

Board of Education
Santa Barbara Elementary and High School Districts

Minutes
September 23, 2003

A. Regular Session – 6:00 p.m.

A.1

The Santa Barbara Elementary and High School Districts Board of Education meeting at the Administration Center Board Room, 720 Santa Barbara Street, Santa Barbara, California, was called to order at 6:00 p.m.

Members Present: Nancy Harter, President
Robert Noël, Vice President
Ruth E. Green, Member
Fred Rifkin, Member
Lynn Rodriguez, Member

A.2 Public Comments (Relating to Closed Session Items Only)

- None

A.3 Closed Session

The Board President announced that the Board would adjourn to closed session to consider the following agendaized closed session matters:

- Conference with Legal Counsel – Anticipated Litigation: Initiation of litigation pursuant to subdivision (c) of Section 54956.9 of the Government Code: (One potential case).
- Public Employee Performance Evaluation (Government Code section 54957) Title: Superintendent

Return to Regular Session – 7:00 p.m.

A.5 Announcement of Closed Session Action

No action taken. Board President Harter announced that the annual review of the Superintendent was begun in closed session, and the review process will take two or three sessions. The other listed item was also discussed in closed session.

A.4 Pledge of Allegiance

A.6 Approval of Minutes

April 8, April 22, May 13, May 27, June 10, June 17, June 25, July 8, July 15, August 26, and September 9, 2003.

Public Comments:

Elizabeth Sorgman
Tony Fisher

Staff Comments:

Craig Price stated that he is serving as counsel for the two Santa Barbara School Districts and working with the Board on meeting and agenda issues; also items dealing with real estate, contracts, etc. He addressed requirements of the Brown Act and other codes pertaining to the minutes. He suggested the September 9th Minutes be used as a template for the future, possibly with some minor changes. The minutes will be done by the following Board meeting, and appropriate

steps have been taken to that end. A specific provision in the Education Code states that minutes be kept reporting the actions of the Board. Beyond that a tremendous amount of latitude is given. His recommendation to Dr. Flores has been that the District go with more limited notice-based minutes; instead of using staff time to note every public or board comment. Also, he advised against having the minutes reflect corrections which occurred after the fact. He stated that District Staff has shown good faith in making corrections.

Dr. Flores commented that, even though it is not a requirement, the District has both audio and video tapes of the meetings and copies may be requested with a charge for those services, as provided for by law.

Board Discussion:

It was noted that the May 27th Minutes, page 2, states the Local Education Action Plan for No Child Left Behind passed unanimously, but there was an amended motion on Provision of Action Plan for Cesar Chavez to come into compliance with that No Child Left Behind document.

June 24th, pg. 5, under B.7, under the Amended Motion, "That the Board of Education approve the Grant Application," as it reads in the minutes ends with no closed quotes. Clarification was made and it was agreed that wording is eliminated.

The Board agreed to vote on the Minutes one at a time.

Motion: That the Board approve the minutes of April 8, 2003.
Motion was made and seconded. Vote: Passed Unanimously.

Motion: That the Board approve the minutes of April 22, 2003.
Motion was made and seconded. Vote: Passed. Ayes 4 (Green, Noël, Rifkin, Rodriguez) Abstain 1 (Harter).

Motion: That the Board approve the minutes of May 13, 2003.
Motion was made and seconded. Vote: Passed Unanimously.

Motion: That the Board approve the minutes of May 27, 2002 as amended..
Motion was made and seconded. Vote: Passed. Ayes 4 (Harter, Green, Rifkin, Rodriguez) Abstain 1 (Noël).

Motion: That the Board approve the minutes of June 10, 2003.
Motion was made and seconded. Vote: Passed Unanimously.

Motion: That the Board approve the minutes of June 17, 2003.
Motion was made and seconded. Vote: Passed Unanimously.

Motion: That the Board approve the minutes of June 24, 2003.
Motion was made and seconded. Vote: Passed Unanimously.

