

**SANTA BARBARA SCHOOL DISTRICTS
BOARD OF EDUCATION**

Minutes of Special Board Meeting
Tuesday, March 21, 2006

Call to Order- Meeting convened at 5:00 p.m.

The Santa Barbara Elementary and High School Districts' Board of Education special 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:

Annette Cordero, President
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

The Board adjourned to Closed Session.

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 Employee Association and Santa Barbara Teachers Association

B.2 Conference with Legal Counsel-Existing Litigation

(Government Code § 54956.9) Case Number 0218-04/05
Case Names Unspecified: Students' confidentiality protected under Family Educational Right and Privacy Act

B.3 Liability Claim (Government Code § 54956.95)

Claimant: Maria Romero
Agency claimed against: Santa Barbara School Districts

B.4 Student Discipline (Education Code § 48918)

The board reconvened at 7:02 from closed session.

C.1 Pledge of Allegiance

Was led by Dr. Sarvis

C.2 Spanish Translation/Traducción en Español

Mr. Rene Garcia introduced himself and stated he was available for translation.

C.3 Headsets for Hearing Impaired

Board President Cordero announced that headsets for the hearing impaired were available.

C.4 Announcement of Closed Session Action

Board President Cordero announced that in closed session, under item B.2, they had authorized Dr. Sarvis to negotiate a settlement. The motion was made by Board Member Harter and seconded by Board Member Noël. The motion passed with a vote of 4-0, with Board Member Rodriguez absent.

C.5 Acceptance of Donation

Motion to accept the March 21, 2006 donations to the schools and/or districts as listed in the agenda.

Motion by Board Member Rodriguez

Seconded By Board Member Harter

Vote: 5/0

C.6 Introductions, Proclamations, Presentations and Recognitions

Dr. Sarvis introduced McCall Wood, Santa Barbara High School student, who is working with a Nobel Prize Winner doing research. He presented her with a plaque.

C.7 Superintendent’s Report

Dr. Sarvis announced that the San Marcos High School Mock Trial Team won the California Mock Trial Competition and were now off to the nationals. He introduced Mr. Erik Burrows, teacher and mock team coach. Mr. Burrows thanked the local attorneys for their support and introduced the students from the team.

C.8 Student Board Member Report

Board President Cordero announced there was no student report available. Reports are only made at regular board meetings.

C.9 Correspondence

Board Member Noël distributed a memo to the board members dated 3-19-06. He announced that he had concerns regarding a possible Brown Act violation on February 28, 2006. He shared he felt it was his responsibility as a trustee for the district to do everything possible not to violate the law and he would like to dissociate himself from the possible violation. He made it clear that he may be wrong and had sought legal advice. In his memo, he noted, he was requesting full and immediate disclosure of the things he considered to be improperly discussed at the February 28, 2006.

C.10 Public Comments

- Jim Dykstra- unhappy with problems going on with the Dos Pueblos High School Baseball Program. He followed the grievance policy, filed a complaint and his son is being punished for it.
- Deborah Dykstra (donated her time to Mr. Dykstra)- left written comments regarding a Dos Pueblos High School investigation

Dr. Sarvis shared with the board members that he has been meeting with Mr. Dykstra and an investigation has been made. Board President Cordero requested Mr. Dykstra put any additional concerns in writing.

Board Member Malakoff requested item D.1 be pulled.

Motion to approve the Consent Agenda, with the exception of item D.1

Motion by Board Member Harter

Seconded by Board Member Rodriguez

Vote: 5/0

Consent Agenda

D.1 Approval of Minutes

Item was pulled for discussion.

D.2 Approval of Staff Travel in Excess of \$500- dated March 21, 2006

D.3 Approval to Apply for the California Mathematics and Science Partnership Grant

- D.4 Approval of Commercial Warrant Register Sheets for the Period March 10, 2006 through March 17, 2006**
- D.5 Approval of Proclamation on the Districts' Environmental Efforts and Sustainability, as Requested by Board Member Rodriguez**
- D.6 Acceptance of Completed Contract, Campus Modernization Phase I Bid Package B at La Cumbre Junior High School**

E.1 Approval of the 2006-07 Budget Calendar

Ms. Stark, assistant superintendent of business services, presented the item. She noted the changes from last year's calendar and requested their input. Board Member Noël stated it was important to have a descriptive summary, in programmatic terms, of current expenditures, before making budget decisions. Ms. Stark offered to present a sample report through the Board Brief, using Santa Barbara High School, per Board Member Noël's request, as an example.

