

Santa Barbara School Districts
Board of Education Meeting Minutes

Regular Meeting – Tuesday, August 25, 2009

720 Santa Barbara Street Santa Barbara, CA 93101 (805) 963-4338 www.sbsdk12.org

Board Members In Attendance

Kate Parker, *President*

H. Edward Heron, *Vice President*

Susan Deacon, *Member*

Annette Cordero, *Member*

Robert Noël, *Member*

REGULAR SESSION

A.1 Call to Order

Board president Parker called the meeting to order at 6:05 p.m.

A.2 Public Comments (related to closed session)

- Kate Smith

CLOSED SESSION

The board adjourned to closed session at 6:10 p.m.

B.1 Approval/Denial of an Application for Interdistrict Transfers for Santa Barbara Elementary School District (Education Code §§ 46600-46611)

Pupil names are unspecified and are protected under Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. §1232(g)); 34 CFR Part 99; Education Code §49073 et. seq.

Case Numbers: 09/10-01, 09/10-02

B.2 Conference with Legal Counsel – Existing Litigation (Government Code § 54956.9(a))

Case Name Unspecified: Student confidentiality protected under Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232(g); 34 CFR Part 99

Case or File No. 7119851196

B.3 Conference with Legal Counsel – Existing Litigation (Government Code § 54956.9(a))

Case Name Unspecified: Student confidentiality protected under Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232(g); 34 CFR Part 99

Case or File No. 2036450665

B.4 Conference with Labor Negotiator (Government Code §54957.6)

Agency designated representative: J. Brian Sarvis, Ed.D., Superintendent

Employees: Management and Confidential

REGULAR SESSION

The board returned to regular session at 7:05 p.m.

C.1 Pledge of Allegiance

Board president Parker led the pledge.

• **Spanish Translation**

Vivian Rodriguez was present to provide Spanish translation.

• **Headsets for Hearing Impaired**

Board president Parker announced that headsets were available for the hearing impaired.

- **Introductions, Proclamations, Presentations or Recognitions**

Superintendent Sarvis introduced Kerry Mistretta, executive director of the Cornelia M. Moore Foundation; Caroline Turner, executive director of the Santa Barbara –Ventura Counties Dental Society; Martha Angeles, domestic program officer for Direct Relief International; and MaryEllen Rehse, oral healthy program manager from the Santa Barbara County Education Office Health Linkages Program. The agencies have had an important partnership role in providing services such as dental education and dental screening and we thank these agencies and their partners for the good work that they do for our students.

Superintendent’s Report

- New school year
- STAR test results
- Special education retreat
- Professional learning communities training
- Certificated full-time employees and classified positions
- *Board Brief*

C.2 Announcement of Closed Session Action

In the matter of B.1, “Approval/Denial of an Application for Interdistrict Transfers for Santa Barbara Elementary School District,” motion made by board member Deacon to deny the application for an interdistrict transfer for Santa Barbara Elementary School District in case number 09/10-01. Seconded by board president Parker.

Motion passed. Vote: 4-1 / Ayes: 4 (Parker, Deacon, Cordero, Heron) / Noes: 1 (Noël)

In the matter of B.2, “Conference with Legal Counsel – Existing Litigation,” motion made by board member Cordero to authorize a partial settlement of approximately \$3,000 for case number 7119851196. Seconded by board member Deacon.

Motion passed. Vote: 5-0

In the matter of B.3, “Conference with Legal Counsel – Existing Litigation,” motion made by board member Cordero to accept the settlement agreement in the amount \$16,250 for payment and reimbursement for services for case number 2036450665. Seconded by board vice president Heron.

Motion passed. Vote: 4-0 / Ayes: 4 (Parker, Deacon, Cordero, Heron) / Recusal: 1 (Noël)

C.3 General Public Comment

- Daniel Zubata

CONSENT AGENDA

Motion made by board member Deacon to pull items D.1 and D.17 for a separate vote later in the meeting. Board member Noël moved to pull items D.4, D.6, D.7, and D.8 for a separate vote. Board member Cordero moved to approve the balance of the consent agenda. Seconded by board member Deacon.

Motion passed. Vote: 5-0

D.1 Approval of Minutes of June 23, 2009

Motion made by board member Deacon to approve the minutes of June 23, 2009 with the recommended correction. Seconded by board member Cordero.

