

Santa Barbara School Districts

Board of Education Meeting Minutes

Regular Meeting – Tuesday, May 22, 2007

720 Santa Barbara Street Santa Barbara, CA 93101 (805) 963-4338 www.sbsdk12.org

Board Members In Attendance

Nancy Harter, President
Laura Malakoff, Vice President

Annette Cordero, Member
Robert Noël, Member
Kate Parker, Member

REGULAR SESSION

A.1 Call to Order

Board president Nancy Harter called the meeting to order.

A.2 Public Comments

None

CLOSED SESSION

The board adjourned to closed session.

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

Agency designated representative: Brian Sarvis

Unrepresented employees: management and confidential employees

B.2 Conference with Legal Counsel – Existing Litigation (2 cases) (Government Code § 54956.9(a))

Student case numbers: OAH No. N2007040162 and OAH No. , –filed May 14, 2007 (case number not yet assigned),

Pupil names are unspecified and are protected under Family Education Rights and Privacy Act (FERPA) (10 U.S.C. § 1232(g)); 34 CFR Part 99.

B.3 Student Discipline (Education Code § 48918)

Expulsion cases: numbers 06/07-63, 06/07-66, 06/07-69, 06/07-70, 06/07-71, 06/07-72, and 06/07-74

REGULAR SESSION

The board returned to regular session at 7:00 p.m.

C.1 Pledge of Allegiance

Board president Harter led the pledge.

C.2 Spanish Translation

Vivian Rodriguez was present to provide Spanish translation.

C.3 Headsets for Hearing Impaired

Board president Harter announced that headsets were available for the hearing impaired.

C.4 Announcement of Closed Session Action

Board president Harter stated there was no reportable action taken from closed session.

C.5 Acceptance of Donations

A motion was made by board member Cordero to approve with gratitude the listed donations. Seconded by board vice president Malakoff.

Motion passed. Vote: 5-0 / Ayes: 5 (Cordero Harter, Malakoff, Noël, Parker) / Noes: 0

C.6 Introductions, Proclamations, Presentations or Recognitions

Jo Ann Caines, principal of La Cumbre Junior High School, introduced the school's mariachi band, prior to their performance before the board.

C.7 Superintendent's Report

- Teacher layoffs
- Development at Washington Elementary School
- Richard Ramos
- No Place For Hate
- *Board Brief*, May 11, 2007
- Upcoming Events

C.8 Public Comments

- Laura Baker spoke in opposition to moving Santa Barbara Community Academy to La Cumbre Junior High School.
- Nikki Lagerquist spoke in favor of keeping theatre arts classes.
- Andrea Matthews spoke in favor of keeping performing arts classes.
- Kristen Sharer spoke in favor of keeping performing arts classes.
- John Houchin spoke in favor of bringing curriculum council back.
- David Holmes spoke in opposition to physical education as part of the Wellness Policy.
- Kenneth Loch spoke in favor of freedom.
- Kieran Dunne spoke in opposition to the Wellness Policy.
- Neil Chu spoke in favor of teaching Mandarin Chinese in high school.
- Wendy Wu spoke in favor of teaching Mandarin Chinese in high school.
- Sufen Yen spoke in favor of teaching Mandarin Chinese in high school.
- Autumn Brook spoke in favor of teaching Mandarin Chinese in high school.

CONSENT AGENDA

Board member Parker pulled items D.1, D.7, D.12, D.19, D.20, and D.21.

A motion was made by board vice president Malakoff to approve the items on the consent agenda with the exception of items D1, D.7, D.12, D.19, D.20, and D.21. Seconded by board member Cordero.

Motion passed. Vote: 5-0 / Ayes: 5 (Cordero, Harter, Malakoff, Noël, Parker) / Noes: 0

D.1 Approval of Minutes – February 13, 2007; February 20, 2007; March 13, 2007; and March 20, 2007

Item D.1 pulled by board member Parker for discussion later in the meeting.

D.2 Approval of Additional Elementary Fundraising Activities for the 2006-07 School Year

D.3 Approval of Student Field Trip for La Cumbre Junior High School Eighth Grade Students

D.4 Approval of Staff Travel: Out-of-State Travel and/or Expenses in Excess of \$500 dated May 22, 2007

D.5 Approval of Request to Apply for the Community-Based English Tutoring (CBET) Program

D.6 Approval of Request to Apply for the Early Intervention for School Success (EISS) Grant for Harding Elementary School

D.7 Approval of School Plans for the Allocation of Site Discretionary Block Grant Funding

Item D.7 pulled by board member Parker for discussion later in the meeting.

D.8 Approval of San Marcos High School Discretionary Block Grant

D.9 Second Reading of Science Textbook Adoption and Instructional Materials for Grades 7-12

D.10 Approval of Recommended Personnel Action Items Dated May 22, 2007

D.11 Approval of Commercial Warrant Register Sheets for the Period May 11, 2007 through May 18, 2007

D.12 Approval of Fixed-Fee Multi-Year Contracts between School Innovations & Advocacy, Inc. and the Santa Barbara Elementary School District and Santa Barbara High School District for the Period 2008 to 2010 for Consulting Services for the Mandated Cost Reimbursement Program

Item D.12 pulled by board member Parker for discussion later in the meeting.

