

September 13, 2004

**A. Call to Order**

The Board of Education of the Monterey Peninsula Unified School District met in regular session at 5:30 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.

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

Board Members Present: Terri DeBono (arrived at 5:31 p.m.)  
Resa Foss  
Regena Lauterbach  
Shanda LeBoeuf (arrived at 6:36 p.m.)  
Carlos E. Noriega  
Marjorie Troutman

Board Members Absent: Robert Eggers

Staff Members Present: Jim Burnis  
Daniel Callahan  
Robert Costa  
Yvonne Despard

DLI/POM/NPS Representative Present: Cindy Rothstein

Student Board Members Absent: Samantha Grillo, Monterey HS  
Tiffany Tyson, Seaside HS

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

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

No public comments were made at this time.

**D. Closed Session**

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

1. Conference with Labor Negotiator (Gov. Code section 54957.6)  
*a. Agency Negotiator: Daniel Callahan*  
*Employee Organization: Unrepresented Employees*  
*Associate Superintendent, Director Personnel Services,*  
*Director Support Services*
2. Conference with and/or Receive Advice from Legal Council - Anticipated  
Litigation (Gov. Code section 54956.9)  
*Significant exposure to litigation pursuant to subdivision (b) of*  
*Government Code Section 54956.9*
3. Public Employee Performance Evaluation (Gov. Code section 54957)  
*Superintendent of Schools*

**E. Reconvene Open  
Session**

The Board reconvened at 7:05 p.m. to take the following action:

**F. Pledge of Allegiance**

The Pledge of Allegiance to the Flag of the United States of America was led by Clerk Vice-President Foss.

**G. Opportunity for Public Comments on Agenda Item**

Several Marshall Elementary School parents spoke against the proposed salary increases. They felt that any salary increases should go to the teachers and questioned the rational of why the Federal Impact Aid money went into the general fund and was not used for students.

Gayle Jacobs, a Marshall teacher, spoke in opposition to the salary increases and found it hard to believe that the District would propose increases in light of the school closures, transportation fees and program cuts. In her opinion Marshall School had been asked to make sacrifices and had been hit the hardest due to the budget cuts. She felt that Federal Impact Aid money received for students of military families should go to the students and not to the general fund.

Shauna Rowe, MPUSD parent, stated Dr. Callahan was in violation of the California Public Records Act Government Code Section 6250 and put Dr. Callahan on notice. She submitted three demand letters which requested (1) minutes of all Board meetings and audio tapes starting with April 20, 2004 to the present; (2) request for all documents and monies spent on the Colton conversion to a K-8 school; and (3) request for information/monies that Dr. Callahan authorized and spent illegally against the Board majority vote (i.e. 7/12/04 California School Services, Inc. paying \$15,000 for a replacement for the Chief Business Officer).

Ron Woods, MBTA President, voiced the association's concerns for the proposed pay raises for cabinet members. He said that MBTA understood the argument to attract quality people but that the pay raises were unfair, ill timed, and unjustified.

Collette McLaughlin, parent of MPUSD student and an administrator, felt that many have ignored or forgotten the good that has been occurring in the District that wasn't discussed. She quoted information from the State of Education website that said the certificated salaries were 96% of the state's average, classified salaries were 87%, and employee benefits were 132 % in MPUSD.

Carol Saxton, CSEA Vice President, said she appreciated and agreed with what Ron Woods had to say, but that it was sad that this issue pitted school against school and people against people. She said that she had heard horrible things said about Superintendent and said that this had to stop because this was causing an extreme impact on school sites. She demanded that the dissension in this District stop.

Bob Mulford, concerned citizen, said that the District should appoint another trustee, demonstrate leadership, and stop acting like kids in the sandbox.

**H. Action**

- \*1. Ratify Board Direction Given August 16<sup>th</sup> Regarding Certain Cabinet Employment Contracts – *Strategy 3,4,5*

Dr. Callahan said that on August 15, 2004 the Board gave direction to offer contracts to the Associate Superintendent, Director of Personnel Services and to the Director of Support Services.

Board member Troutman said she was concerned about the repercussions that might result as a result of the decision to raise salaries. She said that she had received correspondence from Marshall parents, CSEA and other entities stating that the proposed salary increases would benefit those at the top.

President Lauterbach said she was concerned with a job description that was 10 years old. Further that she had been told that there would be a full comprehension plan for all employees. She stated emphatically that she would not approve any salary increase until she received a plan for all employees.

Board member Foss stated that she has asked for a comprehensive compensation plan for the last 4 years with no success.

Board members Noriega and LeBoeuf both said that it was important to have a top notch person in the Associate Superintendent's position and what the Board has said is that it didn't want the best and brightest. Board member LeBoeuf said that the Board needed to honor the agreement that offered employment.

Board member DeBono concurred and said that the District needed to attract qualified employees and administrators. She said that the Board had to stop voting against resolutions.

**RESOLVED** that the Board of Education ratify their direction given to management and approve the attached contracts for the Associate Superintendent, Director-Personnel Services, and Director-Support Services.

MSC+	LeBoeuf/Troutman
AYES:	3 (DeBono, LeBoeuf, Noriega)
NOES:	3 (Foss, Lauterbach, Troutman)

Motion died due to lack of majority.

- \*2. Approve Amended Management Salary Schedule – *Strategy 3,4,5*

**RESOLVED** that the Board of Education ratify their direction given to management, and approve modification to the Management Salary Schedule for 2004-2005.

