanna Ordway seconded by Laura Bratt, the open session agenda was approved as revised. Item 11.8 was revised (5/0) Ayyappan (advisory) - yea.
 Public Comment: None

9.2 Approval of Consent Agenda

On a motion by Shelley Clark seconded by Laura Bratt the consent agenda was approved as revised. Item 12.2 was revised (5/0) Ayyappan (advisory) - yea.
 Public Comment: None

10.0 Reports to Board

10.1 Presentation of SRVUSD Learner Profile

Executive Director Debbie Petish shared the presentation
 Public Comment:
 Tywon Sacontrie (34.09)

10.2 Public Comment for Non-Agenda Item	<p>Public Comment: Speakers may choose to include a description of their comments. Eliza Tinker (36.40) Lenard Matthews (38.17) Mike Arata (41.48) “Reviewed 2022-2023 SRVUSD scandals from arrests of staff personnel, to prism club indoctrination, to pornography in high school libraries.” Tywon Sacontrie (45.13) Yvonne (48.32)</p>
10.3 Association Presidents’ Comments	No report
10.4 Student Board Member’s Report	<p>Student Board member Anya Ayyappan extended her thanks to administrators, staff, students and congratulations to the graduating class of 2023. She thanked the Board for the opportunity to be the student board members. Public Comment: None</p>
10.4 Superintendent’s Report	<p>Superintendent Malloy shared his thanks to his executive and cabinet teams Public Comment: Tywon Sacontrie (55.51)</p>
11.0 Action Items/Public Hearings	
11.1 Public Hearing for the Proposed 2023-24 Local Control and Accountability Plan (LCAP)	<p>Board President Hurd opened the public hearing. Executive Director Jon Campopiano shared the plan. Board President Hurd closed the public hearing. Public Comment: Yvonne (1.30.20) Tywon Sacontrie (1.36.37)</p>
11.2 Public Hearing for the Proposed 2023-24 District Budget	<p>Board President Hurd opened the public hearing. Assistant Superintendent Stella Kemp and Executive Director Evan Miller presented the 2023-24 budget. Board President Hurd closed the public hearing. Public Comment: Tywon Sacontrie (2.11.52)</p>
11.3 Board to Take Action to Seat Student Board Member for 2023/24	<p>Board President Hurd shared the selection process and announced that Anya Ayyappan will serve a second term as the Student Board Member. On a motion by Laura Bratt and seconded by Susanna Ordway the Board approved the student board member for 2023-24 (5/0) Ayyappan (advisory) - yea Public Comment: Tywon Sacontrie (2.22.55)</p>
11.4 Consideration of Approval of Declaration of Need for Fully Qualified Educators	<p>Assistant Superintendent Melanie Jones On a motion by Susanna Ordway seconded by Shelley Clark the Board voted to approve the need for fully qualified educators. (5/0) Ayyappan (advisory) - yea Public Comment: None</p>
11.5 Consideration of Approval of the Memorandum of Understanding between the Measure J Traffic Congestion Relief Agency (DPA “TRAFFIX”) and San Ramon	<p>On a motion by Laura Bratt seconded by Shelley Clark the Board voted to award the MOU between the Measure J Traffic Congestion Relief Agency and SRVUSD. (5/0) Ayyappan (advisory) - yea Public Comment: None</p>

**Valley Unified School District
Regarding the Expectations
and Responsibilities
Associated with the
Implementation of the
TRAFFIX Student
Transportation Service**

- 11.6 Consideration of Approval of Employment Contract for Assistant Superintendent, Human Resources** Assistant Superintendent Stella Kemp reviewed the contract. On a motion by Susanna Ordway seconded by Laura Bratt the Board voted to approve the employment contract for Assistant Superintendent, Human Resources. (5/0) Ayyappan (advisory) - yea
Public Comment: None
- 11.7 Consideration of Approval of Addenda to Employment Agreements for Contracted Management Employees Applying a One-Year Extension** Assistant Superintendent Melanie Jones reviewed the contract extensions. On a motion by Laura Bratt seconded by Susanna Ordway the Board voted to extend the contracted management employee contracts. (5/0) Ayyappan (advisory) - yea
Public Comment: None
- 11.8 Consideration of Approval of Addenda to Employment Agreement for Superintendent Applying a Salary Adjustment and One-Year Extension** Assistant Superintendent Melanie Jones reviewed the contract extension and salary adjustment. On a motion by Shelley Clark seconded by Susanna Ordway the Board voted to extend the Superintendent's contract and apply a salary adjustment. (4/1) vanZee - ney, Ayyappan (advisory) - yea
Public Comment: None
- 12.0 Consent Items**
- 12.1 Consideration of Approval of Certificated Personnel Changes
- 12.2 Consideration of Approval of Classified Personnel Changes
- 12.3 Ratification of Warrants
- 12.4 Declaration of Surplus Property
- 12.5 Consideration of Approval of Contracts/Purchases Over \$50,000
- 12.6 Consideration of Approval of Bid Awards for Stone Valley Middle School Stormwater Drainage Improvements - ELLA
- 12.7 Consideration of Approval of New Position Descriptions and Staffing Allocations for Certain Management Positions
- 12.8 Consideration of Approval of New Board Policy 4219.24 Maintaining Appropriate Adult-Student Interactions
- 12.9 Consideration of Adoption of Instructional Materials
- 12.10 Consideration of Approval of SRVUSD Special Education Local Plan Area (SELPA) Local Plan Annual Service and Budget Plan for 2023-24

- 12.11 Consideration of Approval of New Members to the SRVUSD SELPA CAC (Community Advisory Committee)
- 12.12 Consideration of Approval of SRVUSD SELPA 2023-24 Non-Public School and Non-Public Agency Master Contract Expenditures
- 12.13 Consideration of Approval of the College and Career Access Pathways Partnership Agreement (CCAP)

13.0 Administrative Matters

- 13.1 **Board Member Reports** The Board members commented on the highlight of their week being promotions and graduations.

Board Member Ordway - Attended the City of San Ramon Memorial Day program, the SRVCPTA Recognition breakfast and thanked the parents and community members who attended her Board member office hours.

Board Clerk Clark - Attended Civics Day at Cal High, presented as an A2E ambassador to the Kiwanis and Rotary Club, attended the SRVCPTA Recognition breakfast and noted that SRVUSD teacher Chavonta Eddington will be the Grand Marshall of the Danville 4th of July parade.

Board Vice President Bratt - Attended the Community Advisory Committee (CAC) meeting, TRAFFIX meeting, the Military Service Ceremony for graduating seniors and noted the Pride Festival will be held June 15th from 4:30pm - 8:30pm.

Board President Hurd also attended the SRVCPTA Recognition breakfast, TRAFFIX meeting and CAC meeting and the CSBA Delegate Assembly.

Adjournment 10:42 PM

WRITTEN PUBLIC COMMENT – June 6, 2023

Jeff Miller – 6/6/23 1:59PM

The bid that District staff recommends the SRVUSD Board approve is for a project that does not have the required permits from Contra Costa County Drainage and Flood Control departments. Specifically, the following requirements publicly available on the County Public Works website:

DRAINAGE PERMITS: The County Ordinance Code requires a drainage permit for most drainage work. In general, a permit is required for the purposes of reviewing and inspecting proposed drainage work. The reviews and inspections are needed to protect the public from creation of inadequate drainage facilities based on poor designs or construction practices. The reviewers and inspectors look at proposed projects to see if they will adversely affect the capacity or stability of natural or manmade drainage systems. Prohibited activities are: (1) impairing or impeding creek flows (2) depositing material in a creek, (3) excavation or grading that alters the surface of land so as to reduce the capacity of a channel, (4) removing or destroying vegetation in a creek, (5) planting in a creek, (6) constructing or altering any storm drainage facility or channel, (7) doing anything within a drainage easement, public or private, (8) installing or constructing any non-drainage structure within a watercourse. See Title 1010-2.006, Ordinance 89-27 for more detailed definitions of prohibited activities.

