

July 12, 2004

A. Call to Order

The Board of Education of the Monterey Peninsula Unified School District met in special session at 5:30 p.m. on the above date at the Instructional Materials Center, 540 Canyon Del Rey, Del Rey Oaks, California.

The meeting was called to order by President Lauterbach.

**B. Roll Call –
Establishment of
Quorum**

Board Members Present: Terri DeBono
Resa Foss
Regena Lauterbach
Carlos E. Noriega
Marjorie Troutman

Board Members Absent: Robert Eggers
Shanda LeBoeuf

Staff Members Present: Jim Burnis
Daniel Callahan

DLIFLC/POM/NPS Representative Present: Cindy Rothstein

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

**C. Public Comments on
Closed Session Items**

Gwen Hovick, parent, shared with the Board written comments made by a Martinez Unified School District (MUSD) Board member because, in her opinion, there was a lack of response to her concerns regarding the decision making procedures by MPUSD Board and administration. The Board member, Mr. Ron Skrehot, MUSD Board member after Dr. Callahan's departure from Martinez, criticized the Chapman Foundation for threatening to withhold funds from MPUSD because of the Board's criticism of Dr. Callahan, as well as KSBW for their editorial in support of Dr. Callahan. He contended that withholding public education grant money (as the Chapman Foundation threatened to do) was a form of political leverage against the school board. He alleged that Dr. Callahan was responsible for this type of political leveraging which, in his opinion, drove wedges between the Board and the community as well as the district and the community.

Board Member Noriega said the comments were stated by a third party, is inappropriate, and out of order.

Maria Buell, League of United Latin American Citizens (LULAC) President, expressed support for Dr. Callahan and asked that the Board seriously consider its decision regarding non-renewal of his contract.

Kathie Buaya, Foothill School parent, referred to the letter from the Chapman Foundation and how a board became political. She said the leadership role should bring the community together. She spoke about the loss of administrators, staff, students, and teachers. She referred to declining enrollment, and said it is the result of parents making decisions.

Heather Issovran, Foothill School parent, spoke about the many types of visions and the deep divide in the community. She said the Board needs to work together and look for a vision that will bring the students and teachers all together. She referred to declining enrollment, and said parents take their children out of schools because they are not high performing. She said the District needs someone who will allow to work those things through.

Martin Puentes, retired District employee, spoke about collaborations that have resulted in hundreds and thousands of dollars and volunteer work, and said in times of challenge, it is easy to find blame if that path is chosen. He pledged to continue to support the causes of MPUSD and to work with nonprofits behind a united Board. He urged the Board and Superintendent to support District goals, the students, and teachers. He announced plans are being made for a fund raising event in September.

Shauna Rowe, Foothill School parent, spoke about job performance, honesty, and being able to work with people in a productive manner. She said that she did not see it happening, and asked the Board to make the right decisions.

D. Closed Session

The Board adjourned to closed session at 5:55 p.m. to discuss the following:

1. Public Employee Performance Evaluation (Gov. Code section 54957)
Superintendent of Schools
2. Public Employee Discipline/Dismissal/Release

Conference with Labor Negotiator
a. *Agency Negotiator: Daniel Callahan*
Employee Organization: Unrepresented Employees
Associate Superintendent, Director Support Services,
Director Personnel Services
4. Conference with Labor Negotiator (Gov. Code section 54957.6)
Agency Negotiator: Robert Costa
Employee Organization: California School Employees Association

E. Reconvene Open Session

The Board reconvened at 7:25 p.m. to take the following action. Board Member Noriega left the meeting at 6:50 p.m.

F. Pledge of Allegiance

The Pledge of Allegiance to the Flag of the United States of America was led by Board Member Troutman.

G. Report Action Taken in Closed Session, if any

No reportable actions were taken in closed session.

H. 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. It was the consensus of the Board to move Item M-8 after Item M-1 on the agenda.

RESOLVED that the agenda be approved.

