

**SANTA BARBARA SCHOOL DISTRICTS
BOARD OF EDUCATION**

Minutes of Regular Board Meeting
Tuesday, January 10, 2006

Call to Order- Meeting convened at 4:30 p.m.

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 Cordero.

Members Present:

President, Annette Cordero
Laura Malakoff, Vice President
Lynn Rodriguez, Member
Nancy Harter, Member
Robert Noël, Member

Staff Present:

Brian Sarvis, Ed.D. Superintendent
Jan Zettel, Assistant Superintendent Secondary Education
Robin Sawaske, Assistant Superintendent Elementary Education
Mary T. Stark, Assistant Superintendent Business Services

A.1 Call to Order

Meeting was called to order by Board President Cordero.

A.2 Public Comments

None

Closed Session/Adjourn to Closed Session 4:35 p.m.

B.1 Conference with Labor Negotiator (Government Code § 54957.6 and 3549.1)

Agency Designated Representative: Director of Personnel Kristine Robertson
Employee Organizations: California School Employees Association and Santa Barbara Teachers Association

B.2 Conference with Legal Counsel – Existing Litigation

(Government Code § 54956.9): Three matters:

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

B.3 Public Employee Discipline/Dismissal/Release

(Government Code § 54957 (b))

B.4 Liability Claim: (Government Code § 54956.95)

Claimant: Lauren Jennings
Agency Claimed Against: Santa Barbara School Districts

B.5 Student Discipline

(Education Code § 48918)

Expulsion Cases: Numbers 05/06-02, 05/06-20, 05/06-21, 05/06-22

Return to Regular Session at 7:15 p.m.

C.1 Pledge of Allegiance

Was led by Board President Cordero.

C.2 Spanish Translation/Traducción en Español

Ms. Aragon introduced herself and stated she was available for translation. None was required.

C.3 Headsets for Hearing Impaired

Board President Cordero announced that headsets were available.

C.4 Announcement of Closed Session Action

Board President Cordero announced the following from closed session:

Regarding item B.3, motion was made to decline to hear the appeal on the administrative decision

Motion by Board Member Rodriguez

Seconded by Board Member Harter

Vote: 4/1

Ayes: 4 (Rodriguez, Harter, Malakoff)

Noes: 0

Abstention: 1 (Noël)

Regarding item B.4, motion was made to decline the liability claim made against the Santa Barbara School Districts

Motion by Board Vice President Malakoff

Seconded by Board Member Rodriguez

Vote: 5/0

Board President Cordero announced that the expulsion cases were not concluded and they would have to return to closed session.

C.5 Acceptance of Donations

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

Motion by Board Member Harter

Seconded by Board Member Rodriguez

Vote: 5/0

C.6 Introductions, Proclamations, Presentations and Recognitions

Dr. Sarvis announced the following:

- Goleta Valley Junior High: Writing Across the Curriculum- he introduced Ms. Kelly Troyna, English department teacher. She introduced students Rashi Sing and Alexis Chasney who read their essays regarding *The Odyssey*.
- 2005 Physical Fitness Test Recognitions- he introduced Mr. Lief Tiahart from Key to Fitness who presented certificates to the top performers on the 2005 Physical Fitness Test: Luis Reynoso, Cleveland Elementary School, Blair Leighty and Tara Pederson, Monroe Elementary School, Jaclyn Kerns, Santa Barbara Junior High, Michael Martinez, Jr., La Colina, Adrianna Bachan, Santa Barbara High School,, Julian Merrick, Santa Barbara High School
- Goleta Teen of the Year – he introduced student Alexander Wang and presented him with a certificate of recognition on behalf of the Rotary Club of Goleta Noon Time
- Recognition of Past Board President – the district staff and board thanked Board Member Rodriguez for her hard work and leadership

C.7 Superintendent's Report

Dr. Sarvis reported on the following:

- Early enrollment- display adds in local news papers, flyers
- January is School Board Recognition month- he thanked the members for their work and commitment
- School Accountability Report Cards- Some have been translated in to Spanish
- GATE and AP course- are not being cut, regardless of what press is saying
- Single Plans for Student Achievements- finals to be presented on 1-17-06
- Board meeting on 1-31-06 at Santa Barbara High School- to highlight academies and career programs
- Board meetings on the 5th Tuesdays are now considered regular meetings
- Board Brief- its context and availability
- Santa Barbara Community Academy student art display

He also noted there was a typographical error in tonight's agenda and requested the second D.5 item be changed to D.6, change D.6 to D.7 and so forth.

