

Monterey Peninsula Unified School District
Minutes
Organizational Meeting

December 6, 2004

- A. 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, Del Rey Oaks, California.

The meeting was called to order by President Lauterbach.

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

Board Members Present: Robert Eggers (arrived at 6:24 p.m.)
Resa Foss
Alan Haffa
Regena Lauterbach
Shanda LeBoeuf (arrived at 6:26 p.m.)
Carlos E. Noriega (arrived at 6:38 p.m.)
Marjorie Troutman

Staff Members Present: Daniel Callahan
Robert Costa
Yvonne Despard

DLI/POM/NPS Representative Present: Cindy Rothstein

Student Board Members Present: 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**
D. Closed Session

No public comments were made at this time.

The Board adjourned to closed session at 5:40 p.m. to discuss the following:

1. Student Issues (Gov. Code section 48918(c))
Consider Expulsion Cases #04/05-7 and #04/05-8
2. Conference with Labor Negotiator (Gov. Code section 54957.6)
a. Agency Negotiator: Robert Costa
Employee Organization: California School Employees Association
Monterey Bay Teachers Association
3. Public Employee Discipline/Dismissal/Release
4. Conference with Real Property Negotiator (Gov. Code section 54956.8)
Properties: • 190 Seeno Street, Monterey
• 251 Soledad Drive, Monterey

Negotiating Parties: Daniel Callahan
Under Negotiation: Terms and Conditions

(Board Member Eggers left the meeting at the conclusion of closed session.)

**E. Reconvene Open
Session**

The Board reconvened at 8:02 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. **Report Action Taken in Closed Session, if any** President Lauterbach reported on action taken at the November 29, 2004, special Board meeting and announced that in closed session the Board took action to approve a two-year contract with Kathleen Bond for the position of Associate Superintendent for a salary of \$125,000 per year with no raise prior to June 30, 2005. She said the vote was 4-2 with Board members Eggers, Haffa, Noriega, and Troutman voting yes; and Board members Foss and Lauterbach voting no.

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.

RESOLVED that the agenda be approved.

MSC	LeBoeuf, Foss
AYES:	6
NOES:	0

It was the consensus of the Board to move Item K up on the agenda.

K. **Student Board Member Reports** Samantha Grillo reported on activities at Monterey High School including winter sports, Holly Jolly Week activities, winter ball, door decorating contest, canned food drive, fashion show by the Leadership Class at a local convalescent hospital, Monterey County Aids Project Christmas activity, and the winter concert.

Tiffany Tyson reported on activities at Seaside High School including fall sports and rally, Santagrams, winter ball, prom, drama production, school dance, finals, and islander dancing and aloha candygrams. She expressed her appreciation for being selected to serve as student Board member.

P. **Action Items** It was the consensus of the Board to move Action Item P-1 up on the agenda.

*1. Approve Resolution of Appreciation for Student Board Members – *Strategy*
4
RESOLVED that the Resolutions of Appreciation for Student Board Members Samantha Grillo and Tiffany Tyson be approved.

MSC	Troutman, LeBoeuf
AYES:	6
NOES:	0

(The student Board members left the meeting at 8:15 p.m.)

I. **ORGANIZATION OF THE BOARD OF EDUCATION**

1. Election of President Board Member Noriega suggested that a brief discussion by those who would like to serve as President or Clerk Vice-President be held among Board members prior to the election. (consensus) Board Member Noriega said this is an opportunity for a Board member to serve in the capacity necessary to bring forward good educational opportunities. He said anyone wanting to take the position of President or Clerk Vice-President should be willing to attend the meetings, be on time, be engaged, and talk about the issues of adequacy and the academic gap to affect a good education.

Nominations for the Office of President of the Board were opened. Board Member Troutman nominated Board Member Foss. No further nominations were made.

RESOLVED that Resa Foss be elected President of the Board of Education for the period December 1, 2004 to November 30, 2005.

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

2. Election of Clerk Vice-President Nominations for the Office of Clerk Vice-President were opened. President Foss nominated Board Member LeBoeuf. No further nominations were made.

RESOLVED that Shanda LeBoeuf be elected Clerk Vice-President of the Board of Education for the period December 1, 2004 to November 30, 2005.

MSC+ Foss, Troutman
 AYES: 6
 NOES: 0

President Foss said in addition to Board Member Noriega’s duties as California School Boards Association (CSBA) Delegate for Region 9-B, he has also been appointed to the Planning Committee for the Annual CSBA Conference in San Diego next year.

Board Member Noriega referred to an earlier suggestion requesting that school districts within Region 9-B share in the expenses of the delegate in their region, and he reported that his expenses to the conference and other meetings are being covered.

At this time, outgoing President Lauterbach was acknowledged for her role, and President Foss indicated that her service as Board President will be formally acknowledged at the next regular meeting.

