

# Santa Barbara School Districts

## Board of Education Meeting Minutes

Regular Meeting Tuesday, May 26, 2009

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

### Board Members In Attendance

Kate Parker, *President*

Susan Deacon, *Member*

H. Edward Heron, *Vice President*

Robert Noël, *Member*

Board Members Absent

Annette Cordero, *Member*

### REGULAR SESSION

#### A.1 Call to Order

Board president 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 Student Discipline (Education Code §48918)

Expulsion case numbers: 08/09-51 and 08/09-61

#### B.2 Conference with Legal Counsel – Existing Litigation (Government Code § 54956.9(a))

Case or File No. Jane Doe & Patricia B. vs. Santa Barbara School Districts, et al.

*Santa Barbara Superior Court Case No. 1263677*

#### B.3 Approval/Denial of an Application for Interdistrict Transfers for Santa Barbara Elementary School District (Education Code §§ 46600-46611)

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.

Number of Interdistrict transfer appeals: 4

#### B.4 Approval/Denial of an Application for Interdistrict Transfers for Santa Barbara Secondary School District (Education Code §§ 46600-46611)

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.

Number of Interdistrict transfer appeals: 3

#### 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.

#### B.6 Public Employee Appointment (Government Code §54957)

Title: Principal

### REGULAR SESSION

The board returned to regular session at 7:13 p.m.

### **C.1 Pledge of Allegiance**

Board president Parker led the pledge.

- **Spanish Translation**

Esperanza Villegas was present to provide Spanish translation.

- **Headsets for Hearing Impaired**

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

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

The following students were recognized for their respective accomplishments:

#### **Student Recognitions**

##### **California State Spelling Bee**

- Brenna Hensley – La Colina Junior High School
- Quinn Hensley – Washington Elementary School

##### **California State Science Fair**

- Michael Feldman – La Colina Junior High School
- Rishika Singh – Goleta Valley Junior High School
- Daniel Gay – Goleta Valley Junior High School
- Kana Yamamoto - Goleta Valley Junior High School
- Evan Lew - Goleta Valley Junior High School
- Evan Lincoln – San Marcos High School

##### **Community Service**

- Jeff Cifuentes – Dos Pueblos High School
- Meaghan Yolles - Dos Pueblos High School
- Ohan Arakelian – Santa Barbara High School
- Rachel Green – Santa Barbara High School
- Johanna Rangel – San Marcos High School
- Alexandr Kipelainen – San Marcos High School

##### **National Hispanic Recognition**

- Karen Villegas – Santa Barbara High School
- Rafaell Rozendo – San Marcos High School
- Katie De Heras – Dos Pueblos High School
- Alejandro Veloz – Dos Pueblos High School

##### **Superintendent's Report**

- Few more days of school
- Awards Assemblies at the school sites
- High school graduations and junior high school promotion ceremonies
- *Board Brief*
- Employee Appreciation Day

### **C.2 Announcement of Closed Session Action**

In the matter of B.2, "Conference with Legal Counsel – Existing Litigation," motion made by board member Deacon and seconded by board member Noël to accept and approve the settlement of a tort action in Santa Barbara Superior Court case number 1263677, entitled "Jane Doe and Patricia B. vs. Santa Barbara School Districts, et al." The names of the plaintiffs are protected by privacy requirements. Pursuant to the settlement, the district has agreed to pay plaintiffs the sum of \$110,000. The entire settlement, as well as all costs of defending this action, will be paid by insurance. There is no admission of any liability by the school districts. Motion passed. Vote: 4-0-1 / Ayes: 4 (Parker, Deacon, Heron, Noël) / Absent: 1 (Cordero)

In the matter of B.3, "Approval/Denial of an Application for Interdistrict Transfers for Santa Barbara Elementary School District," motion made by board member Deacon to deny six Interdistrict transfer appeal requests for the elementary district. Seconded by board president Parker.