Motion passed. Vote: 5-0

D.2 Approval of Additional Fundraising for 2009-10 for La Cumbre Junior High School, San Marcos High School and Santa Barbara High School

D.3 Approval of Contract Agreement Between Adams Elementary School, McKinley Elementary School, Roosevelt Elementary School, La Cumbre Junior High School, and the Family Service Agency for the 2009-10 School Year

D.4 Approval of Recommended Personnel Action Items Dated August 21, 2009

Motion made by board member Cordero to approve the recommended personnel action items dated August 21, 2009. Seconded by board vice president Heron.

Motion passed. Vote: 4-1 / Ayes: 4 (Deacon, Cordero, Parker, Heron) / Noes: 1 (Noël)

D.5 Approval of a Memorandum of Understanding Between the Santa Barbara School Districts and the Santa Barbara County Beginning Teacher Support and Assessment Induction Program

D.6 Approval of the Save a Valuable Employee (SAVE) Assistance Program Contract

Motion made by board member Cordero to approve Save a Valuable Employee (SAVE) Assistance program contract. Seconded by board member Deacon.

Motion passed. Vote: 5-0

D.7 Approval of Tentative Agreement between Santa Barbara School Districts and California School Employees Association for the 2009-10 School Year

Motion made by board member Cordero to approve the tentative agreement between Santa Barbara School Districts and California School Employee Association for the 2009-10 school year. Seconded by board member Deacon.

Motion passed. Vote: 5-0

D.8 Approval of Purchase Order Report for the Period August 5, 2009 through August 18, 2009

Motion made by board member Cordero to approve the purchase order report for the period of August 5, 2009 through August 18, 2009. Seconded by board member Deacon.

Motion passed. Vote: 5-0

D.9 Approval of Paid Commercial Warrant Register Dated August 13, 2009 through August 20, 2009

D.10 Approval of the Head Start Contract for Harding Elementary School Reggio-inspired Preschool for the 2009-10 School Year

D.11 Approval of Receipt of Monies from the Federal Stimulus Funds to School Food Authorities for Equipment Used in the National School Lunch Program

D.12 Approval of Resolution No. 2009/10-06, Adoption of the Santa Barbara School Districts' Multi-Hazard Mitigation Plan

D.13 Approval of Resolution No. 2009/10-08, Granting Access to Las Positas Creek Restoration and Adams Schoolyard Habitat

D.14 Approval of Change Order No. 13, Santa Barbara High School Main Building Waterproofing

D.15 Approval of Change Order No. 14, Santa Barbara High School Main Building Waterproofing

D.16 Acceptance of Completed Contract, Playground Relocation at Santa Barbara Community Academy

D.17 Approval of the Memorandum of Understanding Between Orfalea Fund, Santa Barbara City College, and the Santa Barbara School Districts for s'Cool Gardens at Monroe Elementary School

Motion made by board member Deacon to approve the memorandum of understanding between Orfalea Fund, Santa Barbara City College, and the Santa Barbara School Districts for s'Cool Gardens at Monroe Elementary School. Seconded by board member Cordero.

Motion passed. Vote: 5-0

D.18 Acceptance of Permit to Enter and Construct, State of California Department of Transportation Americans with Disabilities Act Curb Ramp at La Colina Junior High School

ACTION AGENDA

E.1 Second Reading and Adoption of New Board Policy 5117, "Interdistrict Attendance"

Robin Sawaske, associate superintendent, spoke about the proposed board policy 5115, "Interdistrict Attendance."

Public Comment:

- Bruce Hamill
- Richard Warner

Motion made by board member Cordero to adopt new board policy 5117, "Interdistrict Attendance" with the deletion of board 5117.1. Seconded by board member Deacon.

Motion passed. Vote: 3-2 / Ayes: 3 (Deacon, Cordero, Parker) / Noes: 2 (Heron, Noël)

E.2 Second Reading and Adoption of Revised Administrative Regulation 5111.1, "District Residency," and Administrative Regulation 5111.12, "Residency Based Upon Parent/Guardian Employment"

Robin Sawaske, associate superintendent, spoke about the revised administrative regulation 5111.1, "District Residency," and administrative regulation 5111.12, "Residency Based Upon Parent/Guardian Employment."

Motion made by board member Cordero to adopt the revised administrative regulation 5111.1, "District Residency," and administrative regulation 5111.12, "Residency Based Upon Parent/Guardian Employment" as amended. Seconded by board member Deacon.

Motion passed. Vote: 5-0

E.3 Approval of Recommendation on Medical Marijuana Dispensaries

Bud Andrews, administrator of safety, welfare, and attendance, spoke about the recommendation on medical marijuana dispensaries.