Motion: That the Board approve the minutes of July 8, 2003.
Motion was made and seconded. Vote: Ayes 4 (Harter, Noël, Rifkin, Rodriguez) Abstain 1 (Green).

Motion: That the Board approve the minutes of July 15, 2003.
Motion was made and seconded. Vote: Passed Unanimously.

Motion: That the Board approve the minutes of August 26, 2003.
Motion was made and seconded. Vote: Passed. Ayes 4 (Green, Noël, Rifkin, Rodriguez). Abstain 1 (Harter).

Motion: That the Board approve the minutes of September 9, 2003:

Motion made and seconded. Passed. Ayes 4 (Harter, Green, Noël, Rodriguez). Abstain 1 (Rifkin).

A.7 Receipt of Gifts

Motion: To approve and receive donations to the Santa Barbara School Districts with appreciation.

Motion was moved and seconded. Vote: Passed Unanimously.

A.8 Superintendent's Report

Dr. Flores gave the floor to Dr. Sarvis to recognize some very special students.

Dr. Sarvis reported that yesterday First Lady, Sharon Davis, visited Santa Barbara Community Academy to present a \$5,000 check to Joan Jamieson, our principal, from the 2002 School Library Enrichment Grant Award from the Governor's Book Fund, administered by the California State Library Foundation. Josie Flores, a parent at the Academy and a Tenet Health Care employee, wrote the award-winning grant.

In celebration of the grant, Academy Students: Juan Carlos Ramirez (grade 2); Margaret Lazarovits (grade 2), Christopher Givens (grade 1), Ariel Lim (grade 2), Gerardo Medina (grade 1), and Kaylah Trombly (grade 3) read from "Danny and the Dinosaur" by Sid Hoff. The students were thanked by the Board and everyone in attendance.

Beverly Aronson, of Tenet Health Care Foundation, and Lizzy Shelburne, a Tenet employee stepped forward. Dr. Sarvis commented on the generosity of Tenet Health Care local employees donating a vanload of supplies valued at \$1,600 and the Tenet Foundation's generosity in adding a \$5,000 "back to school" check. The funds and supplies were distributed to all schools in the districts. Ms. Aronson and Ms. Shelburne were presented with tokens of appreciation; a plaque recognizing Tenet's generosity; and a collection of thank you letters from the principals and some students.

Dr. Flores reported that a Student Board Member was going to give the first report of the year.

Carmel Aguiree-Kolb, the ASB Student Board Representative for San Marcos addressed the Board on San Marcos activities.

A.9 Board Correspondence

None

A.10 Superintendent's Bulletin

A copy of the report, Superintendent's Bulletin, is available for the public to read in the reception area of the District Office. Anyone who would like a copy of the report should contact the superintendent's office. A list of the topics included in the last two week's Superintendent's Bulletin is attached at the end of this agenda.

A.11 Public Comment

Katie Nelson

Lynn Robinson

B. Action Agenda

The Board President noted that Item B.3 will be moved up to be heard with B.1, then move on to Item B.2; Item B.5 is being pulled.

B.1 SENATE BILL 18x – FLEXIBILITY TRANSFERS FOR 2002-2003;

B.3 ELEMENTARY DISTRICT ENROLLMENT, STAFFING AND BUDGET IMPACTS

Dr. Flores made a presentation concerning the latest ADA decline which is even greater than what was projected by Sage Institute. The decline has resulted in a projected revenue reduction of approximately \$250,000. Temporary teachers were employed for the current school year in anticipation of such a decline.

Dr. Flores stated that she and staff have spent several days meeting with principals and deliberating on the alternatives to eliminating teaching positions.

Because of the severe state budget cuts, SB 18X has been enacted to allow districts to go below the 3% reserve. Dr. Flores reported that through a combination of SB 18X and transferring funds from individual sites into the general fund, it will be possible to maintain current staffing. She recommended that the Board approve utilizing SB 18X to fund 3.25 positions and that the balance of the needed general fund revenues be addressed through transfers from individual sites. However, the situation involving the teacher transfer to Roosevelt School cannot be modified as this relates to a matter governed by contract and state law and involves a confidential personnel matter.