D.13 Approval of Purchase Order Report for the Period of May 2, 2007 through May 15, 2007

D.14 Approval to Declare Equipment as Surplus to the Needs of the Districts

D.15 Approval of Memorandum of Understanding on the Leasing of a Portable Classroom for the Arts between Santa Barbara Elementary School District, Santa Barbara Bowl Foundation and Cesar Chavez Charter School

D.16 Approval of Renewal of Lease with Class Leasing, Inc. for Two Portable Classrooms at San Marcos High School

D.17 Approval of Addition of Surflan to the Approved Pesticide List

D.18 Approval of Pesticide Use for Gopher and Squirrel Control at San Marcos High School

D.19 Approval of Change Order No. 2, Courtyard Restroom and Building Upgrades at Santa Barbara School Districts Administration Offices

Item D.19 pulled by board member Parker for discussion later in the meeting.

D.20 Acceptance of Change Order No. 3 Courtyard Restroom and Building Upgrades at Santa Barbara School Districts Administration Offices

Item D.20 pulled by board member Parker for discussion later in the meeting.

D.21 Approval of Change Order No. 4 Courtyard Restroom and Building Upgrades at Santa Barbara School Districts Administration Offices

Item D.21 pulled by board member Parker for discussion later in the meeting.

D.22 Approval of Contract Award, Access Gate at Roosevelt Elementary School

D.23 Approval of Proposal from Spectrum Management Solutions for Measure V and Measure I-98 Bond Fund Accounting Support Services and Preparation of Office of Public School Construction Reporting Requirements Documentation

ACTION AGENDA

E.1 Approval of Reorganization Plan for Santa Barbara Junior High School's Governance that is Consistent with the Principals of Restructuring as it Approaches Year Four of No Child Left Behind Program Improvement

John Becchio, principal of Santa Barbara Junior High School, presented the school reorganization plan for 2007-08 as it approaches year four of Program Improvement.

A motion was made by board member Noël to approve the reorganization plan for Santa Barbara Junior High School's governance that is consistent with the principles of restructuring as it approaches year four of No Child Left Behind Program Improvement. Seconded by board member Cordero.
Motion passed. Vote: 5-0 / Ayes: 5 (Cordero, Harter, Malakoff, Noël, Parker) / Noes: 0

E.2 Approval of Variable Term Waiver

Dr. Sarvis stated approval was needed to keep the variable term waiver credential for Kathleena Osumi.

A motion was made by board member Cordero to approve the variable term waiver credential for Kathleena Osumi. Seconded by board member Parker.
Motion passed. Vote: 5-0 / Ayes: 5 (Cordero, Harter, Malakoff, Noël, Parker) / Noes: 0

E.3 Board Action on Student Expulsion Case Numbers 06/07-63, 06/07-66, 06/07-69, 06/07-70, 06/07-71, 06/07-72, and 06/07-74

Michael Gonzalez, coordinator of compliance and categorical funding, stated case number 06/07-66 requested to meet with the board. Board president Harter stated the board would not make a vote on case number 06/07-66.

In the case of 06/07-71, a motion was made by board vice president Malakoff to uphold the findings and recommendations of the hearing panel. Seconded by board member Cordero.
Motion passed. Vote: 5-0 / Ayes: 5 (Cordero, Harter, Malakoff, Noël, Parker) / Noes: 0

In the case of 06/07-74, a motion was made by board vice president Malakoff to uphold the findings and recommendations of the hearing panel. Seconded by board member Cordero.
Motion passed. Vote: 5-0 / Ayes: 5 (Cordero, Harter, Malakoff, Noël, Parker) / Noes: 0

In the case of 06/07-72, a motion was made by board vice president Malakoff to uphold the findings and recommendations of the hearing panel with the exception that the student be sent to interim home alternative education services for the remainder of the year. Seconded by board member Parker.
Motion passed. Vote: 3-1-1 / Ayes: 3 (Harter, Malakoff, Parker) / Noes: 1 (Noël) / Abstain: (Cordero)

In the case of 06/07-69, a motion was made by board vice president Malakoff to uphold the findings and recommendations of the hearing panel. Seconded by board member Cordero.
Motion passed. Vote: 5-0 / Ayes: 5 (Cordero, Harter, Malakoff, Noël, Parker) / Noes: 0

In the case of 06/07-70, a motion was made by board vice president Malakoff to uphold the findings and recommendations of the hearing panel. Seconded by board member Cordero.
Motion passed. Vote: 5-0 / Ayes: 5 (Cordero, Harter, Malakoff, Noël, Parker) / Noes: 0

CONFERENCE AGENDA

F.1 Request to Present to Board by Lanny Ebenstein Regarding Enrollment Trends and a Proposed Parcel Tax

Lanny Ebenstein gave a presentation about enrollment within Santa Barbara School Districts and recommended the board consider a tax parcel in the elementary district.

Public Comments:

- Laura Wilson spoke in favor of a parcel tax.
- Mike Zoradi spoke in favor of a parcel tax.
- Denice Adams spoke in favor of a parcel tax.
- David Holmes spoke in favor of a parcel tax.
- Alice Post spoke in favor of a parcel tax.

