

Santa Barbara School Districts

Board of Education Meeting Minutes

Regular Meeting Tuesday, April 14, 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 6:00 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 Conference with Legal Counsel – Existing Litigation (Government Code § 54956.9(a))

Case Name Unspecified: Student confidentiality protected under Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232(g); 34 CFR Part 99.
Case or File No. N2008100746

B.2 Student Discipline (Education Code §48918)

Expulsion case numbers: 08/09-43, 08/09-45, 08/09-46, 08/09-47, 08/09-48, 08/09-50, 08/09-53, 08/09-54, 08/09-55, 08/09-56, 08/09-22

B.3 Public Employee Discipline/Dismissal/Release (Government Code § 54957)

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 7:00 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 Brent Millhollen, principal of Monroe Elementary School who presented three of his students to talk about their school science fair. Superintendent Sarvis then introduced Rosa Lazarovitz, the newly hired special education resource parent.

Superintendent's Report

- Fiscal situation for Santa Barbara School Districts
 - *Budget Facts: Impacts of the state budget on Santa Barbara School Districts*
 - STAR testing
 - Measures H2008 and I2008
 - Recruitment of executive director of special education and two director positions
 - Sixth-grade student at McKinley Elementary School artwork
 - Adrianna Bachan and Lindsay Rose
 - *Board Brief*
 - Upcoming events
- **Student Report** – Santa Barbara High School – Luz Cordova and Elly Iverson

C.2 Announcement of Closed Session Action

In the matter of B.1 “Conference with Legal Counsel – Existing Litigation,” motion was made by board member Deacon to approve the settlement agreement for case no. N2008100746. Seconded by board vice president Heron. Board member Noël recused himself from this proceeding. Board member Cordero was absent.

Motion passed. Vote: 3-0-1 / Ayes: 3 (Parker, Deacon, Heron) / Noes: 0 / Recusal: 1 (Noël) / Absent: 1 Cordero

In the matter of B.4 “California High School Exit Examination (CAHSEE) Waiver for Graduation for Students with Disabilities,” motion made by board member Cordero to approve the waivers as presented. Seconded by board member Deacon.

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

C.3 General Public Comment

- Lisa Fell spoke about intradistrict transfer policy
- Meg Miller spoke about interdistrict transfer policy
- Laura Pomerantz spoke about interdistrict transfer policy
- Ellie Iverson spoke about the upcoming art show at the Teen Center
- Layne Wheeler spoke about state and school budget concerns
- Kate Smith spoke about CAHSEE waivers, basic aid, and education reform
- Cory Bream spoke about special education
- Marcia Eichelberger spoke about autism awareness
- Sandy Shove spoke about autism awareness

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

Item D. 16 was pulled by Superintendent Sarvis from the agenda to be discussed at a future board meeting. Board member Noël moved to pull items D.10, D.11, and D.12 for a separate vote later in the meeting. Board member Noël moved to approve all other consent agenda items. Seconded by board member Cordero.

Motion passed. Vote: 5-0

D.1 Approval of Minutes

February 6, 2009; February 24, 2009; February 27, 2009; March 10, 2009; and March 24, 2009

D.2 Approval of Additional Fundraising for 2008-09 for Santa Barbara High School

D.3 Approval of Staff Travel: Out-of-State Travel and/or Expenses in Excess of \$500, Dated April 7, 2009

D.4 Approval of Student Field Trips for Dos Pueblos High School and San Marcos High School

D.5 Approval of an Independent Contractor Agreement 2008/2009-122 with Dr. Robert Patterson to Conduct a Psycho-Educational Evaluation for a Special Education Student

D.6 Approval of an Independent Contractor Agreement 2008/2009-123 with Nancy Bagshaw-Kurtzer to Provide a Speech and Language Evaluation for a Special Education Student

D.7 Adoption of Resolution No. 2008/09-33, Approval of Amendment 01 of the General Child Care Contract No. CCTR-8394 Between the Santa Barbara School Districts' Child Development Program and the California Department of Education Beginning June 1, 2008 through June 30, 2009

D.8 Acceptance of Quarterly Reports on Williams Uniform Complaints

D.9 Approval of the Memorandum of Understanding with University of California at Santa Barbara Office of Academic Preparation for Data Sharing

D.10 Approval of Recommended Personnel Action Items Dated April 14, 2009

Motion made by board member Noël to approve the recommended personal action items dated April 13, 2009. Seconded by board member Cordero.

