

January 26, 2004

**A. Call to Order**

The Board of Education of the Monterey Peninsula Unified School District met in regular session at 5:03 p.m. on the above date at the Instructional Materials Center, 540 Canyon Del Rey, Monterey, California.

The meeting was called to order by Clerk Vice-President Foss.

**Roll Call –  
Establishment of  
Quorum**

Board Members Present: Terri DeBono  
Robert Eggers (arrived at 5:16 p.m.)  
Resa Foss  
Shanda LeBoeuf (arrived at 5:12 p.m.)  
Carlos E. Noriega  
Marjorie Troutman

Board Member Absent: Regena Lauterbach

Staff Members Present: Jim Burnis  
Daniel Callahan  
Robert Costa  
Shelby Garrison  
John Lamb

DLI/POM/NPS Representative Present: Ron Graddy

Student Board Members Present: Michael Leonard, Monterey HS  
Andrew Mahone, Seaside HS

The President declared that a quorum was present and the Board proceeded with the order of business.

**Public Comments**

No public comments were made at this time.

**Closed Session**

The Board adjourned to closed session at 5:31 p.m. to discuss the following:

- Conference with Labor Negotiator
  - a. Agency Negotiator: Robert Costa*
  - Employee Organization: Monterey Bay Teachers Association*
  - California School Employees Association*
- Public Employee Discipline/Dismissal/Release
- Conference with and/or Receive Advice from Legal Council - Anticipated Litigation
  - Significant exposure to litigation pursuant to subdivision (b) of Government Code Section 54956.9*
- Conference with Real Property Negotiator
  - Property: 190 Seeno Street, Monterey, CA*
  - 222 Casa Verde Street, Monterey, CA*
  - 1295 LaSalle Avenue, Seaside, CA*
  - 225 Normandy Road, Seaside, CA*
  - Negotiating Parties: Daniel Callahan*
  - Under Negotiation: Term and Conditions*

**Reconvene Open  
Session**

The Board reconvened at 6:45 p.m. to take the following action:

Mr. Eggers left the meeting after closed session.

**B. Pledge of Allegiance**

The Pledge of Allegiance to the Flag of the United States of America was led by student Board member Andrew Mahone.

**C. Report Action Taken in Closed Session, if any**

No reportable actions were taken in closed session.

**D. Take Action to Items That Arose Since Posting of the Agenda and Approve Agenda (2/3 Vote Required if Any Item is Added to the Agenda)**

No additional items were added since posting of the agenda.

**RESOLVED** that the agenda be approved as presented, and that Items M-2, M-3, & M-4 be moved up on the agenda after Suggestions and Comments from Visitors - Non-Agenda Matters.

AYES: Troutman, DeBono  
NOES: 5

**E. Student Board Member Reports**

Michael Leonard reported on activities at Monterey High School including the Monterey County Aids Project for a community service fundraiser academy awards, and mock trial team. Michael also commented on the passing of retired teacher and Monterey City Councilwoman Ruth Vreeland.

Andrew Mahone reported on activities at Seaside High School including the winter ball, Community of Caring Values sessions, JROTC annual fall semester awards ceremony, participation in the California Association for Music Education Central Coast Section (CCS) Honors Concert, Patriotic Audio Essay Competition awards program and banquet, school sports, SAT 1 and 2 testing, mock trial team, and high school exit exam testing. Michael also announced that teacher Thersa Hruby was named 2003 Outstanding CCS Music Administrator of the Year.

**F. Certificates/ Recognitions/ Presentations**

1. Lani and Roger Fremier - Los Arboles Middle School

Lani and Roger Fremier were recognized and commended for their ongoing support and caring of the students and community of Los Arboles Middle School. Through a rich collection of community members, 40 Los Arboles Middle School students were provided the opportunity to "purchase" gifts for themselves and their families.

**G. Correspondence**

Clerk Vice-President Foss acknowledged communication from teachers requesting information.

Ms. Troutman acknowledged correspondence from Zoya Scholis regarding budget and District priorities.