3. Election of Executive Secretary to the Board of Education **RESOLVED** that the Superintendent be appointed Executive Secretary to the Board of Education for the period December 1, 2004 to November 30, 2005.

MSC+ Lauterbach, Troutman
 AYES: 6
 NOES: 0

- *4. Elect Board Representatives and Alternates to Various Organizations and Subcommittees **RESOLVED** that Board representatives and alternates be elected to the following organizations and subcommittees for the period December 1, 2004 to November 30, 2005:

	<u>Representative</u>	<u>Alternate</u>
Community Human Services Project	Carlos E. Noriega	Resa Foss
Mission Trails Regional Occupational Program	Resa Foss	Regena Lauterbach
Special Education Joint Powers Board	Marjorie Troutman	Shanda LeBoeuf
Monterey County School Boards Association	Carlos E. Noriega	Robert Eggers
Head Start Liaison to County Office	Shanda LeBoeuf	Alan Haffa

Representative(s)

- b. Strategic Plan Planning Team (2 Board Members) Alan Haffa, Robert Eggers
 Shanda LeBoeuf (alternate)
- c. Board Policy Subcommittee (term expires 2006)
 - Trustee Area I ----
 - Trustee Area II Resa Foss, Marjorie Troutman
 - Trustee Area III Regena Lauterbach
 Shanda LeBoeuf (alternate)

MSC+ Noriega, Troutman
 AYES: 6
 NOES: 0

- *5. Establish Dates and Locations for Board Meetings Board Member Lauterbach said a member of the public expressed concern that Board meetings are being held during vacations. Board Member Lauterbach noted there was a long period in March without a Board meeting, but didn’t know how the schedule could be changed without having a Board meeting during one of the recesses.

RESOLVED that the Board of Education establish its dates and locations for Board meetings for the period December 1, 2004 to November 30, 2005.

MSC+ LeBoeuf, Haffa
AYES: 6
NOES: 0

Board Member Noriega suggested holding meetings in the other trustee areas at least once a year. After a brief discussion, the following action was taken.

RESOLVED that the Board of Education establish its dates as presented by the Superintendent.

MSC+ LeBoeuf, Troutman
AYES: 6
NOES: 0

President Foss asked for a motion to establish locations for Board meetings for the period of December 1, 2004 to November 30, 2005, as set forth by the Superintendent.

There was no motion.

Board Member Noriega motioned that the Board establish Board meetings in Marina, Seaside, and Monterey, as well as Del Rey Oaks, one meeting per location throughout the year.

Board Member Haffa felt that the Board should leave the times and details up to staff, and direct that three dates be identified.

RESOLVED that the Board establish that the locations of the regular Board meetings be held at the District Office or Instructional Materials Center, except for three of them which will be in the cities of Marina, Monterey, and Seaside.

MSC+ Noriega, Haffa
AYES: 6
NOES: 0

- *6. Approve Signatures of Board Representatives Effective December 6, 2004

RESOLVED that the authorized signatures of Board Representatives, effective December 6, 2004, be approved as submitted.

MSC+ Troutman, Lauterbach
AYES: 6
NOES: 0

After a brief discussion, it was the consensus of the Board to move items P-2, P-6, P-7, and S-7 after Item J-1.

J. Certificates/ Presentations/ Recognitions

- *1. Site Plan Presentations for Student Achievement – *Strategy 3*
- Colton School

Senate Bill 374 amended Education Code sections 64000 and 64001 to require schools that operate programs funded through the Consolidated Application to consolidate all school plans into a single plan, known as the "Single Plan for Student Achievement." Colton School Principal Brenda Barcellos presented the school's Single Plan for Student Achievement, distributed an information sheet, and clarified questions from Board member. Staff members and the School Site Council Chair were also acknowledged in the audience. This item will come back for Consent at the next regular meeting.

It was the consensus of the Board to move Item Q-1.7 up on the agenda after Item S-7.

P. Action Items

- *2. Approve Certification of First Interim Report – *Strategy 1*

The State requires school districts to prepare two interim financial reports during the fiscal year. The reports are sent to the County Superintendent of Schools for approval and then forwarded to the California Department of Education. Bruce Colby, Director Fiscal Services, reviewed the First Interim Report which addressed the Final Adoption Budget, First Interim Budget, and Actuals to October 31, 2004, and clarified questions from Board members. In addition, he provided a narrative indicating rationale for the changes between the Board-approved Final Adopted Budget and the First Interim Budget covering both revenue and expenditures, including a summary of the unrestricted and restricted General Fund, variance schedules, and a summary of revenues, expenditures, and changes in fund balance. He reviewed the multi-year budget which projected a balanced budget for this year and the subsequent two years. He said the budget includes \$212,000 of anticipated lease revenue for the Monte Vista and Larkin sites, a decrease in Other Financing Sources/Uses of \$212,000 to fund the Deferred Maintenance match, and \$64,000 Designated for Economic Uncertainties. Mr. Colby said it has been a pleasure and honor to serve the Board and District the past two years. He said this was his last week working in the District and that will be leaving for his new position in San Leandro with a balanced MPUSD budget for this year and two subsequent years.

