



Established 1877 — Over 125 Years of Educational Success

Governing Board Members

Mr. Shane Nielson, President ~ Mr. Ben Fobert, Clerk ~ Dr. Chris Cunningham ~ Dr. Atul Khanna ~ Dr. James Hiramoto

MEETING MINUTES OF THE GOVERNING BOARD

WEDNESDAY, JANUARY 20, 2010

- I. Call to order at 6:10 P.M.
- II. Adjourn to Closed Session at 6:10 P.M. (Closed Session is in regards to Personnel, and Negotiation Matters as permitted under Gov. Code Section 54957, 54957.6, and 54957.1)
 - A. Conference with Labor Negotiator (GC 54957.6)
 - 1. Employee Organization: CSEA
 - B. Conference with Legal Counsel Regarding Anticipated Litigation
 - 1. Initiation of Litigation pursuant to GC 54956.9(c): One Matter
- III. Reconvene to Open Session at 7:06 P.M.
- IV. Pledge of Allegiance – Mr. Shane Nielson, Board President called upon Jessica Viella to lead us in the Pledge of Allegiance.
- V. Members Present: Chris Cunningham; Shane Nielson; Atul Khanna; James Hiramoto; Ben Fobert.
Staff Present

Dale Hansen, Superintendent	Noel Balzarini, Executive Assistant
Debbie Burnette, Assist. Supt. Ed. Svcs.	Alvina Keyser, Dir. Business Svcs
Samy D’Amico, LES Principal	Keri Buckley, BES Principal
Debbie Wingo, WES Vice-Principal	Chantell Tarver, BES Vice-Principal
Rose Boynton, Librarian – LES	Tammy Hurst, Teacher – BES

Others Present: Members of the staff and community were present.

- VI. Approval and/or Corrections to the Agenda. Superintendent Hansen requested two changes to the agenda: Move action item A. to the beginning of the agenda and Move consent item F to action item K. This Item had a Motion to approve by: BFobert SECOND BY: CCunningham to approve the agenda as amended with AYES: 5; NOES: 0; ABSENT: 0.

XI.A. Consider/Approval of Over-night Trip to Anaheim to Compete in the USA Junior National Competition from February 26, 2010 – March 1, 2010:

- i. Lammersville School Cheerleaders**
- ii. Bethany School Cheerleader**

Superintendent Hansen requested that the Board hear his recommendation first. He has met with the cheer groups at LES and BES over the past few weeks regarding this competition. Board Policy states that school sponsored trips over 75 miles requires 2 months prior approval by the Board. Each Board member has been updated about this situation. Many items that were argued were: Request submitted on time? Why didn't the site administrator and coach communicate this? The Superintendent should have seen this coming. We should not assume what happened last year should happen this year. Assumptions should not be made. The only people we can not blame are the students. They have worked hard, done what we've told them to do and there would be a reward. Parents, staff and administration have tried to teach students that if you make a mistake, you correct it and move on. Mistakes have been made by adults, not student. My recommendation tonight is to send the teams to Anaheim to support their effort in competition. Safety first is the main point from this Board. Apologies to this Board for placing them in this position and be rest assured that corrections with staff have been put in place so that this will not happen again to the parents and students of our schools.

President Nielson asked if there was any public that would like to speak about this topic against Superintendent Hansen’s recommendation.

President Nielson stated the Board will take this time to dialogue about this action item prior to making a motion.

Public Comment made by Kathy Viella.

This item had a MOTION TO APPROVE BY: SNielson ; SECOND BY: CCunningham; with no discussion. This item was approved with the following vote: AYES:3; NOES:2; ABSENT:0. ABSTAIN:0 Motion carried

VII. Receiving of Public Comments: No Public Comments were made.

VIII. Consent Items for Consideration:

A. Approval of Governing Board Meeting Minutes:

1. Regular Meeting – December 16, 2009

B. Approval of Warrants as listed: (See attached List)

C. Approval of Budget Revisions: (See Attachment)

D. Acceptance of Classified Resignation: Shannon Fuentes, Special Education Instructional Aide, Bethany Elementary School

E. Acceptance of Donations:

1. \$500 Lowes Gift Card Donation from Mrs. Celeste Farron – Dave Sargent with Shea Mountain House announced that Celeste asked Shea to match her donation to the District and he said her request was granted by Shea but he doesn’t have the check to present to the District yet.

