

**SANTA BARBARA SCHOOL DISTRICTS
BOARD OF EDUCATION**

Minutes of Regular Board Meeting
Tuesday, May 9, 2006

Call to Order- Meeting convened at 5:00 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:

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

Members Absent:

Board Member Noël- **absent only during closed session**

Staff Present:

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

Craig Price, Legal Counsel

A.1 Call to Order

Meeting was called to order by Board President Cordero.

A.2 Public Comments relating to closed session

None

The board adjourned to closed session for the following matters:

B.1 Liability Claim: (Government Code § 54956.95)

Claimant: Gearardo Surian
Agency Claimed Against: Santa Barbara School Districts

B.2 Liability Claim: (Government Code § 54956.95)

Claimant: Rick Wilson
Agency Claimed Against: Santa Barbara School Districts

B.3 Conference with Labor Negotiator (Government Code § 54957.6)

Agency Designated Representative: Annette Cordero, Board President
Unrepresented Employee: Superintendent

B.4 Student Discipline

(Education Code § 48918)
Expulsion cases: Numbers 05/06-58, 05/06-64, 05/06-65, and 05/06-68

The board returned to regular session.

C.1 Pledge of Allegiance

Was led by Dr. Sarvis

C.2 Spanish Translation

Mr. Gonzalez 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, the board took action to reject the Surian and the Wilson claim, both by a vote of 4/0 with Board Member Noël absent.

C.5 Acceptance of Donations

Motion by Board Member Rodriguez to accept the donations with gratitude

Seconded by Board Member Harter

Vote: 5/0

C.6 Introductions, Proclamations, Presentations and Recognitions

Dr. Sarvis introduced students from award winning class Virtual Enterprise at Santa Barbara High School, who shared a PowerPoint presentation and general overview of Virtual Enterprise. Board and staff congratulated them on their success and presentation

C.7 Superintendent's Report

Dr. Sarvis made other announcements, including summer school information, ribbon cutting ceremony to inaugurate the newly renovated auditorium at La Cumbre Junior High School, and board discussions regarding 07-08 school calendars. Dr. Sarvis reviewed various items included in the Board Brief, such as the recycling program, and the number of conference agenda items that the board took action on, which was the equivalent of 5%.

C.8 Student Board Member Report

San Marcos High School student Kate Ransolhoff reported on various activities going on at San Marcos High School.

C.9 Correspondence

None

C.10 Public Comments

None

Consent Agenda

Board Member Harter requested items D.5 and D.10 be pulled for further discussion. Board Member Noël requested items D.8 and D.10 be pulled for further discussion.

Motion to approve the consent agenda, with the exception of the items pulled

Motion by Board Vice President Malakoff

Seconded by Board Member Harter

Vote: 5/0

D.1 Approval of Minutes- March 21, 2006

D.2 Approval of Staff Travel- Out-of State Travel and/or Expenses in Excess of \$500 dated May 9, 2006

D.3 Approval of Additional Fundraising for 2005-06- Dos Pueblos High School

D.4 Approval of Student Field Trip- San Marcos High School

D.6 Approval of Amendment of the Appendix of the Districts' Conflict of Interest Code Regarding Additional Job Categories/Committee Members Who Must Complete Conflict of Interest Statements Pursuant to Government Code Section 87306 and Adoption of Resolution 05/06-39

D.7 Approval of Contract with Outdoor School for 2006-07

D.9 Approval of Commercial Warrant Register Sheets for the Period April 25, 2006 through May 5, 2006

D.11 Approval of Purchase Order Report for the Period April 19, 2006 through May 2, 2006

- D.12 Acceptance of Completed Contract, Backflow Preventer at Goleta Valley Junior High School**
- D.13 Adoption of Intent to Convey Easement and Right of Way, McKinley Elementary School**
- D.14 Approval of Proposal from Kruger Bensen Ziemer Architects Inc. for Architectural Services for the Portable Restroom Building at the Dos Pueblos High School Stadium**
- D.15 Approval of Contract Award to Smith Electric Company for J-Wing Heating and Ventilation Replacement at San Marcos High School**

Action Agenda

E.1 Approval of Board Focus Goals for Student Achievement and Staff Recruitment and Retention

Dr. Sarvis reminded board members that they had been working on the board focus goals over a number of meetings and at the last meeting, the goals were approved with the provision that the legality of the language for goal No. 5 and No. 1 be reviewed by district legal counsel, Mr. Craig Price. Mr. Price provided his thoughts, noting that his legal concern was providing special favoritism based on ethnicity. He stated that adding the word “qualified” would dispel such notion. The board debated on whether to keep the word “qualified”.

