

February 9, 2004

Call to Order

The Board of Education of the Monterey Peninsula Unified School District met in regular session at 5:35 p.m. on the above date at the Instructional Materials Center, 540 Canyon Del Rey, Monterey, California.

The meeting was called to order by President Lauterbach.

A. Roll Call – Establishment of Quorum

Board Members Present: Terri DeBono
Robert Eggers (arrived at 5:56 p.m.)
Resa Foss
Regena Lauterbach
Shanda LeBoeuf (arrived at 6:01 p.m.)
Carlos E. Noriega
Marjorie Troutman

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

DLI/POM/NPS^ Representative Present: Ron Graddy

Student Board Member Present: Andrew Mahone, Seaside HS

Student Board Member Absent: Michael Leonard, Monterey HS

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

B. Public Comments

No public comments were made at this time.

C. Closed Session

The Board adjourned to closed session at 5:37 p.m. to discuss the following:

1. Student Issues
Consider Expulsion Cases #03/04-15 and #03/04-17
2. Conference with Labor Negotiator
a. Agency Negotiator: Robert Costa
Employee Organization: Monterey Bay Teachers Association
California School Employees Association
3. Public Employee Discipline/Dismissal/Release

D. Reconvene Open Session

The Board reconvened at 7:10 p.m. to take the following action:

E. Pledge of Allegiance

The Pledge of Allegiance to the Flag of the United States of America was led by Ron Graddy.

F. Report Action Taken in Closed Session, if any

No reportable actions were taken in closed session.

G. 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.

MSC LeBoeuf, Troutman
AYES: 7

H. Student Board Member Reports

Student Board member Andrew Mahone reported on activities at Seaside High School and provided Board members with a written report.

I. Correspondence

Board member Troutman acknowledged correspondence from Seaside High School teacher Elena Loomis regarding budget cut recommendations.

President Lauterbach acknowledged correspondence from Cheryl Barrel, Elena Loomis, Monte Vista School invitation, Marina Vista School staff, three Monte Vista School parents, Jim Wood, Francis Malloway, Carolyn Palmer, Zoya Scholis, Chris de Bellis, Nicole Feurer, Seaside High JROTC spring awards, Monte Vista School staff, e-mail from Jean Esary.

Copies were provided to Board members.

J. Suggestions and Comments from Members and Officers of the Board

Board member Foss acknowledged Mr. Noriega as candidate for the Republican Central Committee, recognition of community-spirited activists Carolyn Plummer and Ewalker James by the Monterey County Board of Education, and reported on the Colton Middle School meeting regarding school closures.

Board member Troutman reported on a parent meeting at Colton Middle School and Foothill School and distributed to Board members parent comments and questions. She referred to the Board agenda and suggested that the Information section be agendized before the Action section to accommodate staff presentations.

Dr. Callahan noted that the planners on public employee housing met last week and that the Board will be asked to establish a study session to hear a non-profit organization come forward with a scenario for developing excess property at Fitch Middle School for public employee housing, as well as a presentation from California State University Monterey Bay about the structure and process they have in place for affordable housing for their employees and other employees.

K. Suggestions and Comments From Visitors - Non-Agenda Matters

Liz Risenbickler, on behalf of Foothill School parents and staff, reviewed key points to consider as it relates to the budget and possible school closures. A copy was provided to Board members.

Tony Sison, representing Marina Vista School teachers, read aloud a list of suggested ways the District can save money and provided a copy to Board members.

Natalie Grey, representing Manzanita School teachers, read aloud suggestions for budget cuts and provided a copy to Board members.

Theresa Pipes, Colton Middle School teacher and Foothill School parent, spoke about the budget issue and the possible creation of neighborhood schools, referred to the Supreme Court Decision of Brown vs. the Board of Education in 1954 and the Harvard Civil Rights Project of 2002, and said she believed that the trend returns MPUSD schools to segregated schools because they follow housing segregated patterns. Ms. Pipes said segregated schools are unequal and she expressed support for racially diverse schools. A copy of her comments was provided to Board members.