Motion passed. Vote: 5-0

D.11 Approval of the Recommendations by the Fiscal Crisis & Management Assistance Team Included in the Preliminary Report Regarding the Proposed Job Description for Program Specialist

This item will return to a future board meeting.

D.12 Approval of the Tentative Agreement Between the Santa Barbara School Districts and the Santa Barbara Teachers Association to Increase the Health Welfare Benefits Cap

Motion made by board member Cordero to approve the tentative agreement between the Santa Barbara School Districts and the Santa Barbara Teachers Association to increase the health welfare benefits cap. Seconded by board vice president Heron.

Motion passed. Vote: 5-0

D.13 Approval of the Required Public Disclosure of the April 2009 – June 30, 2009 Santa Barbara Teachers Association Collective Bargaining Agreement

D.14 Approval of Paid Commercial Warrant Register Dated March 27, 2009 through April 9, 2009

D.15 Approval of Contracts for Collection of Special Tax Assessments with the Santa Barbara County Auditor Controller for Measure H and Measure I Parcel Taxes

D.16 Approval of the Memorandum of Understanding Between the Santa Barbara School Districts and the Santa Barbara Certified Farmers Market Association for the Operation of the Harding Elementary School Farmers Market

It was agreed that this item would be discussed with the board, and after discussion, it was agreed to return the item to the agenda for consideration of a motion and a vote.

Motion made by board member Noël to approve the Memorandum of Understanding between Santa Barbara School Districts and the Santa Barbara Certified Farmers Market Association for the operation of the Harding Elementary School Farmers Market with the provision that the Santa Barbara School Districts will waive the

application and rental fees; however, if there are janitorial fees, they will be assessed as appropriate.

Seconded by board member Deacon.

Motion made by board member Cordero to approve the agreed-upon revisions. Seconded by board member Noël.

Motion passed. Vote: 5-0

D.17 Approval of Resolution 89/09-35, Approval of the Solis Group for Department of Industrial Relations Third Party Provider for Labor Compliance

D.18 Acceptance of Completed Contract, San Marcos High School Gym Roofing Repairs

D.19 Acceptance of Completed Contract, Pavement Maintenance at Santa Barbara High School and Adams Elementary School

D.20 Approval of Change Order No. 6, Santa Barbara High School Modernization Phase III

ACTION AGENDA

E.1 Approval of Resolution No. 08/09-34 Authorizing Borrowing Not to Exceed \$18 Million in Funds for Fiscal Year 2009-10 and the Issuance and Sale of 2009-10 Tax and Revenue Anticipation Notes for the Santa Barbara School Districts

Eric Smith, deputy superintendent, spoke about resolution no. 08/09-34 which will authorize borrowing not to exceed \$18 million in funds for fiscal year 2009-10 and the issuance and sale of 2009-10 tax and revenue anticipation notes for the Santa Barbara School Districts.

Board member Cordero left the proceeding.

Motion made by board member Noël to approve resolution no. 08/09-34, authorizing borrowing not to exceed \$18 million in funds for fiscal year 2009-10 and the issuance and sale of 2009-10 tax and revenue anticipation notes for the Santa Barbara School Districts.

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

Board member Cordero returned to the proceeding.

E.2 Approval of Resolutions 2008/09-36 and 2008/09-37 Authorizing and Directing Application of Bond Proceeds

Eric Smith, deputy superintendent, spoke about resolutions 2008/09-36 and 2008/09-37 authorizing and directing application of bond proceeds.

Motion made by board member Deacon to approve resolution numbers 2008/09-36 and 2008/09-37 authorizing and directing application of bond proceeds. Seconded by board member Cordero.

Motion passed. Vote: 5-0

E.3 Public Hearing On and Board of Education Approval of Resolution to Change the Name of the Santa Barbara High School District to Santa Barbara Secondary District

J. Brian Sarvis, Ed.D., superintendent, spoke about the resolution to change the name of the Santa Barbara High School District to Santa Barbara Secondary District.

Motion made by board member Noël to approve the resolution to change the name of the Santa Barbara High School District to Santa Barbara Secondary District. Seconded by board member Cordero.