Board Comments:

Comments were made and discussion ensued regarding the risks from the use of SB 18X fund transfers, the delay in notification until the third week of school, staff seniority rights, the need for good communications from principals and the outlook for further enrollment decline next year.

Motion: Motion to adopt Resolution No. 03/04-14 authorizing flexibility transfers totaling \$264,479 in the Santa Barbara Elementary and \$408,089 in the Santa Barbara High School District; and further, that the Superintendent or designee be authorized to sign all necessary documents on behalf of the District. Current staffing to be maintained with the exception of the one transfer to Roosevelt from Washington Schools, which needs to occur.
Motion was made and seconded. Vote: Passed Unanimously.

B.3 Elementary District Enrollment, Staffing, and Budget Impacts (continued)

Public Comments:

Peppi Chiu

Jessica Griffith

Uriel Arizcua

Reed Nicholson

Jan Vail

Bob Zirretta

Sarah Griffin

Ken Rotman

Dr. Flores offered to meet with the Roosevelt parents to answer some of their questions.

Motion: That the Board approve the use of SB18X funds as needed to offset the loss of revenue from declining enrollment.

Motion was made and seconded. Vote: Passed Unanimously.

(Break taken - 8:50 p.m. to 8:55)

B.2 School Safety and Violence Prevention Grant Status

Dr. Flores reported on the request made at the last meeting that she attempt to identify funds other than general funds in the event that state funding did not become available. She presented a packet of information clarifying the status of the funding and outlined a backup plan as a safeguard to be used should state funds that have been deferred not be forthcoming.

Upon Board questioning, Mr. Couch stated that Site Funds are for Student Achievement, if we went back to the schools and ask them to change their plans, it would mean Student Achievement is going to suffer, since the whole purpose of the plan is to take categorical monies, lump them together and spend them to close that achievement gap.

Board Member Rifkin stated that if the monies are pulled for any reason and we don't get paid when we're supposed to be paid, the District can, within 30 days notice termination of the contract. He hopes that this does not happen, but it does provide a safeguard.

Ms. Penny Jenkins said the program funds a little more than half the seven YSS positions. It pays salaries and benefits.

YSS's were introduced: Stefanie Berman, Santa Barbara Junior High School; Jennifer Chiu, San Marcos; Tammy Tott, Goleta Valley Jr. High; Heather Long, now Youth Coordinator, Dos Pueblos; Cecily Henson, Dos Pueblos; Stacy King, Santa Barbara High School, Sue vanHorsen, Reconnecting Youth Coordinator for all of YSS; Pat Stepler, Carpinteria High School; Lisa Adler, College Schools.

A discussion ensued regarding the merits of taking action now to set aside funds for the seven YSS positions and to postpone deciding on the other positions. The importance of the security positions at the junior high schools was discussed and their contribution to maintaining ADA.

Mr. Rifkin acknowledged the work of the coalition and the significant contributions made by individuals in this community. Bob Bryant was thanked for his outstanding contributions with respect to drug abuse and alcoholism.

Public Comment:

Ken Rivas

Motion: That the Board approve the continuation of the School Safety and Violence Prevention Act program in the Santa Barbara High School District and that the SBX18 funds be set aside until it is clear that the funds from the grant will be received.

Motion was made and seconded. Vote: Passed Unanimously.

B.7 Appointment of Project Manager

Dr. Flores acknowledged Mr. Hetyonk for doing two jobs all these months.

Mr. Hetyonk provided some additional information on Carl Mayrose; both his educational background and work experience.

Motion: That the Board approve the appointment of Carl Mayrose as Project Manager.

Motion was made and seconded. Vote: Passed Unanimously.

Item B.5 was pulled from the agenda.

