

Santa Barbara School Districts
Board of Education Meeting Minutes

Regular Meeting Tuesday, September 9, 2008

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

Board Members In Attendance

Laura Malakoff, President
Kate Parker, Vice President

Nancy Harter, Member
Annette Cordero, Member
Robert Noël, Member

REGULAR SESSION

A.1 Call to Order

Board president Laura Malakoff called the meeting to order at 5:32 p.m.

A.2 Public Comments (related to closed session)

None

CLOSED SESSION

The board adjourned to closed session at 5:34 p.m.

B.1 Conference with Legal Counsel – Existing Litigation (Government Code § 54956.9 (a))

- (1) Santa Barbara School Districts v. John Demonteverde
Santa Barbara County Superior Court Case No. 1302470

- (2) Lisa Weighill v. Santa Barbara School Districts, et al.
Santa Barbara Superior Court Case No. 01263955

B.2 Conference with Labor Negotiator (Government Code § 54957.6)

Agency Designated Representative: Director of Personnel, Dr. Kristine Robertson
Employee Organizations: California School Employees Association and Santa Barbara Teachers Association

B.3 Liability Claim (Government Code § 54956.95)

Claimant: Adrian Alberto Santamaria
Agency claimed against: Santa Barbara School Districts

B.4 California High School Exit Examination (CAHSEE) Waiver for Graduation for Students with Disabilities (Education Code § 56101, 60851)

The Board of Education reviewed and considered a list of students who qualify for the California High School Exit Exam Waiver, and approved each request as appropriate. 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.

REGULAR SESSION

The board returned to regular session at 7:08 p.m.

C.1 Pledge of Allegiance

Board president Malakoff led the pledge.

C.2 Spanish Translation

Ms. Esperanza Villegas announced that she would 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

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: 5-0 / Ayes: 5 (Harter, Malakoff, Parker, Noël, Cordero) / Noes: 0

A motion was made by board member Cordero to deny the liability claim for Adrian Alberto Santamaria. Seconded by board member Harter.

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

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

Dr. Sarvis introduced Jeff Uyesaka from Dos Pueblos High School as the recipient of the CIF Southern Section "Champion of Character." There will be a luncheon on October 23, 2008 to honor Mr. Ueysaka.

Dr. Sarvis introduced the current board candidates: Annette Cordero, Susan Deacon, Charlotte Ware, Kate Smith, Ed Herron, and Jacqueline Inda.

Dr. Sarvis introduced Ms. Grace Corselius-Wilson who recently retired from the Santa Barbara School Districts. She spoke about her late son, Dylan, who was a student of Santa Barbara School Districts.

The Student Report was given by Greg Kroes, Associated Student Body representative from Dos Pueblos High School.

C.7 Superintendent's Report

- Current enrollment of the elementary school district is 5,834 students
- Current enrollment of the secondary school district is 9,811 students
- The California Department of Education has awarded the Santa Barbara School Districts a five-year approval for the districts' Gifted and Talented Education grant applications
Board Brief, August 29, 2008
- Gap Fire update: post-fire community meeting at San Marcos High School on September 11, 2008 at 6:00 p.m.
- Joint Santa Barbara City Council and Santa Barbara School Districts meeting on September 12, 2008 at 1:30 p.m.

C.8 Public Comments

- Kate Smith spoke of the reasons she is running for the board of education.
- Ellie Iverson and Julie Friedman introduced themselves as current Santa Barbara City Youth Council representatives.

CONSENT AGENDA

Board member Noël pulled items D.2, D.5, D.7 for a separate vote. Board member Cordero pulled items D.15, and D.16 for a separate vote. David Hetyonk, director of facilities and operations, pulled item D.9 from the agenda prior to the board meeting.

A motion was made by board member Harter to approve all of the items on the consent agenda with the exception of D.2, D.5, D.7, D.9, D.15 and D.16 for a separate vote later in the meeting. Seconded by board member Cordero.

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

D.1 Approval of Minutes – May 13, 2008; June 10, 2008; June 17, 2008; June 24, 2008 and July 10, 2008.

A motion was made by board member Harter to approve the May 13, 2008, June 10, 2008, June 17, 2008, and June 24, 2008 minutes. The July 10, 2008 minutes were held aside for a separate vote. Seconded by board member Cordero.

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

A motion was made by board member Harter to approve the July 10, 2008 minutes. Seconded by board member Cordero.