2. \$460 Towards Technology Fund from an Anonymous Source

F. *Approval of Unpaid Leave of Absence Request from Employee #121842 – Item moved to Action Item K.*

Motion by: BFobert, Seconded by: JHiramoto to approve all consent items with no discussion by the following vote: AYES: 5 ; NOES: 0 ; ABSENT: 0 Motion carried.

IX. District Administrative Reports

A. District Facilities Report..... Mr. Dale Hansen
Superintendent Hansen reported we are able to view the Questa construction site via the web. We are about 50% completed with the project. This is the first week we have received rain delays. The project is about two weeks behind. Next month Dennis Dunston will be here to give an update on the change orders and the project. This camera is also used as a security feature. Anticipate the project to complete in July. We will be on a fast track to deliver furniture and equipment.

We have leaks everywhere at Wicklund School and we are continuing to press the contractor with this issue. The sheet rock has been damaged and will be repaired. We are planning to fix everything this summer.

B. School Site Reports

1. Lammersville Elementary..... Mr. D’Amico
Principal D’Amico wished the Board a happy new year. He highlighted some things that have happened. Dawn Edwards, 4th grade teacher, went on donorstochose.org to write two grants. She was notified that they were both funded. The first grant was for “Artistic Response to Literature” which addresses District’s writing standards. She is using art as a way to get students into writing. She received water color paint and pastels. The second was for “Photo Journalism in 4th grade” and received a digital camera to document activities throughout the year. Grant writing has caught on at LES and other teachers are now writing grants. LES recently applied for a grant to increase participation in the breakfast program from CDE. If we received the grant, we will buy some equipment to make smoothies and shakes for the breakfast program. We requested \$9,000 to hopefully heighten participation. LES student council participated in a two week program to hopefully raise \$1,000 for the American Red Cross/Haiti. We asked students to give up something to give it as a donation instead. Science night will be on Feb 18th from 4-6pm. No judging will happen this evening; just come as you go to see the projects. Today we had an assembly Rhythm Magic. Tomorrow is our focus walk and we are looking forward to Mr. Hansen and Ms. Burnette to come visit our classes.

2. Bethany Elementary..... Ms. Buckley
Principal Buckley reported mural is complete at Bethany. She displayed a photo of the mural which was donated by last year’s eight grade class. It was done by Joann Gallagher. We were blessed with a beautiful day for the dairy council for a free

assembly they brought a cow and calf. They taught the students about the farm and dairy products. We held multiple baby showers last Friday. We actually had a baby born today, a baby boy, Kyle, to Jennifer Fernandez. Renee Nunn, K teacher, is due any day now. Sarah Spencer is due mid February. Kerrie Glenn is due this summer. Also, two weddings February: Leala Crowell; March: Crystal Anderson. We are also doing a Haiti relief project. Girl Scout troop is collecting gently used shoes, Sole's for Souls program. ASB with Vice-Principal Chantell Tarver is heading up the save the children organization. The program is call "Everyone give one". Each child asked to bring in one dollar to raise \$850 from the school.