At board direction, item F.1 will be brought back to a future meeting with the amount it would cost for an election. Superintendent Sarvis requested copies of the overheads to be put in the *Board Brief*.

The board adjourned for a five-minute break.

F.2 Report on Nutrition Services Budget for Fiscal Year 2007-08

Frank Lihn, director of nutrition services, reported on the proposed cafeteria budget for 2007-08. Board member Noël requested a report on the last five years of food services financial problems with the corrections of inadequacies received two years ago.

F.3 Report on 2007-08 Budget Development

Ed Diaz, assistant superintendent of business services, presented the budget development on discretionary funds that remain to be budgeted for 2007-08.

A motion was made by board president Harter to continue with item F.4. Seconded by board vice president Malakoff.

Motion passed. Vote: 3-2 / Ayes: 3 (Harter, Malakoff, Parker) / Noes: 2 (Cordero, Noël)

F.4 Report on Need to Establish Joint Exercise of Powers Agreements with the Santa Barbara Elementary School District and Santa Barbara High School District, Establishing the Santa Barbara Schools Financing Authority to Facilitate the Refunding of Outstanding General Obligation Bonds as Indicated Below

Charles Adams, bond counsel with Jones-Hall, spoke about joint powers authority (JPA) requirements.

F.5 Overview of Gang Prevention Strategies

Moved to a future board meeting.

G. Return to Consent Items Designated for Discussion

D.1 Approval of Minutes – February 13, 2007, February 20, 2007, March 13, 2007 and March 20, 2007

Board member Parker inquired about item C.1 being the first reading in the February 20, 2007 board meeting. Superintendent Sarvis stated the February 20, 2007 minutes would be brought back to a future board meeting with more clarification.

Board member Parker stated in the March 13, 2007 minutes, item F.3 did not state that board member Parker did not agree that I-98 funds and Measure V bond funds could be used. Board member Parker requested that it be included in the minutes. The March 13, 2007 minutes will be brought back to a future meeting for approval with corrections.

A motion was made by board member Parker to approve the February 13, 2007 minutes. Seconded by board vice president Malakoff.

Motion passed. Vote: 4-0-1 / Ayes: 4 (Cordero, Harter, Malakoff, Parker) / Noes: 0 / Abstain: 1 (Noël)

A motion was made by board member Cordero to approve the March 20, 2007 minutes. Seconded by board member Parker.

Motion passed. Vote: 3-0-2 / Ayes: 3 (Cordero, Noël, Parker) / Noes: 0 / Abstain: 2 (Harter, Malakoff)

D.7 Approval of School Plans for the Allocation of Site Discretionary Block Grant Funding

Board member Parker inquired about the Adams Elementary School site plan not approved by site council. Robin Sawaske, assistant superintendent of elementary education, stated Adams site plan would be pulled from this agenda and brought back to a future meeting for approval.

A motion was made by board member Parker to approve the elementary site discretionary block grant plans with the exception of Adams Elementary School. Seconded by board member Cordero. Motion passed. Vote: 5-0 / Ayes: 5 (Cordero, Harter, Malakoff, Noël, Parker) / Noes: 0

D.12 Approval of Fixed-Fee Multi-Year Contracts between School Innovations & Advocacy, Inc. and the Santa Barbara Elementary School District and Santa Barbara High School District for the Period 2008 to 2010 for Consulting Services for the Mandated Cost Reimbursement Program

Board member Parker asked why the fixed fee money was not included. Mr. Diaz stated it was an error. Board president Harter requested that when the item is brought back for approval, the cover memo should include the anticipated savings.

D.19 Approval of Change Order No. 2, Courtyard Restroom and Building Upgrades at Santa Barbara School Districts Administration Offices

Board member Parker inquired why the costs in items D.19, D.20, and D.21 were coming out of the general fund and not Measure V or secondary deferred maintenance. David Hetyonk, director of facilities and operations, stated the district does not receive deferred maintenance money from the state for this the district administration offices. Bond funds for non-school sites cannot be used because they were not part of the bond issuance.

A motion was made by board member Parker to approve items D.19, D.20, and D.21. Seconded by board member Cordero.

Motion passed. Vote: 4-0-1 / Ayes: 4 (Cordero, Harter, Malakoff, Parker) / Noes: 0 / Abstain: 1 (Noël)

D.20 Acceptance of Change Order No. 3 Courtyard Restroom and Building Upgrades at Santa Barbara School Districts Administration Offices

Discussed as part of item D. 19.

D.21 Approval of Change Order No. 4 Courtyard Restroom and Building Upgrades at Santa Barbara School Districts Administration Offices

Discussed as part of item D. 19.

H. Coming Events

Special board meeting, June 5, 2007.

I.1 Board Correspondence

None

I.2 Board Comments

None

J. Future Agenda Items

None

K. Adjournment

There being no further business, the meeting was adjourned at 11:05 p.m.

Attest:

Nancy Harter, President
Board of Education

Adopted by the Santa Barbara School Districts Board of Education
on June 26, 2007

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