Karen Sheffer, representing Monte Vista School teachers, spoke about the possible closure of Monte Vista School and the Visual and Performing Arts program at the school, and requested that the staff, students, and programs be kept intact in the event of a consolidation of sites. A copy of her comments was provided to Board members.

Carolyn Palmer, representing Marina del Mar School teachers, read aloud a list of suggested cuts and questions regarding the budget and provided a copy to Board members.

Grace Swearingen, representing Los Arboles Middle School teachers, referred to the budget issue and suggested charging transportation fees on a sliding scale based on income, expressed support for mixed groups of students, and fund only state-required coursework and eliminate all sports, music, and other programs temporarily rather than increasing class size.

Anna Macaluso, California School Employees Association (CSEA) President, a member of the Business Advisory Committee and the Superintendent's Advisory/Facilities Utilization Committee, said the committee members are dedicating their time, taking their job seriously, and taking all options into consideration. She referred to new legislation, effective January 1, 2004, regarding contracting out.

L. Student Issues

1. Consider Expulsion Case 03-04-15

RESOLVED that the student in Expulsion Case 03-04-15 be expelled from schools in the Monterey Peninsula Unified School District through June 30, 2004; and

BE IT FURTHER RESOLVED that the expulsion be suspended in accordance with the stipulations set forth by the Board of Education.

MSC Noriega, LeBoeuf
AYES: 7

2. Consider Expulsion Case 03-04-17

RESOLVED that the student in Expulsion Case 03-04-17 be expelled from schools in the Monterey Peninsula Unified School District through June 30, 2004; and

BE IT FURTHER RESOLVED that the expulsion be suspended in accordance with the stipulations set forth by the Board of Education.

MSC LeBoeuf, Eggers
AYES: 7

M. Action Items

1. Approve Dates, Times, Locations, and Board Representatives for Secondary Graduation and Promotion Ceremonies

RESOLVED that the assignment of Board members to attend the high school graduation and middle school promotion ceremonies be approved as discussed.

MSC DeBono, LeBoeuf
AYES: 7

2. Approve Spring Open House Schedule

Board member Troutman requested that the Board reconsider the open house schedule this year and to group the schools in an area into one night. She provided Board members with a 2005 open house schedule for Board consideration and discussion at the next meeting.

RESOLVED that the recommended Open House schedule be adopted as proposed.

MSC Noriega, Eggers
AYES: 7

3. Approve Resolution #2003/04-04: Support of Proposition 55 - The Kindergarten-University Public Education Facilities Bond Act of 2004

RESOLVED that Resolution #2003/04-04: Support of Proposition 55 - The Kindergarten-University Public Education Facilities Bond Act of 2004 be approved.

MSC Eggers, Noriega
AYES: 7

4. Approve Agreement for Services of Construction Inspector **RESOLVED** that the administration be authorized to sign the agreement for Services of Construction Inspector with David Eddings & Associates as presented.

MSC Eggers, Foss
AYES: 7

5. Consider Freeze on Non-Essential Items

Dr. Callahan said this item was placed on the agenda at Board direction.

Chief Business Officer Jim Burnis reviewed the process for determining essential vs. non-essential items and clarified questions from Board members and the audience. He said the June Board-adopted budget is the spending plan for the following year and a good portion is pre-determined by Board-adopted guidelines to build the budget. Collective bargaining, state law mandates, staffing requirements, and designated dollars for supplies (site discretionary) are also taken into consideration and monitored. Mr. Burnis noted that 90% of the budget is people and another 4.5% is energy costs. He referred to the \$7.3 million that the Board cut two years ago and the budget as it currently exists. He said it is very tight based on the cuts the Board made, and further cuts that the Business Office made when the current budget was developed. Mr. Burnis said the Business Advisory Committee will be reviewing the budget at its next meeting, and the budget will be reviewed again by staff as the 2004-2005 budget is built.

