

Santa Barbara School Districts

Board of Education Meeting Minutes

Regular Meeting Tuesday, April 29, 2008

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

Board Members In Attendance

Laura Malakoff, President
Annette Cordero, Vice President

Nancy Harter, Member
Kate Parker, Member
Robert Noël, Member

REGULAR SESSION

A.1 Call to Order

Board president Laura Malakoff called the meeting to order at 6:03 p.m.

A.2 Public Comments (related to Closed Session)

None

CLOSED SESSION

The board adjourned to closed session at 6:05 p.m.

B.1 CAHSEE Waiver for Graduation for Students with Disabilities - Consideration

(Education Code sections. 56101, 60851)

B.2 Student Discipline (Education Code § 48918)

Expulsion case number: 07/08-09, 07/08-45, 07/08-46, 07/08-47, 07/08-58, 07/08-62, and 07/08-66

REGULAR SESSION

The board returned to regular session at 7:05 p.m.

Board member Harter arrived at the proceedings.

C.1 Pledge of Allegiance

Board president Malakoff led the pledge.

C.2 Spanish Translation

Vivian Rodriguez was present to provide Spanish translation.

C.3 Headsets for Hearing Impaired

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

C.4 Announcement of Closed Session Action

Board president Malakoff stated a motion was made by board vice president Parker to approve the California High School Exit Exam (CAHSEE) waiver for graduation for students with disabilities. Seconded by board member Cordero.

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

C.5 Acceptance of Donations

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

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

C.6 Introductions, Proclamations, Presentations or Recognitions

Superintendent Sarvis introduced Anissa McNeil, who will start her new position in May as director of special education.

Superintendent Sarvis introduced Larry Feinburg, director of the Santa Barbara Museum of Art. Mr. Feinburg spoke about the partnership between the Santa Barbara School Districts and the Museum.

C.7 Superintendent's Report

- Santa Barbara High School elevator ribbon cutting event
- California Association of School Business Officials (CASBO)
- California Continuation Education Association Administrator of the Year
- Graduation and promotion schedule
- Santa Barbara School Districts' Employee Appreciation Day
- The passing of John Boettner and Janice Ulloa-Brown
- Upcoming events

C.8 Public Comments

- Bart Millar spoke in favor of community members donating their federal tax incentive to the Santa Barbara School Districts.

CONSENT AGENDA

Board member Noël pulled item D.4 for discussion later in the meeting.

A motion was made by board member Cordero to approve all of the items on the consent agenda with the exception of item D.4. Seconded by board member Harter.

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

D.1 Approval of Additional Fundraising for 2007-08 for Santa Barbara Junior High School and Santa Barbara High School

D.2 Approval of Staff Travel: Out-of-State Travel and/or Expenses in Excess of \$500

D.3 Adoption of Resolution No. 07/08-36, Resolution Regarding Absent Board Member Compensation

D.4 Approval of Independent Contract Agreement with Dr. Carren Stika, (Contract No. 2007/2008-117) to Provide Assessments for a Special Education Student as Per Mediation Agreement

Item D.4 pulled by board member Noël for further discussion.

D.5 Approval of Independent Contract Agreement with Jordan Witt, Ph.D. to Provide a Psycho-educational Evaluation for a Special Education Student Per Dispute Over District Assessment Results (Stu-BF)

D.6 Approval of Independent Service Agreement with Lindamood-Bell Learning Processes for a Special Education Student (Stu-LU) as per Joint Stipulated Resolution and Order (JRSO) OAH N20051230

D.7 Approval of Agreement for Legal Services with Fagen Friedman & Fulfrost, LLP, Effective April 15, 2008

D.8 Approval of Agreement for Special Services by Filarsky & Watt LLP, from July 1, 2008, to June 30, 2009

D.9 Approval of Recommended Personnel Action Items Dated April 29, 2008

ACTION AGENDA

E.1 Request by Peabody Charter School Board and Foundation to Name the Peabody Exploration Center “The Pinner Family Exploration Center”

Kate Ford, principal of Peabody Charter School, announced the written commitment of a donation to be made by the Pinner family in the amount of \$300,000 to pay the remaining balance towards the Exploration Center. Ms. Ford requested the board approve the Pinner family naming rights of the facility.

A motion was made by board member Harter to approve the request by Peabody Charter School and Foundation to name the Peabody Exploration Center “The Pinner Family Exploration Center.” Seconded by board member Noël.

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

Public Comments:

- Layne Wheeler spoke in favor of Peabody Charter School paying the debt owed to the district as a one-lump sum payment.