Previously the District misled the County and neighbors regarding the stormwater flows from the SVMS site, specifically the District's legal counsel, Arne Sandberg, repeatedly claiming there was no increase in impervious area in the SVMS construction project. The Schaff & Wheeler memorandum dated 11/3/22 confirms the impervious area increased by 22,000 square feet. The last major construction project at SVMS was in 2001, when the gym was constructed on the southeast corner of the campus. That project resulted in 10,000 square feet of additional impervious surface, which created flooding and damage to the neighbors adjacent to the Bolla Acres Ditch. That project was also completed without necessary permits taken out in advance and there is a file with the County Flood Department that reflects this.

In 2015, during the early planning stages of the SVMS project, District staff was told by the County Flood Department and neighbors along the Bolla Acres ditch that the District could not increase flows or concentrate current flows into the ditch. However, the current project on this agenda item is doing exactly that. District staff is hoping that no one will notice, or that they will move on from their roles before anyone does notice.

According to District staff, since 2016 the District has spent over \$500,000 in construction costs, attorney fees, and engineering fees to fix flaws in the drainage at SVMS my neighbors and I have pointed out. Again, District staff hoped that nobody would notice. Approving this new project will bring that total cost to over \$750,000 of Measure D funds simply to correct mistakes previously made by District staff. This doesn't include any costs associated with the original design. All the drainage issues were brought to District staff's attention prior to any above ground construction in 2016. Now it is 7 years later, and District staff is recommending spending over \$200,000 to install a pipe that would have cost less than \$5,000 to install prior to the new field being constructed in 2018. This calls into question the role of the Facilities Oversight Advisory Committee and why they didn't listen to neighbor concerns in the early stages of this project. They chose to blindly follow District staff's recommendations, and that has cost taxpayers close to \$1,000,000 and we are no closer to a resolution of these issues. If the FOAC doesn't provide any oversight, any future SRVUSD bond measures should not be allowed a lower voting threshold based on a presence of a non-existent committee.

Additionally, the proposed plan on this agenda item approves more trash draining from SVMS to the Bolla Acres Ditch, as outlined in Schaff and Wheeler's 3/17/23 memorandum, which also violates the County drainage ordinance:

The existing chain link fence catches trash causing blockage of drainage path at the end of west swale discharge point to the Bolla Acres Ditch. It is recommended to modify the fence to remove the post from the middle of the drainage path and to install a grate with wider spacing between vertical bars to allow leaves and smaller debris to pass through the fence.

Prior to voting in favor of staff's recommendation to approve this bid award, I hope the Board confirms with District staff if all necessary permits have been obtained to complete this project. Otherwise, the District will continue to make mistakes regarding this project, the neighbors will continue to point them out, and ultimately this will waste more of the taxpayer's bond funds.



BOARD OF EDUCATION MEETING

June 13, 2023

MINUTES FROM REGULAR MEETING

The video from this meeting can be found on the District website at www.srvusd.net.

- 1.0 Call to Order** The meeting was called to order at 5:03 PM.
- 2.0 Attendance** Board Members Present: Board President Rachel Hurd, Board Vice President Laura Bratt and Board Clerk Shelley Clark. Board Members Susanna Ordway and Jesse vanZee were absent.
- Administrators Present: Superintendent John Malloy, Assistant Superintendents Christine Huajardo, Stella Kemp and Melanie Jones.
- Directors Ilana Israel Samuels and Dave Kravitz, Melanie Larzul from F3 Legal and Recording Secretary Cindy Fischer
- 3.0 Acceptance of Closed Session Agenda and Public Comment** On a motion by Laura Bratt, seconded by Shelley Clark the closed session agenda was approved (3/0).
- 4.0 Closed Session** The closed session was adjourned at 6:02 PM.
- 5.0 Pledge of Allegiance/Attendance** Board President Rachel Hurd reconvened the meeting at 6:04 PM.
- Board Members Present: Board President Rachel Hurd, Board Vice President Laura Bratt and Board Clerk Shelley Clark. Board Members Suzanna Ordway, and Jesse vanZee were absent. Student Board Member Anya Ayyappan.
- Administrators Present: Superintendent John Malloy, Assistant Superintendents Christine Huajardo, Stella Kemp and Melanie Jones, Executive Directors Nadine Rosenzweig, Evan Miller and Jon Campopiano, Directors Ilana Israel Samuels and Hong Nguyen.
- Others Present: 22 visitors attended. Recording Secretary Cindy Fischer
- 6.0 Report of Action Taken in Closed Session** On a motion by Shelley Clark, seconded by Laura Bratt the board voted to readmit student no. 1/21-22 (3/0)
- On a motion by Laura Bratt, seconded by Shelley Clark the board voted to approve the student's expungement request at the end of 23/24 school year if no additional suspensions. (3/0)

The Board made the following appointments. (3/0)
 Executive Director, Business Operations - Abdul Mixon
 Principal, Golden View Elementary - Catie Hawkins
 Principal, Live Oak Elementary - Peter Fong
 Assistant Principal, Twin Creeks Elementary and Coyote Creek Elementary - Blair Wyatt

- 7.0 Agenda Approval and Consent Action**
- 7.1 Acceptance of Open Session Agenda** On a motion by Shelley Clark seconded by Laura Bratt, the open session agenda was approved. (3/0) Ayyappan (advisory) - yea.
 Public Comment: None
- 7.2 Approval of Consent Agenda** On a motion by Laura Bratt seconded by Shelley Clark the consent agenda was approved as revised. Items 10.10 and 10.12 were removed from the agenda (3/0) Ayyappan (advisory) - yea.
 Public Comment: None
- 8.0 Reports to Board**
- 8.1 Public Comment for Non-Agenda Item** Public Comment:
 Speakers may choose to include a description of their comments.
 Rick (5.38)
 Heather Kelly (8.35)
 Nadine Rosenzweig (11.45)
 Theresa (13.48)
 Charlotte Gracer (15.15)
 "Gay hx in Contra Costa County"
 Mike Arata (18.22)
 "Criticized recent Newson-Bonta-Thurmond letter attempting to usurp. encumber local school board decisions; requested concerted board action to oppose."
 Stephanie Collins (21.35)
- 8.2 Association Presidents' Comments** No report
- 8.3 Student Board Member's Report** No report
- 9.0 Action Items/Public Hearings**
- 9.1 Consideration of Adoption of the 2023-24 Local Control and Accountability Plan (LCAP)** Assistant Superintendent Christine Huajardo
 On a motion by Shelley Clark, seconded by Laura Bratt the Board adopted the 2023/24 local control and accountability plan (LCAP) (3/0) Ayyappan (advisory) - yea.
 Public Comment:
 Mike Arata (29.53)
 Tywon Sacontrie (33.02)
- 9.2 Consideration of Adoption of the for the 2023-24 District Budget including the Excess Reserves Report** Assistant Superintendent Stella Kemp
 On a motion by Laura Bratt, seconded by Shelley Clark the Board adopted the 2023/24 district budget including the excess reserves report. (3/0) Ayyappan (advisory) - yea.
 Public Comment:
 None