**H. Suggestions and Comments from Members and Officers of the Board**

Ms. Troutman recognized Ruth Vreeland and said they were involved in several organizations together. She questioned expenses related to the Stanford Educational Leadership Institute, consultancy work related to the Bunker Hill site and a television program on the Access Monterey Peninsula station for the community revolving around MPUSD, and the copying of the line-by-line budget. Ms. Troutman requested that a discussion on the freezing of unnecessary expenditures be agendized at the next meeting.

Mrs. DeBono referred to the January 20, 2004, line-by-line Budget Study Session and provided the following rationale for agendizing the session: (1) responsibility, (2) past fiscal reputations, (3), open access law, and (4) public perception.

Mrs. LeBoeuf requested that her comments be included in the minutes:

"I am appalled at the direction this Board is taking in its actions and behavior. I did not attend the meeting of January 20, 2004, because I wholly believe while it may not have been a direct violation of the Brown Act, it was a violation in spirit; and I do not want to be a party to any investigation that may arise should a member of our audience choose (to) go to the District Attorney's office to question how consensus was achieved at an open meeting and not announced in the open session.

When MPUSD was released from AB (Assembly Bill) 1200 early from MCOE (Monterey County Office of Education), we were told we had the best staff in place to run this district. Nothing has changed in the 19 or so months since our release....we still have the best staff in the State to see this district through our financial impasse. However, some of us seem to have forgotten that the \$2.2 million that we are eliminating from our budget is not due to any financial mismanagement on this district's part. MPUSD is state funded - California is broke, therefore, it seems to reason that we have to do whatever we can to minimize the impact of the state's fiscal crisis. Spending \$3000+ for a line item budget so that cynics among us can further criticize our District is detrimental and has taken valuable time away from the experts we have hired to do their jobs.

Should this Board continue to micromanage, mismanage, and usurp the citizens who are working collaboratively to help us try to find solutions to these crises, we are only going to drive away people who truly want to do what is right for this district, and it will begin with me.

The choice is ours – we can work as a team or fracture piece by piece.”

Mr. Noriega requested that his comments be included in the minutes:

“The request for a line-by-line budget to determine if the Superintendent and or the Chief Business Officer are performing their duties in a professional and or proper fiduciary manner is a demonstration by some Board Trustees that they mistrust the Superintendent and Chief Business Officer's judgment and thereby implies they are not capable of performing their jobs and impugns their professional reputations. This mistrust is a virus that will spread and, unfortunately, will hamper this board and district from overcoming the past mistrust and or misinformation that contributed to the previous fiscal problems. This mistrust will diminish and erode the district's ability to garner support for future contributions and bonds. I personally did not see the need for a line-by-line budget exercise and believe the information we have been provided in the past by the Superintendent and the Chief Business Officer have been accurate and will continue to be accurate in the future.

I must also correct a misrepresentation and understanding by the news media and many of our constituents, the projected \$2.2 fiscal dilemma the district faces today, 'is due to mismanagement by the Board and/or District staff.' We are not in a fiscal crisis of our own doing, as in the past. We developed a fiscally sound and responsible budget based on the best information at that time. The budget crisis we face today is due to State budget reductions to all local public school districts in California as well as some continued enrollment decline in MPUSD. I for one am proud of how our budget staff and Superintendent have developed and presented the school district budgets over the past two years.

I hope we can all take pride in hiring the Superintendent and Chief Business Officer. I would like to remind you that when this district was placed on AB 1200 status two years ago, we were assigned a Fiscal Advisor by MCOE. The overseer was so impressed by the talent/competence and professionalism she observed in the Superintendent and Chief Business Officer, she wrote a report to the MCOE Superintendent and recommended that the district be removed early from AB 1200 status. The Fiscal Advisor told me personally, we had hired two great professionals in Daniel Callahan and Jim Burnis and she was very pleased to see we had a handle on the budget and we were on the road to fiscal stability.

What disturbs me most is the fact that I was available and the Board President did not contact me nor discuss with me the need to conduct a public line-by-line budget study session and I believe this should have been conducted per the Brown Act in an open public meeting. I also do not recall a public meeting where the board approved the preparation of a line-by-line budget document for our review.