MSC+	DeBono, Troutman
AYES:	4
NOES:	0

I. Certificates/ Presentations/ Recognitions

1. Strategic Plan 2003-2004 Final Action Plan Report - *Strategy 1*

Dr. Callahan said this item was carried over from previous agendas, and clarified questions from Board members.

It was suggested that, due to the length of the meeting, a study session might be held to look at the 2003-2004 Final Action Plan Report in depth.

J. Communications

President Lauterbach acknowledged correspondence from Bob Rosenthal, Alex Hansen, Chapman Foundation, Teresa Borage, IMR Roofing, Patty Deal, Fritz Von Burg, Jones Family, Claudia Washington, Lulu Taylor, and Nina Russo.

Board Member Troutman acknowledged a letter she received from a grandparent, and referred it to Dr. Callahan for follow-up.

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

Board Member Troutman referred to a call she received from a parent regarding changes in attendance boundaries, and requested information regarding enrollment at King and Colton schools, waiting lists, intradistrict transfers, and other related information.

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

Anna Macaluso, California School Employees Association (CSEA) President, acknowledged the school bus drivers in the audience, referred to a proposal regarding bus driver salaries, and whether it will be discussed in open or closed session.

President Lauterbach said it is a closed session item, and will be discussed at the next closed session agenda.

Richard Grahman, Education Foundation for MPUSD President, reported on plans to offer orchestra at every school that has grades 4-8 students.

Helen Rucker, Seaside resident, spoke about a student who was tested and did not qualify for the special education program, and next steps to help the student.

Board Member Troutman said she would inquire.

Board Member Foss said if a parent disagrees with the results of an Individual Education Plan meeting, they are given information on how their child can be re-evaluated.

Ron Woods, Monterey Bay Teachers Association (MBTA) President, thanked Board members who have consistently supported teachers and students, and addressed the struggle of teachers to ensure each child is fully literate. He spoke about low morale and waning optimism contributing to the retirement and resignation of teachers; suggestions and guidelines to freeze teacher salaries and eliminate a reduced step and column movement; and decisions teachers have to make regarding the selection of reduced health coverage or maintaining a coverage at current levels with a severe increase in payroll deduction.

Stephanie Horasco, parent, expressed support for Dr. Callahan, and said the past school year was difficult with pressing problems. She urged the Board to unite and become a driving force in the District and provide the leadership.

M. Action Items

1. Approve Search for New Chief Business Officer by School Services of California

Dr. Callahan spoke about major issues in workers compensation, special education, unfunded mandates, and excess costs, and said it was imperative for the ongoing fiscal health of the District to hire the very best people to do a search for a highly competent business manager. He asked for approval to enter into an agreement with School Services of California to expend up to \$15,000 to conduct the search.

In response to Board Member DeBono's questions whether there are other entities that conduct searches, Dr. Callahan said the California Association of School Business Officials and Association of California School Administrators advertise open positions, but don't conduct searches and guide the process.

Board Member Foss referred to private organizations and whether it was possible to receive proposals by next Monday.

Bob Schaffer, Monterey resident, expressed support for School Services of California to conduct the search for a new Chief Business Officer.

Heather Issorvan applauded the Board for asking questions, and said the Board should not be shaken down by a business interest, developer, or any other entity that would hasten or bully the Board into making a decision they are not ready to make.

John McCutcheon, Marina resident, expressed support for School Services of California, spoke about his experiences with high level searches and recruitment, and said the firm has a great reputation in performing job searches.

Helen Rucker, Seaside resident, concurred with Mr. Schaffer and Mr. McCutcheon, and urged the Board to approve the agreement with School Services of California.

Gwen Hovick, parent, took issue with a suggestion and implication that because someone might be local they are less than what could be gotten on a state level. She applauded the Board for their efforts to broaden and open the search.

