

Board of Education  
Santa Barbara Elementary and High School Districts

Regular Board Meeting  
Special Focus: Charter Schools

Minutes  
September 18, 2002

Call to Order

The Santa Barbara Elementary and High School Districts' Board of Education met today in the Board Room of the Santa Barbara School Districts' Administration Center, 720 Santa Barbara Street, Santa Barbara, California. The meeting was called to order at 5:30 p.m., and the Board adjourned to closed session. The President called the meeting to order in public session at 7:03 p.m. Ruth Green, led the Pledge of Allegiance.

**Members** Fred Rifkin, President  
**Present:** Nancy Harter, Vice President (left at 7:00 p.m. and returned at 8:37 p.m.)  
Ruth Green, Member  
Robert Noël, Member  
Claire VanBlaricum, Member

**Staff**  
**Present:** Deborah A. Flores, Ph.D., Superintendent  
Michael Couch, Assistant Superintendent, Secondary Education  
Diana Rigby, Assistant Superintendent, Elementary Education  
Brian Sarvis, Ed.D., Director of Research and Technology

Closed Session

The Board met on the following in Closed Session:

- Public Employment (Government Code 54957) *Personnel matters, to include: Public Employee Discipline/Dismissal/Release*
- Public Employment (Government Code 54957): *Appointment of Director of Student Services*
- Conference with Legal Counsel – Existing Litigation (Government Code 54956.9[a]) *Goleta Union Elementary School District v. Andrew Ordway, et al., Case No. CV99-7745-DDP*
- Conference with Legal Counsel – Existing Litigation (Government Code 54956.9[a]) *Sonya Mitchum, et al., v. Santa Barbara Elementary School District, et al, SCSB Case No. 01066421*
- Conference with Legal Counsel – Existing Litigation (Government Code 54956.9[a]) *Emily Rose Smith v. Santa Barbara Elementary School District, Case No. CV 01-01994R(RZX) [consolidated with Case Nos. CV 01-1823-R and CV 01-1994-R]*

Announcement of Closed Session Action

Upon reconvening, Fred Rifkin announced the following closed session action:

- Motion: That the Board of Education give direction to legal counsel regarding Goleta Union Elementary School District v. Andrew Ordway, et al., Case No. CV99-7745-DDP  
Moved: Claire VanBlaricum Seconded: Nancy Harter Vote: Passed Unanimously
- Motion: That the Board of Education appoint Deborah Toups as Director of Student Services.  
Moved: Claire VanBlaricum Seconded: Nancy Harter Vote: Passed Unanimously

■ Motion: That the Board of Education approve settlement of Case No. OAH L2002060291 per the terms presented.

Moved: Claire VanBlaricum    Seconded: Nancy Harter    Vote: Passed Unanimously

Mr. Rifkin announced that Nancy Harter left the meeting to attend the Dos Pueblos High School back-to-school night program and will return later in the meeting.

#### Public Comments

None

Deborah Flores stated she had received feedback from Board members regarding the agenda. As a result, she recommended that Item B.1, Cesar Chavez Dual Language Immersion Charter School – Memo of Understanding, be placed on the conference agenda instead of on the action, as there were still areas of difference. All items being discussed will be on the conference agenda. In addition, Board members requested that the first item of discussion be the Board Policy and Administrative Regulations. Therefore, Dr. Flores distributed a proposed revised order for the items being discussed.

Board discussion followed.

■ Motion: That the Board of Education adopt the proposed changed agenda as presented.

Moved: Claire VanBlaricum    Seconded: Ruth Green    Vote: Passed

Ayes: 4    Noes: 0    Abstain: 0    Absent: Nancy Harter

#### Conference Agenda

##### C.1 Board Policy and Administrative Regulations 0420.4, Charter Schools

Deborah Flores stated that at the Board's request, staff developed a policy in consultation with Paul Minney, legal counsel. The California School Boards Association sample policy was also used to develop this new Board policy. She stated that the administrators from Cesar Chavez Charter School, Peabody Charter School, and Santa Barbara Charter School, have expressed concern about the section of the policy dealing with accountability measures.

Members of the audience who expressed concern about the accountability measures were: Kathy Kearns, Dr. D'Ann Lawson, Mike Glick, Laura Donner,

Paul Minney updated the Board on the charter school law. Board discussion followed.

##### C.2 Impact of No Child Left Behind Act

Board members and staff discussed the impact of the No Child Left Behind Act on charter schools. Deborah Flores reported that a representative from the Santa Barbara County Education Office will give a presentation regarding this issue at the September 25 Board meeting.

##### C.3 Cesar Chavez Dual Language Immersion Charter School – Memo of Understanding

Deborah Flores stated that there are still some areas of disagreement in the Memo of Understanding (MOU), one being whether or not the assessment plan should be accompanied by some goals, as required by all District schools.

Jody Wiencek, instructional leader, gave a brief power point presentation on the school.

Norma Bishop, Cesar Chavez Charter School legal counsel, addressed the minor areas of disagreement. She requested time for her and Paul Minney to review the charter further and excise the details that more appropriately belong in an MOU.

Board discussion followed, at which time Paul Minney and Norma Bishop responded to Board questions.

#### C.4 Site for Santa Barbara Charter School and Possible Uses of La Cumbre Middle School

Deborah Flores stated that over the last four years, the Board has considered a number of different options for where to house Santa Barbara Charter School and Open Alternative School. The options that have been considered are: building on the Hidden Valley Site, building on the San Marcos property, building on the La Cumbre Middle School site, building on an elementary site, or renovating the existing site.

Currently, staff has been looking into housing Santa Barbara Charter School (SBCA) at La Cumbre Middle School. However, after receiving input from the La Cumbre Middle School staff, she stated that staff is not prepared to make any recommendation regarding where to house SBCA at this time.

Dave Weisman (SBCA resource director) and Colleen McCarthy Evans (SBCA principal) requested that in the future more ground work be done before presenting a recommendation to the SBCA staff about where to house the school. Mr. Wiseman stated that one of the school's goals is to locate their school within the Elementary School District boundary.

The following SBCA parents urged the Board to act quickly in finding a permanent site for SBCA: Miranda Field, Sandi Neustadt, Lynn Montgomery, Kathy Kearns, Mike Glick, Laura Donner, Bev Abrams, Bernie Donner, Jenny Calhoun, Becka Doering, Linda Cowen, Sean Mason, Betty Weisman, Arjun Sarkar

Dean Jensen, La Cumbre Middle School (LCMS) teacher, had collected comments from staff regarding housing SBCA at LCMS. He stated that about 30 staff members indicated that they were not opposed to SBCA being housed at LCMS but that they would like have an opportunity to give input on where they would be housed.

David Pintard and Ken Doss, Santa Barbara Pony Baseball league, spoke regarding the league's continued use of the La Cumbre Middle School baseball field.

Alice Post, Committee to Restore Santa Barbara Elementary School District, spoke in support of housing SBCA at LCMS or an elementary school.

Lanny Ebenstein stated that he was opposed to building on the LCMS site as it would result in a loss of open space to the Westside community. He hoped that the District, LCMS, and SBCS, can work together to find a mutually satisfactory decision to house SBCS at LCMS.

Board discussion followed.

Adjournment

There being no further business to come before the Board, this meeting was adjourned at 10:28 p.m.

**Attest:**

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Fred Rifkin, President

Adopted by Board of Education on November 26, 2002