I do want to thank the staff for preparing the approximately 2700 pages of documents and I do not want them to think I am ungrateful for their efforts to prepare this request, because I am proud of their efforts and spirit in complying with such a giant copying request. I believe this request cost the district approximately \$3000 and this, in my opinion is a waste of money and staff time.

I say as a board we should let the Chief Business Officer's Business Advisory Committee do their work and let them come back with budget recommendations. As well as, let the Superintendent's Advisory Committee come back with their facilities utilization recommendations. For the Board to interject its hand at this point could stifle the community's engagement in this process. It sends a message that we do not value their time and hard work, nor that we embrace the very Strategic Plan we passed last year. Now more than ever we need the support and engagement of our community."

Student Board Member Andrew Mahone referred to his five-year experience in the District and his former school, and said he saw no difference between the level of education and hard work of staff. He said this is an amazingly cohesive unit of giving people in the District and that he was honored to be sitting with the movers and shakers who are determining the future of the students in the District, and that they are doing the best job with what they have been given to work with. He expressed appreciation for community involvement and the focusing of the future leaders of America.

Military representative Ron Graddy expressed support for the Chief Business Officer and said he receives budget-related feedback in a timely manner.

## **I. Suggestions and Comments from Visitors – Non-Agenda Matters**

Liz Risenbickler, on behalf of Foothill School parents and staff, said they will continue to meet and be involved to see that the school remain open. She said the group supports parents paying for bus transportation, extending the walking distance to school, and any other ways parents can help to contribute to help reduce costs. Ms. Risenbickler said Foothill is the newest school in the District, has room for expansion, and is accessible in terms of transporting students. She referred to a statement about Foothill School being the least "neighborhoody" of the schools considered for closure, and said the term is narrowly defined to refer to the proximity of students living near their school. She said Foothill is the most "neighborhoody" of all of the schools. They are deeply involved, and to close the school would diffuse a special community.

Helen Rucker, Seaside resident, commended Ms. Troutman on her tribute to Ruth Vreeland and said she was a person who really cared about kids and the community. She commended the Fremiers for their support of Los Arboles Middle School and said they have also supported the Seaside community over the years. Mrs. Rucker provided Board members with information regarding Black History Month activities in the community. She referred to the budget situation and emphasized that no decisions have been made, no schools have been slated for closure, and there are committees working for the betterment of the District.

Dee Childs, Monte Vista School PTA President, referenced the Facilities Utilization Subcommittee report, and read aloud a letter signed by 99 parents stating whether the Monte Vista School becomes a K-8 configuration in its present location or on the Colton campus next year, it is requested that the school be allowed to retain its PTA-funded performing arts program and that the parents, teachers, and students have a role in the planning of this transition.

Michael Capra, Colton Middle School parent, referred to possible school closures and expressed concern about disruption in his daughter's life. He didn't see how a transition can be made without students being impacted and that it is time to become more involved in the process.

Gloria Souza, La Mesa School teacher, reiterated that the budget cuts are not the result of mismanagement. She referred to an option of a K-8 configuration and cautioned the Board to consider more than just the financial aspect involved and to not dilute the special importance of those programs at the middle school level that depend on large numbers, specifically the music program. Ms. Souza said the K-5 music program has undergone a severe blow, and asked that the Board not take the next step that would destroy the strong, concentrated student body that exists at a middle school where band, instrumental instruction, and chorus depend on mass ensemble. She said budget restructuring is necessary, but to keep in mind the quality education of the whole child.

Ewalker James, Citizens League for Progress President, referred to the passing of Ruth Vreeland and said a leader has been lost on the Monterey Peninsula. He referred to Board meetings he has attended over the past two to three years and said there has been dramatic change. He commended Dr. Callahan, Chief Business Officer Jim Burnis, and staff for a job well done, and said he has asked numerous questions, reviewed documents, and responses have been forthright.

Richard Grahman, Education Foundation for MPUSD President, reported the Foundation is moving forward with their two goals to provide instrumental music and a library program at the elementary level, and invited everyone to their next meeting on January 27, 7:00 p.m., in the District Office.

Debra Gramespacher, Seaside resident, said she found the line-by-line Budget Study Session useful, and expressed her confidence in staff and their ability to lead the District.

