

**SANTA BARBARA ELEMENTARY/HIGH SCHOOL DISTRICTS  
BOARD OF EDUCATION**

Minutes of Regular Board Meeting  
Tuesday, October 12, 2004

**Call to Order**

The Santa Barbara Elementary and High School Districts' Board of Education regular meeting was held in the Administration Center Board Room, 720 Santa Barbara Street, Santa Barbara, California, and called to order by Board President, Nancy Harter.

**Members Present:**

Nancy Harter, President  
Annette Cordero, Member  
Dr. Robert Noël, Vice President  
Fred Rifkin, Member  
Lynn Rodriguez, Member

**Staff Present:**

Brian Sarvis, Ed.D., Interim Superintendent  
Mary Stark, Assistant Superintendent of Business Services  
Gerrie Fausett, Assistant Superintendent of Elementary Education  
Jan Zettel, Assistant Superintendent of Secondary Education  
David Hetynok, Director of Facilities and Operations

Craig Price, District Counsel

**A.2 Public Comments** relating to closed session items only)

None

**A.3 Closed Session/Adjourn to Closed Session**

*The board discussed the following matters in closed session:*

- Conference with Legal Counsel – Existing Litigation (Government Code section 54956.9[a]): Elizabeth Sorgman and Mary Jane Headlee v. Santa Barbara School Districts, et al.
- Public Employee Appointment (Government Code section 54957)  
Title: Dos Pueblos High School Principal
- Public Employee Discipline/Dismissal/Release (Government Code section 54957)
- Conference with Labor Negotiator (Government Code sections 54957.6 and 3549.1)  
Agency designated representative: Interim Superintendent Brian Sarvis  
Employee organizations: Santa Barbara Teachers Association and California School Employees Association
- Conference with Legal Counsel – Anticipated Litigation  
Initiation of litigation pursuant to subdivision (c) of Government Code section 54956.9. One Case: Student confidentiality protected under Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232(g); 34 CFR Part 99.
- Liability Claim: (Government Code 54956.95)  
Claimant: Joe Antonucci  
Agency claimed against: Santa Barbara Elementary/High School Districts
- Liability Claim: (Government Code 54956.95)  
Claimant: Stonyfield Farm  
Agency claimed against: Santa Barbara Elementary/High School Districts

## **Return to Regular Session**

### **A.4 Pledge of Allegiance**

Adams and Cesar Chavez students led the Pledge of Allegiance.  
Adams' music teacher Gary Smith sang the National Anthem.

### **A.6 Announcement of Closed Session Action**

President Harter announced that a motion by Annette Cordero, seconded by Lynn Rodriguez and approved unanimously was made to approve hiring Quentin Panek as the new principal at Dos Pueblos High School. Dr. Sarvis introduced Mr. Panek to the Board.

### **A.7 Approval of Minutes – September 21, 2004 and September 28, 2004**

Motion: That the Board of Education approve the minutes of the September 21, 2004 special board meeting.

Motion by Fred Rifkin  
Seconded by Lynn Rodriguez  
Vote: 5-0

Motion: That the Board of Education approve the minutes of the September 28, 2004 regular board meeting with a correction.

Motion by Fred Rifkin  
Seconded by Lynn Rodriguez  
Vote: 5-0

### **A.8 Acceptance of Donations**

Motion: That the Board of Education accept the listed donations with gratitude.

Motion by Lynn Rodriguez  
Seconded by Annette Cordero  
Vote: 5-0

### **A.9 Introductions, Proclamations, Presentations and Recognitions**

Adams School gave a presentation on Character Counts!

### **A.10 Superintendent's Report**

Dr. Sarvis announced that Adams principal Jo Ann Caines was awarded the Paul Harris Fellow by Rotary International.

Dr. Sarvis also announced the death of a Dos Pueblos High School student, Mark Gomez.

He stated that there has been a minor change in the Agenda in that the Consent Items will be the first Action Item.

### **A.15 Public Comments**

- John Abraham Powell spoke regarding toxic air contaminants on school buses.
- Arjun Sarkar spoke regarding an OAS site.

## **Action Agenda**

### **B.1 Approval of Consent Agenda Items**

Public Comment:

- Sarah Griffin

- D.1 Approval of Recommended Personnel Action Items dated October 12, 2004
- D.2 Approval of Purchase Orders Report for the Period September 22, 2004 through October 5, 2004
- D.3 Approval of Warrants for the Period September 22, 2004 through October 8, 2004
- D.4 Approval of Proposal to Declare Miscellaneous Equipment as Surplus to the Needs of the Districts
- D.5 Approval of a Proposed Agreement for Environmental Oversight Services for the Santa Barbara Community Academy and Appointment of David Hetyonk as Manager for the Agreement
- D.6 Approval of a Proposal Submitted by Dudek & Associates for Environmental Services for the Santa Barbara Community Academy
- D.8 Approval of Resolution No. 04/04-08 – Child Development Program Participation in the California Department of Education Child Care Food Program and Authorization for Susan Ashlock and Jennie Martinez, Child Development Coordinators, to be Representatives to Act on Behalf of the Board on All Child Care Food Program Matters
- D.9 Approval of Additional Fundraising Plans for the 2004-05 School Year for La Cumbre Junior High School, Dos Pueblos High School, San Marcos High School, and Santa Barbara High School

Motion: That the Board of Education approve consent agenda items D.1 through D.6 and D.8 through D.9.