##### **National Merit Scholarship Program**

- Will Stark – Santa Barbara High School
- Jae Park – Santa Barbara High School
- Richard O'Dowd – San Marcos High School
- Mark Skovorodko – San Marcos High School
- Colin Barkley – San Marcos High School
- Daniel Inbar – San Marcos High School
- Fiona Georgakis – Dos Pueblos High School
- Jacob Kovacs-Goodman - Dos Pueblos High School
- Corinne Dirais - Dos Pueblos High School
- Anna Nelson - Dos Pueblos High School
- Alexander Pearson - Dos Pueblos High School
- Lillian Preston - Dos Pueblos High School
- Yidi Wang - Dos Pueblos High School
- Isabelle D'Arcy - Dos Pueblos High School
- Angela Dai - Dos Pueblos High School

##### **Leadership**

- Maria Armante - Dos Pueblos High School

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

In the matter of B.4, "Approval/Denial of an Application for Interdistrict Transfers for Santa Barbara Secondary School District," for the first motion, motion was made by board vice president Heron to approve the Interdistrict transfer appeal requests, however, deny placement at Dos Pueblos High School for two pupils. Seconded by board member Deacon.

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

In the matter of B.4, "Approval/Denial of an Application for Interdistrict Transfers for Santa Barbara Secondary School District", for the second motion, motion was made by vice president Heron to deny the Interdistrict transfer appeal request for one pupil. Seconded by board member Noël.

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

In the matter of B.5 "California High School Exit Examination (CAHSEE) Waiver for Graduation for Students with Disabilities," motion made by board member Noël to approve the waivers as presented. Seconded by board member Deacon.

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

### **C.3 General Public Comment**

- Kate Smith spoke about San Marcos High School's play, Man of La Mancha, and special education.

### **C.4 Acceptance of Donations**

A motion was made by board member Deacon to approve with appreciation the listed donations. Seconded by board vice president Heron.

Motion passed. Vote: 4-0

*The board adjourned for a 5-minute break.*

## **CONSENT AGENDA**

Board vice president Heron moved to pull item D.1, specifically, April 28, 2009 minutes, for review later in the meeting. Board vice president Heron also moved to pull items D.15, D.17, and D.18 for a separate vote later in the meeting. Board member Noël moved to pull items D.3 and D.10 for a separate vote later in the meeting. Board member Deacon moved to pull items D.8 and D.13 for a separate vote later in the meeting. Board member Deacon moved to approve all other consent agenda items including April 21, 2009 minutes (D.1). Seconded by board member Noël.

Motion passed. Vote: 4-0

### **D.1 Approval of Minutes**

April 21, 2009 and April 28, 2009

### **D.2 Approval of Additional Fundraising for 2008-09 for Dos Pueblos High School, San Marcos High School, and Santa Barbara High School**

### **D.3 Approval of Staff Travel: Out-of-State Travel and/or Expenses in Excess of \$500, Dated May 19, 2009**

Motion made by board vice president Heron to approve the first item on the Staff Travel: Out-of-State Travel and/or Expenses of \$500, dated May 19, 2009. Seconded by board member Deacon.

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

Motion made by board vice president Heron to approve the second item on the Staff Travel: Out-of-State Travel and/or Expenses of \$500, dated May 19, 2009. Seconded by board member Deacon.

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

### **D.4 Second Reading and Adoption of Board Policy 5127 "Graduation Ceremonies and Activities"**

### **D.5 Approval of Early Release Policy for After School Education and Safety Program in Elementary and Secondary Schools**

**D.6 Approval of the Memorandum of Understanding Between the Regents of the University of California and University of California at Santa Barbara for Evaluation of the After School Education and Safety Program at Adams, Cleveland, Franklin, Harding, and McKinley Elementary Schools for the 2008-09 School Year**

**D.7 Approval of the Memorandum of Understanding Between the Regents of the University of California and University of California at Santa Barbara for Evaluation of the After School Education and Safety Program at Adams, Cleveland, Franklin, Harding, and McKinley Elementary Schools for the 2008-09 School Year**

**D.8 Approval of Master Contract (2008/2009-105) and Individual Service Agreement with Summit View School-Valley Glen as per Settlement Agreement (OAH#N2008100746)**

Motion made by board member Deacon to approve the Master Contract (2008/2008-105) and Individual Service Agreement with Summit View School-Valley Glen as per Settlement Agreement (OAH#N2008100746). Seconded by board vice president Heron.