Public Comment:

- Layne Wheeler

Motion made by board vice president Heron to approve the recommendation to the City of Santa Barbara to further restrict the medical marijuana dispensaries. Seconded by board member Deacon.

Motion passed. Vote: 5-0

E.4 Approval to Continue the Special Education Parent Resource Position for the 2009-10 School Year

Caryl Miller, Ed.D., interim administrator of special education, spoke about the request for approval to continue the special education parent resource position for the 2009-10 school year.

Public Comment:

- Cory Bream

Motion made by board member Noël to approve the continuance of the special education parent resource position for the 2009-10 school year with a raised salary cap of \$17,000 per year. Seconded by board member Deacon.

Motion passed. Vote 5-0

E.5 Public Hearing On and Approval of Resolution No. 09/10-07 Regarding Sufficiency of Instructional Materials for Cleveland Elementary School and Santa Barbara Community Academy

Michael Gonzalez, director of student services and compliance, spoke about the approval of resolution no. 09/10-07 regarding sufficiency of instruction materials for Cleveland Elementary School and Santa Barbara Community Academy.

Motion made by board member Cordero to adopt resolution no. 09/10-07 regarding sufficiency of instruction materials for Cleveland Elementary School and Santa Barbara Community Academy. Seconded by board member Deacon.

Motion passed. Vote: 5-0

E.6 Approval of Santa Barbara School Districts' Sunshine Proposal to Negotiate with the Santa Barbara Teachers Association for the 2010-11 School Year

Kristine L. Robertson, director of personnel, spoke about the approval of Santa Barbara School Districts sunshine proposal to negotiate with the Santa Barbara Teachers Association for the 2010-11 school year.

Motion made by board member Cordero to approve the Santa Barbara School Districts sunshine proposal to negotiate with the Santa Barbara Teachers Association for the 2010-11 school year. Seconded by board member Deacon.

Motion passed. Vote: 4-1 / Ayes: 4 (Deacon, Parker, Cordero, Heron) / Noes: 1 (Noël)

The board adjourned for a 10-minute break

CONFERENCE AGENDA

F.1 Report on Anticipated No Child Left Behind Adequate Yearly Progress Test Results

This item was moved out order and heard after item F.5.

Davis Hayden, Ph.D., spoke about the report on anticipated “No Child Left Behind” adequate yearly progress test results.

F.2 Report on District English Learner Advisory Committee

Michael Gonzalez, director of student services and compliance, spoke about the report on District English Learner Advisory Committee.

Public Comment:

- Joan Stuster

F.3 Report on Special Education Progress on Fiscal Crisis & Management Assistance Team Recommendations

Caryl Miller, Ed.D., interim administrator of special education, spoke about the report on special education progress on Fiscal Crisis & Management Assistance Team (FCMAT) recommendations.

F.4 Report on Vandalism Response at Santa Barbara High School

This item was moved out of order and heard before agenda item F.3

Bud Andrews, administrator of safety, welfare, and attendance, spoke about the report of vandalism response at Santa Barbara High School. Additionally, Dr. Capritto, principal of Santa Barbara High School spoke about the report.

F.5 Report on Option 1 Retirement Incentive and Discussion on Additional Compensation for Past Retirees

Kristine L. Robertson, Ed.D., director of personnel, spoke about the report on option 1 retirement incentive and additional compensation for past retirees.

Public Comment:

- Mary Gosselin
- Pam Holst
- Steve Winger

F.6 Report on 2009-10 Adopted State Budget

Eric D. Smith, deputy superintendent, spoke about the report on 2009-10 adopted state budget.

F.7 Update on Implementation of Parent-Pay Transportation

This item will return to a future board meeting.

G. Return to Consent Items Designated for Discussion

D.1, D.4, D.6, D.8, D.17

H. Coming Events

The Superintendent announced a number of upcoming school events during the *Superintendent's Report* delivered earlier in the meeting.

I. Board Comments and Correspondence

- Board vice president Heron wanted to thank Dr. Sarvis and President Parker in their effort to accomplish the solution concerning the counselors.

- President Parker wanted to thank Dr. Sarvis, Ms. Sawaske and Dr. Cynthia White for inviting Dr. Anthony Muhammad to conduct his recent training to staff and board members.

J. Future Agenda Items

- Board member Noël suggests a report displaying government funds received for special education.

K. Adjournment

There being no further business, the meeting was adjourned at 11:30 p.m.

Attest:

Kate Parker, President
Board of Education

Adopted by the Santa Barbara School Districts Board of Education

On: _____

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