Board member Troutman motioned and Board member Foss seconded that staff be directed to implement a freeze on non-essential items.

In response to a question about net savings if non-essential items were frozen, Mr. Burnis said the Board would need to determine what is non-essential.

Board member Foss advocated for saving "nickels and dimes" when talking about closing a school. She said Board members are not challenging the fact that the Board budgeted money and it's being checked, but separating the wants from the needs. She said she had in mind a gesture of good faith on the Board's part because there are funds in the Board's and Superintendent's budgets, with the exception of legal fees, that are wants rather than needs. Board member Foss said since it's getting critical in terms of consolidating/closing schools, the Board needs to say, at least for the budgets that the Board controls directly, they are not spending any more money.

Board member Troutman referred to categorical carryover monies, the separation of the needs and the wants, and suggested any monies saved be put into the General Fund.

Board member Troutman and Board member Foss amended their motion to direct staff to implement a freeze on non-essential items as in Board or Superintendent budgets.

Board member Eggers noted he didn't attend the Annual California School Boards Association Conference this year to save the Board and District money. He concurred about saving "nickels and dimes," but felt it was hypocritical when the trip is done that Board members say they want to save money.

In response to Board member DeBono's attendance at the conference, it was the consensus of the Board that it was necessary for her to attend as a new Board member.

RESOLVED that staff be directed to implement a freeze on non-essential items in the Board and Superintendent budgets.

MSC Troutman, Foss
AYES: 4 (DeBono, Foss, Lauterbach, Troutman)
NOES: 2 (LeBoeuf, Noriega)
ABSTAIN: 1 (Eggers)

In response to Dr. Callahan's question for clarification whether any Board expenditure or Board member expenditure or Superintendent expenditure needs to come to the Board for approval, President Lauterbach said it has to come to the Board each time.

In response to Board member LeBoeuf's request for clarification regarding the process to address immediate needs, President Lauterbach responded that the Board will be meeting almost on a weekly basis and felt any items could wait a week.

Board member Noriega said what the Board has demonstrated is that the Board can't police themselves.

6. Discuss Agenda
Format re: Strategic
Plan Strategies

Dr. Callahan said this item was agendized at the request of a Board member for discussion regarding the format of the agenda and notations about the Strategic Plan Strategies for each agenda item.

Board Member Troutman motioned that the Board discuss the agenda format regarding the placement of the District Strategic Plan Strategies on the Board agendas and that staff be directed accordingly.

Board member Foss said it was a formatting issue that came up briefly during the review of the agenda with Board member Troutman, Dr. Callahan, and herself, and it was decided that it be placed on the agenda for discussion and action.

There was brief discussion regarding the placement of the Strategies on the agenda, as well as the process to place items on the agenda with Board consensus. After further discussion, it was the consensus that the item be discussed under Item M-7, Board Policy 1420, Internal Board Policies - Conduct of Meetings.

7. Approve Board Policy
1420, Internal Board
Policies - Conduct of
Meetings

Board member Eggers moved and Board member Troutman seconded to approve Board Policy 1420, Internal Board Policies – Conduct of Meetings.

Due to the number of revisions suggested by Board members to the policy, it was the consensus that the motion be rescinded and the item be tabled to the next meeting.

RESOLVED that Board Policy 1420, Internal Board Policies - Conduct of Meetings be tabled to the next meeting

MSC Noriega, DeBono
AYES: 6
NOES: 1 (Foss)

N. Consent Agenda

Approval of Consent Agenda

RESOLVED that the Consent Agenda be approved as submitted.