C.8 Student Board Member Report

Student Sam Talbot reported on various events at Dos Pueblos High School.

C.9 Correspondence

None.

C.10 Public Comments

- Carolyn Renard- announced a conference between the Dyslexia Center and Santa Barbara City College on 1-21-06
- Ingrid Biancone- announced a PTA sponsored event: Reflections reception on 1-27-06 at Arts Alive
- Suzanne Deacon- presented a donation check in the amount of \$712,000.00 from South Coast Community Aquatic Center for the Dos Pueblos High School pool project

D. Consent Agenda

Board Member Noël requested item D.9 be pulled. David Hetynok, director of facilities and operations, requested item D.16 be pulled.

Motion: Approve the consent agenda, with the above exceptions

Seconded by Board Vice President Malakoff

Vote: 5/0

D.1 Approval of Minutes

October 25, 2005 and December 2, 2005

- D.2 Request for Suspension of Board Policy (Pursuant to BP 9310) for Allowance of Regular Board Meeting on January 31, 2006 at Santa Barbara High School in Lieu of District Administration Center (BP 9361)**
- D.3 Approval of Fundraiser – Franklin School Age Program**
- D.4 Approval of the Agreement between Santa Barbara School Districts’ Child Development Program (McKinley Preschool) and Family Service Agency of Santa Barbara**
- D.5 Approval of Administrative Regulation 5117, “Interdistrict Attendance”**
- D.6 Approval of Recommended Personnel Action Items Dated January 10, 2006**
- D.7 Approval of the National University Internship Credential Program Agreement, Effective December 15, 2005, by and between Santa Barbara School Districts**
- D.8 Approval of Commercial Warrant Register Sheets for the Period December 16, 2005 through January 6, 2006**
- D.9 Approval of Joint Use Agreement for the Marjorie Luke Theatre (PULLED)**
- D.10 Rejection of Bids, Americans with Disabilities Act Upgrades at District Administration Building**
- D.11 Approval of Purchase Order Report for the Period December 7, 2005 through January 4, 2006**
- D.12 Declaration of Miscellaneous Equipment as Surplus to the Needs of the Districts**
- D.13 Acceptance of Completed Contract, Pressure Reducing Station at San Marcos High School**
- D.14 Acceptance of Completed Contract, Electrical Upgrades for Computer Lab Room 117 at La Cumbre Junior High School**
- D.15 Rejection of Bids, Americans with Disabilities Act Upgrades at Adams Elementary School**
- D.16 Disqualification of SBS Corporation Bid and Rejection of Remaining Bids, Americans with Disabilities Act Upgrades at Harding Elementary School (PULLED)**
- D.17 Approval of Award of Contract to Schock Contracting Corporation for Americans with Disabilities Act Upgrades at Monroe Elementary School**
- D.18 Rejection of Bids, ADA Upgrades at Washington Elementary School**

E. Action Agenda

E.1 Approval of Independent Study Physical Education

Jan Zettel presented the item. He began by reviewing the language and noted that the requested board and advisory committee changes had been made. The board discussed the information presented to them and questioned the percentage required to score in 4 of the six components. Dr. Sarvis suggested changing the wording to “student will score at the Healthy Fitness level stated” rather than using a numerical percentage. The board agreed with the proposed language. Other changes were discussed and proposed. Board Member Rodriguez questioned what currently is being done for students that are not able to pass the fitness exams and what kinds of support are these students receiving. Jan Zettel will check with principals and get back to her.

Motion was made to approve the Independent Study Physical Education (PE) packet with the suggested amendments

Motion by Board Member Noël

Public Comment:

- Michael Zoradi- health is taught in PE at Santa Barbara Junior High School, how would that be handled?

Jan Zettel responded to Mr. Zoradi's comment and explained that he had already met with the health teachers and have decided to make health education into its own course.