Motion by Fred Rifkin

Seconded by Lynn Rodriguez

Vote: 5-0

### **B.2 Approval of the Districts' Initial Proposal (Part B) to the Santa Barbara Teachers Association**

Public Comment:

- Ken Stevens
- Maggie Mason
- John Houchin
- Emily West
- Charles Kaska
- Jerry Fultz
- Liana Arnita
- Maureen Granger
- Michael McLaughlin

Motion that the Board of Education approve the Districts' Initial Proposal (Part B) to the Santa Barbara Teachers Association

Motion by Bob Noël

Seconded by Fred Rifkin

Vote: 5-0

**B.3 Approval of the Districts' Initial Proposal (Part B) to the California School Employees Association**

Motion that the Board of Education approve the Districts' Initial Proposal (Part B) to the California School Employees Association

Motion by Lynn Rodriguez  
Seconded by Annette Cordero  
Vote: 5-0

**B.4 Second Reading and Adoption of Revised Board Policy 1120 ("Board Meeting Procedures"), Repeal of Administrative Regulation 1120, and Adoption of Revised Board Policy 9364 ("By-Laws of the Board – Public Meetings")**

Dr. Sarvis presented this item and Mr. Price, legal counsel, clarified the language.

Motion that the Board of Education adopt the revised Board Policy 1120 ("Board Meeting Procedures"), repeal Administrative Regulation 1120 and adopt revised Board Policy 9364 ("By-Laws of the Board – Public Meetings")

Motion by Fred Rifkin  
Seconded by Lynn Rodriguez  
Vote: 5-0

**B.5 Approval of Cesar Chavez Dual Language Immersion Charter School's Request for Early Charter Renewal**

Dr. Sarvis presented this item and Mr. Gonzalez summarized the reasons for the request for early charter renewal.

Public Comment:

- Pete Relis
- Peter Artusio

Motion that the Board of Education approve Cesar Chavez Dual Language Immersion Charter School early renewal of their five-year charter (October 12, 2004-October 12, 2009).

Motion by Annette Cordero  
Seconded by Bob Noël  
Vote: 5-0

**B.6 Approval of Unaudited Actuals – Santa Barbara High School District**

Ms. Stark gave a presentation on the unaudited actuals.

Motion that the Board of Education approve the unaudited actuals – Santa Barbara High School District.

Motion by Fred Rifkin  
Seconded by Lynn Rodriguez  
Vote: 5-0

**B.7 Approval of the Santa Barbara High School MAD Academy Partnership with the City of Santa Barbara Parks and Recreation Department**

Mr. Zettel presented this item and the Board asked for it to be brought back to another meeting with clarifications on some of the language in the contract.

**B.8 Approval of Staff Travel: Out-of-State Travel and/or Expenses in Excess of \$500 dated October 12, 2004**

Motion that the Board of Education approve staff travel: out-of-state travel and/or expenses in excess of \$500 dated October 12, 2004.

Motion by Lynn Rodriguez  
Seconded by Fred Rifkin  
Vote: 5-0

### **Conference Agenda**

#### **C.1 Report on Proposed Reading Comprehension Grant**

Dr. Sarvis presented this item and asked Dr. Furlong and Dr. Sharkey to give an overview of the literacy grant proposal with UCSB.

#### **C.2 Report on Special Education Child Find**

Dr. Sarvis requested that this item be removed.

#### **C.3 Report on Unaudited Actuals – Santa Barbara Elementary School District**

Ms. Stark presented the draft of the 2003-04 unaudited actuals for the Santa Barbara Elementary School District.

#### **C.4 Update on Environmental Issues in Relation to the Santa Barbara Community Academy Expansion**

Mr. Hetynok presented this item and introduced Jonathan Leech, environmental planner with Dudek & Associates, who provided an update on this process.

Public Comment:

- Elizabeth Sorgman
- Craig Price

#### **C.5 Revision of Administrative Regulations 6143.2, Program and Graduation Requirements for Grades 9-12**

Mr. Zettel presented this item. The Board requested clarification on units from San Marcos High School.

#### **C.6 Waiver Request to State Board of Education – Tatum Property**

Dr. Sarvis presented this item and Mr. Price updated the Board.

#### **C.7 Report on Search for Assistant Superintendent, Elementary Education**

Dr. Sarvis presented this item.

### **Consent Agenda**

#### **D.7 Approval of Proposal Submitted by Dudek & Associates for Implementation/Administration of the Santa Barbara School Districts National Pollutant Discharge Elimination Systems Phase II Storm Water Management Plan for Plan Years 2 through 5**

Motion that the Board of Education approve the proposal submitted by Dudek & Associates for implementation/administration of the Santa Barbara School Districts National Pollutant Discharge Elimination Systems Phase II Storm Water Management Plan for Plan Years 2 through 5.

Motion by Lynn Rodriguez  
Seconded by Bob Noël  
Vote: 5-0

**E. Coming Events**

Dr. Sarvis announced a Real Property Advisory Committee public meeting on October 15, 2004. He also announced a Closed Session Board Meeting on October 18, 2004.

**F. Board Comments**

Mrs. Cordero asked that Mrs. Harter announce that there are headphones for Spanish translation.

**G. Future Agenda Items**

None

**Adjournment**

There being no further business, the meeting was adjourned at 10:40 p.m.

Attest:

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Nancy Harter, President  
Board of Education

Adopted by Board of Education  
on November 9, 2004