Board Member DeBono said MPUSD attorney Lou Lozano suggested two other firms and felt there is nothing wrong with opening the pool to qualified and highly qualified firms. She said she didn't know anything about School Services of California and felt it was not unreasonable to look at other options.

Board Member Troutman said she has heard of local people who might be interested in the position, and supported looking at other alternatives.

RESOLVED that the search for a new Chief Business Officer by School Services of California be approved.

MSC	Troutman, Foss
AYES:	0
NOES:	4

- *8. Approve Public Disclosure of Collective Bargaining Action and Approve 2004-2005 Certificated Salary Schedule - *Strategy 1 & 5*

RESOLVED that the 2004-2005 Certificated Salary Schedules and the Public Disclosure documents be approved; and that they be forwarded to the Monterey County Office of Education for their approval.

MSC	Troutman, Foss
AYES:	4
NOES:	0

- *2. Approve Filing a Categorical Exemption in Compliance with California Environmental Quality Act (CEQA) for the Reconfiguration of Walter Colton from a Middle School to a K-8 School - *Strategy 6*

Chief Business Officer Jim Burnis said the item was brought to the Board at a previous meeting. He said there was one issue related to traffic, and staff spent a considerable amount of time with City of Monterey staff addressing the traffic issues that they felt might impact the Walter Colton Drive area. An onsite visit was also made. A letter from the City of Monterey was distributed summarizing the findings from the Colton School merger traffic assessment prepared by the Traffic Engineering Division, and the meeting between the District and City staff. It was noted that the requirements of the California Environmental Quality Act (CEQA) require Boards to review and consider reports that identify and discuss potential significant environment impacts associated with projects following public review and comment, unless the proposed project is exempt. Since enrollment at Colton School will not increase by 25% and less than 10 classrooms will be added, the District qualifies for a categorical exemption. The expected enrollment increase is anticipated being less than 3% of recent enrollments.

A lengthy discussion followed and questions, comments, and concerns from the Board and public were addressed.

RESOLVED that the filing of a categorical exemption in compliance with California Environmental Quality Act for the reconfiguration of Walter Colton from a middle school to a K-8 school be approved.

MSC Foss, Troutman
AYES: 4
NOES: 0

A recess was taken at 8:50 p.m. and the meeting reconvened at 9:05 p.m. to take the following action:

(Dr. Callahan left the meeting during the recess.)

- *3. Approve CBEST Waiver Request for the 2004-2005 School Year - *Strategy 5*

RESOLVED that the California Basic Education Skills Test (CBEST) waiver request for the 2004-2005 school year be approved.

MSC Troutman, Foss
AYES: 4
NOES: 0

- *4. Approve Declaration of Need for Fully Qualified Educators for the 2004-2005 School Year - *Strategy 5*

RESOLVED that the Declaration of Need for Fully Qualified Educators for the 2004-2005 school year be approved.

MSC Foss, DeBono
AYES: 4
NOES: 0

- *5. Approve Resolution #2004/2005-1: Resolution Acknowledging Circumstances for Phase 1A General Construction Bid Package (Modernization) Exceeding Ten Percent Over Bid is in Favor of the Public Interest - *Strategy 6*

RESOLVED that Resolution 2004/2005-1: Acknowledging Circumstances for Phase 1A General Construction Bid Package (Modernization) Exceeding Ten Percent Over Bid is in Favor of the Public Interest be approved.

MSC Troutman, Foss
AYES: 4
NOES: 0

- *6. Approve Resolution #2004/2005-2: Resolution Acknowledging Circumstances for Issuing Change Order Causing Re-Roofing Contract to Exceed Original Price by More Than Ten Percent are in the Public Interest- *Strategy 6*

RESOLVED that Resolution 2004/2005-2: Acknowledging Circumstances for Issuing Change Order Causing Re-Roofing Contract to Exceed Original Price by More Than Ten Percent are in the Public Interest be approved.