10.0 Consent Items

- 10.1 Consideration of Approval of Certificated Personnel Changes
- 10.2 Consideration of Approval of Classified Personnel Changes
- 10.3 Declaration of Surplus Property
- 10.4 Consideration of Approval of Contracts/Purchases Over \$50,000
- 10.5 Ratification of Purchase Orders
- 10.6 Consideration of Adoption of Resolution No. 95/22-23, Authorizing the Approval of Year-End Budget Transfers
- 10.7 Consideration of Adoption of Resolution No. 96/22-23, Authorizing the Commitment of Funds
- 10.8 Consideration of Adoption of Resolution No. 97/22-23, Authorizing the Allocation of Funds in the 2023-24 Education Protection Account
- 10.9 Consideration of Adoption of Resolution No. 98/22-23, Authorizing 2023-24 Intra-Fund Transfers in Accordance with Education Code Section 35161
- ~~10.10 Consideration of Approval to Enter into Lease Agreements with Childcare Providers at Four Sites~~
- 10.11 Consideration for Award of Bid #903 - Break & Bakery Products
- ~~10.12 Consideration for Award of Bid #904 – Passenger Vehicle Pupil Transportation Services for Special Education Students~~
- 10.13 Consideration for Rejection for Claim #62337 Against the District
- 10.14 Consideration of Adoption of Resolution #100/22-23, for Authorization to Participate in the California Schools Healthy Air, Plumbing, and Efficiency Program (CalSHAPE) Grant

11.0 Administrative Matters

- 11.1 Board Member Reports** Board Vice President Bratt along with Board Member Ordaway will be traveling to Israel with the Jewish Community Relations Council on an educational tour. She reminded everyone to attend the PRIDE festival on Thursday at Central Park in San Ramon.
- Board President Hurd thanked Dr. Malloy for his leadership presentation with Bill Clarkson at Leadership San Ramon.
- Dr. Malloy congratulated student board member Anya Ayyappan on her appointment to the State Board of Education and noted that a special board meeting will take place on Friday, June 23rd for appointments.

Adjournment 6:47 PM

WRITTEN PUBLIC COMMENT – JUNE 13, 2023

Attachments are not accepted with electronically submitted public comments.

Brian Rivera June 12, 2023 5:27PM

To whom it may concern-

My wife and I have two children currently enrolled in the Growing Room after-school care at Live Oak. We were given the unfortunate news that the Growing Room will not renew their leases effective July 1.

I am not sure why they were not in consideration for renewal. Our daughter has been in Growing Since 1st grade and they have only been exceptional. So much so that in fact, we had our son, who attends Special Education at Bella Vista, also attending Growing Room.

The Growing Room has been invaluable to us. They did so much in supporting us during the pandemic, making special accommodations for our special needs son. Indeed, the Growing Room has gone above and beyond.

I am not sure why Champions was chosen as the childcare provider when Growing Room was exceeding all expectations. I can only imagine it is money-related. This is unfortunate- if it were simply about the children, and the exceptional care they have been given over the years, there would be no question for lease.

In any event, if there were any way to reconsider, I would advise the board to do so. Otherwise, I would like the opportunity to voice my concern and advocate for the Growing Room tomorrow.

Sincerely,

Brian Rivera & Christina Camarador

Mark Lopez June 13, 2023 7:27AM

Dear Members of the Board of Education,

I hope this letter finds you well. I am writing as a concerned parent of 2 children attending Live Oak Elementary, with regards to the recent Request for Proposal (RFP) process to replace the daycare provider at our school. I feel compelled to express my deep concern about the rushed and poorly planned nature of this process, which has caused significant disruption and confusion within our school community.

Firstly, the lack of transparency surrounding this RFP process has been disheartening. As parents, we were provided with little to no information about the reasons for the change in daycare provider or the criteria upon which the decision was made. It is crucial for the school administration to ensure transparency and open communication, especially when it comes to matters that directly affect the well-being and care of our children.

Moreover, the timing of this transition has added to the overall disruption. The end of the school year and the start of summer vacation are already stressful times for parents and children alike. Introducing such a significant change without adequate notice or information about how the summer camp will be handled has only added to the anxiety and uncertainty that families are currently experiencing. It is essential to prioritize the smooth transition and continuity of care for our children, particularly during periods of change.

Even more concerning was a communication that was sent to parents last night (6/12) that had stated a change was imminent without Board Approval. This left a perception that the decision was already made and that parents had no opportunity to voice any concerns. It also did not indicate what would happen to current attendees of summer camp at the facilities which has caused even more stress and anxiety for parents.

I kindly request that you address these concerns and provide clarity regarding the overall process. It would be greatly appreciated if you could share information about the selection process, and how the summer camp program will be handled. Additionally, I encourage you to consider gathering feedback from parents and involving them in the decision-making process, as our insights and perspectives are invaluable for the successful implementation of any changes.

As parents, we deeply care about the well-being and education of our children, and we trust that the Board of Education shares this commitment. By fostering open dialogue and transparent processes, we can work together to do what's best for our children.

If you would consider deferring a decision until the end of next school year that would be appreciated. It would give us more time for a potential transition and minimize the disruption to all involved.

Thank you for your attention to this matter. I look forward to your prompt response and actions that address our concerns.

Sincerely,

Mark Lopez

Sung Jin Choi June 13, 2023 7:50AM

Hello,

Can you please explain what will happen to the summer school enrolled students?

I feel like a change is not needed and would be more disruptive to our children. I assume this is solely a financial move and don't agree with this decision.

Sung Choi

Heather Vilhauer June 13, 2023 8:12AM

Dear School Board Members,

I am writing to let you know about my concerns regarding the potential change in childcare providers at Neil Armstrong Elementary School and ask that you direct the District to cancel the existing request and re-issue this RFP with a reasonable timeframe and with an open and transparent process.

I am deeply disturbed by the sudden nature of these changes, with no notice from the District to parents and occurring in the last three weeks of the school year when many parents are preoccupied with various activities. Throughout this year, our district has made commendable efforts to improve communication and involve parents in processes directly affecting their children. Unfortunately, this did not happen during this process. I first learned about the potential change from Growing Room on May 19, and it wasn't until the day before the final decision that I received any communication from the District. This lack of openness and transparency fails to meet the most basic expectations we have of the District.

I am confused and frustrated to find that the District issued a request for proposal (RFP) concerning such a crucial matter and provided organizations with such a limited timeframe for organizations to respond. This time constraint disproportionately favors larger for-profit organizations with dedicated staff for handling RFPs, potentially excluding smaller, local nonprofit organizations deeply committed to our community, especially at the end of the school year, when smaller, local organizations would already be staffed fully with end-of-year tasks and could not be expected to prepare a quality proposal.

As someone who has worked in afterschool care, camps, and childcare, I am acutely aware of the importance of choosing the right place for my children's care. Before selecting Growing Room, I thoroughly assessed the facility, engaged in conversations with the director, and sought feedback from other parents who had utilized their services. Regrettably, due to the lack of openness and transparency surrounding this change, I will not have the opportunity to undertake a similar process.

When I signed a contract with and paid a deposit to Growing Room for next year's childcare, I did so based on careful consideration and the following factors:

1. Their operating hours aligned with my needs.
2. They offered part-time care options that suited both myself and my children.
3. The cost of their services fell within my budget.
4. Their staff members are familiar with my children and actively involved in the school community.
5. My children have developed a strong bond with the staff, often speaking more about them than their teachers at school.

