

Santa Barbara School Districts

Board of Education Meeting Minutes

Regular Meeting – Tuesday, June 26, 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 at 5:30 p.m.

A.2 Public Comments

None

CLOSED SESSION

The board adjourned to closed session at 5:35 p.m.

B.1 Public Employment (Government Code section 54957)

Title: Santa Barbara High School Principal

B.2 Consideration of CAHSEE Waiver for Graduation for Students with Disabilities (Education Code § 56101, 60851)

The board of education reviewed a list of students who qualify for the California High School Exit Exam (CAHSEE) waiver and approved each request. Pupil names are unspecified and are protected under Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232(g); 34 CFR Part 99; Education Code § 49073 et seq.

B.3 Consideration of CAHSEE Exemption for Graduation for Students with Disabilities (Education Code § 60852.4)

The board of education reviewed a list of students who qualify for the California High School Exit Exam (CAHSEE) exemption and approved each request. Pupil names are unspecified and are protected under Family Education Rights and Privacy Act (FERPA) (20 U.S.C. § 1223(g); 34 CFR Part 99; Education Code § 49073 et seq.

B.4 Student Discipline (Education Code § 48918)

Expulsion Case No. 06/07-68, request for 30-day extension.

B.5 Student Discipline (Education Code § 48918)

Expulsion Case No. 05/06-49, request for readmission to Santa Barbara High School.

B.6 C Student Discipline (Education Code § 48918)

Expulsion Cases: Numbers 06/07-39, 06/07-76, 06/07-78, 06/07-79, and 06/07-81.

REGULAR SESSION

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

C.1 Pledge of Allegiance

Board president Harter led the pledge.

Per board consensus Item C.4 was taken out of order.

C.4 Announcement of Closed Session Action

Board president Harter announced the following five items [B.1 through B.5] voted on during closed session:

B.1 Public Employment

A motion was made by board member Parker to support the appointment of Mark Capritto as Santa Barbara High School principal. Seconded by board vice president Malakoff.
Motion passed. Vote: 3-1-1 / Ayes: 3 (Harter, Malakoff, Parker) / Noes: 1 (Noël) / Abstain: 1 (Cordero)

B.2 Consideration of CAHSEE Waiver for Graduation for students with Disabilities

A motion was made by board member Cordero to approve consideration of CAHSEE waiver for graduation for students with disabilities. Seconded by board vice president Malakoff.
Motion passed. Vote: 5-0 / Ayes: 5 (Cordero, Harter, Malakoff, Noël, Parker) / Noes: 0

B.3 Consideration of CAHSEE Exemption for Graduation for Students with Disabilities

A motion was made by board member Parker to approve the consideration of CAHSEE exemption for graduation for students with disabilities. Seconded by board member Cordero.
Motion passed. Vote: 5-0 / Ayes: 5 (Cordero, Harter, Malakoff, Noël, Parker) / Noes: 0

B.4 Student Discipline

In the case of 06/07-68 a motion was made by board member Parker to approve the 30-day extension. Seconded by board vice president Malakoff.
Motion passed. Vote: 4-1 / Ayes: 4 (Cordero, Harter, Malakoff, Parker) / Noes: 1 (Noël)

B.5 Student Discipline

In the case of 05/06-49 a motion was made by board member Parker to approve the request for readmission to Santa Barbara High School. Seconded by board member Noël.
Motion passed. Vote: 5-0 / Ayes: 5 (Cordero, Harter, Malakoff, Noël, Parker) / Noes: 0

C.2 Spanish Translation

Alma Flores 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.5 Acceptance of Donations

A motion was made by board vice president Malakoff to approve with gratitude the listed donations. Seconded by board member Parker.
Motion passed. Vote: 5-0 / Ayes: 5 (Cordero, Harter, Malakoff, Noël, Parker) / Noes: 0

C.6 Introductions, Proclamations, Presentations or Recognitions

Jan Zettel, assistant superintendent of secondary education, announced Marilyn Garza, teacher at Santa Barbara Junior High School, as one of three teachers named 2007-08 Santa Barbara County Distinguished Educators and presented her with an award.