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

D.2 Approval of Staff Travel: Out-of-State Travel and/or Expenses in Excess of \$500, dated August 29, 2008

D.3 Approval of Additional Fundraising for 2008-09 for Goleta Valley Junior High School

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

D.5 Approval of Recommended Personnel Action Items Dated September 9, 2008

D.6 Approval of Commercial Warrant Register Sheets Dated August 29, 2008 through September 3, 2008

D.7 Approval of Purchase Order Report for the Period August 21, 2008 through September 3, 2008

D.8 Approval to Declare Equipment as Surplus to the Needs of the Districts

D.10 Rejection of all Bids, Playground Equipment Relocation, Santa Barbara Community Academy

D.11 Approval of Proposal from Knowland Construction Services for Division of State Architect Inspection for Main Building Waterproofing at Santa Barbara High School

D.12 Approval of Proposal from Knowland Construction Services for Division of State Architect Inspection for Demolition of Portable Buildings at Santa Barbara High School

D.13 Acceptance of Completed Contract, Column Weld Repairs at Dos Pueblos High School

D.14 Approval of Change Order No. 3 – Adams Elementary School Portable Restroom Building and Site Modifications

D.15 Approval of Change Order No. 4 – San Marcos High School Swimming Pool and Gymnasium Renovation - Phase II

D.16 Approval of Change Order No. 5 – San Marcos High School Swimming Pool and Gymnasium Renovation – Phase II

D.17 Acceptance of Labor Compliance Program Annual Report for the Reporting Period June 1, 2007 through May 31, 2008, and Authorize Submittal to the Department of Industrial Relations

ACTION AGENDA

E.1 Follow-up to the Proposal to Hire Gang Intervention Specialists and Approval of Pilot Program to Hire Two Outreach Workers

Michael Gonzalez, director of student services and compliance, presented a follow-up to the proposal to hire gang intervention specialists and requested approval of a pilot program to hire two outreach workers.

The board of education discussed training processes, involvement of other community agencies, and supervision responsibilities.

Opening of public hearing:

Public Comments

- Chief Cam Sanchez requested that the board of education approve the outreach worker program.
- Shereen Khatapoush asked that the board of education approve the program.
- Elena Marie from Just Communities supports the hiring of the outreach workers and supports the program.
- Eduardo Cue spoke in support of the program.
- Jacqueline Inda supports the program, and suggested the continuation of programs that connect kids to their schools, such as Don Riders at Santa Barbara High School.
- Matt Sanchez spoke in support of the program.
- Kate Smith did not support the program; however, she does support the candidacy of Jacqueline Inda.

Public hearing was then closed and the board returned to open session.

Board member Noël suggested that voting on this matter be postponed until the after the joint city council and Santa Barbara School Districts' meeting on September 12, 2008.

The board agreed to postpone making a decision on the item, and agreed to meet to discuss further after the September 12, 2008 Joint Santa Barbara City Council and Santa Barbara School Districts meeting. Motion passed. Vote: 3-2 / Ayes: 3 (Noël, Parker, Harter) / Noes: 2 (Malakoff, Cordero)

E.2 Approval of Santa Barbara School Districts' Dress Code

Michael Gonzalez, director of student services and compliance, presented to the board of education the proposed district-wide dress code.

Board member Harter suggested that the school district include a sentence in paragraph 8 that reads: "School Administration needs to revisit the dress code portion of their safety plan at least every six months."

Vice president Parker suggested that in paragraph four, where it reads: "Shoes should be worn at all times." Instead it should be changed to read: "Safe footwear should be worn at all times."

President Malakoff suggested that in paragraph two, where it reads: "Pants worn below the waist and oversized or bagging pants are not permitted", that it instead read: "Pants worn well below the waist and oversized or bagging pants are not permitted."

Public Comment:

- Kate Smith spoke in opposition of the proposed dress code.

A motion was made by board member Harter to approve the item, with changes. Seconded by board member Noël.

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

The board of education adjourned for a 15-minute break.

E.3 Approval of the 2007-08 Fiscal Year Unaudited Actuals and Establishment of a Certificated Staffing Reserve

Eric D. Smith, deputy superintendent, presented the unaudited year-end actuals for the 2007-08 budget and establishment of a certificated staffing reserve.

A motion was made by board member Harter to approve the unaudited year-end actuals for the 2007-08 budget and establishment certificated staffing reserve. Seconded by board member Noël.

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

Public Comment:

- Layne Wheeler commended Eric Smith, assistant superintendent, and his team for providing leadership and efficiency regarding the preparation of the report and for his outstanding work.

