

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

Minutes of Regular Board Meeting
Tuesday, November 9, 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.

Member Present:

Nancy Harter, President
Robert Noël, Vice President
Annette Cordero, Member
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, Elementary Education
Jan Zettel, Assistant Superintendent, Secondary Education
David Hetyonk, Director, Facilities and Operations

Craig Price, Legal Counsel

Public Comments (relating to closed session items only)

None

Closed Session/Adjourn to Closed Session

The Board adjourned to discuss the following matters in closed session:

- **Conference with Labor Negotiator** (Government Code sections 54957.6 and 3549.1)
Agency designated representative: Interim Superintendent Brian Sarvis
Employee Organization: Santa Barbara Teachers Association
- **Liability Claim:** (Government Code section 54956.95)
Claimant: Daniel Castagnola
Agency claimed against: Santa Barbara Elementary/High School Districts
- **Liability Claim:** (Government Code section 54956.95)
Claimant: Natividad Saucedo
Agency claimed against: Santa Barbara Elementary/High School Districts
- **Liability Claim:** (Government Code section 54956.95)
Claimant: David Kuderka
Agency claimed against: Santa Barbara Elementary/High School Districts
- **Student Discipline** (Education Code 48918) Expulsion Case: Numbers 04/05-08, 04/05-09, 04/05-11, and 04/05-12, (Santa Barbara High School District)

Return to Regular Session

Pledge of Allegiance

The Pledge of Allegiance was led by President Harter.

Announcement of Closed Session Action

Liability claim (Daniel Castagnola) was denied.

Vote: 5-0

Liability claim (Natividad Saucedo) was moved to another meeting.

Liability claim (David Kuderka) was denied.

Vote: 5-0

Spanish Translation

Nancy Harter introduced Debbie Guerrero and stated Ms. Guerrero would be available for translation, if needed.

Approval of Minutes

Motion: That the Board of Education approve the minutes of the October 12, 2004; October 18, 2004; and October 26, 2004 meetings.

Motion by Lynn Rodriguez

Seconded by Fred Rifkin

Vote: 5-0

Receipt of Gifts

Motion: That the Board of Education accept with appreciation the donations to the schools and/or districts as listed in the agenda.

Motion by Fred Rifkin

Seconded by Annette Cordero

Vote: 5-0

Introduction, Proclamations, Presentations and Recognitions

Dr. Sarvis announced that the new Dos Pueblos High School Principal, Quentin Panek, would be starting officially on November 22, 2004. He also announced that the negotiations with the Santa Barbara Teachers Association had gone to impasse.

Student Board Member Report

Carol Bryson, Santa Barbara High School student, introduced herself and reported on various items, such as sports and upcoming events from all four high schools.

Nancy Harter thanked her for coming.

Correspondence

None

Board Brief

Nancy Harter stated requests to receive the Board Brief should be made in the superintendent's office.

Board Focus Goals

Nancy Harter reminded those present that the Board Focus Goals are on the last pages of the Board Agenda.

Public Comments

- Ken Locke – Art and mental health
- Charles Kent – Tatum Property
- Mary Whalen – Tatum Property
- Karolyn Renard – Revision of the public speaking board policy

Action Agenda

B.1 Approval of 2005-06 School Year Calendar Proposed by the Santa Barbara Teachers Association

Dr. Sarvis stated that the Santa Barbara Teachers Association presented the calendar in negotiations.

Public Comments:

- Ken Stevens
- Sarah Griffin
- Elizabeth Sorgman
- Aaron Solis
- Pam Kinsley

Motion to adopt the 2005-06 School Year Calendar proposed by the Santa Barbara Teachers Association.