Unfortunately, due to the lack of transparency, I am left with unanswered questions regarding the potential new organization and the process. Not only the above but how will the transition process work? How, with two weeks to transition, will the new organization hire (or rehire) staff, complete background checks, train, implement new policies,

communicate with parents, etc.? (From the available information, the answer is that they will either cut corners or they won't.) Can I get my deposit back if I choose not to proceed with the new provider?

Suppose the decision is made to switch providers. In that case, I will have no choice but to accept an arrangement that might make me uncomfortable, fail to meet my needs, or consider withdrawing my children from their current care (if I can) and try to balance work from home with my children around. Had this process been initiated six months ago, families like mine would have had sufficient time to conduct thorough research and decide on an option that we feel comfortable with.

While I acknowledge the district's need to select a new organization, the glaring lack of transparency surrounding a matter crucial to numerous families in our community is deeply disconcerting. I implore you to decline to approve the RFP and direct the district to re-issue an RFP with an appropriate timeline and with an open and transparent process that includes community involvement.

Thank you for your attention to this matter.

Sincerely,

Heather Vilhauer, Ed.D.

Michelle Sin June 13, 2023 8:38AM

To whom this may concern,

We received an email yesterday informing us that there will be a change in after school providers.

And then another email afterwards saying there is a board meeting tonight. Everything happened in such short notice without any clarity. The email address provided to asks questions also bounces back with an email that goes nowhere.....

I personally cannot attend due to work and hope that my concerns in this email will be heard.

We have our child enrolled full time in the summer program at Neil Armstrong (paid in full).

What will happen if a new company takes over? Completely new staff? New themes? New structure/times? New costs? Who will pick up and drop off my child from summer school? Will it still be a summer program at Neil Armstrong? Or will there even be a summer program? Do I have to scramble to find childcare?

Also, the new school year, my daughter will start TK at Neil Armstrong. Do I have to re-enroll her in the after school program again? Or will she be guaranteed a spot?

I hope decisions will not be made hastily until all concerns and questions of parents have been addressed. I have already heard concerns, confusion, and anger from other parents..... We will not stand by an uninformed decision.

Thank you,

Ha Sin

Salema Jafri June 13, 2023 8:53AM

Hi,

I am unable to join the meeting with Board decision for childcare at our SRVUSD school and would like to submit my public comment:

"My daughter has been going to the Growing Room at Tassajara Hills for after school care after her TK class and we would love to see that continue. Once asked about her friends names, she started with "Ms. Michelle", the growing room site director, and we would love to maintain that relationship by having the growing room continue providing us with childcare. I am concerned about the sudden change and interruption of care that might occur as we are planning our summer camps at the growing room which my daughter has been looking forward to based on the week-specific agenda. I am also not impressed by the online reviews I have seen for "Champions" which I believe is the recommended provider. I ask that the growing room be allowed to continue providing us with childcare at Tassajara Hills and if the provider is to be changed to only do so in the future with providing sufficient notice to families so we can plan our summer camps/child

care accordingly without having to scramble for alternatives.”

Best

Salema

Isabel de Sousa June 13, 2023 9:27AM

To the leadership team deciding on after school care.

The way this was handled was tragic to say the least. RFPs should be handled months in advance w protocol and advanced notice to the hundreds of families impacted. To have a provider changed in the middle of summer camp and a few months before school starts is unbelievable.

You have now left many families w no recourse but to trust your judgement on who will be caring for our children as most daycares are already booked for next year. Those children in summer camp are going to be tossed over the fence to new care givers w new protocol and structure. This shows nothing but concern for your selves. Is this about higher rent for the space? After all we pay for the care. Given the lack of transparency and notice, I for one Don't trust your judgment.

At a bare minimum you should share why the RFP was put in place and what criteria was that drove selection is vital. Was there a gap not being provided? We have been w the growing room for 4 years now and my son has been supported, encouraged, corrected when needed (which I appreciate) and loved.

To say my son is saddened about the news is an understatement.

All of this said, you also had no regard for the people who care for our children in such a kind and supportive way which speaks volumes about your lack of leadership

Pearl Hau June 13, 2023 9:36AM

I'm the parent of an incoming first grader at Neil Armstrong Elementary School. Our son, who has anxiety, is currently attending the summer program at The Growing Room at Neil Armstrong.

If we had known that there would be a sudden change in provider mid-summer, we would not have put our son, who cannot adapt to change well, at The Growing Room this summer. It took him 4-5 months to adapt to the Neil Armstrong and The Growing Room environment last year for kinder 2022-2023.

We are two weeks from July and there is no mention of what would happen to the childcare of current students in TGR's summer program. This is very disturbing. As you know, good summer camps in the area are already booked up. This change may leave families really in a bind with childcare. Especially for families such as ours who have children with anxiety. This is not good for their well-being.

I'm writing to ask that the district consider keeping The Growing Room as a provider at least for the remainder of the summer. This would allow families ample time to make plans for the fall.

Two weeks is not enough time for summer program families to make a new plan.

All the best,
Pearl Hau

Mathew Cody June 13, 2023 9:46AM

Dear Members of the Board for the San Ramon Valley Unified School District:

Below, please find a letter we submitted to the Board yesterday on behalf of The Growing Room ("GR") regarding Agenda Item 10.10.

We include the letter in the body of the email so that it is included as part of public comment, as well as the Supplemental Protest stated below.

Supplemental Protest

GR supplements its protest based on the District's failure to comply with its own policies and procedures, including but not limited to Administrative Regulation, No. 5148 ("AR 5148"). AR 5148 requires the District to institute a specific process regarding "[t]he selection of a child care provider." It is our current understanding that the District did not comply with AR 5148, including, without limitation, not including parents in the selection team. The District's failure to comply with this process, if substantiated, would constitute an abuse of discretion as a matter of law based on the law cited below.

We look forward to the District pulling this agenda item and working collaboratively with GR to address the rent issues that caused staff to engage in disparate treatment of GR by soliciting new services at its sites only and allowing other providers that have expiring leases to continue at their sites. This disparate treatment resulted in a rushed, unlawful selection process that did not adequately consider the needs of the children and parents, who are also dismayed that GR will no longer be providing care. GR is committed to continuing to provide care for District students and GR's parents support GR's continued relationship with the District.

Original Letter Dated June 12, 2023

Dear Members of the Board of Education:

Our firm represents The Growing Room Educational Council ("GR") with respect to its proposal submitted on June 1, 2023 in response to San Ramon Unified School District's ("District") Request for Proposal for Childcare Provider Opportunities ("RFP") seeking licensed childcare agencies for the childcare program at Hidden Hills, Live Oak, Neil Armstrong and Tassajara Hills Elementary Schools. As you may know, GR is the current childcare provider at these schools and has been providing afterschool services to the District for 34 years.

GR regretfully and respectfully protests the pending award of the RFP to Champions. (See June 13, 2023, Board Agenda Item 10.10). As more fully set forth below, the RFP solicitation was deficient and violated the Ralph M. Brown Act.

Disclaimer & Delayed Award

Preliminarily, GR has not yet reviewed the District's documents related to the RFP, including the selection criteria and the scoring, to the extent such criteria or scoring exists. GR has submitted a Public Records Act request for said documents; and thus, it reserves its right to supplement this complaint once it receives the relevant documents from the District. Further, given that the RFP failed to include any protest procedures for the award, GR hereby submits this letter to the Board prior to the June 13, 2023, Board meeting. GR contends that the District, by virtue of its failure to notify the proposers of any bid protest procedures, has waived its right to contend that GR has not followed proper procedures (if there are any).