3. Wicklund Elementary..... Mr. Vergara
Principal Vergara sent a note that he will not be able to make it. Vice-Principal Wingo introduced the basket ball coaches: Fred Juarez, parent of 3 at WES; Jeff Craine, Assistant Coach. They are doing a great job enforcing sportsmanship. Mrs. Wingo added that WES is doing a fundraiser to support Haiti: "Bring 5 to save lives". The winter concert is tomorrow night and a dance Friday night.
- C. District Enrollment Report..... Mr. Dale Hansen
Superintendent Hansen reported that we have broken up enrollment between four schools now. Admin staff has the number for their sites. Current projections to open each school next year are: BES 629, WES 562, QES 321. We are hoping to open with a little over 400 and it looks like we will reach that number.
- D. District Business Report & Cafeteria Closing 2008-09..... Mrs. Alvina Keyser
Mrs. Keyser reported cafeteria doing pretty well. Erate discount is \$1,000 for webhosting. We will get some revenues back. MAA third quarter has ended and the reports are coming in. Teachers are getting really good at it and calling for questions. We haven't seen the revenues from MAA. As soon as we receive it I will send a notification out via email. P1 came in and is less than 2 FTE than P2. P2 will be right on track. We received the \$3 million from TUSD for the High School which will help with our cash flow for the current year. January budget proposal has come out. Mr. Hansen will provide a handout with the details. 2nd interim will begin, if that proposal sticks, we will very likely go into qualified status and have to prepare a 3rd interim. Until we know for sure that the growth comes in. K numbers will tell us more. Mr. Hansen will cover the Governor's budget. The Governor is giving us - .38 COLA. We would be short \$362,000 for next year's budget. The year after we would be short \$364; both years equal 726K in cuts. This is based on the prayer that the Feds will give us some money. Mr. Hansen has gone to the Admin team to see where we can make cuts and not affect the classroom. We are in good shape. TUSD may cut over 9 million.
- E. Educational Services Report..... Dr. Debbie Burnette
Mrs. Burnette reported that it is very interesting to work in this school district. Truly thrilling to see our unification process go so quickly. We thank Superintendent Hansen and congratulate you for the huge step LESD overcame today by the county approval of unification. Today she attended a workshop for legal issues for special education and autism. At this Friday's Special Education staff meeting I will bring the relevancy of the issues in our District today. Thank Debbie, Lem, Chantell, and Keri for taking us around on the focus walks. Focus was based on learning environment and student work was posted. New GATE classes are in the packet and posted online. New classes being offered are Chinese and Japanese classes. They are currently packed! The Public speaking and debate class is a little different from last time. If you ever have a chance to come by and see the gate classes please feel welcome to join in.
- X. Governing Board Reports: JH: Principal D'Amico held the crisis intervention meeting last week. We are moving forward with that committee.
- XI. Governing Board Action Items:
 - A. **Consider/Approval of Over-night Trip to Anaheim to Compete in the USA Junior National Competition from February 26, 2010 – March 1, 2010:**
 1. **Lammersville School Cheerleaders**
 2. **Bethany School Cheerleader**

This item was moved to the top of the agenda.
 - B. **Consider/Approval of Governing Board Resolution 09-10-07 for the Community Facilities District #2002 Ordering Judicial Foreclosure of Delinquent Special Taxes Pursuant to the Mello-Roos Community Facilities Act of 1982, and ordering that the Tax Collector Be Credited with Those Special Tax Levies.**

This item had a MOTION TO APPROVE BY: BFobert; SECOND BY: CC with no discussion. This item was approved with the following vote: AYES:5; NOES:0; ABSENT:0. ABSTAIN:0 Motion carried

C. **Consider/Approval of Governing Board Resolution 09-10-08 to Establish Tie-Breaking Criteria in the Event of a Certificated Layoff.**

This item had a MOTION TO APPROVE BY: SNielson ; SECOND BY: JHiramoto with the following discussion: Trustee Hiramoto asked if there is a point system for national board certified or other accreditations. Superintendent Hansen responded there is criterion listed on the resolution and it does not include national board certification. We currently do not have any teacher in the District that holds this certificate. This item was approved with the following vote: AYES:5; NOES:0; ABSENT:0. ABSTAIN:0 Motion carried

D. **Consider/Approval of Governing Board Resolution 09-10-09 to Establish Determination of District Needs in Selected Certificated Positions: Competency Standards in the Event of a Certificated Layoff.**

This item had a MOTION TO APPROVE BY: CCunningham ; SECOND BY: AKhanna with no discussion. This item was approved with the following vote: AYES:5; NOES:0; ABSENT:0. ABSTAIN:0 Motion carried.

E. **Consider/Approval of Certificated and Classified Seniority Lists for the 2009-2010 School Year.**

This item had a MOTION TO APPROVE BY: BFobert ; SECOND BY: CCunningham with no discussion. This item was approved with the following vote: AYES:5; NOES:0; ABSENT:0. ABSTAIN:0 Motion carried.