A motion was made by board member Harter to approve establishment of \$312,000 of certificated staffing reserves. Seconded by board member Noël.

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

E.4 Approval of Purchase of TeleParent, a Parent Notification System

Davis Hayden, director of research, evaluation, and technology, spoke about the TeleParent notification system.

A motion was made by board member Harter to approve the purchase of the TeleParent notification system. Vice president Parker seconded.

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

E.5 Third Reading and Approval of Board Policy and Administrative Regulation 1312.1, "Complaints Concerning District Employees or Policies"

Michael Gonzalez, director of student services and compliance, spoke to the board regarding the third reading and requested approval of the board policy and administrative regulation.

Dr. Malakoff suggested that on page one of the board policy at the end of the third paragraph it read: "The district will not investigate anonymous complaints unless the superintendent or designee so desires."

Vice president Parker suggested that for paragraph number three of the administrative regulation, the last sentence should read: "Complaints related to the Superintendent shall be initially filed in writing with the board, and the board's decision on the complaint will be final."

A motion was made by board member Harter to approve the policy with the suggested changes. Seconded by board member Cordero.

Public Comment:

- Kate Smith spoke in opposition to the policy.
- Layne Wheeler suggested that a person lodging the complaint needed to identify themselves, and that anonymous complaints cannot go forward, and that if the complainant is asking to be anonymous, Mr. Wheeler asks that the policy not be approved.

Vice president Parker suggested that under paragraph number five, subparagraph "b", that the following sentence be inserted: "The name of the complainant." Subparagraph numbers "c" and "d" will shift down.

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

CONFERENCE AGENDA

The following items were tentatively moved to the next board of education meeting for discussion as there was not adequate time for discussion.

F.1 Report on 2007-08 Adequate Yearly Progress and Academic Performance Index

F.2 First Reading of the Revisions to Board Policy 4350, "Compensation and Related Benefits for Management/Confidential Employees"

F.3 Report on Revision to Board Policy and Administrative Regulation 5116.1, "Intradistrict Open Enrollment", and Exhibit 5116, 5117, "Interdistrict Attendance and Intradistrict Open Enrollment Priorities"

F.4 First Reading of Revisions to Board Policy and Administrative Regulation 1312.5, “Complaints Concerning District Employees” and Request to Renumber and Rename Board Policy and Administrative Regulation 1312.5 “Complaints Concerning District Employees” to Board Policy and Administrative Regulation 4144 “Complaints”

G. Return to Consent Items Designated for Discussion

The board returned to the Consent Agenda to discuss items that were pulled earlier in the meeting:

D.2 Approval of Staff Travel: Out-of-State Travel and/or Expenses in Excess of \$500, dated August 29, 2008

A motion was made by board member Harter to approve “Staff Travel: Out-of-State and/or Expenses in Excess of \$500, dated August 29, 2008.” Seconded by board member Cordero.

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

D.5 Approval of Recommended Personnel Action Items Dated September 9, 2008

A motion was made by board member Noël to approve the “Recommended Personnel Action Items dated September 9, 2008.” Seconded by board member Harter.

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

D.7 Approval of Purchase Order Report for the Period August 21, 2008 through September 3, 2008

A motion was made by board member Noel to approve the “Purchase Order Report for the period of August 21, 2008 through September 3, 2008.” Seconded by board member Harter.

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

D.15 Approval of Change Order No. 4 – San Marcos High School Swimming Pool and Gymnasium Renovation - Phase II

A motion was made by board member Harter to approve the “Change Order No. 4 – San Marcos High School Swimming Pool and Gymnasium Renovation – Phase II.” Seconded by board member Cordero.

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

D.16 Approval of Change Order No. 5 – San Marcos High School Swimming Pool and Gymnasium Renovation – Phase II

A motion was made by board member Harter to approve the “Change Order No. 5 – San Marcos High School Swimming Pool and Gymnasium Renovation – Phase II.” Seconded by board member Cordero.

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

H. Coming Events

None

I. Board Comments and Correspondence

None

J. Future Agenda Items

- This meetings’ Conference Agenda Items F.1 through F.4
- Board Focus Goals
- Upcoming California School Boards Association Conference and Trainings
- Next board of education meeting scheduled for September 23, 2008, will have Closed Session commencing at 5:00 p.m., and Open Session to begin at 6:00 p.m.

K. Adjournment

There being no further business, the meeting was adjourned at 10:45 p.m.

Attest:

Laura Malakoff, President
Board of Education

Adopted by the Santa Barbara School Districts Board of Education

On October 28, 2008

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