1. Approve Minutes

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2. Approve/Ratify Personnel Items

3. Approve Gifts to the District

From	To/Purpose	Amount
Victorian Home Care	Seaside High School For Health Professions Academy Program	\$300.00

4. Approve Single Plan for Student Achievement

- Highland School
- Foothill School

5. Approve Submission and Implementation of the Monterey Peninsula Foundation Grant, Support Services (\$25,000)
6. Approve the Submission and Implementation of the Community Foundation for Monterey County Grant, Support Services (\$25,000)
7. Approve the Submission and Implementation of the William McCaskey Chapman & Adaline Dinsmore Chapman Foundation Education Grant, Support Services (\$25,000)
8. Approve the Submission and Implementation of the Monterey Blues Festival Grant for Los Arboles Middle School (\$1,500)
9. Approve School Assistance and Intervention Team (SAIT) Plan for Del Rey Woods School
10. Accept English Language Acquisition Program (ELAP) Funds for the 2003-2004 School Year (\$110,600)
11. Approve Board Policy 1500 - Internal Board Policies, District Membership in Associations
12. Approve Board Policy 1600 - Internal Board Policies, Board Policy Maintenance
13. Approve Colton Middle School Out-of-Country Trip to Nanao, Japan, October 2-11, 2004

MSC LeBoeuf, Troutman
 AYES: 6
 NOES: 1 (Lauterbach)

P. Information

It was the consensus that Item P-1 be moved up on the agenda.

1. Receive Single Plan for Student Achievement
 - Colton Middle School

Colton Middle School principal Brenda Alota 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. A copy of their plan was provided for review, and will be agendaized for action at the next meeting.

O. Reports

1. Board Member Committees/Conferences

Board member Noriega reported that Community Human Services will meet in executive session on February 19 to discuss the Executive Director's yearly evaluation, followed by a board study session to review its mission statement and prioritize what programs to keep in the event there is a reduction in county and state funding.

Board member Foss reported there was a Mission Trails Regional Occupational Program Executive Board meeting last month and another meeting is scheduled next month. She reported on a tentative March 24 dinner with the Monterey County and San Benito County school boards in San Benito, and said Chauncy Beach, former Teacher of the Year, will be the keynote speaker. Additional information will be forthcoming.

Board member Troutman reported on the work of the Facilities Utilization Committee and said a subcommittee has been working to find ways to save \$2.2 million without closing schools. She said the outcome will be reported to the full committee tomorrow evening, 5:00 pm., Oldemeyer Center, in Seaside.

Board member LeBoeuf reported on the work of the Business Advisory Committee (BAC), a presentation by the Special Education Director and ways to save money in that area, a report on school closings, discussion whether the BAC should be responsible to recommend school closures, and the development of consensus in looking at all the options. She said comments included that the group was doing a

good job and that the Board is micromanaging the Business Office and the BAC. She said the next meeting will be held on February 11, 5:30 p.m., at the District Office.

Debra Gramespacher, Seaside resident, expressed concern about the loss of average daily attendance if the District charges for transportation and parents can't afford the cost. She said the loss of income might eliminate the savings and wanted to see statistics of similar school districts who depend on the income.

Board member Noriega reported on the Health & Welfare Trust and said the group discussed various options to include combined composites or considering a three-tier option.

2. Superintendent's Report Dr. Callahan reported on celebrating successes at Bay View, Foothill, La Mesa, Highland, and Ord Terrace elementary schools.

3. DLIFLC/POM/NPS Representative Ron Graddy noted approximately 18% of the students in the District are Department of Defense children. Speaking as a member of the public, he referred to Strategy #1 and building trust, and said he and the people in the audience do not see that with the Board. In talking to non-military parents in the MPUSD community, he said they have expressed a serious concern of what is going on. He referred to the bond that didn't pass because of the trust issue, and felt the District would have done the right thing with the bond. He felt there isn't a single person who thinks the Board or staff played with the money, but people have the right to know what is done with the money and for the Board to say that they are going to look at every single purchase. Mr. Graddy said the bottom line is that there is a big chunk budgeted for personnel and if you're cutting \$2.2 million it doesn't leave a whole lot of money to play with. He said the Board is going to have to address the trust issue because the perception is that no one knows what they are doing.