At minimum, given these issues and the concerns raised below, GR recommends and requests that the District delay the award of the RFP to Champions unless and until the resolution of this protest. Otherwise, GR's only remedy will be to institute a writ to set aside the award after the Board's selection of Champions, which may unduly disrupt the District's educational programs. Although GR, of course, does not desire this outcome, it is the unfortunate result of a flawed selection and award process devoid of any structured process for the review and resolution of bid protests prior to the award of the RFP.

Background Information Regarding the Lease

By way of background, GR believes that the RFP was conceived improperly by the District. Specifically, as the Board may be aware, there are 22 childcare centers at the District. GR operates at the 4 locations that are the subject of this RFP. GR has operated at Neil Armstrong since 1994, Tassajara Hills since 1997, Hidden Hills since 2004, and Live Oak since 2007. All District childcare sites with leases set to expire June 30, 2023, including GR, were specifically notified by the District on February 8, 2023 that the leases would be renewed and extended for two years. GR reasonably and detrimentally relied on said (mis)representations by the District, and did not take any steps to procure new locations for its centers, nor did it have any reason to notify parents or take any other steps as necessary to protect its operations and the families served at the various sites.

To GR's surprise on or about May 8, 2023, the District's Assistant Superintendent, Ms. Stella Kemp, notified GR over the phone that the District would not renew its leases with GR, but that it would solicit proposals for the 4 locations. No other childcare providers at any other locations were subject to the same treatment; in fact, it is GR's understanding that the other leases were all renewed in accordance with the February 8-email notification. Thus, the District improperly singled out GR. GR is not aware of any complaints by parents regarding the childcare centers. In fact, it submitted 36 recommendation letters with its proposal to the District.

GR regrettably believes that the RFP process for the 4 childcare locations was conducted for inequitable and improper reasons. The District appears to be belatedly and improperly attempting to address its own failure to properly notify GR of the expiration of a Covid rent-relief policy implemented by the District.

Specifically, in March, 2020, the District notified GR that rent would be forgiven during the pandemic. Thereafter, the District never notified GR of the expiration of such rent forgiveness program. The District then presumably having discovered such "error," which was no fault of GR, contacted GR regarding rent payment. The parties then agreed on a certain rent amount, which GR has been paying in full without delay, and which District has been accepting for one-and-a-half full school years without objection or claim for payment. Despite this agreement, prior to issuing the RFP, the District alleged, again to GR's surprise, that GR has failed to pay its rent. Upon notification, GR has repeatedly and in good faith reached out to District staff to resolve the misunderstanding by asking for clarification, the amount the District claims is due, and expressing its desire to reach a resolution with the District, including paying any past due rent that is actually owed. The District has failed to cooperate with GR to resolve the issue, and instead has erroneously contended that the entirety of the rent was due, despite its express representations to the contrary.

In light of this background, it is clear that instead of attempting to resolve the above-rent issue with GR in good faith, the District chose to punish GR for asserting its rights in response to the District's flawed COVID-rent relief program by improperly conducting an RFP for childcare centers, singling out GR's locations. GR respectfully submits that the RFP process was inequitable and biased against GR from the start.

Protest Grounds

1. The RFP Solicitation Was Deficient

The RFP failed to include crucial information to promote an objective, transparent, and competitive selection process. Specifically, the RFP did not disclose any selection criteria, did not specify the estimated award date, and did not include any bid protest procedures.

First, these deficiencies were detrimental to GR given that the District had also wrongfully informed GR that the process would be the same as the prior RFP, which was not the case. The essential differences between the prior RFP and this RFP include: there was only 1 committee for all 4 sites for this RFP whereas there were 4 separate committees for the prior solicitation; and, the prior RFP included parents while this RFP were all District employees. At a minimum, the different procedures reflect a failure to comply with the District's past practice, and at worst, they reflect an arbitrary process designed to punish GR for asserting its rights.

Second, and most glaring, however, is the failure of the District to include any objective selection criteria in the RFP. GR has requested the selection criteria and scoring sheets through its public records act request. But if the District did not, at the time it issued the solicitation, establish selection criteria, the entire process is legally flawed.

Indeed, significant problems arise for the District's failure to include relevant selection criteria in the RFP or demonstrate, through its award, how the District performed an "extensive evaluation [of proposals] which includes criteria, qualifications, experience, methodology, management, approach, and responsiveness to the RFP." (See § 29:31, Bids contrasted with request for proposals, 10 McQuillin Mun. Corp. § 29:31 (3d ed.))

Without such criteria, review of the District's decision is impossible and the selection process legally insufficient. Although review of agency decisions to award a contract as arbitrary or capricious are deferential, a court must at least "ensure that an agency has adequately considered all relevant factors, and has demonstrated a rational connection between those factors, the choice made, and the purposes of the enabling statute." (Ridgecrest Charter School v. Sierra Sands Unified School Dist. (2005) 130 Cal.App.4th 986, 1003.) However, without the analytical scoring framework guiding the agency's decision in a competitive solicitation, or any standard at all, there is no way for the District to ever produce a rationale that is "thorough enough, and factual enough, to permit effective review by the courts." (Ridgecrest Charter School, supra, 130 Cal.App.4th at p. 1006; see also McBail & Co. v. Solano County Local Agency Formation Com'n (1998) 62 Cal.App.4th 1223, 1229-1230.) In other words, if the District is to take the position that its decision in award the RFP was guided by some standard, it must articulate that standard at the outset with, at minimum, clarity to guide a court's review of the decision in determining whether the District acted arbitrarily by failing to conform to that standard.

Further if the documents produced by the District in response to GR's public records request disclose a deviation form, or addition to, any internal selection criteria, then the District's solicitation was clearly improper. "An award of a contract that is not subject to competitive bidding is arbitrary and capricious if the municipality evaluates a proposal using a standard that deviates from a standard expressly set forth in the request for proposals (RFP); such a deviation betrays a lack of sound basis in reason for the determination." (§ 29:31, Bids contrasted with request for proposals, 10 McQuillin Mun. Corp. § 29:31 (3d ed.)) In that case proposals, "would be evaluated on the basis of criteria not identified in the RFP or

otherwise disclosed prior to the submission of [proposals]. [Proposers] cannot be required to guess at the standards by which they will be measured, and are entitled to expect that [the proposal] that most fully satisfies the specified criteria would be awarded" the contract. (Eel River Disposal & Resource Recovery, Inc. v. County of Humboldt (2013) 221 Cal.App.4th 209, 235; see Schram Construction, Inc. v. Regents of University of California (2010) 187 Cal.App.4th 1040, 1061 [solicitation that permitted the public entity to influence bid selection was improper].)

Third, and finally, the lack of a protest procedure is improper. Without a protest procedure, there was no way at the administrative level for GR to contest whether any proposer's proposal was responsive to the requirements expressly set forth in the RFP. (See *Advanced Real Estate Services, Inc. v. Superior Court* (2011) 196 Cal.App.4th 338, 352.)

Again, the problem is, without a proper protest procedure because of staff's rapid need to award the contract, GR has no basis to satisfy itself that the award to Champions was not the product of a slanted, arbitrary selection process.

2. *The RFP Solicitation Violated the Brown Act*

It is our understanding that selection committees were formed by the District for the RFP. However, committees discussed and evaluated the RFP proposals in meetings not open to or upon any notice to the public. A prior District solicitation was challenged on this ground in 2012. (See Attachment 1.)