F. **Consider/Approval of Public Disclosure Form AB1200 for Proposed 2009-2010 Salary/Benefit Settlement with CSEA – Classified Bargaining Unit.**

Supt Hansen recommends approval of the agreement with the exception to return to the table with negotiations on the retiree benefit package. This item had a MOTION TO APPROVE BY: JH ; SECOND BY: CCunningham with no discussion. This item was approved with the following vote: AYES:5; NOES:0; ABSENT:0. ABSTAIN:0 Motion carried.

G. **Consider/Approval of the CSEA 2009-2010 Collective Bargaining Agreement and One-Time 2% Base Salary Adjustment for Active CSEA Unit Members as of January 1, 2010.**

This item had a MOTION TO APPROVE BY: SNielson ; SECOND BY: BFobert with no discussion. This item was approved with the following vote: AYES:5; NOES:0; ABSENT:0. ABSTAIN:0 Motion carried.

H. **Consider/Approval to Authorized the Superintendent to Review and Recommend a Firm to Perform the Scope of Work Necessary to Prepare for Unification and Develop a Plan for a Comprehensive High School, Subject to Voter Approval on June 1, 2010.**

This item had a MOTION TO APPROVE BY: SNielson ; SECOND BY: CCunningham with no discussion. This item was approved with the following vote: AYES:5; NOES:0; ABSENT:0. ABSTAIN:0 Motion carried.

I. **Consider/Approval of Hiring _____ for Architectural Services in the Development and Construction of Mountain House High School, Subject to Voter Approval on June 1, 2010.** (The Architect Selection Committee will Recommend a Firm the Evening of the Board Meeting).

TABLE from this agenda at this time. The meetings were yesterday and it was very difficult decision. We need to check references.

J. **Consider/Approval of Extending the Contract with AMS.net for Hardware and Software Installation at Questa Elementary School in the Amount of \$180,012.30**

This item had a MOTION TO APPROVE BY: SNielson ; SECOND BY: BFobert with no discussion. This item was approved with the following vote: AYES:5; NOES:0; ABSENT:0. ABSTAIN:0 Motion carried.

K. **Consider/Approval of Request for Unpaid Leave of Absence for Employee. Superintendent Hansen requested that we deny the LOA and meet with the employee to explain.**

This item had a MOTION TO DENY BY: BFobert ; SECOND BY: CCunningham with no discussion. This item was approved with the following vote: AYES:5; NOES:0; ABSENT:0. ABSTAIN:0 Motion carried.

XII. Information and Discussion Items Reviewed:

- A. District Unification – The San Joaquin County Committee Voted unanimously in favor of the Lammersville Petition for Unification.
- B. Unified School District School Board Election June 1, 2010

- C. Update on State Budget for the 2010-2011 School Year - Reviewed
- D. MOU for Race to the Top – Superintendent Hansen reported that the guidelines and criteria had changed. The MOU was signed by him, since it is currently non binding and does not require board approval. Not a huge amount of money but if we all agree to the rules it will help our budget. We could pull out of the MOU in April.
- E. Superintendent’s Evaluation – Mr. Hansen reminded the Board that it was time for his evaluation.

XIII. Calendar of Events Were Reviewed:

- A. Monday, January 18th..... MLKJ Day – School Holiday
- B. Wed. – Fri., Jan. 27th – 29th Superintendent’s Symposium ACSA
- C. Monday, February 8th Lincoln’s Birthday Observance – School Holiday
- D. Monday, February 15th..... President’s Day – School Holiday
- E. Wednesday, February 24th..... Regular Governing Board Meeting

XIV. Adjourn to Closed Session _8:45_P.M. – Motion by SNIelson, BFobert seconded with 5 Ayes.

XV. Reconvene to Open Session: 10:30 P.M. to report any action taken in Closed Session. No action was taken out of closed session.

XVI. Adjournment of the Regular Meeting, January 20, 2010, at 10:30 P.M.

MOTION BY: SNIelson; SECOND BY: BFobert; AYES: 5; NOES: 0 ; ABSENT: 0

Respectfully submitted,

_____, Secretary

Approved and ordered entered into the
Proceedings of the District on February 24, 2010.

_____, Clerk