B.4 Board Focus Goals – continuing discussion*

Dr. Flores stated that there were some additions suggested by individual Board members and what was before the Board now were changes that were discussed to the Preamble and all of the focus goals that were asked to be continued or added.

Board discussion ensued. Dr. Noël suggested “Develop policies and practices to effect short-term and long-term improvement and subgroup participation and performance at all schools in conformity with the goals set by the No Child Left Behind Act as implemented by the State of California.”

Dr. Sarvis was asked to consolidate items that relate to student achievement. Dr. Sarvis suggested “Schools will meet,” “State API Goals including similar school ranks of (blank) and, “No Child Left Behind AYP Goals.”

Dr. Flores suggested that it be appropriate to take action on those goals the Board is in agreement on.

Board discussed each proposed focus goal in turn. . It was recommended by the Board that Dr. Sarvis prepare new language for Focus Goal #1 to clarify this goal and will also incorporate other goals.

Motion: That the Board approve Focus Goal #2 as described in the above-mentioned document.
Motion moved and seconded. Vote: Passed Unanimously

Focus Goal #3:

Public Comment
Sarah Griffith

Following further discussion, it was recommended by the Board that Focus Goal #3 be reconsidered at the next meeting; possibly to read as follows:

“Through an open and public process, implement a master facilities plan, to guide the use of facilities resources, including I98 and Measure V bond funds and real property assets, to provide housing for students and staff that will promote student achievement and learning. Critical facilities needs include relocation of the District offices, relocation of Maintenance and Operations, expansion of the Santa Barbara Community Academy, and permanent housing for Open Alternative School and Santa Barbara Charter School.” (by November 2004.)”

Focus Goal #4

Motion: That the Board adopt Focus Goal #4, as revised:
4. Enhance communication with, and outreach, to parents and community members regarding District policies, individual school site programs, academic achievement and successes within the District.”

Motion moved and seconded, Vote: Passed Unanimously. .

Focus Goal #5:

Further discussion was recommended. Ms. Green and Dr. Noël will be working on new wording and this will be considered at the next meeting.

Preamble:

Further discussion was recommended and it will be brought back at the next meeting.

Focus Goals #6, #7, #8, #9, and #10, have been pulled.

B.6 Plan for the Administration of Special Education Programs for the 2003-2004 School Year

Dr. Flores spoke about the efforts to fill the position and stated that Dr. Olsen has agreed to continue through December as the Interim Special Ed Director; and that the District has looked internally. It is recommended that for the year 2003-

2004 the Board approved appointment of Matthew McCaffrey as High School District Coordinator and Jana Garnett as Elementary District Coordinator.

Motion: That the Board approve the special education administrative organizational structure for the 2003-2004 school year as recommended.

Motion was moved and seconded. Vote: Passed Unanimously.

Public Comments:

Sarah Griffin

B.7 Previously addressed.

B.8 Approval of Contract for the Assistant Superintendent of Business Services

Public Comment

Sarah Griffin

Motion: That the Board approve the Contract for Assistant Superintendent of Business Services.

A motion was made and seconded. Vote: Passed Unanimously.

B.9 Required Public Hearing of Santa Barbara Teachers Association Initial Proposal for Negotiations

Dr. Flores commented on both B.9 and B.10, which are requests to reopen negotiations. Questions were asked by Dr. Noël at the last Board meeting and legal counsel was consulted. Dr. Flores stated that she or her staff have spoken to the two unions about the fact that these are not specific proposals; they will come at a later date.

Mr. Price said that following receipt of actual proposals, the terms thereof would be submitted to the public as requested and opportunity would be provided for public comment thereon at a Board meeting. When the Board has developed its initial proposal responding to the unions' proposal, then that will also be presented in a public open meeting.

There is no action required, except to take public input on the requests to open negotiations.

Public Comment:

Sarah Griffin

Ken Stevens, SBTA.

No action was taken.

B.10 Required Public Hearing of California School Employees Association Initial Proposal for Negotiations

The Board noted that some of the same comments made to B.9 pertain to this item.