Conclusion

As the District can imagine, the improper RFP process and award has far reaching consequences, not only for GR, which will face severe financial consequences, but for all employees and staff who will be unemployed as of June 30, 2023, the parents that will have to entrust their children to strangers beginning July 1, 2023, and, critically, the students who will have to adjust to a new care providers with very little notice. In short, GR fears that this rushed and flawed process will have significant consequences for all interested parties.

Based on the foregoing, we respectfully submit that the RFP was both procedurally and substantively deficient, and inequitable. We request that the Board deny the staff's recommendation to award the leases to Champions, and reissue the RFP (if any) in a legally compliant and equitable manner.

That will also give District staff to address the erroneous rent payment issues that are the genesis of this inequitable process, and to conduct a fair and competitive solicitation process. GR is happy to enter into a short-term renewal of its agreement to accommodate any subsequent solicitation.

Please feel free to contact the undersigned regarding the matter.

Andrea Moschetti June 13, 2023 10:28AM

I would like to submit a comment for item 10.10 on the new lease agreement for before and after school childcare at 4 locations:

As a parent of a child currently enrolled in the full-time summer program with The Growing Room, I have the following concerns:

- The amount of notice given for this change is extremely short and I question why this was a last-minute RFP as the contract expires at the end of this month and the process should have started months ago
- We have already paid for summer activities and field trips with The Growing Room, making me further question the late posting of the RFP
- My child knows and is very comfortable with the teachers currently working at the school and I am sure other parents would agree that this big transition without proper preparation could affect the children
- Prices for families with the new company have not been disclosed, a sudden cost increase would affect myself and possibly other families who have already budgeted for summer
- The process for selecting the new company only involved the school district and not the hundreds of parents who entrust our children to these providers all school year and through the summer

Please take into consideration not voting on this RFP or voting no. Please start the process again and do not rush to make a decision without the input of those who use this service. Thank you.

Catherine Rhoton June 13, 2023 10:44AM

Good afternoon. As a parent at Neil Armstrong, I am writing to express my concerns regarding the decision to end the contract with the Growing Room. As part of the district's strategic direction of shared leadership, the selection process should have been shared between district leadership, school staff, and the community.

The staff at the Growing Room are friendly, welcoming, and devoted. Aside from providing child care, the members of the Growing Room are a part of the school community, and an integral part of our children's lives. Ending this contract will abruptly remove these people from our children's lives. Due to the fact that it is happening mid-summer, many students will not have the opportunity to say goodbye to teachers who have become important role models in their lives. Additionally, it should be considered that this choice will cause the end of this business as a whole.

I respectfully ask this decision be rethought, with children, community, and small, local business kept in mind. In the spirit of shared leadership, I think it is important to involve community members in the process of selecting childcare at each of these sites. I hope to see the board reconsider this decision.

Thank you for your time and consideration.

Sincerely,
Catherine Rhoton

Roshani Salinas June 13, 2023 11:21AM

I am concerned about the abrupt change in after school care provider The Growing Room. My kids are currently enrolled in the Summer Program at The Growing Room at Hidden Hills Elementary, including my incoming kindergartener. I had enrolled her so that she can have some time to adjust and get comfortable with The Growing Room and their staff before the school year begins, since she will attend The Growing Room for after school care during the school year. I thought this would be a good transition for her, from preschool to elementary school. However, we were given very short notice of the possible child care provider change, so now my 4-year-old is going to have to go through another transition as Hidden Hills kicks out The Growing Room and brings in a new provider.

I understand that sometimes contracts expire, but this should have been addressed and resolved MONTHS ago, not 13 business DAYS before the new provider is scheduled to take over. I am stuck now with a summer child care provider I did not choose, because most summer care enrollment was done in January-April.

And actually, I don't even know if Champions will have adequate staffing to have any summer care at all. Parents at other schools with Champions as their after school care provider have noted their HUGE staffing shortages. I doubt that adding 4 more school sites will do anything but exacerbate these shortages.

My request is that the Board elect to extend The Growing Room's contract for 1 year, and then if they decide to go with another child care provider, then to inform parents at least 3 months in advance of the new contract expiration date.

Thank you,
Roshani Salinas

Shahzad Avazpour June 13, 2023 11:25AM

Dear San Ramon District Board of Education

I am writing on behalf of the concerned parents, students, and community members of San Ramon to express our strong opposition to the potential closure or transfer of our after-school facility.

We value and rely on Growing Room Facility, which has consistently provided a safe and enriching environment for our children.

Our after-school facility is an essential part of our community, offering to foster social skills, creativity, and a sense of belonging among participants.

It has proven to be a vital resource for working parents, allowing them to pursue their careers with peace of mind, knowing their children are safe and engaged because our kids already know them, and building a trustful connection with all amazing teachers and staff.

We kindly request that you reconsider any plans that would disrupt or compromise the continuity of this invaluable resource.

We believe that open dialogue and collaboration with all stakeholders can lead to alternative solutions that address any concerns or challenges faced by the school district.

Thank you for your attention to this matter and for your dedication to the well-being and education of our students.

We urge you to prioritize the preservation of our wonderful Growing Room facility, which has become an emblem of success and community support.

Sincerely,

Shahzad Avazpour

Erin Duran June 13, 2023 11:55AM

Dear Board of Education,

I am writing to express my support for the Growing Room at Tassajara Hills Elementary School. The staff has been wonderful to work with and has provided a safe, welcoming and engaging environment for my son over the past three years. I am a teacher and could not do my job without having a great daycare to send my children to when I am working. I have always felt assured knowing they were in great hands.

This current situation causes me a considerable amount of stress not knowing who will be caring for my son before and after school this fall. He has had to deal with many changes over the past years, including divorce, moving to a new school and new state and I am sad to think he may have yet another change with his daycare provider. He truly enjoys attending Growing Room and has bonded with staff there.

Please vote to continue the contract with the Growing Room to provide a consistent, welcoming, and engaging environment for our kids.

With gratitude,

Erin Duran

Robert Cooley June 13, 2023 12:17PM

Dear District Board of Education Members,

I am not sure what triggered a sudden change for the Growing Room's contract to be recommended by District Staff for bidding out, and possibly not including a bid from the Growing Room. The timing of this is far from ideal and raises my suspicions. It is not ideal because we have a new student starting TK in 58 days! The Growing Room staff have a reputation from orientation night that is glowing. They have been very good with their service and answering all of our questions during the enrollment period. Having to get back in line and register with another provider when all our deposits are squared away is a hassle for busy parents like my wife and I. This is also suspicious because sudden changes are often triggered by a money grab- maybe a less expensive provider can be found, but our rates could go up! Where would that money go? The district executives, usually, or maybe to pay for the new fence that isn't wanted and was forced on the school (...maybe it is because of the difference in cost from chain link to steel/iron and a need to cover the gap- all for a fence that won't keep out the users of the school from our community and provide a false sense of security so students will be further from the buildings than they should be allowed)?

Please vote against the District Staff recommendation. If the recommendation carries, then I also strongly urge for it to be amended to make sure a bid from The Growing Room is included in the RFP process.

Sincerely,

Robert L. Cooley, AIA

Mark Wong June 13, 2023 12:46PM

To Whom it may concern:

My daughter attends Live Oak and uses The Growing Room for after school care as well as Summer care. I am very happy with their services and care. My child would be better off continuing under their care. Please consider renewing the contract or give them a chance to re-negotiate.

