

Santa Barbara School Districts
Board of Education Meeting Minutes

Regular Meeting Tuesday, March 10, 2009

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

Board Members In Attendance

Kate Parker, *President*
H. Edward Heron, *Vice President*

Annette Cordero, *Member*
Robert Noël, *Member*
Susan Deacon, *Member*

REGULAR SESSION

A.1 Call to Order

Board president Kate Parker called the meeting to order at 5:35 p.m.

A.2 Public Comments (related to closed session)

None

CLOSED SESSION

The board adjourned to closed session at 5:40 p.m.

B.1 Student Discipline (Education Code §48918)

Expulsion case numbers: 08/09-28, 08/09-33, 08/09-38, 08/09-39, 08/09-41, 08/09-42

B.2 Conference with Legal Counsel – Anticipated Litigation

Significant exposure to litigation pursuant to subdivision (b) of Government Code §54956.9: One potential case

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

Agency designated representative: Kristine Robertson, Ed.D. Director of Personnel
Employee organizations: Santa Barbara Teachers Association

B.4 Public Employee Discipline/Dismissal/Release (Government Code § 54957)

B.5 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 7:00 p.m.

C.1 Pledge of Allegiance

Board president Parker led the pledge.

• **Spanish Translation**

Vivian Rodriguez was present to provide Spanish translation.

• **Headsets for Hearing Impaired**

Superintendent Sarvis announced that headsets were available for the hearing impaired.

- **Introductions, Proclamations, Presentations or Recognitions**

Superintendent Sarvis introduced Mr. Ric Nargie, interim co-director of special education. Superintendent Sarvis introduced Mike Vail, principal of Cleveland Elementary School, who presented a number of students who participate in the “Crescendo! Arts Program.”

Superintendent’s Report

- Austin Buffum and Anthony Muhammed
- Junior High School County spelling bee
- MESA competition at University of California at Santa Barbara
- Franklin Elementary School
- *Board Brief*
- Upcoming events

- **Student Report – Dos Pueblos High School – Blas Uribe and Greg Kroes**

C.2 Announcement of Closed Session Action

In the matter of B.4 “Public Employee Discipline/Dismissal/Release,” motion was made by board member Noël to ratify the non re-employment of 6 probationary employees. Seconded by board member Cordero. Motion passed. Vote: 5-0 / Ayes: 5 (Parker, Cordero, Deacon, Noël, Heron) Noes: 0 / Absent: 0

In the matter of B.5, “California High School Exit Examination (CAHSEE) Waiver for Graduation for Students with Disabilities,” motion was made by board member Cordero to approve the requests submitted for CASHEE waivers for student with disabilities for graduation. Seconded by board member Deacon. Motion passed. Vote: 5-0 / Ayes: 5 (Parker, Cordero, Deacon, Noël, Heron) Noes: 0 / Absent: 0

C.3 General Public Comment

- Kate Smith spoke about closed session CAHSEE waivers for students with disabilities

C.4 Acceptance of Donations

A motion was made by board member Cordero to approve with appreciation the listed donations. Seconded by board member Deacon. Motion passed. Vote: 5-0

CONSENT AGENDA

Board member Noël moved to pull items D.4, and D.10 for a separate vote. Board vice president Heron moved to pull item D.8 for a separate vote. Board member Cordero moved to approve all other consent agenda items. Seconded by board member Deacon. Motion passed. Vote: 5-0

D.1 of Additional Fundraising for 2008-09 for Goleta Valley Junior High School, Dos Pueblos High School, and Santa Barbara High School

D.2 Approval of Staff Travel: Out-of-State Travel and/or Expenses in Excess of \$500, Dated March 10, 2009

D.3 Approval of Student Field Trips for La Cumbre Junior High School and Santa Barbara High School

D.4 Approval of the Amendment of Contract with Fiscal Crisis & Management Assistance Team Study Agreement Dated January 23, 2009, and Amended March 2, 2009

Motion made by board member Cordero to approve the amendment of contract with Fiscal Crisis & Management Assistance Team dated January 23, 2009 and amended March 2, 2009. Seconded by board vice president Heron.