Motion by Dr. Noël

Seconded by Annette Cordero

Vote: 1-3-1 – Ms. Cordero voted yes, President Harter, Dr. Noël and Ms. Rodriguez voted no, with Mr. Rifkin abstaining

B.2 Approval of Fiscal Year 2003-04 Elementary Unaudited Actuals Report

Ms. Stark reviewed the 2003-04 Elementary Unaudited Actuals and thanked Andrea McNeil and Patty Pimentel for their hard work.

Motion to approve the fiscal year 2003-04 Elementary Unaudited Actuals Report.

Motion by Lynn Rodriguez

Seconded by Dr. Noël

Vote: 5-0

B.3 Adoption of Board Resolution No. 04/05-09, Requesting that the City of Santa Barbara Landmarks Commission Adopt a Resolution Recommending the City of Santa Barbara Designate the Santa Barbara High School Main Building and the Figueroa Street Ticket Booth a City of Santa Barbara Landmark

Mr. Hetyonk presented the item. The Board requested that the words “at Santa Barbara High School” be inserted after Figueroa Street on the resolution.

Public Comment:

- Laura Wilson

Motion to approve the Adoption of Board Resolution No. 04/05-09, Requesting that the City of Santa Barbara Landmarks Commission Adopt a Resolution Recommending the City of Santa Barbara Designate the Santa Barbara High School Main Building and the Figueroa Street at Santa Barbara High School Ticket Booth a City of Santa Barbara Landmark.

Motion by Annette Cordero
Seconded by Fred Rifkin
Vote: 5-0

B.4 Approval of Staff Travel: Out-of-State Travel and expenses in Excess of \$500 dated November 9, 2004

Motion: That the Board of Education approve the referenced out-of state travel and/or expenses in excess of \$500 dated November 9, 2004.

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

B.5 Approval of Student Field Trips

Motion: That the Board of Education approve the referenced student field trips.

Motion by Fred Rifkin
Seconded by Annette Cordero
Vote: 5-0

B.6 Board Action on Student Expulsion Case Numbers 04/05-8, 04/05-09, 04/05-11, and 04/05-12 (Santa Barbara High School District)

Motion: That the Board of Education approve the referenced student expulsion cases.

04/05-08 – Move to concur with the exception that the expulsion be suspended and the student return to a school other than the one expelled from at the end of the first semester.

Motion by Fred Rifkin
Seconded by Dr. Noël
Vote: 4-1, with President Harter voting no

04/05-09 – Move to accept recommendation with the exception to reduce expulsion to one semester and to return to a La Cuesta site other than the site expelled from. Student may return to home school for graduation ceremony only after satisfactory completion of graduation requirements.

Motion by Annette Cordero
Seconded by Dr. Noël
Vote: 5-0

04/05-11 – Move to concur with the exception to reduce expulsion to one semester and to return to school expelled from.

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

04/05-12 – Move to concur with the exception that the student go to San Marcos High School after expulsion is over and not do the community service part of the Rehabilitation Plan.

Motion by Dr. Noël
Seconded by Fred Rifkin
Vote: 4-0-1, with Ms. Rodriguez abstaining

Conference Agenda

C.1 Report on Special Education Child Find

Director of Special Education Jeff Gabrielson gave an overview of the special education pre-referral process. The board thanked Mr. Gabrielson for an excellent job.

Public Comments:

- Karolyn Renard
- Elizabeth Sorgman
- Marsha Eichelberger

C.2 Report on Salary and Benefit Comparisons

This item was delayed to another meeting.

C.3 Report on Measure I-98 Project Timeline and Funding Status Presented by Dave Beutel of Cannon & Associates

Dr. Sarvis and Mr. Hetyonk introduced Dave Beutel of Cannon & Associates who reported on Measure I-98 project timelines and funding status.

Public comments:

- Kate Parker
- Laura Baker
- Dave Weisman
- Elizabeth Sorgman

President Harter thanked Mr. Beutel for the report.

C.4 Report on Proposed Scope of Work for the Facilities Master Plan Update

Mr. Hetyonk reported on the proposed scope of work and timeline for updating the Facilities Master Plan.