E.2 Second Reading of Proposed Santa Barbara School Districts’ Discipline Guidelines and Dress Code

Michael Gonzalez, director of compliance and categorical programs, indicated the first reading of the proposed “Santa Barbara School Districts Discipline Guidelines and Dress Code” was presented to the board on February 12, 2008. Board vice president Parker requested the committee’s recommendation on cheating and plagiarism. Board president Malakoff requested more specific language regarding the use of cell phones on campus.

Public Comments on the proposed discipline guidelines and dress code:

- Josefina Martinez spoke in support of item seven regarding possession, under the influence, and/or use of any controlled substance, alcoholic beverage or intoxicant.
- Keith Terry spoke in favor of item seven.
- Margaret Lydon spoke in favor of item seven.
- Kate Moore spoke in favor of giving student’s a second chance.
- Tara Haaland-Ford spoke in opposition to giving student’s a second chance.
- Jill Sharkey spoke in favor of adopting a policy towards discipline rather than punishment.
- Eduardo Cue spoke in favor of item seven.

Board member Cordero requested the item be brought back to a future board meeting to vote on dress code and discipline separately. Board member Harter requested a staff training component on dress code policy.

The board adjourned for a fifteen-minute break.

Per board consensus, item E.7 was taken out of order.

E.7 Board Action on Student Expulsion Case Numbers 07/08-09, 07/08-45, 07/08-46, 07/08-47, 07/08-58, 07/08-62, and 07/08-66

In the case of 07/08-62, a motion was made by board member Cordero to adopt the stipulated agreement. Seconded by board vice president Parker.*

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

In the case of 07/08-09, a motion was made by board member Cordero to uphold the findings and recommendations of the hearing panel. Seconded by board vice president Parker. .*

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

In the case of 07/08-45, a motion was made by board vice president Parker to uphold the findings and recommendations of the administrative hearing panel. Seconded by board president Malakoff. . *
Motion passed. Vote: 2-0-1-1-1 / Ayes: 2 (Malakoff, Parker) / Noes: 0 / Absent: 1 (Harter) / Abstain: 1 (Cordero) / Recuse: 1 (Noël)

In the case of 07/08-46, a motion was made by board vice president Parker to accept the stipulated agreement. Seconded by board member Cordero. . *
Motion passed. Vote: 4-0-1 / Ayes: 4 (Cordero, Malakoff, Noël, Parker) / Noes: 0 / Abstain: 1 (Harter)

In the case of 07/08-47, a motion was made by board vice president Parker to uphold the findings and recommendations of the administrative hearing panel. Seconded by board member Noël. . *
Motion passed. Vote: 3-1-1 / Ayes: 3 (Malakoff, Noël, Parker) / Noes: 1 (Cordero) / Abstain: 1 (Harter)

In the case of 07/08-58, a motion was made by board vice president Parker to uphold the findings and recommendations of the administrative hearing panel. Seconded by board member Noël. . *
Motion passed. Vote: 3-1-1 / Ayes: 3 (Malakoff, Noël, Parker) / Noes: 1 (Cordero) / Abstain: 1 (Harter)

In the case of 07/08-66, a motion was made by board vice president Parker to accept the stipulated agreement. Seconded by board member Cordero. . *
Motion passed. Vote: 4-0-1 / Ayes: 4 (Cordero, Malakoff, Noël, Parker) / Noes: 0 / Abstain: 1 (Harter)

E.3 Adoption of Resolution 07/08-33 Recognizing the Week of May 18-24, 2008 as Classified School Employee Week

A motion was made by board member Harter to approve Resolution 07/08-33, recognizing the week of May 18-24, 2008, as Classified School Employees Week, with the exception of a typing error. The word "excellent" is misspelled under the last "WHEREAS." Seconded by board member Cordero.
Motion passed. Vote: 5-0 / Ayes: 5 (Cordero, Harter, Malakoff, Noël, Parker) / Noes: 0

Public Comments:

- Angela Padilla spoke on behalf of Brian Tanguay to express his gratitude for the adoption of the resolution.
- Layne Wheeler spoke in favor of recognizing classified staff for their hard work.

E.4 Adoption of Resolution 07/08-34 Recognizing May 14, 2008, as the Day of the Teacher

A motion was made by board member Cordero to adopt Resolution 07/08-34, recognizing May 14, 2008, as the Day of the Teacher with the correction of "far" under the fourth "WHEREAS," and to change the sixth "WHEREAS" to state; "WHEREAS, Santa Barbara teachers represent the best of California's teachers who are among the best educated, most credentialed, and hardest-working educators in the country; and," and to add a "t" to the "26" under the seventh "WHEREAS." Seconded by board vice president Parker.