Motion passed. Vote: 5-0

E.4 Board Action on Student Expulsion Case Numbers: 08/09-43, 08/09-45, 08/09-46, 08/09-47, 08/09-48, 08/09-50, 08/09-53, 08/09-54, 08/09-55, 08/09-56, 08/09-22

In case number 08/09-43, motion made by board member Deacon to approve the recommendation of the hearing panel of a stipulated one-calendar year expulsion. Seconded by board member Noel.

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

In case number 08/09-45, motion made by board member Deacon to approve the recommendation of the hearing panel for a one school-year expulsion. Seconded by board member Noel.

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

In case number 08/09-46, motion made by board member Deacon to approve the recommendation of the hearing panel for a one school-year expulsion. Seconded by board member Noel.

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

In case number 08/09-47, motion made by board member Deacon to approve the recommendation of the hearing panel for a one calendar-year expulsion. Seconded by board vice president Heron.

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

In case number 08/09-48, motion made by board member Deacon to approve the recommendation of the hearing panel for a one calendar-year expulsion. Seconded by board vice president Heron.

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

In case number 08/09-50, motion made by board member Deacon to approve the recommendation of the hearing panel for a one school-year expulsion. Seconded by board member Noel.

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

In case number 08/09-53, motion made by board member Deacon to approve the recommendation of the hearing panel for a stipulated one school-year expulsion. Seconded by board member Noel.

Motion passed. Vote: 5-0

In case number 08/09-54, motion made by board member Deacon to approve the recommendation of the hearing panel for a stipulated one school-year expulsion. Seconded by board member Noel.

Motion passed. Vote: 5-0

In case number 08/09-55, motion made by board member Deacon to approve the recommendation of the hearing panel for a stipulated one school-year suspended expulsion. Seconded by board vice president Heron.

Motion passed: Vote: 5-0

In case number 08/09-56, motion made by board member Deacon to approve the recommendation of the hearing panel for a stipulated one school-year expulsion. Seconded by board vice president Heron.

Motion passed. Vote: 5-0

In case number 08/09-22, motion made by board member Deacon to approve the recommendation of the revocation of the suspended expulsion. Seconded by board member Noël.

Motion passed. Vote: 5-0

CONFERENCE AGENDA

F.1 Request to Address the Board of Education on the Role of Counselors in Achieving District Objectives by Emily Ritchie and Silvina Pereira

Public Comment

- Anton Esposito
- Claudia Green
- Sandra Shove
- Michelle Britton-Bass

F.2 First Reading of Fiscal Solvency Plan

Eric Smith, deputy superintendent, spoke about the Fiscal Solvency Plan

Public Comment

- Laurie Yarnell
- David Shapiro
- Nan Verkaik, Dan Feldhaus, and Abe Jahadhmy
- Lisa Fell
- Laura Pomerantz
- Layne Wheeler
- Kelly Knight

Motion made by board vice president Heron that the board is in agreement that on the spreadsheet presented, the indicated "X's" that indicate non-controversial items in consideration in column B are purely conceptual and are subject to further consideration. Seconded by board member Noël.

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

F.3 Report on Santa Barbara Continuation High School Bridge Program

This item will return to a future board meeting

F.4 Request to Ban Gang-Related Attire at San Marcos High School

This item will return to a future board meeting

G. Return to Consent Items Designated for Discussion

H. Coming Events

The Superintendent announced a number of upcoming school events during the *Superintendent's Report* delivered earlier in the meeting.

I. Board Comments and Correspondence

Board member Cordero voiced concern about the high price of high school prom tickets, particularly for those that may not be able to afford them, which could preclude their ability to attend. She hopes that the high schools are taking measures to ensure that costs are not prohibitive for students by conducting fundraisers and other activities that can raise funds to defray costs.

Vice president Heron spoke about Santa Barbara High School Career Day which was a great success. Cesar Chavez will receive a \$1,000 from the governor's office for the completion of the governor's fitness program.

Board member Noël spoke about his trip to Carnegie Hall with the San Marcos High School Band.

J. Future Agenda Items

Santa Barbara School Districts has a list of upcoming agenda items published regularly in the *Board Brief*.

K. Adjournment

There being no further business, the meeting was adjourned at 11:10 p.m.

Attest:

Kate Parker, President
Board of Education

Adopted by the Santa Barbara School Districts Board of Education

On: April 28, 2009

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