Motion passed. Vote: 4-0-1 / Ayes: 4 (Parker, Heron, Cordero, Deacon) / Absent: 1 (Noël)

D.5 Approval of an Independent Contractor Agreement with Doug Moes, Ph.D., as per Settlement Agreement

D.6 Approval of Master Contract (2008/2009-103) and Individual Service Agreement with Lindamood-Bell Learning Processes as per Settlement Agreement

D.7 Approval of Recommended Personnel Action Items Dated March 10, 2009

D.8 Approval to Send Notice of Release to Temporary Teachers Effective End of 2008-09 School Year (*This item was considered first on the consent agenda so that public comment could be accommodated earlier in the meeting*).

Kris Robertson, Ed.D. spoke about the purpose of the Notice of Release to Temporary Teachers effective end of 2008-09 school year.

Public Comment:

Ken Rotman

Motion made by board vice president Heron to approve the notices of release to temporary teachers effective the end of 2008-09 school year. Seconded by board member Cordero.

Motion passed.

Vote: 4-0-1 / Ayes: 4 (Parker, Heron, Cordero, Deacon) / Absent: 1 (Noël)

D.9 Approval of Paid Commercial Warrant Register Dated February 26, 2009 through March 5, 2009

D.10 Approval of Purchase Order Report for the Period February 18, 2009 through March 3, 2009

Motion made by board member Cordero to approve the purchase order report dated February 18, 2009 through March 3, 2009. Seconded by board vice president Heron.

Motion passed. Vote: 4-0-1 / Ayes: 4 (Cordero, Parker, Deacon, Heron) / Absent: 1 (Noël)

D.11 Approval of Memorandum of Understanding with Goleta Valley Girls Softball Association for Use of Softball Fields at Dos Pueblos High School

CONFERENCE AGENDA

F.1 La Cuesta Facilities Plan Follow-up Report and Proposals for Next Stage

Robin Sawaske, associate superintendent, spoke about the La Cuesta facilities plan follow-up and proposals for next stage.

Public Comment:

Layne Wheeler

F.2 Preliminary Report on Special Education and Recommendations Regarding Administrative Reorganization from Fiscal Crisis & Management Assistance Team

J. Brian Sarvis introduced JoAnn Murphy representing Fiscal Crisis & Management Assistance Team who spoke about the results of the preliminary study conducted thus far at the school district.

Public Comment:

Marcia Eichelberger

Sandra Shove

Kate Smith

Marilyn Lauer

Cory Bream

F.3 Summary Report on Special Education Interim Director's Activities

Alan Hilton, Ed.D., interim director of special education, spoke about the current state of special education.

Public Comment:

Kate Smith

ACTION AGENDA

E.1 Approval of the Recommendations by the Fiscal Crisis & Management Assistance Team Included in the Preliminary Report Regarding Proposed Job Descriptions

Motion made by board member Noël to approve the amended job description for the executive director of special education, and authorize the recruitment for the executive director of special education. Seconded by board vice president Heron.

Motion passed. Vote: 5-0

Motion made by board vice president Heron to authorize the recruitment of the special education director to follow behind the recruitment of the executive director. The Santa Barbara School Districts will not to hire the director of special education until the executive director of special education is in place so as to allow the newly-hired executive director of special education to be part of the recruitment of the director of special education. Seconded by board member Cordero.

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

The board adjourned for a 10-minute break

E.2 Approval of Elementary District Interdistrict Attendance Board Policy 5117(a) and High School District Interdistrict Attendance Board Policy and Administrative Regulation 5117(b)

Robin Sawaske, associate superintendent, spoke about the elementary district Interdistrict Attendance Board Policy 5117(a) and Administrative Regulation 5117(b).

Public Comment:

Kate Smith

Motion made by board vice president Heron to amend as suggested the 5117(a). Seconded by board member Noël with an additional amendment to 5117(a).

Motion failed. Vote: 2-3 / Ayes: 2 (Heron, Noël) / Noes: 3 (Cordero, Parker, Deacon)

Motion made by Cordero to adopt board policy 5117(a) [BP 5117] and board policy 5117(b) [BP 5117.1] and administrative regulation 5117(b) [AR 5117.1] with the two agreed upon additions to the language, that the second reading of the board policies and administrative regulation be waived, and any and all typographical errors be corrected. Seconded by board member Deacon.