Public comments:

- Sarah Griffin
- Elizabeth Sorgman
- Laura Wilson

C.5 Public Hearing of Waiver Request Regarding the Tatum Property to Avoid Discount Sale or Lease Under the Naylor Act and Certain Competitive Bidding Requirements

Dr. Sarvis presented this item and the board discussed the item and whether to go ahead and approve the waiver. Mr. Price answered questions the board had on approving the waiver at this time

Public comments:

- Sarah Griffin

Motion: That the Board of Education approve the waiver request regarding the Tatum property to avoid discount sale or lease under the Naylor Act and certain competitive bidding requires.

Motion by Dr. Noël

Seconded by Annette Cordero

Vote: 5-0

C.6 Report on Obtaining Additional Information Regarding the Recommendation by District Real Property Advisory Committee Concerning the Hidden Valley Site

Dr. Sarvis and Mr. Hetynk reported on obtaining an appraisal on the Hidden Valley site to determine sale or lease values. The board received clarification that the staff would be getting an appraisal only at this time.

Public comments:

- Sarah Griffin
- Kate Parker

C.7 First Reading of Proposed Amendments of Board Policy (Board Policy 9361 “Meetings and Notice”; Board Policy 9362 “Board Meetings Outside District”; Board Policy 9363 “Annual Organizational Meeting”), and Repeal Board Policy 8341

This item was delayed to another meeting.

C.8 First Reading of Proposed Revision of Board Policy 1330 and Administrative Regulation 1330, “Community Relations, Use of School Facilities”

The item was delayed to another meeting.

C.9 First Reading of Proposed Revision to Board Policy 5145.21 (“Student/Parent Protection Rights”) to Incorporate Education Code 51938(b) Tools to Measure a Pupil’s Health Behavior and Risks

This item was delayed to another meeting.

C.10 Report on Board Subcommittees and Staff Advisory Committees

This item was delayed to another meeting.

Consent Agenda

D.1 Approval of Recommended Personnel Action Items

D.2 Approval of Purchase Orders Report

D.3 Approval of Warrants

D.4 Approval of a Proposal from the Solis Group to Provide Labor Compliance Monitoring for Peabody Charter School Modernization Phase II

D.5 Superintendent’s Certification of 2004-05 Operations Application, K-3 Class Size Reduction Program

D.6 Approval of Student Teacher Agreement with California State University, Channel Islands

D. 7 Approval of 2004-05 Contract with Family Service Agency of Santa Barbara for Healthy Start Youth and Family Services Advocate for La Cumbre Junior High School

Dr. Noël had some concerns about this item and the board requested that staff bring back to another meeting a report on this item.

D.8 Approval of Renewal of the Annual Contract with the Center for Autism and Related Disorders

D.9 Adoption of Resolution No. 04/05-10 of the Santa Barbara Elementary School District Projected 2004-05 GANN Limit and Revising the 2003/04 GANN Limit and Adoption of Resolution No. 04/05-11 of the Santa Barbara High School District Projected 2004/05 GANN Limit and Revising the 2003/04 GANN Limit

D.10 Approval of Additional Fundraising Plans for the 2004-2005 School Year for San Marcos High School and Santa Barbara High School

D.11 Approval of California Math Science Partnership Focus on Teacher Training to Enhance Content Knowledge

Motion: Approval of all items in the Consent Calendar, **except for item 7**

Motion by Fred Rifkin

Seconded by Annette Cordero

Vote: 5-0

Coming Events

President Harter announced that there would be several high schools holding their plays and that OAS was also having a play coming up. Ms. Rodriguez announced that Harding School was holding a fundraiser.

Board Comments

None.

Future Agenda Items

None.

Adjournment

There being no further business, the meeting was adjourned at 11:07 p.m.

Attest:

Nancy Harter, President
Board of Education

Adopted by Board of Education
on November 23, 2004