Motion to accept both of the board focus goals as written
 Motion failed for lack of Second

Motion to adopt item 1, Student Achievement, bullet 5 and remove the word “qualified”
 Motion by Board Member Rodriguez
 Second by Board Member Harter

The board continued with its discussion regarding student achievement. Board Vice President Malakoff suggested adding the word “encourage”

Board Member Harter withdrew her second and suggested moving on to item 5, Staff Recruitment and Retention

Motion to adopt the rewording of goal No. 5
 Motion by Board Member Rodriguez
 Seconded by Board Member Harter
 Vote: 5/0

Board member agreed they would email their suggestions regarding item 1, Student Achievement, to Dr. Sarvis. If none are received they will continue the discussion as is at a future meeting.

E.2 Second Reading and Adoption of Revision to Board Policy 1120, “Board Meeting Procedures”

Motion to approve the adoption of revision to Board Policy 1120 “Board Meeting Procedures”

Motion by Board Member Harter
 Seconded by Board Vice President Malakoff

Board President Cordero stated she would like to delete the last sentence on the second page, as she felt it was unnecessary.

Board Member Harter accepted the change
 Board Vice President Malakoff accepted the change

Board Member Rodriguez requested clarification regarding the placement of requested items on a board agenda must be done no later than the 3rd meeting, and whether this applies to both the public and the board members. Dr. Sarvis responded yes.

Board Member Noël stated he was not in agreement in regard to the recommendation to not allow the exchange of public comment time and felt as though it was “not a free exchange of ideas”

Other members did not agree with Board Member Noël’s statement.

Vote: 4/1
 Ayes: 4 (Cordero, Malakoff, Harter, Rodriguez)
 Noes 1 (Noël)

E.3 Second Reading and Adoption of Board Policy 6252, “Learning Through Community Service”

Jan Zettel, assistant superintendent secondary education, presented the item. He noted that the board’s previous concerns were written into the board policy and, therefore, service hours in excess of the normal course work could be applied towards community service graduation requirement.

Motion to adopt Board Policy 6252 “Learning through Community Service”

Motion by Board Member Harter

Seconded by Board Member Rodriguez

Mr. Price noted that the board policy number on the agenda (6252) and the board policy presented did not match.

Board Member Harter withdrew her motion

Board Member Rodriguez withdrew her second

Item will be brought back to the next board meeting.

E.4 Second Reading and Adoption of Proposed Revisions to Board Policy and Administrative Regulation 1312.3, “Uniform Complaint Procedures”, New Administrative Regulation 1312.4, and Exhibits, “Williams Uniform Complaint Procedures”

Mr. Michael Gonzalez, director compliance and categorical, introduced the item. He stated he was proposing to revise the Uniform Complaint Procedures board policy and administrative regulation in an effort to get the district in line with California Education Code. Mr. Gonzalez suggested the adoption of a new administrative regulation concerning the Williams Uniform Complaint Procedure. He noted that the poster and a copy of the actual complaint procedure were on exhibit. Mr. Gonzalez summarized the board’s, legal counsel’s and the State’s, suggestions, noting that they had all been incorporated.

Motion to adopt the proposed revision to Board Policy and Administrative Regulation 1312.3, “Uniform Complaint Procedures”, new Administrative Regulation 1312.4 and exhibits, “Williams Uniform Complaint Procedures”

Motion by Board Member Harter

Seconded by Board Vice President Malakoff

Vote: 5/0

E.5 Resolution No. 05/06-43, Santa Barbara School Districts Ordering Governing Board Member Elections

Dr. Sarvis stated that per the Education Code, it was necessary for the board to pass resolutions ordering governing board member elections.

Motion to approve Resolution No. 05/06-43, Santa Barbara School Districts Ordering Governing Board Member Elections

Motion by Board Member Harter

Seconded by Board Member Rodriguez

Vote: 5/0

E.6 Board Action on Student Expulsion Case Numbers 05/06-58, 05/06-64, 05/06-65, and 05/06-68

Board President Cordero announced that case number 05/06-58 was rescheduled to a future agenda.

Motion: In the case of 05/06-68, move to approve the findings and recommendations of the hearing panel

Motion by Board Member Harter

Seconded by Board Member Rodriguez

Vote: 4/0 (Noël absent)

Motion: In the case of 05/06-64, move to approve the findings and recommendations of the hearing panel

Motion by Board Member Harter

Seconded by Board Member Rodriguez

Vote: 4/0 (Noël absent)

Motion: In the case of 05/06-65, move to approve the findings and recommendations of the hearing panel

Motion by Board Member Harter

Seconded by Board Member Rodriguez

Vote: 4/0 (Noël absent)

Conference Agenda

F.1 Board Discussion of Board Member Compensation and Revision of Board Policy 9250, "Remuneration, Reimbursement and Other Benefits," and Absent Board Member Compensation

Dr. Sarvis presented the item. He explained that a few years ago, due to budget constraints, the board cut its monthly compensation to \$200. A number of members chose insurance and had the compensation reduced even more. Dr. Sarvis stated he researched other similar districts to compare and found that a \$400 per month compensation, plus insurance, was very common and was, therefore; recommending the board increase its monthly compensation to \$400 and allow pro-rated compensation, if meetings are missed. Dr. Sarvis and Mr. Price provided clarification regarding the board resolution providing for absent board member compensation. The board discussed the increase of board compensation. Some members shared their support for the increase.