C.7 Superintendent's Report

- Summer school
- Fun In The Sun Program
- California English Language Development Test

Robin Sawaske, assistant superintendent of elementary education, announced the retirement of Mr. Zettel. Mr. Zettel has worked for the Santa Barbara School Districts for three years. Mr. Zettel was presented with two mementos of appreciation. Sara Hannah, Santa Barbara City Parks and Recreation, stated her appreciation for Mr. Zettels' collaborative efforts and years of support of community recreation.

C.8 Public Comments

- Larry Ebenstein spoke in favor of placing a parcel tax in the elementary district.

CONSENT AGENDA

Board member Noël pulled items D.20, D.21, D.23, and D.28 for discussion later in the meeting.

A motion was made by board member Cordero to approve the items on the consent agenda with the exception of items D.20, D.21, D.23, and D.28. Seconded by board member Parker.
Motion passed. Vote: 5-0 / Ayes: 5 (Cordero, Harter, Malakoff, Noël, Parker) / Noes: 0

D.1 Approval of Minutes – April 10, 2007; April 17, 2007; April 24, 2007; May 1, 2007; May 8, 2007; and May 22, 2007

D.2 Approval of Additional Fundraising for 2006-07 for La Colina Junior High School, Dos Pueblos High School, and San Marcos High School

D.3 Approval of Staff Travel: Out-of-State Travel and/or Expenses in Excess of \$500 dated June 26, 2007

D.4 Adoption of Resolution No. 07/08-01, Approval of Contract No. CPRE-7368 between the Santa Barbara School District Child Development Program and the California Department of Education

D.5 Adoption of Resolution No. 07/08-02, Approval of Contract No. CCTR-7404 between the Santa Barbara School District Child Development Program and the California Department of Education

D.6 Adoption of Resolution No. 07/08-03, Approval of Contract No. CLTK-7089 between the Santa Barbara School District Child Development Program and the California Department of Education

D.7 Approval of Agreement between Santa Barbara School Districts' Child Development Program, Las Flores Children's Center and the Family Service Agency of Santa Barbara for Services of a Healthy Start Advocate for 2007-08 School Year

D.8 Approval of Adams Elementary School Plan for the Allocation of Site Discretionary Block Grant Funding

D.9 Approval of Contract for \$176,062 with the Family Service Agency of Santa Barbara to Provide Healthy Start Family Advocates for the Healthy Start and After School Education and Safety Program at Adams, Cleveland, Franklin, Harding, and McKinley Elementary Schools for the 2007-08 School Year

D.10 Approval of Contract for \$106,381 with Family Service Agency of Santa Barbara to Provide Healthy Start Family Advocates for the Early Childhood Healthy Start Program and the Healthy Start Pre-Kindergarten Summer Institute for the 2007-08 School Year

D.11 Approval of Family Service Agency Contracts for 2007-08 with the Santa Barbara Elementary School District and Each Non-Charter Elementary School

D.12 Approval of Community Partnership Grant Contract for \$91,458 from United Way of Santa Barbara County to Fund Healthy Start Pre-Kindergarten Summer Institute Classes and Home Play Learning Kits for the 2007-08 School Year

D.13 Approval of Youth Enrichment Adventure Program Cooperative Agreement

D.14 Approval of Recommended Personnel Action Items Dated June 26, 2007

D.15 Acceptance of the Memorandum of Understanding between the Santa Barbara School Districts and California School Employees Association (CSEA) to Incorporate Healthy Start and After School Education and Safety Programs (ASES) Classified Positions into the California School Employees Association (CSEA) Bargaining Unit

D.16 Approval of Healthy Start/After School Education and Safety Job Descriptions

D.17 Approval of Commercial Warrant Register Sheets for the Period June 15, 2007 through June 22, 2007

D.18-a Approval of Board Resolution Numbers 06/07-40 and 06/07-41 for the Santa Barbara Elementary School District “Delegation of Governing Board Powers to Make Cash Transfers” and “Delegation of Governing Board Powers/Duties”

D.18-b Approval of Board Resolution Numbers 06/07-42 and 06/07-43 for the Santa Barbara High School District “Delegation of Governing Board Powers to Make Cash Transfers” and “Delegation of Governing Board Powers/Duties”

D.19 Approval of Vavinek, Trine, Day and Co., LLP (VTD) Engagement of Services to Complete Fiscal Accountability Checklist as Required by Law

D.20 Approval of Castleberg Associates Contract for Assessment/Functional Analysis of Business Systems and Comparison of California Educational Computer Consortium (CECC) to Santa Barbara County Education Office (SBCEO)

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

D.21 Approval of Purchase Order Report for the Period May 16, 2007 through June 19, 2007

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

D.22 Declaration of Equipment as Surplus to the Needs of the Districts

D.23 Approval of Award of Contract Extension to Greenkeeper for Landscape Maintenance at La Colina Junior High School

Item D.23 pulled by board member Noël for discussion later in the meeting.