MSC Troutman, DeBono
AYES: 4
NOES: 0

- *7. Approve Interpretation of "Special Programs" in Intra-district Policy #5116 - Strategy 3

Board Member Foss motioned and Board Member Troutman seconded to approve that "Special Programs" be defined according to past practice as those at secondary schools such as academies, pathways, and ROTC.

Comments and concerns were expressed by the Board and members of the audience to include the reconfiguration of Colton as a K-8 school, intradistrict transfers, the interpretation of "special programs" in Board Policy and whether the K-8 configuration is considered a special school, the realignment of attendance boundaries, a waiting list to attend Monterey Schools, concerns about open enrollment and the May timeframe, and a grandfathering concept.

It was the consensus of the Board to table the item and direct the Board Policy Subcommittee to review the policy and report back to the Board with their recommendations at a future meeting.

N. Consent Agenda

- 1. Approval of Consent Agenda - Strategy 1

Staff clarified questions from the Board and members of the audience about Consent Item N-5, the donation of \$68,000 to Colton K-8 School for the vocal music position for the 2004-2005 school year by the Monterey Vista School PTA.

RESOLVED that the Consent Agenda be approved as submitted.

- *1. Approve Minutes

April 5, 2004, Regular Board Meeting
 April 13, 2004, Regular Board Meeting
 April 19, 2004, Regular Board Meeting

- *2. Approve/Ratify Personnel Items

- *3. Ratify Purchase Orders for May 1 through May 31, 2004

- *4. Ratify Warrant Register for May 1 through May 31, 2004

- 5. Approve Gifts to the District

(Board Policy requires that all gifts to the District in excess of \$250 of value be officially accepted by the Board of Education.)

From	To/Purpose	Amount
Lifetouch National School Studios	Highland School For instructional supplies	\$1,142.52
La Mesa School PTA	La Mesa School For the music program	\$33,000.00
Monte Vista School PTA	Colton K-8 School For the vocal music position for the 2004-2005 school year	\$68,000.00
Safeway, Inc.	Monterey High School For field renovation	\$5,608.54
Friends of MAOS^	Monterey High School For the MAOS Program	\$10,000.00
Wells Fargo Foundation	Seaside High School For the Academic Excellence Banquet	\$1,000.00

^MAOS-Monterey Academy of Oceanographic Science

- *6. Approve Elimination of Interim Status for Seaside High School Assistant Principal and Fitch Middle School Principal Positions

- *7. Approve Ratification of Change Orders 74 to 78 Related to Modernization Phase 1A General Construction (from \$7,253,659 to \$7,362,999)

*8. Approve Ratification of Change Orders 24-26 for Modernization Phase 1B (Bid Package 1) General Construction (from \$2,593,282.47 to \$2,601,714.71)

*9. Approve Ratification of Change Order 7 for Re-roofing Bid Package R06 (from \$1,051,435.75 to \$1,053,366.05)

Approve Board Policy 7345 - Uniform Complaint Procedure

*11. Approve Ratification of Change Orders 4 & 5 for Re-roofing Projects (Modernization) Bid Package 2 (from \$1,021,434 to \$1,126,597.60)

Approve Ratification of Change Orders 1-7 for Re-roofing Project (Modernization) Bid Package 4 (from \$915,000.00 to \$916,307.73)

Approve Ratification of Change Orders 2 & 3 for Re-roofing Project (Modernization) for Bid Package 5 (from \$920,150.11 to \$921,145.67)

MSC	Troutman, DeBono
AYES:	4
NOES:	0

O. Reports

Strategy 1

1. Committees/
Conferences

No Reports.

2. Superintendent's
Report

Tabled to the next meeting.

3. DLIFLC/POM/NPS
Representative

Cindy Rothstein said she has been working with military families transitioning into the District and asked if it was possible to post the District graduation requirements, advanced placement course pre-requisites, and the high school course catalogs on the website.

In response to President Lauterbach's question regarding the overflow school for La Mesa School, and since there were no other staff members available, Mr. Burnis said he would find out.