Motion passed. Vote: 4-1 / Ayes: 4 (Parker, Deacon, Heron, Cordero) / Abstained: 1 (Noël)

Board member Noël left the proceedings.

E.3 Approval of Positive Certification of the 2008-09 Second Interim Financial Report

Eric D. Smith, deputy superintendent, spoke about the positive certification of the 2008-09 second interim financial report.

Motion made by board member Cordero to approve the positive certification of the 2008-09 second interim financial report. Seconded by board member Deacon.

Motion passed. Vote: 4-0-1 / Ayes: 4 (Parker, Cordero, Heron, Deacon) / Absent: 1 (Noël)

E.4 Approval of Reduction in Particular Kinds of Services and Adoption of Resolution No. 08/09-28

Kristine L. Robertson, Ed.D, director of personnel, spoke about the preparation of cuts to particular types of services at the Santa Barbara School Districts, and the adoption of Resolution No. 08/09-28.

Public Comment:

- Layne Wheeler
- David Holmes

Motion made by board member Cordero to approve the reduction in particular kinds of services and to adopt Resolution No. 08/09-28. Seconded by board member Deacon.

Motion passed. Vote: 4-0-1 / Ayes: 4 (Parker, Cordero, Heron, Deacon) / Absent: 1 (Noël)

E.5 Approval of Santa Barbara School District Safe School Plans

This item will return to a future meeting.

E.6 Board Action on Student Expulsion Case Numbers: 08/09-28, 08/09-33, 08/09-38, 08/09-39, 08/09-41, 08/09-42

In case number 08/09-28, board member Deacon moved to accept the recommendation of the hearing panel. Seconded by board vice president Heron.

Motion passed. Vote: 4-0-1 / Ayes: 4 (Parker, Cordero, Heron, Deacon) / Absent: 1 (Noël)

In case number 08/09-33, board member Deacon moved to accept the recommendation of the hearing panel. Seconded by board member Cordero.

Motion passed. Vote: 4-0-1 / Ayes: 4 (Parker, Cordero, Heron, Deacon) / Absent: 1 (Noël)

In case number 08/09-38, board member Deacon moved to accept the stipulated agreement. Seconded by board vice president Heron.

Motion passed. Vote: 4-0-1 / Ayes: 4 (Parker, Cordero, Heron, Deacon) / Absent: 1 (Noël)

In case number 08/09-39, board member Deacon moved to accept the stipulated agreement. Seconded by board member Cordero.

Motion passed. Vote: 4-0-1 / Ayes: 4 (Parker, Cordero, Heron, Deacon) / Absent: 1 (Noël)

In case number 08/09-41, board member Deacon moved to accept the stipulated agreement of the suspended expulsion. Seconded by board member Cordero.

Motion passed. Vote: 4-0-1 / Ayes: 4 (Parker, Cordero, Heron, Deacon) / Absent: 1 (Noël)

In case number 08/09-42, board member Deacon moved to accept the recommendation of the hearing panel for the expended expulsion for one calendar year. Seconded by board vice president Heron.

Motion passed. Vote: 4-0-1 / Ayes: 4 (Parker, Cordero, Heron, Deacon) / Absent: 1 (Noël)

RETURN TO CONFERENCE AGENDA

F.4 First Reading of Tentative Agreement Language Between the Santa Barbara School Districts and the Santa Barbara Teachers Association

Kristine Robertson, Ed.D, spoke about the tentative agreement language between the Santa Barbara School Districts and the Santa Barbara Teachers Association.

F.5 Discussion of Separate Youth Violence Steering Committee

This agenda item will return to a future meeting.

F.6 Report on Overlapping City and School Districts Land Title Interests at Various School Campuses

This item will return to a future meeting.

G. Return to Consent Items Designated for Discussion

H. Coming Events

None

I. Board Comments and Correspondence

None

J. Future Agenda Items

K. Adjournment

There being no further business, the meeting was adjourned at 11:15 p.m.

Attest:

Kate Parker, President
Board of Education

Adopted by the Santa Barbara School Districts Board of Education

On: April 14, 2009

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