Dr. Mark Wong

Mary Barb June 13, 2023 1:14PM

This is to voice my disappointment in the decision to select a new childcare service provider to replace The Growing Room. The RFP process was hasty and frankly, did not seem to be done in good faith. Families are left in a precarious situation with having to settle for a provider they haven't vetted out or try to find another solution in an area with limited options. My child's after school care is not something I take lightly and more should have been done to ensure each family's well-being. Please do the right thing and reconsider The Growing Room's proposal.

Thank you,
Mary Barber

Gautam Prasad June 13, 2023 1:43PM

Dear Board Members,

Our family has lived in the SRVUSD for over five years and we have had two children go through Neil Armstrong Elementary. My older daughter just graduated from Pine Valley Middle School and is moving on to Cal High next year and my younger son is going to start 5th grade at Neil Armstrong.

We have had a fantastic experience with Growing Room over the last several years with both of our children. Like many parents in the district, my wife and I work full-time jobs and greatly rely on the reliability, safety, and convenience of after school programs.

The Growing Room staff have been an important part of our children's lives. We hope that you will reconsider your position to change providers to a company with which we have no prior experience.

Thank you for your time and consideration,

Gautam Prasad & Aarathi Kadambi

Katrina Julian Napacena June 13, 2023 1:58PM

Good afternoon/ evening,

My name is Katrina and I am a very concerned parent of a rising first grader and kindergartener at Live Oak Elementary School. My husband, Chris and I, are both full-time practicing attorneys with busy, demanding jobs so **reliable, trustworthy** child care is of utmost importance to us as we raise our three young children - ages 6, 4.5, and almost 17 months. Later, I will share our personal experience with how the unique people at The Growing Room have helped our family and community tremendously.

For now, I respectfully and urgently request that the Board openly listen to the concerns expressed by a number of families this evening and *not* vote to approve the District's recommendation on item 10.10 of this evening's agenda. At this time, each member of the Board (if they have not already) should call into question the process for which a new child care provider was selected to replace The Growing Room at its four current sites, including Live Oak. We as parents have serious questions about the timing of this flawed process and frankly the violation of Board Policy "BP"/ Administrative Regulation "AR" 5148 (Child Care and Development). I certainly hope that the Board and this District will work to resolve our questions before finalizing its decision to not renew its leases with The Growing Room.

Preliminarily, I am alarmed by the District's timing and lack of communication with potentially impacted families at the outset of this entire process. By the time families learned about the RFP process (through The Growing Room *not* the District), we had already submitted enrollment forms, paid deposits, and proceeded with our decisions for upcoming care to be provided by The Growing Room months ago for the upcoming summer and fall. All of this with the District seemed to start at a time where students and their parents/ families were busy and overwhelmed with end-of-the-year plans and festivities; and completed at a time where parents/ families are less engaged in District news/ events during summer break. I know for a fact that some potentially impacted families at our site have traveled outside of the country for the summer so may not even be aware of this major issue at all. I would hate to think that the timing of all of this is to let all of

this fly under the radar or “pull a fast one” on any District parents or families, but the lack of sufficient time and transparency for this process leaves me to believe that this may be a possibility.

I am disheartened that the District did not communicate any of this potential change *before* any decisions were made and instead waited until yesterday to send a premature, vague, misleading message to families *after* the selection committee’s decision. To the average person, the message gave readers the impression that the decision was final and did not explain how the selection committee arrived at its decision. There was and still has been no indication from the District what the RFP process and/or selection process entailed. As someone who professionally analyzes information on a daily basis, I do not recall ever receiving anything about the District’s intent to not renew its leases with The Growing Room, a proposed timeline for the RFP process, and a list of selection criteria or factors to be weighed in the determination for an on-site child care provider at Live Oak or any of the other sites.

More concerning, though, is that the District has failed to comply with its own board policies. BP 5148 (just reviewed last August 16, 2022) provides that the District intends to meet the community’s need for reliable, competent child care for working parents by determining the child care provider to be located at *each elementary school site*. AR 5148 (also just reviewed last August 16, 2022) sets forth guidelines for the selection of a child care provider at each elementary school site. I would like to call attention to two aspects of the guidelines below: 1) the composition of the selection team for *each* site; and 2) the parent survey that was to be conducted and results shared with the selection team.

Guidelines for the Selection of a Child Care Provider

1. The principal of the school will be responsible for establishing and leading a selection team.

2. The selection team shall be composed of the following members:

a. Principal

b. Two teachers

c. Three parents involved in child care

d. Three parents not involved in child care

e. Purchasing Director

3. A parent survey will be conducted and the results will be shared with the selection team

4. The principal working in conjunction with the Business Department will request a detailed written proposal from interested child care providers and will establish a reasonable deadline for this submittal.

5. After receiving the written proposals, the selection team will interview and make site visitations (if deemed necessary).

6. The selection team will then recommend a child care provider for approval by the Board of Trustees. This recommendation will be arrived at by simple majority vote (one more than half) of the selection team members.

In general, I question whether any of the guidelines set forth above were followed by the District in its selection process. From my understanding, though, the highlighted guidelines above were definitely not followed as required by AR 5148. I heard from a fellow parent that she was initially invited by Live Oak’s retiring principal to participate in the selection committee, but then she was later informed that the District no longer needed parents to serve on the committee. That is a clear violation of AR 5148, which requires that the selection team *shall* include: three (3) parents involved in child care *and* three (3) parents not involved in child care, for a total of six (6) parents at each site. The term “shall” indicates a requirement *not* an option. I have not heard any information from anyone at our site, the District, The Growing Room, or within our parent community to indicate that this guideline was followed and a selection team at each site was properly composed.

From my understanding there was only *one* (1) committee for four (4) separate District sites that was composed of District employees only. Surely, the Board can see how this would be problematic. BP 5148 expresses the District’s intent to select a provider for each site as a separate entity. To only have *one* committee select a provider for four sites that each have its own unique needs and its own distinct administration, teachers, staff, and student population and family community is troubling. More troubling is the fact that the District moved forward with a poor, rushed decision that will impact hundreds of District students and their families without so much as considering parent/ family perspectives at each site as part of its decision-making process. The District did not inform families of the RFP process, let alone allow any of us to sit on any of the selection committees. By my calculation, the District should have had a total of 24 parents/

caregivers directly involved in this decision-making process based on AR 5148. Can the Board or the District confirm that it did?

For many of us busy, working parents, it is not as simple as “here’s a new provider that offers the same hours” coming in so just roll with it. The District is basically asking hundreds of parents and families at four different sites to accept a change that we had no say in and do not agree with. I do not know nor trust the other provider’s employees. I do not know whether their pricing model is similar to what we have already budgeted for later this summer and the fall. I do not know how well this new provider will adjust to a new facility and community if it replaces the provider who has been on-site since the school opened.

Considering that The Growing Room is currently operating summer programs, how does the District intend to have a new provider set up their facilities, train new staff, and have a new program figured out in just about 2 weeks? I am also deeply concerned about the staff members who have made such great positive impacts on my child’s life as they will be out of jobs by the end of the month if the Board proceeds with this decision. Unfortunately, I have witnessed firsthand how multiple working parents struggled to rely on another brand new on-site child care provider this past school year and am not willing to go through that with two young children who may spend more time during the week at after-care than at home with us. Frankly, my husband and I simply do not have time to deal with that and feel like we will be back at square one if we have to search for another after-care program in the area.