D. 24 Approval of Renewal of Lease with Class Leasing, Inc. for One Portable Classroom at San Marcos High School

D.25 Approval of Change Order No. 11, Site Elevators at Santa Barbara High School, Project B

D.26 Approval of Change Order No.9, Franklin Elementary School Library and Classroom Replacement

D.27 Rejection of All Bids, Campus Modernization Phase I, Bid Package B, Dos Pueblos High School

D.28 Denial of Bid Protest by Schock Contracting Corp. and Approval of Contract Award to Sharma-Merco JV, Swimming Pool and Gymnasium Building Renovation Phase II, San Marcos High School

Item D.28 pulled by board member Noël for discussion later in the meeting.

D.29 Approval of Change Order No. 10, Site Elevators at Santa Barbara High School, Project B

D.30 Approval of Change Order No. 4, Site Elevators at Santa Barbara High School, Project C

ACTION AGENDA

E.1 Approval of Insurance Committee's Recommendation for Medical Insurance Coverage for the 2007-08 School Year

Kristine Robertson, director of personnel, stated the insurance committee recommends the district renew with Blue Shield with a 5.19 percent increase.

A motion was made by board member Parker to approve the insurance committee's recommendation for medical insurance coverage for the 2007-08 school year. Seconded by board member Cordero. Motion passed. Vote: 5-0 / Ayes: 5 (Cordero, Harter, Malakoff, Noël, Parker) / Noes: 0

E.2 Approval of 2007 General Obligation Bond (GO) Refunding

Charles Adams, Jones-Hall law firm, reported on the resolutions that were recommended for approval. Ed Diaz, assistant superintendent of business services, recommended that after voting on the elementary and high school resolutions, the board take a brief recess from the regular meeting and open a meeting of the joint powers authority to make additional votes.

A motion was made by board member Noël to approve resolution 06/07-38, Resolution of the Board of Education of the Santa Barbara Elementary School District authorizing execution and delivery of joint exercise of powers agreement with the Santa Barbara High School District, establishing the Santa Barbara schools financing authority. Seconded by board vice president Malakoff. Motion passed. Vote: 5-0 / Ayes: 5 (Cordero, Harter, Malakoff, Noël, Parker) / Noes: 0

A motion was made by board member Noël to approve resolution 06/07-37, Resolution of the Board of Education of the Santa Barbara High School District authorizing execution and delivery of joint exercise of powers agreement with the Santa Barbara Elementary School District, establishing the Santa Barbara schools financing authority. Seconded by board vice president Malakoff. Motion passed. Vote: 5-0 / Ayes: 5 (Cordero, Harter, Malakoff, Noël, Parker) / Noes: 0

Board president Harter called to convene the meeting of the Santa Barbara School Districts Board of Education and to begin meeting to consider joint powers authority matters.

A motion was made by board member Noël to approve Resolution 1 (2006-07), Resolution of the Board of Directors of the Santa Barbara schools financing authority approving a conflict of interest code and setting time and place for regular meetings of the board. Seconded by board vice president Malakoff. Motion passed. Vote: 5-0 / Ayes: 5 (Cordero, Harter, Malakoff, Noël, Parker) / Noes: 0

A motion was made by board member Noël to approve Resolution 2 (2006-07), Resolution of the Board of Education of the Santa Barbara School Districts financing authority authorizing the issuance and sale of 2007 general obligation revenue bonds in the principal amount not to exceed \$40 million to finance construction of public capital improvements and purchase of general obligation refunding bonds from the Santa Barbara Elementary School District and the Santa Barbara High School District, and approving related documents and actions. Seconded by board vice president Malakoff. Motion passed. Vote: 5-0 / Ayes: 5 (Cordero, Harter, Malakoff, Noël, Parker) / Noes: 0

A motion was made by board member Noël to adjourn the meeting of the joint powers authority. Seconded by board vice president Malakoff. Motion passed. Vote: 5-0 / Ayes: 5 (Cordero, Harter, Malakoff, Noël, Parker) / Noes: 0

The Santa Barbara School Board resumed its regular school board meeting.