P. Information

2. Review Appendix A to Memorandum of Understanding with International School of Monterey Attached to the agenda was an Appendix A to a Memorandum of Understanding with the International School of Monterey regarding Student Policies: Admission and Enrollment for Board review. Associate Superintendent John Lamb and Executive Director Chrissie Jahn reviewed the major differences and clarified questions from Board members. This item will be brought back for action at the next meeting.

3. Discuss Policy Revision Process Board members discussed the policy revision process at this time. Board member Foss asked if the Board Policy Subcommittee should continue reviewing the policies or contracting them out to an organization.

Board member Troutman expressed support for continuing the work of the policy subcommittee, and said she has reviewed the California School Board Association (CSBA) updates and that there are very few major changes. She felt there are minor out-of-compliance policies.

Board member Eggers felt Board members are not experts on legal language and there has been an opportunity to use an entity that specializes in policy updates. He said it would behoove the Board to contract with a firm to assist the Board to update all the policies because of continuous legal and legislative updates, and said he recommended all along that the best use of time and money is to contract with the California School Boards Association. He expressed concern about being out of compliance and the District being subject to litigation, and that the last major revisions had been several years ago.

Board member LeBoeuf concurred with Board member Eggers and expressed concern regarding the cost to contract out versus hiring legal counsel to review each policy. She felt it is a waste of time and money to wordsmith policies that the Board has no expertise.

President Lauterbach referred to legal fees related to policy revisions last year that were provided to Board members and possible duplicates, and felt policy-related charges totaled less than \$1,000.

Board member Foss referred to the cost to contract out and to customize the policies for the District, and felt the revisions will go quickly as long as three members are reviewing them.

Board member Noriega referred to the state level and upcoming legislative changes, and suggested it would be a good opportunity to revisit contracting out policy updates and incorporating the mass changes that will occur in the summer.

In response to a question regarding policy updates and litigation, Personnel Services Director Robert Costa said there is one under current litigation where there is a conflict between policy contract that needs to be addressed.

Q. Suggestions and Comments from Members and Officers of the Board and Board Member Request(s) for Information and/or Possible Future Agenda Items

Board member Noriega requested that the Board discuss with the Superintendent and Cabinet willful disturbance of public school or meeting, and that a plan should be in place to address anticipated participation.

Board member Foss requested a report on transportation and bus charges. She referred to Mr. Graddy's earlier comments and said it's okay for the Board to disagree, and that it is not a lack of trust. She said people have to realize the Board has disagreements and then they vote. She requested follow up on a military project concerning the services of counselors and teachers.

Board member Troutman requested that the 2005 open house calendar be agendized for discussion at the next meeting, and to move the Information section of the agenda in front of the Action section.

Board member DeBono referred to today's rehearsal at Access Monterey Peninsula and asked if the Board was interested in agendizing whether to go forward with the taping process.

President Lauterbach said she wrote a summary of what was discussed at the rehearsal, and invited Board members to the taping.

In response to exploring the feasibility of a future teacher scholarship in the name of retired teacher Ruth Vreeland, Dr. Callahan said a group is establishing the scholarship.

The Board reached consensus/no consensus on the following requests for possible future agenda items:

- Board Policy 1420, Internal Board Policies - Conduct of Meetings (consensus)
- Transportation report and bus charges (no consensus)
- Open house schedule for 2005 (no consensus)
- Military project (consensus)

**R. Closed Session
S. Adjournment**

The meeting adjourned at 10:11 p.m. in memory of retired custodian and community activist Lee Toler.

Respectfully submitted,

Daniel Callahan, Ph.D.
Executive Secretary

DC/jif

^Defense Language Institute Foreign Language Center, Presidio of Monterey & Naval Postgraduate School

+Motion/Second/Carried