Motion to approve the 2006-07 Budget Calendar

Motion by Board Harter

Seconded by Board Member Rodriguez

Vote: 4/0

Ayes: 4 (Rodriguez, Harter, Malakoff, Cordero)

Noes: 0

Abstentions: 1 (Noël)

E.2 Approval of Teachers to Teach Under Education Codes 44256(b) and 44263, and Adoption of Resolutions 05/06-27 and 05/06-28

Motion to approve the teachers to teach under Education Code 44256(b) and 44263, and adoption of resolutions 05/06-27 and 05/06-28

Motion by Board Vice President Malakoff

Seconded by Board Member Harter

Vote: 5/0

E.3 Approval of the Tentative Classified Agreements for Overtime Compensation, Overtime Recording, and Implementation of a Classified Evaluation Committee

Motion to approve the tentative classified agreements for overtime compensation, overtime recording, and implementation of a classified evaluation committee

Board Member Harter requested that Kris Robertson, personnel director, provide clarification regarding the item. Ms. Robertson explained that the California School Employee Association had requested the above items be pulled from the original agreement and were now being presented for board approval.

Motion by Board Vice President Malakoff

Seconded by Board Member Rodriguez

Vote: 5/0

E.4 Approval of Pesticide Use for Gopher and Squirrel Control at San Marcos High School

David Hetyonk, director of facilities and operations, presented the item. He explained that at the last Integrated Pest Management meeting, the committee recommended taking the next step for gopher and squirrel control. He contacted Mr. Phil Boise, from Urban-Ag Ecology, and he recommended first using gas cartridges. Mr. Hetyonk explained that, per current board policy, there is no need for board approval, but wanted to make the board aware because the cartridges are not on the pesticide list sent to parents at the beginning of the school year. He clarified that if approved, a letter would be sent out to San Marcos High School (SMHS) parents.

Public Comment:

- Ed Behrens/assistant principal San Marcos High School- pesticide use to rid school of rodents and holes
- Lauren Brous/SMHS student- danger of gopher holes at school
- Michael Torres/SMHS student- injured by gopher holes at school
- Talisa Hail/SMHS student- gopher holes at school
- Mia Pasini/SMHS student- gopher holes and squirrels at school

Motion to approve pesticide use for gopher and squirrel control at San Marcos High School

Motion by Board Member Harter
Seconded by Board Member Rodriguez
Vote: 5/0

E.5 Board Action on Student Expulsion Case Number 05/06-40, 05/06-45, 05/06-46, 05/06-52, and 05/06-56

Motion: In case # 05/06-58, move to accept the terms of the stipulated agreement

Motion by Board Member Harter
Seconded by Board Member Noël
Vote: 5/0

Dr. Sarvis noted that case number 58 was not listed on the agenda. Board Member Harter changed the motion:

Motion: In case # 05/06-56, move to accept the terms of the stipulated agreement

Motion by Board Member Harter
Seconded by Board Member Noël

Dr. Sarvis stated that it was necessary to go back and confirm the case number.
Board Member Harter withdrew her motion.

Motion: In case # 05/06-52, move to approve the findings and recommendations of the hearing panel

Motion by Board Member Harter
Seconded by Board Member Noël
Vote: 4/0

Board Member Rodriguez was absent

Motion: In case # 05/06-46, move to suspend the expulsion recommendation, move the student to another school, parent's choice, continue with rehabilitation and add an appropriate after school program.

Motion by Board Member Harter
Seconded by Board Member Noël
Vote: 4/0

Board Member Rodriguez was absent

Motion: In case # 05/06-40, move to approve the findings and recommendations of the hearing panel

Motion by Board Member Harter
Seconded by Board Member Noël
Vote: 4/0

Board Member Rodriguez was absent

Motion: In case # 05/06-45 move to approve the findings and recommendations of the hearing panel

Motion by Board Member Harter
Seconded by Board Member Noël
Vote: 4/0

Board Member Rodriguez was absent

F.1 Report on Bids for the Elings Aquatic Center Pool Project at Dos Pueblos High School

Mr. Hetyonk presented the item. He began by reviewing the items presented: updated copy of the board approved priority list, bid tabulation list and a description of deductive bid alternates 1 and 2. Mr. Hetyonk explained the two options the board had. Questions from the board followed Mr. Hetyonk's presentation. The board and staff discussed escalating costs and estimates. Board Member Noël asked if the available funds of \$13.4 million were a reliable number. He noted that the Bond Oversight Committee had found a mistake of about \$10 million in the financial report. Ms. Stark explained that the January financial report had in fact an error and that the mistake had been corrected and the financial report rebuilt. She also noted the auditors had audited the books and funds and found them to be correct and felt confident that the \$13M was a reliable number. Board Member Harter inquired what the outcome would have been if the \$10 million mistake had not been found. Ms. Stark explained that the report is not used to direct spending and is merely informational. She explained that the books and the recaps, developed by Ms. Avnit from Spectrum Management Solutions, are what expenditures are based on. Ms. Stark proceeded with an updated recap of all the funding sources for constructions and expenditures to date. Questions from the board followed Ms. Stark's presentation.