A motion was made by board member Parker to approve resolution number 06/07-39, Resolution of the Board of Education of the Santa Barbara Elementary School District authorizing the issuance and sale of 2007 general obligation refunding bonds in the maximum principal amount of \$15 million to refund outstanding general obligation bonds, election 1998, Series A. Seconded by board member Cordero. Motion passed. Vote: 5-0 / Ayes: 5 (Cordero, Harter, Malakoff, Noël, Parker) / Noes: 0

A motion was made by board member Cordero to approve resolution number 06/07-38, Resolution of the Board of Education of the Santa Barbara High School District authorizing the issuance and sale of 2007 general obligation refunding bonds in the maximum principal amount of \$25 million to refund outstanding general obligation bonds, 2000 election, Series A. Seconded by board member Parker. Motion passed. Vote: 5-0 / Ayes: 5 (Cordero, Harter, Malakoff, Noël, Parker) / Noes: 0

E.3 Approval of Revisions to Management and Confidential Salaries, Benefits and Working Conditions for 2006-07 and 2007-08

Kris Robertson recommended the board approve the revisions to the management and confidential salaries, benefits, and working conditions for 2006-07 and 2007-08.

A motion was made by board member Cordero to approve the revisions to management and confidential salaries, benefits, and working conditions for 2006-07 and 2007-08. Seconded by board member Parker. Motion passed. Vote: 5-0 / Ayes: 5 (Cordero, Harter, Malakoff, Noël, Parker) / Noes: 0

E.4 Second Reading and Adoption of Revised Board Bylaw 9323, "Meeting Conduct"

Mr. Zettel recommended the board adopt the second reading of the revised Board Bylaw 9323.

A motion was made by board member Cordero to approve the second reading and adoption of the revised Board Bylaw 9323, "Meeting Conduct." Seconded by board member Parker. Motion passed. Vote: 5-0 / Ayes: 5 (Cordero, Harter, Malakoff, Noël, Parker) / Noes: 0

E.5 Second Reading and Adoption of New Board Policies on Community Relations, Board Policy Series 1000

The board conducted the second reading of the districts' 1000 series board policies and administrative regulations, providing suggestions and comments. Board action was not taken.

The board adjourned for a ten-minute break.

E.6 Second Reading and Adoption of Revision of Board Bylaw 9250, "Remuneration, Reimbursement and Other Benefits"

Ed Diaz requested that the board wait to vote on the item until he could present the board with the finished budget. Board president Harter stated the item would be brought back to the board for approval with the finished budget on July 10, 2007. No action was taken.

E.7 Board Action on Student Expulsion Case Numbers 06/07-39, 06/07-76, 06/07-78, 06/07-79, and 06/07-81

In the case of 06/07-78, a motion was made by board member Parker to uphold the findings and recommendations of the hearing panel. Seconded by board vice president Malakoff. Motion passed. Vote: 5-0 / Ayes: 5 (Cordero, Harter, Malakoff, Noël, Parker) / Noes: 0

In the case of 06/07-81, a motion was made by board member Cordero to approve the findings and recommendations of the hearing panel. Seconded by board vice president Malakoff. Motion passed. Vote: 5-0 / Ayes: 5 (Cordero, Harter, Malakoff, Noël, Parker) / Noes: 0

In the case of 06/07-76, a motion was made by board member Cordero to approve the findings and recommendations of the hearing panel. Seconded by board vice president Malakoff. Motion passed. Vote: 5-0 / Ayes: 5 (Cordero, Harter, Malakoff, Noël, Parker) / Noes: 0

In the case of 06/07-79, a motion was made by board member Parker to uphold the findings and recommendations of the hearing panel. Seconded by board vice president Malakoff.
Motion passed. Vote: 5-0 / Ayes: 5 (Cordero, Harter, Malakoff, Noël, Parker) / Noes: 0