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

Public Comments:

- Layne Wheeler spoke in favor of the recognition of the Day of the Teacher.

E.5 Adoption of Resolution 07/08-35 Recognizing May 8, 2008, as Employee Appreciation Day

A motion was made by board member Harter to adopt the Resolution 07/08-35, recognizing May 8, 2008, as Employee Appreciation Day. Seconded by board member Cordero.

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

CONFERENCE AGENDA

Per board consensus, Item F.2, First Reading of Board Policy and Administrative Regulation 5141, "Health Care and Emergencies" and "Automated External Defibrillator Implementation Plan," was taken out of order.

F.2 First Reading of Board Policy and Administrative Regulation 5141, “Health Care and Emergencies” and Automated External Defibrillator Implementation Plan

Robin Sawaske, assistant superintendent of elementary education, gave an overview of Board Policy and Administrative Regulation 5141 as well as the implementation plan for the automated external defibrillator. Board member Cordero requested the identification of who would administer the Automated External Defibrillator in a *Board Brief* or at the time of the second reading.

Public Comments:

- Layne Wheeler spoke in favor of seeking more information about the policy and to ask for teachers' opinions.

Per board consensus, Item F.1, Request to Address the Board by C.J. Kennedy, Santa Barbara High School Transition Program Student, was taken out of order.

F.1 Request to Address the Board by C. J. Kennedy, Santa Barbara High School Transition Program Student

C. J. Kennedy, Santa Barbara High School Transition Program student, presented a video about the need for permanent housing for the program.

Per board consensus, Item F.3, Board Review of District Mission Statement, was taken out of order.

F.3 Board Review of District Mission Statement

Superintendent Sarvis stated the district reviews and renews the mission statement every five years.

E.6 Second Reading and Approval of 7000 Series Board Policies and Administrative Regulations on Facilities

Delete Old Policies:

BP 7211.1 Selecting and Compensating Architects
BP 7215 Fundraising for the Purpose of Augmenting Bond Funds
AR 7215 Fundraising for the Purpose of Augmenting Bond Funds
BP 7221 Selection of School Sites
BP 7310 Naming of Facility
AR 7310 Lease of Surplus Space in Operating Schools
BP 7421.1 Fair Employment Practices, General Condition of Contract Specifications
AR 7421.1 Implementation of Fair Employment Practices Required of General Contractors

Replace with New or Revised Policies:

BP 7000 Concepts and Roles
BP 7110 Facilities Master Plan
AR 7111 Evaluating Existing Buildings
BP 7131 Relations with Local Agencies
BP 7140 Architectural and Engineering Services
AR 7140 Architectural and Engineering Services
BP 7150 Site Selection and Development
AR 7150 Site Selection and Development
AR 7160 Charter School Facilities
BP 7210 Facilities Financing
BP 7211 Developer Fees
AR 7211 Developer Fees
BP 7214 General Obligation Bonds
AR 7214 General Obligation Bonds
BP 7215 Fundraising for the Purpose of Augmenting Bond Funds
AR 7215 Fundraising for the Purpose of Augmenting Bond Funds
BP 7310 Naming of Facility

A motion was made by board member Harter to approve the second reading and approval of the 7000 series Board Policies and Administrative Regulations on facilities with the exception of Board Policy and

Administrative Regulation 7215, "Fundraising for the Purpose of Augmenting Bond Funds," to be decided upon at a future board meeting. Seconded by board member Noël.
Motion passed. Vote: 5-0 / Ayes: 5 (Cordero, Harter, Malakoff, Noël, Parker) / Noes: 0

G. Return to Consent Items Designated for Discussion

D.4 Approval of Independent Contract Agreement with Dr. Carren Stika, (Contract No. 2007/2008-117) to Provide Assessments for a Special Education Student as Per Mediation Agreement

Board member Noël inquired about the vendor and requested to see the Individualized Education Plan (IEP). Superintendent Sarvis stated information would be provided in the confidential section of a future *Board Brief*.

H. Coming Events

None

I. Board Comments and Correspondence

None

J. Future Agenda Items

Board member Noël requested an agenda item regarding Parma Children's Center, the district office, and the Ortega Street property.

Superintendent Sarvis requested an additional board meeting to act upon the item of the administrative law judge's decision regarding certificated reduction in force. The board agreed to hold a special board meeting on May 2, 2008.

K. Adjournment

There being no further business, the meeting was adjourned at 10:46 p.m.

Attest:

Laura Malkoff, President
Board of Education

Adopted by the Santa Barbara School Districts Board of Education

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