Public Comments:

- Suzie Cawthon- San Marcos High School needs a pool, inequity at schools
- Abe Jahadmy- concerned about losing pool for San Marcos High School
- Brian Roth- need for a pool at San Marcos High School
- Ginny Kuga- in support of Dos Pueblos High School
- Randy Douglass- in support of San Marcos High School
- Mike Zoradi- Dos Pueblos High School donation amounts do not match, requesting investigation

Board Member Harter commented on the various construction projects at the high schools, the American's with Disabilities Act construction requirements and the \$2.6 million available in state matching funds for the Dos Pueblos High School pool project. Board Member Noël stated bond money was not intended to build pools and it was inappropriate to use the monies for exactly that purpose. Board President Cordero noted she was concerned about the \$2 million overbid for the Dos Pueblos High School pool and would prefer not to act on this issue without further discussion. Board Vice President Malakoff shared the same concern. Mr. Hetyonk explained that the bid was good for 60 days. The board requested the item be placed on the 4-11-06 Board Agenda.

F.2 Board Direction on School Calendar for 2007-08 and Subsequent Years

Dr. Kristine Robertson, director of personnel, presented the item. She explained as part of negotiations, the board needs to approve school calendars and was therefore requesting direction from them. She noted there were a number of factors that needed to be taken in to account, such as testing, holidays, and financial. Board President Cordero stated that "best practices for students should drive the calendar". The board members discussed different options and noted they would like to have teacher input. The board was in consensus in that they would like as few calendars as possible.

F.3 Report on Options for Year Four of Program Improvement

Mr. Jan Zettel, assistant superintendent of secondary education, introduced Carol Johansen from the Santa Barbara County Education Office. Ms. Johansen shared a Power Point presentation with the board in which she outlined the California Department of Education (CDE) recommendations of restructuring for year 4 Program Improvement (PI) schools. Items covered in Ms. Johansen's presentation included: Purpose of restructuring, responsibility for oversight, process, comprehensive needs assessments, CDE assessment tools, and CDE recommended steps. Questions from the board followed Ms. Johansen's presentation. Dr. Sarvis noted that they would be bringing a recommendation for La Cumbre concerning their year 4 in PI status.

Dr. Sarvis requested items F.7, and F.8 be moved to a future agenda and take items F.5 and F.6 before F.4
Board Member Noël requested item F.7 not be moved

F.5 Report on the Program Improvement Plan at McKinley Elementary School

Item was taken out of order.

Principal McKinley Elementary School, Juanita Carney presented the item. Ms. Carney reported on the school's efforts to be removed from PI status. Items included in her discussion were: working with UCSB, the Waterford Program, SES providers, and looking at standards and curriculum. Questions from the board followed Ms. Carney's presentation.

F.6 Report on Proposal for an Academy of Public Policy and Leadership at Santa Barbara High School

Mr. Zettel announced that Santa Barbara High School (SBHS) was applying for a grant through the CDE for specialized programs and introduced Principal SBHS Paul Turnbull. Mr. Turnbull began by stating that there was a need for a 4th academy at SBHS, one that would allow students to experience leadership. He proceeded to share a Power Point presentation outlining the idea behind the Academy of Public Policy and Leadership (APPLe). Mr. Kurt Schultz and Lawrence Gamble, from SBHS participated in the presentation. Questions from the board followed the presentation. The cost and funding was discussed. Board Member Harter noted she was concerned that the academy would not be inclusive. Mr. Turnbull reassured her it would be and noted he had talked with LULAC, DELAC and other minority group clubs and they were excited about the concept and getting students involved. Board President Cordero requested further questions be sent to Mr. Turnbull.

Public Comment:

- Cynthia Linebarger- is APPLe the leadership program that will replace JROTC? Where is funding coming from?
- Jack Harris- JROTC was not given the opportunity to come up with a similar proposal as APPLe
- Michael Kwan- is APPLe replacing JROTC, what students would it target? Same as JROTC?

Dr. Sarvis explained that this was not the replacing course for JROTC and noted that they were still designing the course.

Board President Cordero announced that items F.4, F. 7 and F.8 would be taken at a future meeting. Board Member Noël requested item F.7 not be pulled. Board Member Noël requested public disclosure of the report that was presented by the superintendent and the assistant superintendent of business services in closed session on 2-28-06. He noted the report belongs in the public domain and stated that agenda item F.7, was not what he had requested. Board President Cordero stated the item would be pulled and requested Board Member Noël forward his request. Board Member Noël stated again he was requesting “full and immediate public disclosure of the content of the closed session on 2-28-06”. Board President Cordero requested Board Member Noël forward his request for an agenda item title.

F.7 Board Discussion of Possibility of Budget Cuts, as Requested by Board Member Noël

Item was pulled.

F.4 Report on Academic Performance Index Similar School Ranks

Pulled to future agenda

D.1 Approval of Minutes

Board Member Malakoff announced that in the February 28 board minutes, under board comments, her comment was incorrect. Her correct comment was “...we need a policy to deal with second choice...”.

Motion to approve the minutes, with the above correction to 2-28-06 minutes

Motion by Board Member Harter

Seconded by Board Member Rodriguez

Vote: 5/0

F.8 Discussion of Board Focus Goals

Pulled for future agenda

G. Coming Events

None

H. Board Comments

None

I. Future Agenda Items

None

J. Adjournment

There being no further business, the meeting was adjourned at 11:15 p.m.

Attest:

Annette Cordero, President
Board of Education

Adopted by Board of Education
on May 9, 2006