In the case of 06/07-39, a motion was made by board member Cordero to approve the stipulated agreement. Seconded by board vice president Malakoff.
Motion passed. Vote: 4-1 / Ayes: 4 (Cordero, Harter, Malakoff, Parker) / Noes: 1 (Noël)

CONFERENCE AGENDA

F.1 First Reading of Work Experience Education (WEE) Plan and revised Board Policy and Administrative Regulation 5113.2, "Work Permits," and Board Policy and Administrative Regulation 6178.1, "Work Experience Education"

Mr. Zettel stated California Department of Education requires districts to have a current and compliant work experience plan. Board member Parker stated action could be taken on items in the conference agenda and recommended action be taken before Mr. Zettel's position ends with the Santa Barbara School District.

A motion was made by board member Parker to approve the first reading of Work Experience Education (WEE) Plan and revised Board Policy and Administrative Regulation 5113.2, "Work Permits," and Board Policy and Administrative Regulation 6178.1, "Work Experience Education". Seconded by board member Noël.

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

F.2 Public Hearing on the Santa Barbara Elementary and High School Districts Updated/Revised Five-Year Deferred Maintenance Plans

David Hetynk, director of facilities and operations, stated the item is a five-year plan that is updated every year. Mr. Hetynk stated board approval is not necessary.

F.3 California School Employees Association (CSEA) Tentative Agreement for 2007-08

Elaine Alvarado, coordinator of classified personnel, stated the district and California School Employees Association (CSEA) have signed a tentative agreement for the 2007-08 school year. The tentative agreement is a three percent salary increase, proposed health and welfare plan and to continue negotiations for promotional and hiring procedures for 2007-08.

F.4 Update on 2007-08 Adopted Budget and Estimated Actuals Development

Mr. Diaz stated the 2007-08 budget and estimated actuals for 2006-07 would be presented for approval at the June 29, 2007, special school board meeting.

F.5 Report on Latino Achievement

Davis Hayden, director of research, evaluation and technology, reported on the percentages and achievements of Latino students in the Santa Barbara Elementary and High School Districts.

G. Return to Consent Items Designated for Discussion

D.20 Approval of Castleberg Associates Contract for Assessment/Functional Analysis of Business Systems and Comparison of California Educational Computer Consortium (CECC) to Santa Barbara County Education Office (SBCEO)

Board member Noël inquired about "once and for all" in the last paragraph of the cover memo. Mr. Diaz stated the analysis should answer the question, once and for all, whether Santa Barbara School Districts should be fiscally accountable, or return to Santa Barbara County Education Office for financial processing.

A motion was made by board member Noël to approve the Castleberg Associates contract for assessment/functional analysis of business systems and comparison of California Education Computer Consortium to Santa Barbara County Education Office. Seconded by board member Parker.

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

D.21 Approval of Purchase Order Report for the Period May 16, 2007 through June 19, 2007

A motion was made by board member Noël to approve the purchase order report for the period of May 16, 2007 through June 19, 2007. Seconded by board member Cordero.

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

D.23 Approval of Award of Contract Extension to Greenkeeper for Landscape Maintenance at La Colina Junior High School

Board member Noël inquired about the funding source. Mr. Hetynok stated the funding source would be secondary general fund, grounds budget.

A motion was made by board member Noël to approve the award of contract extension to Greenkeeper for landscape maintenance at La Colina Junior High School. Seconded by board member Parker.

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

D.28 Denial of Bid Protest by Schock Contracting Corp. and Approval of Contract Award to Sharma-Merco JV, Swimming Pool and Gymnasium Building Renovation Phase II, San Marcos High School

A motion was made by board member Noël to approve the denial of bid protest by Schock Contracting Corp. and approval of contract award to Sharma-Merco JV, swimming pool and gymnasium building renovation phase II, San Marcos High School. Seconded by board member Parker.

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

H. Coming Events

Special school board meeting on Friday, June 29, 2007.

I.1 Board Correspondence

None

I.2 Board Comments

None

J. Future Agenda Items

E.5, E.6, and F.4.

K. Adjournment

There being no further business, the meeting was adjourned at 10:52 p.m.

Attest:

Nancy Harter, President
Board of Education

Adopted by the Santa Barbara School Districts Board of Education
on September 11, 2007

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