MSC+	LeBoeuf/Troutman
AYES:	3 (DeBono, LeBoeuf, )
NOES:	3 (Foss, Lauterbach, Troutman)

- \*3. Approve Board Norms – *Strategy 1*

Superintendent Callahan said this proposal was presented at the last Board meeting by the Board president.

**RESOLVED** that the Board Norms be approved as presented.

MSC+	Troutman, Foss
AYES:	5
NOES:	1 (Noriega)

Board member Troutman asked that the Norms be posted for each meeting.

- 4. Appoint Board Member for Trustee Area 3 Vacancy – *Strategy 1*

President Lauterbach outlined the procedure used to appoint the Board member. She said that first the candidates would draw numbers with the one with the lowest number would be first to make a presentation. The presentation would be a maximum five minutes in length with an opportunity for Board members to ask clarifying questions after the presentation. The Board president would determine if the questions were appropriate to not or ask. President Lauterbach said that all candidates could remain in the room if they wished. After all presentations were made then a motion would be made by one Board member and seconded by another to consider a candidate for appointment. At that time members of the public could make comments on the candidate. After that discussion by Board members would be held followed by a vote. She said if there were a majority of four or more then that person would be appointed a trustee. If not, the Board would proceed with all nominations until all Board members motioned for a candidate or until all candidates were considered through a motion. She said if no applicant received a majority then the County Superintendent would call for an election the first Tuesday in March.

Board member DeBono commented that the process was wrong because she would not be able to vote and she didn't want it to go to election but she yet she thought it should go to election because Monterey voted for her and needed to fill that position and if there wasn't an election then she should be able to represent Monterey with her vote. It was her opinion that the policy should be re-written by the Board.

President Lauterbach clarified that it was not a policy but a California Education Code law.

Discussion was held among Board members regarding ranking the candidates and the process.

Board went into a brief recess at 8:08 p.m. and reconvened at 8:15 p.m.

As a result of lots drawn the candidates made presentations in the following order:

- (1) Daniel Schultze
- (2) Kim Reisenbichler
- (3) David Bazan
- (4) Jon Alota
- (5) Tammy Hunziker
- (6) Susan Woodward
- (7) Maria Buell
- (8) Alan Haffa

Board member DeBono was asked to leave the dais and exclude herself from participating in the process.

Each candidate gave a presentation as to why they were qualified and what they could do for the District if they were on the Board. Board members asked some questions of some of the candidates and after a candidate was nominated members of the community came up and offered their support.

Susan Woodward withdrew from the interview process but not from consideration. She commended those who made presentations. She quoted her beliefs and expressed her concerns regarding conflicting information on the appointment process and questioned the differences from the approved Board documents and those on the invitation. She asked four questions of the Board.

**RESOLVED** that Alan Haffa be appointed as a Board member for Trustee Area 3, effective immediately.

MSC+	Troutman/Lauterbach
AYES:	3 (Foss, Lauterbach, Troutman)
NOES:	2 (LeBoeuf, Noriega)

Motion failed for lack of majority.

**RESOLVED** that Maria Buell be appointed as a Board member for Trustee Area 3, effective immediately.

MSC+	Noriega/LeBoeuf
AYES:	2 (LeBoeuf, Noriega)
NOES:	3 (Foss, Lauterbach, Troutman)

Motion failed due to lack of majority.

**RESOLVED** that Tammy Hunziker be appointed as a Board member for Trustee Area 3, effective immediately.

MSC+	Noriega/LeBoeuf
AYES:	2 (LeBoeuf, Noriega)
NOES:	3 (Foss, Lauterbach, Troutman)

Motion failed due to lack of majority.

**RESOLVED** that Jon Alota be appointed as a Board member for Trustee Area 3, effective immediately.

MSC+	Troutman/Foss
AYES:	3 (Foss, Lauterbach, Troutman)
NOES:	2 (LeBoeuf, Noriega)

Motion failed due to lack of majority.

Board member Noriega re-nominated Alan Hoffa.

**RESOLVED** that Alan Haffa be appointed as a Board member for Trustee Area 3, effective immediately.

MSC+	Noriega/LeBoeuf
AYES:	5
NOES:	0

Mr. Haffa thanked the Board for consensus and their trust. He said that he would do the best that he could.

President Lauterbach thanked the candidates for their interest and presentations.

**I. Information**

- \*1. Review Proposed Revisions to Board Policy 7400 – Facilities Use – *Strategy 6*

Chief Business Officer Burnis reviewed the proposed revisions and answered Board member questions.

- \*2. Review Board Policy 5116.1 – Intradistrict Transfers – *Strategy 1*

Support Services Director Yvonne Despard reviewed the Board Policy and answered Board member questions. She said she would research the definition/designation of special programs and report back to the Board.

- 3. Discuss Superintendent's Search – *Strategy 5*

Superintendent Callahan said this was proposed at the direction of Clerk Vice-President Foss.

Discussion was held about organizations to use and the process involved.

- \*4 Review Recommended Board Action Calendar, 2004-05 – *Strategy #1*

Discussion was held among Board members regarding the calendar. Suggestions were made to include open house dates, etc.

In response to a question from Mrs. Buell, President Lauterbach said that no action was taken in closed session.

**J. Adjournment**

Meeting was adjourned at 9:55 p.m.

Respectfully submitted,

Daniel Callahan, Ph.D.  
Executive Secretary

DC/mg  
^Defense Language Institute Foreign Language Center, Presidio of Monterey & Naval Postgraduate School  
+Motion/Second/Carried