Carol Saxton, District employee, reminded that it is not an "us against them" situation. She expressed trust and confidence in the Superintendent and Chief Business Officer, and said the District needs the public's support and the children deserve better than what she has seen.

Charles Eldred, parent and local business owner, said more information needs to be gathered before schools are closed or considered for closure. He said this is a unique area and he referred to the following factors: parent involvement, not by demographics in the neighborhood; renovations to configure to K-8 and whether it will cost more than the actual cost of busing; and partnerships with the cities and Monterey-Salinas Transit. Mr. Eldred said if schools with the highest test scores and parent participation are closed, parents will pull their children out of the District and send them to private schools or home school them. He said the Board needs to direct its advisory committees to look at the situation like a business, and there will be community support if decisions are made logically in the best interest of the children.

Francine Stewart, Monterey Bay Teachers Association (MBTA) President, said the line-by-line Budget Study Session was valuable time together and is a small step toward building trust. She said the Superintendent's Facilities Utilization Committee is looking at all options and configurations in order to promote literacy for all students, and maintain neighborhood schools and small schools.

Clerk Vice-President Foss said the Superintendent's Facilities Utilization Committee meets on Tuesdays, 5:00 p.m., at the District Office. The Business Advisory Committee meets on Wednesdays at 5:30 p.m. at the District Office. Both meetings are open to the public. She reported on the CSEA installation where Anna Macaluso was installed as MPUSD's CSEA President.

## M. Information

Items M-2, M-3, and M-4 were moved up on the agenda.

2. Review School Assistance and Intervention Team (\*SAIT) Plan for Del Rey Woods School

Any Cohort 1 and 2 Immediate Intervention Underperforming School (II/USP) which fails to make their target goal two years in a row is subject to State intervention. Del Rey Woods School has become a State-monitored school. Associate Superintendent John Lamb said the District has contracted with a School Assistance and Intervention Team (SAIT) to address the issue. The team reviewed the SAIT process, shared their report of findings, recommended corrective actions, and clarified questions from Board members. This item will come back for action at the next meeting.

(The student Board members left the meeting at 8:07 p.m.)

3. Review Single Plan for Student Achievement
  - Highland School
  - Foothill School

Principals from Foothill and Highland elementary schools reviewed their Single Plan for Student Achievement and clarified questions from Board members. Areas highlighted included a review of their school goals and a plan of actions to be taken to raise the academic performance of students and improve the school's education program. Copies of their respective single plans were provided for review, and the item will be agendaized for action at the next meeting.

4. Mid-Year Action Plan Update

On June 16, 2003, the Board accepted the Strategic Action Plan recommendations. The 33 Action Plans were prioritized to implement 18 Action Plans for the 2003-2004 school year with progress reports to the Board. On October 27, 2003, the first Action Plan update was presented to the Board. At this time, the Action Plan leaders presented a mid-year Action Plan update and clarified questions from Board members. A 2003-2004 Final Report to the Board will be made in April. Following the Final Report, the Planning Team will meet to review progress for this year and prepare a recommendation of specific Action Plans to implement for the 2004-2005 school year for Board consideration in June.

Recess at 9:09 p.m. and the meeting reconvened at 9:20 to take the following action:

## J. Action Items

1. Approve Board Policy 1420 - Internal Board Policy, Conduct of Meetings

It was the consensus of the Board that this item be tabled to the next regular meeting.

2. Approve Board Meeting Starting Time

Ms. Troutman and Mrs. LeBoeuf favored 5:30 p.m. for closed session and 7:00 p.m. for open session.

Mr. Noriega said he was flexible.

Ms. DeBono said she suggested the earlier time because of the public.

**RESOLVED** that the regular Board meeting starting time be set at 6:30 p.m., with closed session at designated times, as needed, prior to the regular meeting.

MSC	LeBoeuf, Noriega
AYES:	3 (Foss, DeBono, Troutman)
NOES:	2 (LeBoeuf, Noriega)

The motion died for lack of a majority vote.

**RESOLVED** that the regular Board meeting continue with a starting time of 7:00 p.m., with closed session at designated times, as needed, prior to the regular meeting.