At this time, parents Susan Woodward and Shauna Rowe were allowed to dialogue with staff and ask questions regarding the reconfiguration and retrofitting of Colton to a K-8 school and moving costs.

Gary Wilmot, registered voter of MPUSD, said he found it strange that with a few weeks before the opening of school that it makes no sense to question how much it will cost. He said the question is will it be done on time? Mr. Wilmot said to have the public ask questions and to allow it to go on makes no sense. He said the public is here to address the Board, and if the Board is unable to respond, the Board can direct staff to provide a report if deemed necessary.

John McCutcheon, Marina resident, pointed out that the democratic process requires that the Board allow the public to express their opinions. He said it is dysfunctional to allow the public to come up and argue with members of the Board and staff. He said if it continues and there are multiple visits by the same people, it is not going to serve the purpose of democracy, and it will not help the District move on and get its work completed. He encouraged the Board to enforce its protocols.

P. Information

- *1. Review Notice of Intent to File a Categorical Exemption in Compliance with California Environmental Quality Act (CEQA) for the Reconfiguration of Manzanita Elementary and Martin Luther King Middle Schools Into a K-8 School

Mr. Burnis presented a Categorical Exemption for the Manzanita/King K-8 reconfiguration project to comply with the California Environmental Quality Act and clarified questions from Board members and public. He said two additional portable buildings will be added at the King site, and the enrollment will not be greater than 25% of current enrollment.

In response to Mrs. Rucker's question regarding traffic congestion and a neighborhood meeting for people who might want to express their feelings, Board Member Foss said she and Board Member Troutman met with city representatives and it was felt that there would be no traffic impact and no need for a neighborhood meeting at this time.
- *2. Review Parent Pay Home-to-School Transportation Fee Schedule

Mr. Burnis presented the parent pay home-to-school transportation fee schedule and clarified questions from the Board and members of the public. The fee for one student is \$200 per school year, \$360 for two students in a family, and \$480 for families who have three or more students. Mr. Burnis said this item was tabled from the June 21, 2004, meeting because of the lateness of that meeting.
- 3. Discuss Administrative Staffing Considerations

Tabled to the next meeting.
- *4. Discuss Board Committees in Trustee Areas Regarding Future Planning

Board Member Troutman said the item was the issue of meeting with the King and Manzanita communities, and to set a date for a neighborhood meeting. She asked Mrs. Rucker to contact the District Office or King's principal; or she could make contact with them to see if a date can be set up. She felt meetings should be set up as needed to discuss issues that concern people living in the area.

Transportation Director Bill Martin invited the Board and public to a Seaside Traffic Advisory Committee meeting.

Mr. Burnis referred to an item on the closed session agenda that was imperative to the school bus driver issue. It was the consensus of the Board to reconvened into closed session at the end of the open meeting.
- *5. Review Board Policy 5145.3 - Non-Discrimination - Students

Reviewed and directed that the item be brought back on the next Consent agenda.
- *6. Review Board Policy 5145: - Sexual Harassment - Students

Reviewed and directed that the item be brought back on the next Consent agenda.
- *7. Review Board Policies 4156,4256, 4356.2 - Awards and Recognition

Reviewed and directed that the item be brought back on the next Consent agenda.
- *8. Discuss California School Boards Association Conference Attendance

Tabled to next meeting.

- Q. Board Member Request(s) for Information and/or Possible Future Agenda Items**
- Place tabled items first on the next Board agenda (Lauterbach)
 - Information regarding other qualified search firms for the Chief Business Officer position (DeBono)
 - Questions regarding intradistrict transfers to staff for follow-up (Troutman)
- R. Board Self-Evaluation, as Applicable** No Board self-evaluations.
- S. Closed Session** The Board adjourned to closed session at 10:25 p.m. and reconvened at 10:45 p.m. No reportable actions were taken in closed session.
- T. Adjournment** The meeting adjourned at 10:46 p.m.

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