Seconded by Board Vice President Malakoff

Vote: 5/0

Board President Cordero requested item F.1 be taken out of order to accommodate the students presenting the item and noted they would have to adjourn to finish their discussion regarding expulsions. The board agreed.

F. Conference Agenda

F.1 Report on REACH Program (Reaching for Exceptional Achievement)

Vicki Hanes, REACH teacher at San Marcos High School presented the item. She announced that the slides being presented were topics and highlights that her students chose to share and noted they were topics they wanted others to know about the program. She explained that the program serves 7-12 graders and that the purpose of the class was to aid in the completion of requirement to enter and succeed in a 4 year university. Students Sarah Abrishami, Edgar Gaona, Janette Trujillo and Adhikari Prabhav shared a Power Point presentation. Board President Cordero thanked the students and Ms. Hanes for their presentation and congratulated them on their work. Board Member Noël requested to see what other kinds of similar programs are going on at the other high schools.

F.2 Report on High School Exit Exam Preparation and Graduation Options

Jan Zettel presented the item. He began by requesting that each high school principal share with the board the kinds of programs offered at their schools in preparation of the high school exit exam. Principals Kath Abney, Paul Turnbull, Quentin Panek and Craig Morgan shared their pertinent information. Mr. Zettel proceeded with a Power Point presentation which included:

- Possible Scenarios
- Options to Consider

The board discussed the presentation and had many questions for Mr. Zettel. Possible scenarios, post high school education and certificates of completion were discussed. Board President Cordero noted this item would be coming back for further discussion and that questions should be sent to Mr. Zettel so that he could be prepared. Dr. Sarvis noted the item would be on the 1-24-06 agenda.

Public Comment:

- Carolyn Renard- mandated classes at the high schools, accommodations and modifications for the high school exit exam
- Nestor Hernandez/SMHS LULAC representative- high school exit exam passing number of Hispanic students, Hispanic students do not feel like they've been provided, district needs to make every effort to engage parents and students

The board adjourned for a break and to closed session to wrap up expulsion discussion. Board Member Harter suggested, upon their return, to move to item F.6 to accommodate staff. Board agreed.

E.2 Board Action on Student Expulsion Case Numbers 05/06-02, 05/06-20, 05/06-21, and 05/06-22

Item was taken out of order.

Motion: In the case of 05/06-21, move to approve the findings and recommendations of the hearing panel

Motion by Board Member Harter

Seconded by Board Member Rodriguez

Vote: 5/0

Motion: In the case of 05/06-22, move to approve the findings and recommendations of the hearing panel

Motion by Board Member Harter

Seconded by Board Member Rodriguez

Vote: 5/0

Motion: In the case of 05/06-20, move to approve the findings and recommendations of the hearing panel, with the addition that student may receive a diploma upon successful completion of adult education units

Motion by Board Member Harter

Seconded by Board Vice President Malakoff

Vote: 5/0

F.6 Plan for Discussion of Budget Items on January 17 Including Cafeteria Fund Reimbursement to the General Fund, Public Disclosure of Cost and Three-Year Negotiation Budget Projection, and Draft Interim Budgets

Item was taken out of order.

Mary Stark, assistant superintendent of business services, introduced the Nutrition Services (NS) Department staff. She shared a Power Point presentation which included a recap of the historical view of funds. She noted that there was a surplus of approximately 1M in 2000-01 and explained that all of it had been used operationally and provided the board with the expenditures specifics. She then proceeded to explain the reimbursement plan from NS. The board had no questions for Ms. Stark. Dr. Sarvis explained that this item was being brought to them because it was important for negotiation settlements and wanted them to have this information before taking action on the settlements.