MSC	Noriega, LeBoeuf
AYES:	4
NOES:	1 (DeBono)

3. Award Bid Packages HG01-1A General Construction Abatement and HR03-R04 Roofing Abatement to CST Environmental - Phase IA and Ratify CST Environment Contracts

**RESOLVED** that the administration be authorized to Award Bid Packages HG01-1A General Construction Abatement and HR03-R04 Roofing Abatement - Phase 1A to CST Environmental and ratify CST Environmental Contracts for a total of \$239,284.

MSC Foss, Noriega  
 AYES: 5

4. Approve Ratification of Change Orders 1-4 for General Contracting Abatement (Modernization Phase 1A) at Various Schools

**RESOLVED** that Change Orders 1-4 for General Contracting Abatement Phase 1A at various schools increasing the contract amount from \$179,404 to \$192,584 be ratified.

MSC Noriega, LeBoeuf  
 AYES: 5

5. Approve Ratification of Change Orders 33-38 for Modernization Phase 1A General Construction

**RESOLVED** that Change Orders 33-38 for Modernization Phase 1A General Construction increasing the contract amount from \$6,606,545 to \$6,895,852 be ratified.

MSC LeBoeuf, DeBono  
 AYES: 5

**K. Consent Agenda**

Approval of Consent Agenda

Ms. DeBono referred to page 3 of the minutes of January 12, 2004, and said teacher Carla Wright was also awarded nationally as an outstanding educator.

**RESOLVED** that the Consent Agenda be approved as amended.

1. Approve Minutes

January 12, 2004, Regular Board Meeting

2. Approve/Ratify Personnel Items

3. Ratify Purchase Orders for December 1 through December 31, 2003

4. Ratify Warrant Register for December 1 through December 31, 2003

5. Approve Gifts to the District

From	To/Purpose	Amount
The William McCaskey Chapman & Adaline Dinsmore Chapman Foundation	Crumpton School 5 <sup>th</sup> grade science camp program	\$12,000.00
AT&T Pebble Beach National Pro-Am Youth Fund	Olson School 5 <sup>th</sup> grade Outdoor Education program	\$2,500.00
Olson School PTA	Olson School classroom supplies	\$1,504.00
Washington Mutual Bank	Olson School staff development supplies	\$344.75
Kiwanis Club of Marina	Olson School 5 <sup>th</sup> grade Outdoor Education program	\$440.00
Macy's West, Inc.	Colton Middle School music program	\$713.81
Albertson's	Los Arboles Middle School librarian's salary	\$783.42
Paul Davis Partnership Architects & Planners	Monterey High School Randy Randall Scholarship Fund	\$250.00
The William McCaskey Chapman & Adaline Dinsmore Chapman Foundation	Seaside High School Gifted and Talented Education (GATE) program	\$25,000.00

6. Approve Single Plan for Student Achievement
  - La Mesa School
  - Olson School
7. Approve 2003-2004 Statement of Assurance for Pupil Textbook and Instructional Materials Incentive Program
8. Approve the Preparation and Submission of the Tobacco-Use Prevention Education (TUPE) High School Tobacco Grant for Monterey High School, Seaside High School, and Central Coast High School
9. Accept One-Time-Only Program Funds, Child Division, California Department of Education (\$3,758)
10. Accept the 2003-2004 Federal Funding Under Section 225/231 Adult Education and Family Literacy Act (P.O. 105-220) (\$97,650)

MSC Troutman, LeBoeuf  
 AYES: 5

## L. Reports

Board Member  
 Committees/Conferences

Mr. Noriega reported that the Health and Welfare Trust Board will be meeting on January 29, 9:00 a.m., at the District Office, to discuss health benefit options for the employee organizations to consider. He said there is a potential 25% increase in cost of maintaining benefits. Mr. Noriega said Clerk Vice-President Foss will be attending the meeting in his absence.

Mrs. LeBoeuf reported that the next Business Advisory Committee meeting will be held on Wednesday, January 28, 5:30 p.m., in the District Office Board Room.

Ms. DeBono reported on the January 21 Mission Trails Regional Occupational Program Executive Board meeting and said the Governor's proposed State budget summary states that programs being retained as categorical funding are those that are earned by providing special services such as vocational education.