The board adjourned for a 15 minute break.

Board Member Harter requested items D.5, D.8 and D.10 be discussed next, then continue with the city report and finalize with their discussion regarding board policies and bylaws. Board President Cordero agreed.

The following consent items were taken out of order.

D.5 Approval of Board Resolution No. 05/06-41, Resolution Regarding Absent Board Member Compensation

Motion to approve item D.5, Resolution Regarding Absent Board Member Compensation

Motion by Board Member Harter

Second Board Member Rodriguez

Vote: 5/0

D.8 Approval of Recommended Personnel Action Items Dated May 9, 2006

Board Member Noël stated it would be helpful to include the funding for hourly employment. Dr. Kris Robertson, director of personnel, stated she would check with her staff on his request.

Move to approve D.8, Recommended Personnel Action Items Dated May 9, 2006

Motion by Board Member Harter

Seconded by Board Member Rodriguez

Vote: 5/0

D.10 Approval of 2006-07 California School Management Group, Inc. E-rate Consulting Services Contract

Board Member Harter questioned what the district received in return. Ms. Stark explained the district receives the excess of \$25,000, but no exact number was available. Ms. Stark will provide further information regarding CSM Group in a future Board Brief.

Move to approve the 2006-07 California School Management Group, Inc. for E-rate Consulting

Motion by Board Member Harter

Second by Board Member Rodriguez

Vote: 5/0

Return to conference agenda.

F.3 Report on City of Santa Barbara Parks and Recreation Junior High After School Sports Program Budget

Mr. Zettel presented the item. He noted he met with Sarah Clayton from City Parks and Recreation. Mr. Zettel explained that the cost to continue the program would be \$55,000 to \$60,000 and that general fund money would be used to pay for the program. He noted that the City of Goleta will contribute \$7,000 towards the cost.

Board Member Harter noted that the city contributes to the elementary program the same amount of money that the district would be contributing to the secondary program. The board and staff discussed funding, programs offered, student participation, attracting new students.

F.2 First Reading of New Board Policies on Board Bylaws 9000 Series

Dr. Sarvis explained to the board members that this was the first reading of the Board Policies and Board Bylaws (BBs) 9000 series. He reminded the members that there would be a resolution requiring approval to eliminate all previous 8000 and 9000 series.

Board Members proceeded with their review of the BBs. Board President Cordero read each of them individually and members provided their comments and/or language suggestions. Some BBs required no changes. Mr. Price offered his legal opinion on various BBs and answered questions from board members. Dr. Sarvis explained how the suggested changes would be noted.

Board discussed a special workshop to address the remaining BBs. Members were concerned about the remaining large amount of agenda items needed to be addressed. Dr. Sarvis suggested adding some items, such as reports to future Board Briefs. Board discussed the possible items for a Board Brief, noting that some needed to be discussed publicly.

BB 9270, Conflict of Interest

BB 9310, Policy Manual

BB 9311, Board Policies

AR 9311, Board Policies

BB 9312, Board Bylaws

BB 9313, Administrative Regulations

BB 9314, Suspension of Policies, Bylaws, Administrative Regulations

BB 9320, Meetings and Notices

BB 9321, Closed Session Purposes and Agendas

BB 9321.1, Closed Session Actions and Reports

BB 9322, Agenda/Meeting Materials

BB 9323, Meeting Conduct

The board will address the following BBs at the 5-16-06 special board meeting:

BB 9323.2, Actions by the Board

E 9323.2, Actions by the Board, Actions Requiring More Than a Majority Vote

BB 9324, Minutes and Recordings

BB 9400, Board Self-Evaluation

G. Coming Events

Dr. Sarvis reviewed dates of future board meetings: 5-10-06 Santa Barbara City College Meeting, 5-16-06 special board meeting, 5-23-06 regular board meeting.

H. Board Comments

None

I. Future Agenda Items

Board Focus Goals, and remaining Board Bylaws

State news regarding the CAHSEE to be included in future Board Brief

J. Adjournment

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

Attest:

Annette Cordero, President
Board of Education

Adopted by Board of Education
on July 11, 2006