F.3 Report on Closed Session Options Available to the Santa Barbara School Districts' Board of Education When Considering Student Expulsions

Michael Gonzalez, director of compliance, presented the item. He explained that the district was working with Mr. Michael Blanchard, from legal firm Liebert, Cassidy Whitmore to develop the requested analysis being presented at tonight's meeting. He proceeded with a review of the various options available to the board members when considering student expulsions in closed sessions. Those options were: review and approve the findings and recommendations of the Administrative Hearing Panel (AHP), conduct a supplementary hearing on the AHP's recommendations, review and approve stipulated agreements offered to students by the district. Board Member Harter questioned the expense involved in putting together stipulated agreements. Mr. Gonzalez explained that the district had enough experience and could write its own agreements without seeking legal counsel. Mr. Gonzalez's report was discussed and further questions were presented. Board President Cordero announced that the item would be brought back for further discussion and questions should be forwarded to Mr. Gonzalez before then.

Public Comment:

- Carolyn Renard- item F.3 is not properly agendaized, misleading to public, does not mention due process for special education students
- Nestor Hernandez- current expulsion process is very antagonistic, it's confusing to parents and students, low income students are at a disadvantage

Board President Cordero announced item F.5 would be taken next.

F.4 Report on Dos Pueblos High School Track Resurfacing Fundraising

Item was deferred to future board meeting.

F.5 Board Consideration of Possible District Unification and Discussion of Unification Issues, Including Consideration of a Draft Petition and Public Hearing

Item taken out of order.

Public Comment:

- Michael Zoradi- had some suggestions regarding the Single District Resolution

Dr. Sarvis explained that new information was being presented. He explained that in the leveling up formula the district would gain an approximate 3M but there would be a reduced COLA in the future. He requested that Mr. Craig Price, district legal counsel, expand. Mr. Price explained that there would not be a double taxation, that the new money would be coming in from the State and clarified the future reduction in COLA. Dr. Sarvis noted the item would be brought back to the next board meeting with a recommendation. Board Member Rodriguez requested the financial statement charts and revenues also be explained.

Board President Cordero stated items F.7 and F.8 would be taken out of order and announced her intent to continue with the meeting and go beyond 10:30 p.m.

F.7 Public Disclosure of the Collective Bargaining Agreement between the Santa Barbara School Districts and the Santa Barbara Teachers Association (SBTA)

Item taken out of order.

Dr. Kris Robertson, director of personnel, stated that the Santa Barbara School Districts were required, under AB1200, to publicly disclose the provisions of the collective bargaining agreements being considered for ratification by the Santa Barbara Teachers Association the week of January 9, 2006.

F.8 Public Disclosure of the Collective Bargaining Agreement between the Santa Barbara School Districts and the California School Employees Association (CSEA)

Item taken out of order.

Dr. Robertson, director of personnel, stated that the Santa Barbara School Districts were required, under AB1200, to publicly disclose the provisions of the collective bargaining agreements being considered for ratification by the California School Employees Association the week of January 9, 2006.

Board Member Harter requested that Dr. Robertson provide a recap of the agreements. Dr. Robertson explained that for SBTA it was a 3% increase as of 3-1-06 plus 1% increase effective 7-1-06, the employee contribution remains the same, some language modifications were made. For CSEA it's a 3% increase effective 6-1-06 plus 1% increase effective 7-1-06, and employee benefit contribution will begin, some language modifications were made.

Board President Cordero stated items F.10 and F.11 would be deferred to the 1-24-06 board meeting and reminded the members that items D.9 and D.16 had been pulled for discussion. Dr. Sarvis suggested these items also be brought to the 1-24-06 meeting.

F.9 Report on 2006-07 Calendars for Elementary, Secondary, and Year-Round Schools

Dr. Robertson stated it was necessary to request the extension of the current calendar for one more year. She explained that the information needed to be reviewed and discussed with the bargaining units.

F.10 Report on Absence Rates for the 2004-05 School Year and the Impact on Unrestricted Revenues and the 2005-06 to Date Report

Deferred to the 1-24-06 board meeting.

F.11 Discussion of Board Agenda Format

Deferred to the 1-24-06 board meeting.

G. Coming Events

Dr. Sarvis reminded board members of the special board meeting on 1-17-06.

H. Board Comments

None

I. Future Agenda Items

Board Member Noël requested a discussion regarding a possible board policy regarding commercial activities on campus take place.

J. Adjournment

There being no further business, the meeting was adjourned at 10:47

Attest:

Annette Cordero, President
Board of Education

Adopted by Board of Education
on _____