I would have hoped that if this was going to be a major issue that there would have been more time and transparency between the District and the hundreds of families it serves throughout the entire process- from beginning to end. I will probably have more questions and hope that the District will have open, transparent, appropriate and meaningful answers for concerned families going forward. For now, again, I just respectfully urge the Board to reconsider the District’s recommendation to replace the Growing Room at its sites at this time until these issues and questions can be properly resolved and addressed.

Thank you for in advance for your time and consideration. Please find below the letter of recommendation that my husband and I submitted as part of The Growing Room’s proposal to truly understand why I feel so strongly and passionately about keeping The Growing Room at Live Oak.

Sincerely,
Katrina

Karah To June 13, 2023 2:23PM

I would like to submit my letter of recommendation to retain the on-site childcare services from the Growing Room. It does not appear appropriate that all the teachers are being let go and parents are left scrambling to find summer care for their children with only 2 weeks notice. I am asking that the board carefully evaluate the process used in terminating the Growing Room’s lease and consider if there are alternate solutions to continue the existing arrangement. We have never been informed of any issues with the Growing Room and are very happy with the services provided so find the decision to terminate their lease with such limited notice to be very upsetting.

Conor Healy June 13, 2023 2:48PM

Dear School Board Members,

Regarding the proposal to change providers for the before and after school program that is offered on the Hidden Hills, Live Oak, Neil Armstrong and Tassajara Hills Elementary School campus.

I am a parent with a child who has previously and is scheduled to attend Growing Room at Neil Armstrong this coming year.

And I am assuming that the board does not have any non-public, non-transparent information that differs from that which has been made public.

I am writing to express grave concern and, given the available information, to **urge you to:**

1. **reject the proposal** and
2. **direct the district to reissue the RFP** with actual transparency and openness, and with a timeline that allows both the providers to prepare their proposals, the chosen provider to reasonably plan the transition, and parents to make the decision to continue with the new provider or not.

My apologies for the length of this message, if I had more time this would be brief. But that is a part of the problem.

Among the problems with this accelerated approval is that we parents do not have time to consider and respond. I literally have not had the opportunity to research all of the disclosed details nor prepare this message, nor have any other parents. Just based on this, you should reject the proposal, though there are obviously more issues to consider.

Something clearly went wrong. It's not clear how or why, but it seems clear that it would be irresponsible for you to approve this proposal. I actually am concerned that there's a corruption problem here, but as I mentioned I do not have time to wordsmith this letter. So let me be as precise as possible here:

- I have no evidence directly suggesting anything but mistakes in process and communication.
- This feels wrong.
- When it comes to corrupt contracts, this is the kind of process used: no public comment, no transparency, extremely accelerated timelines, bad choices available to those already committed (trapped), etc. I'm open to additional ideas, but right now I can think of only 3: Incompetence in policy, incompetence in communication, or corruption. What matters most now: **none of these are consistent with proceeding as presented.**

A few of my semi-organized thoughts:

With respect to the process:

- What you are approving goes into effect in 2 weeks.
- This proposal fails to meet any definition of transparent or open.
 - Obviously, contracts need to be renewed, but they shouldn't be pulled at the last minute, and the affected parties should be aware. I didn't miss a message; there wasn't one.
 - This is not the same as changing the bakery providing food to the schools: the before/after school programs are chosen by parents for individual students, and the providers interact directly with our children.
- It would be irresponsible to change companies with no communication from the district, no communicated transition plan, and no time for families to plan.
- Only reason we know there's a change coming in 2 weeks is because Growing Room notified us - the district didn't even send the first communication to Growing room until May, and parents literally yesterday.
- 2 weeks is obviously insufficient for families to plan for a change. As it insufficient to manage a responsible transition.
- Who actually was involved in the change? The only thing that seems clear is that none of the direct stakeholders (parents/children) were involved in the process.
- The accelerated process has significant equity problems: small and local organizations could not possibly have prepared a full-quality proposal with so little notice. I would expect that they would be fully focused on the end-of-schoolyear transition and preparation for summer, and none of us should expect that they have resources to prepare a short-turnaround proposal. So the process is clearly biased towards large, national providers.

With respect to the new company:

- I cannot imagine that they can do background checks, training, onboarding, transfer of policies, or any of the other things that they need to do within 2 weeks. Either they have already hired new staff and the claim to retain staff is a lie, or th
- Our kids have relationship with the existing staff, and set expectations of reunification. Are all the staff returning?

With respect to parents:

- Budget: We have already placed deposits and committed to a spot based on the posted fees and schedule, and made other commitments to services based on those fees and schedules.
 - Extra fees, late pickups, variable days, etc. are not trivial variables in the decision for which childcare provider to choose.
 - Will the childcare fees actually be respected through the 24/25 school year? We have budgeted and made decisions based on the posted fees.
 - Will the childcare schedules actually be respected through the 24/25 school year? We have arranged our schedules and made commitments based on childcare at the available times.
 - If we had proper notice, the district could reasonably claim no responsibility to what other services are available. But now, alternate childcares are booked, as are other services.
- Deposits and placement: What are we supposed to do with the spots that we may no longer want? Will we get refunds? Will we be held hostage to our existing agreements to send our children?

- How could we possibly be supported in finding alternate childcare at this point in the school year (the answer is obvious: we can't)

Overall, it does not matter whether this was a failure of communication, a failure of planning, or an actual corrupt deal within the district: the reason does not matter, because at this point it would be irresponsible to approve (or does the board have non-public, non-transparent information). **Please kick the proposal back to the district to do both the process and RFP right.**

Sincerely,
Conor Healy
SRVUSD parent

Debbie Butler June 13, 2023 2:47PM

School Board members,

Today, I write to express my sincere concern regarding the potential change of our before and after-school care company The Growing Room. As a Parent who not only works for our School District but who's son has attended Growing room since age 5. I believe that maintaining The Growing Room is the best decision for the welfare of our students, their families, and our school communities. This sudden and drastic change will only harm those of us who depend on the relationships and care The Growing Room provides.

Familiarity breeds comfort and stability. The Growing Room has been serving our community for many years, building strong relationships with our students, parents, and staff especially throughout the tumultuous years of the pandemic.

Children thrive in an environment where they feel safe, secure, and connected. Changing to a new company would disrupt this sense of familiarity and potentially cause anxiety for our students, especially the younger ones who rely heavily on routine and familiarity to flourish. Let us value the emotional well-being of our children by maintaining the stability that the growing room offers.

Quality and expertise matter. The Growing Room has a proven track record of delivering high-quality care. They have a team of experienced professionals who understand the unique needs and challenges of our students. They have established protocols in place to ensure the safety and well-being of our children. By entrusting our students to a company with a proven history of excellence, we can have peace of mind, knowing that our children are receiving the best care possible. It takes time for a new provider to match the expertise and dedication our current provider has demonstrated consistently.

Community engagement and integration are crucial. The Growing Room has actively participated in our school community. They have collaborated with teachers and staff to align their activities with our educational objectives, fostering a sense of continuity and cohesion. They have organized events that engage families and provide opportunities for meaningful community involvement. By choosing to retain our current provider, we ensure the preservation of these valuable connections, which contribute significantly to our vibrant school community.

In conclusion, I urge the school board to consider the emotional well-being of our students, the proven expertise of The Growing room, and the importance of community integration. Let us prioritize stability, quality, and the sense of belonging that our current company brings to our school community. Together, we can make the best decision for the continued success and happiness of our students.

Thank you for your time and thoughtful consideration.

Sincerely,
Debbie Butler
SRVUSD Parent & Employee