Motion passed. Vote: 4-0

**D.9 Approval for Renewal of the Memorandum of Understanding Between the Santa Barbara School Districts and the Collaborative Communities Foundation**

**D.10 Approval of Recommended Personnel Action Items Dated May 26, 2009**

Motion made by board member Noël to approve the Recommended Personnel Action Items dated May 26, 2009. Seconded by board vice president Heron.

Motion passed. Vote: 4-0

**D.11 Approval of Initial Proposal to Open 2009-10 Negotiations with the California School Employees Association**

**D.12 Approval of Paid Commercial Warrant Register Dated May 8, 2009 through May 21, 2009**

**D.13 Approval of Purchase Order Report for the Period May 6, 2009 through May 19, 2009**

Motion made by board vice president Heron to approve the Purchase Order Report for the period of May 6, 2009 through May 19, 2009. Seconded by board member Deacon.

Motion passed. Vote: 4-0

**D.14 Approval to Declare Material as Surplus to the Needs of the District**

**D.15 Approval of Award of Mobile Food Service Trailer Bid to Custom Mobile Food Equipment, Inc., Bid CNS0809-01**

This item will return to a future board meeting

**D.16 Approval of Environmental Consulting Services Proposal from Forbess Consulting Group, Inc. for Asbestos Hazard Emergency Response Act Inspections and Updates to the Santa Barbara School Districts' Asbestos Management Plan**

**D.17 Approval of Contract Award to Lack Construction for Portable Classroom Relocation at Washington Elementary School**

Board member Noël left the proceeding.

Motion made by board vice president Heron to approve the contract award to Lack Construction for portable classroom relocation at Washington Elementary School. Seconded by board member Deacon.

Motion passed. Vote: 3-0 / Ayes: 3 (Parker, Deacon, Heron) / Absent: 2 (Noël, Cordero)

Board member Noël returned to the proceeding.

**D.18 Approval of Change Order No. 2, Santa Barbara High School, Exterior Painting of the Main Building and Gymnasium**

Motion made by board member Deacon to approve the Change Order No.2, Santa Barbara High School, exterior painting of the main building and the gymnasium. Seconded by board president Parker.  
Motion passed. Vote: 4-0

#### **D.19 Approval of Proposal from Spectrum Management Solutions for Accounting Support Services and Preparation of Office of Public School Construction Reporting Requirements Documentation**

### **ACTION AGENDA**

#### **E.1 Approval of Santa Barbara Continuation High School and San Marcos Continuation High School Bridge Programs**

Robin Sawaske, associate superintendent, spoke about Santa Barbara Continuation High School and San Marcos Continuation High School.

##### **Public Comment**

- Edna Trujillo
- Jacqueline Inda
- Gonzalo Rios

Motion made by board member Deacon to approve the Santa Barbara Continuation High School Bridge Program and San Marcos High Continuation School Bridge Program with the understanding that the board will be provided a progress report immediately at the end of the first semester. Seconded by board president Parker.

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

An amendment to the first motion made by board vice president Heron reads that 1) there shall be no involuntary enrollment in the bridge program; 2) parents shall receive a board-approved information packet; 3) there shall be an appropriate search and referral process in place. Seconded by board member Deacon.  
Motion passed. Vote: 3-1 / Ayes: 3 (Parker, Heron, Deacon) / Noes: 1 (Noël)

*At this time, the board agreed to consider item F.2*

#### **E.2 Approval of Board of Education Self-Evaluation Form**

Dr. J. Brian Sarvis, superintendent, spoke about the board of education self-evaluation form.

Motion made by board vice president Heron to approve the board of education self-evaluation form.  
Seconded by board member Deacon.