Ms. Troutman reported the next Superintendent's Advisory/Facilities Utilization Committee will meet on January 27, 5:00 p.m., at the District Office and that the Board Policy (BP) Subcommittee will discuss BP 7400 – Facilities Use.

Superintendent's Report

Dr. Callahan reported on celebrating successes, commented on the passing of Ruth Vreeland, and reported on his meeting with Monte Vista School parents. He said the discussion at the next Superintendent's Advisory/Facilities Utilization Committee meeting will focus on setting up another subcommittee to explore joint use of all facilities. Dr. Callahan said the Committee will be presenting the Board with a set of recommendations by the end of February.

In response to Mr. Noriega's question regarding an update on water and meeting future growth needs in the northern area of the District, Dr. Callahan said the issue is being explored for future site development, as well as water for the Bunker Hill site for facilities and public employee housing.

DLIFLC/POM/NPS  
 Representative

Mr. Graddy reported on a recent town hall meeting and said he told parents what is in the newspaper is tentative. He reported that the Naval Postgraduate School international students, who usually reside in the La Mesa housing area, will now reside on former Fort Ord, which is in the Marshall School attendance area. Mr. Graddy reported that the Colonel has met with Dr. Callahan. He said it was a good meeting and things will be happening in the future.

## M. Information

1. Discuss Policy Revision Process  
It was the consensus of the Board to table this item to the next meeting due to the absence of two members on the Board Policy Subcommittee.
  
- \*2. Review Spring Open House Schedule  
At the request of the Board, this item was agendaized for discussion. Associate Superintendent John Lamb presented the spring open house schedule at this time.  
  
Clerk Vice-President Foss said it was difficult for Board members to go to all the schools.  
  
Ms. Troutman said the scheduling of open houses should be clustered in a particular area and provided suggested schedules.  
  
Mrs. LeBoeuf felt that the open house schedule shouldn't be rearranged for the Board's benefit and that if a Board member could not make it to a particular open house, it can be made up during a school day.  
  
Mr. Noriega said the purpose of open house is for the teacher and parents to focus on the students. The Board is secondary.  
  
In response to Ms. DeBono's question how set are the dates and whether it would be difficult to change the schedule, Dr. Callahan said the dates were set with Mr. Lamb and the site administrators, who generally work with their staffs. They are clustered as tightly as possible, and one night is selected for elementary, one night for middle, and one night for high schools assuming that teachers will have their units ready and that testing schedules are taken into consideration. He said in many districts, Board members divide open houses. The importance is to have a Board member at an open house.  
  
This item will be brought back for further discussion at the next meeting.
  
3. Review Board Policy 1500 - Internal Board Policies, District Membership in Associations  
The Board reviewed Board Policy 1500 – Internal Board Policies, District Membership in Associations. This item will be brought back for Action at the next meeting.
  
4. Review Board Policy 1600 - Internal Board Policies, Board Policy Maintenance  
The Board reviewed Board Policy 1600 – Internal Board Policies, Board Policy Maintenance.

Mr. Noriega referred to appropriate wording and meeting statutory compliance, and requested a cost comparison to have the District's legal counsel review each policy as they are updated by the Board Policy Subcommittee versus the cost to participate in the California School Boards Association policy service.

This item will be brought back for Action at the next meeting.

## N. Suggestions and Comments From Members and Officers of the Board and Board Member Requests for Information and/or Possible Future Agenda Items

Update on Philippines teacher recruitment. (Noriega)

Discussion on spending limit between now and the end of the school year and a freeze on non-essential budget items. (Troutman)

Clarification on Board Policy 1420, Internal Board Policies – Conduct of Meetings. Do we still want everyone to get everything that anyone asks for, or do we want to give everyone an opportunity to have it, but not necessarily proactively print it. (Foss)

Clarification regarding the hiring of a facilities consultant to include cost and duration. (Foss)

**O. Closed Session**  
**P. Adjournment**

The meeting adjourned at 10:10 p.m. in memory of retired teacher and Monterey Council Member Ruth Vreeland.

Respectfully submitted,

Daniel Callahan, Ph.D.  
Executive Secretary

DC/jif  
\*MSC-Motion/Second/Carried