Public Comment:

Ken Rivas, CSEA.

No action was taken. Board will continue.

B.11 Field Trip – SMHS/Macy’s Thanksgiving Day Parade, New York

Motion: That the Board approve the Field Trip – SMHS/Macy’s Thanksgiving Day Parade, New York.
Motion was made and seconded. Vote: Passed Unanimously.

B.12 Out-of-State Travel

Motion: That the Board approve the Out-Of-State-Travel
Motion moved and seconded. Vote: Passed Unanimously.

C. Conference Agenda

C.1 Cesar Chavez Charter School LEAP Addendum

Discussion:

Mr. Relis addressed the Board, provided copies of the LEAP Addendum, and made comments. He introduced Nate Monely and Marie-Christine Kannoglou, teachers at Cesar Chavez.. Ms. Kannoglou provided copies of the Kindergarten ELD Program, which she had prepared and went through the program and commented on different aspects.

Members of the Board discussed a variety of issues and asked questions of Mr. Relis, Nate Monley and Marie-Christine Kannoglou regarding: after-school programs and activities; mandated requirements for ESL; compliance with the No Child Left Behind Act; data received from their assessment coordinator outlining their strengths and weaknesses; Memos of Understanding for Charter Schools; legislation requiring charter schools to use State adopted textbooks; the 7-9 year long range plan; reading fluency.

Mr. Relis invited the Board to come and visit them at the school.

The Board expressed appreciation to Mr. Relis and his staff for the frank discussion and taking Board comments constructively.

C.2 Process for Potential Revision of the 2004-2005 School Calendar

Dr. Flores sought input regarding whether the Board wanted to undertake the process of investigating changes before 2004-2005. Dr. Flores said that this was something that could be done, if the Board is interested in changing the calendars and possibly putting the Elementary Calendars back into alignment with one another. Superintendent and staff will present options, talk to colleagues in surrounding districts and come up with a proposed plan for consideration by the Board.

Sarah Griffin

Ken Stevens.

C.3 Creation of the Position of Director of Compliance and Categorical Programs

Dr. Flores previewed her intention of recommending the creation of a position and funding therefore as outlined in attachment.

Mr. Hetynk announced that he has received Mr. Logen Hopper’s proposal and it will be on the next Board Agenda. We could not act on accepting the proposal per item 10 on page 6.

Public Comments:

Tony Fischer

C.4 Extramural (grant-funded) Projects Board Policy

Dr. Noël suggested developing a policy that routes proposals through the Director of Research to evaluate their value to the District and likelihood of funding.

Dr. Flores suggested the biggest issue is timing; proposals often come in late at the last minute and policy should include some language that they have to be submitted a certain number of weeks in advance.

D. Consent Calendar

Dr. Flores requested pulling PO 44779, and requested legal counsel engage in a limited review of the issues raised. .

Public Comments

Tony Fischer re D.2 PO 44779.

Sarah Griffin re D8.

Motion: That the Board approve the Consent Calendar with exception of Item. 44779, Hillary Berk Mediation under D.2 Purchase Orders.

Motion was moved and seconded. Vote: Passed Unanimously.

E. Coming Events

F. Board Comments

Mr. Rifkin: (1) status of the Budget Advisory Committee; (2) Dos Pueblos Pool, requesting an update; (3) Charter School Budgets, (4) Veterans for Peace, (5) IntraDistrict Transfers – from communication with Dr. Flores and Dr. Sarvis, there are approx. 180 children from Elementary District who are out of district, almost all of them in Hope School District. Most are claiming childcare problems. Wants to address it now as we’re in a budget crisis, and calls for an investigation.

Ms. Green: Parcel Tax and status of survey.

Dr. Noël: Extension of Charters

ADJOURNMENT

There being no further business, the meeting was adjourned at 11:45 p.m.

ATTEST:

Nancy Harter, President, Board of Education

Adopted by Board of Education on _____.