Motion passed. Vote: 4-0

#### **E.3 Appointment of a Community Member to Fill a Vacant Position on the Measure V Bond Oversight Committee**

David J. Hetynok, director of facilities and operations, spoke about the appointment of a community member to fill a vacancy on the Measure V Bond Oversight Committee.

Motion made by board member Deacon to nominate Jean Blois to fill the vacancy. Seconded by board vice president Heron.

Motion passed. Vote: 4-0

#### **E.4 Second Reading and Adoption of Administrative Regulation 6155 “Challenging Courses by Examination”**

Robin Sawaske, associate superintendent, spoke about administrative regulation 6155, “Challenging Courses by Examination.”

Motion made by board member Deacon to accept the new wording in the administrative regulation and to adopt the administration regulation. Seconded by board vice president Heron.

Motion passed. Vote: 4-0

#### **E.5 Approval of Resolution 08/09-40 Recognizing Santa Barbara School Districts’ Employee Appreciation Day**

Kristine Robertson, Ed.D., spoke about resolution 08/09-40 that recognizes Santa Barbara School Districts' employee appreciation day as May 29, 2009.

Motion made by board member Noël to approve resolution 08/09-40 recognizing Santa Barbara School Districts' employee appreciate day as May 29, 2009. Seconded by board member Deacon.  
Motion passed. Vote: 4-0

**E.6 Board Action on Student Expulsion Case Numbers: 08/09-51, 08/09-61**

In the case of 08/09-51, motion made by board member Noël to accept the findings and recommendation of the hearing panel recommending a one school year expulsion. Seconded by board member Deacon.  
Motion passed. Vote: 4-0

In the case of 08/09-61, motion made by board member Noël to accept the stipulated agreement. Seconded by board vice president Heron.  
Motion passed. Vote: 4-0

**CONFERENCE AGENDA**

**F.1 Report on Anticipated May Revision to the State Budget, Federal Stimulus Money, and Consideration of Further Budget Cuts for the 2009-10 Fiscal Year**

**F.2 Discussion of Board Member Proposal to Combine La Cumbre Junior High School and Santa Barbara Community Academy as a Kindergarten through 8<sup>th</sup> Grade School**

**Public Comment**

- Amy Alzina
- Kathleen Rogers
- Kristen Shi

*The board adjourned for a 10-minute break*

*The board returned to the Action Agenda, item E.2*

**F.3 Report on Elementary and Secondary Academic Performance Index and Similar Schools Report**

This item will return to a future board meeting.

**F.4 Report on Parcel Tax Measures H2008 and I2008 Preliminary Staffing Plans and Budget**

This item will return to a future board meeting.

**F.5 First Reading of Reading Language Arts Textbook Adoption**

Robin Sawaske, associate superintendent, spoke about a reading language arts textbook proposal.

**G. Return to Consent Items Designated for Discussion**

D.3, D.8, D.10, D.13, D.15, D.17, D.18

**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 vice president Heron suggested hiring the Dos Pueblos High School economic team, as they are very impressive. Additionally, board vice president Heron commented positively on the Green Academy.

**J. Future Agenda Items**

Board member Deacon would like to revisit the issue of security at Santa Barbara High School. Board vice president Heron suggests a review of the status of Interdistrict transfers. Board member Noël would like to include a discussion of students who "can't versus students who won't" be successful in school.

**B. Return to Closed Session**

**B.6 Public Employee Appointment** (Government Code §54957)

Title: Principal

**K. Return to Open Session - Announcement of Closed Session action**

In the matter of item B.6, "Public Employee Appointment," motion made by board vice president Heron to approve the appointment of Eric Nichols as principal of Santa Barbara Community Academy. Seconded by board member Noël.

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

**L. Adjournment**

There being no further business, the meeting was adjourned at 11:35 p.m.

Attest:

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Kate Parker, President  
Board of Education

Adopted by the Santa Barbara School Districts Board of Education

On: June 23, 2009

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