President Foss said she will be voting no because she would rather wait until the District has the monies for the leases before doing any projections.

RESOLVED that the certification of the First Interim Report be approved.

MSC	Noriega, Haffa
AYES:	5
NOES:	1 (Foss)

- *6. Approve Resolution #04/05-13: Intention to Lease Portion of Larkin School Site

Dr. Callahan said Items P-6 and P-7 are presented on the Board's agenda to notify the public of the District's intent to lease the Larkin and Monte Vista sites, and the terms and conditions which the District considers to be minimum for the leasing of the sites.

Carlos Pina, Maintenance/Safety/Operations Director, reported the District's 7-11 Committee held a hearing the evening of December 1 to consider the use of the Monte Vista School site for short-term leasing, consistent with the 7-11 Committee's January 2003 recommendation that unused classroom space be leased for the short term, and clarified questions from Board members. Mr. Pina said notice of the hearing, in addition to being posted, was sent home with former Monte Vista School students now attending Colton, and was provided to the President of the Monte Vista Neighborhood Association for distribution in the neighborhood. He said approximately 450-480 notices were sent out. Following discussion, Mr. Pina said the 7-11 Committee voted unanimously to recommend to the Board that the Monte Vista site be available for short-term leasing provided that (1) short-term be clearly defined, and (2) that any lease include an escape clause permitting termination of the lease if the demographics of the Monte Vista area change resulting in an increase in the student-age population.

Dr. Callahan noted that no members of the public attended the meeting. In response to a question whether the charter school currently housed at Larkin has been notified of the District's intent, he said they were notified, modifications have already begun to the Manzanita site, and it is anticipated that the charter school will move to its new location during winter recess.

President Foss said part of the intent to lease gives the tenant the ability to terminate the lease without cause on 90-day notice after the first three years of the lease term. She said that she has suggested that the District have a similar clause, and that legal counsel is going to look into whether it is doable in terms of negotiations.

There was brief discussion regarding the definition of "short-term," and whether it was important to define.

Dr. Callahan said it would appear that the concern is not so much the duration and definition of short-term, but the fact that the District ensure that in the negotiated lease contract, the District have the opportunity to take back the property should it experience a significant increase in student population within the Monte Vista attendance area. He said he didn't think there was a specific requirement to define short-term, but rather to have the opportunity to re-enter the building if it is needed for student education. In response to a question whether there were minutes from the 7-11 Committee, Dr. Callahan said he didn't believe there was recorded minutes, but that the District's legal counsel was in attendance and that he reported to the Board in closed session. Dr. Callahan reiterated the focus needs to be on the opportunity provided in the lease for the District to reclaim the property if it is needed for student learning.

RESOLVED that Resolution #04/05-13: Intention to Lease Portion of Larkin School Site be approved.

MSC	Noriega, Lauterbach
AYES:	6
NOES:	0

- *7. Approve Resolution #04/05-14: Intention to Lease Portion of Monte Vista School Site

RESOLVED that Resolution #04/05-14: Intention to Lease Portion of Monte Vista School Site be approved.

MSC	Lauterbach, Troutman
AYES:	6
NOES:	0

Q. Consent Agenda

- *1.7 Approve Placement of Cell Tower at Seaside High School.

Board Member Haffa said he felt comfortable with the concept of placing a cell tower at Seaside High School, but he wanted to read the contract before voting on the item. It was noted that the District's legal counsel had reviewed the contract. After a brief discussion, it was the consensus of the Board to defer the item to the December 15 special Board meeting.

S. Information

- 7. Update on America's Choice – *Strategy 3* - Schools, Programs, and Costs

Dr. Callahan said this item was placed on the agenda at Board member request. Information was distributed detailing which schools are participating in America's Choice, which part of the design they are participating in, the funding cost and source, and which staff members are being trained.

Coordinator Kathryn Knauf said one school has the full program, and America's Choice has allowed schools to purchase components of the program.

Board Member Troutman expressed concern that it was requested when America's Choice was accepted at King and Manzanita that a report be provided, and before the program was expanded that staff would come back to the Board with information before expanding the program.

Ms. Knauf said she has attended Board meetings where Seaside High School and Ord Terrace School have made presentations regarding the desire for training and additional work.

Dr. Callahan referred to previous Board meeting minutes that was distributed indicating that the direction from the Board was for staff to return and report on the program, but there was nothing in the minutes that indicated that there needed to be Board approval for any expansion or implementation.

Board Member Lauterbach recalled saying that program would not be extended to any other schools without Board approval. She said she wanted America's Choice to be at the school to see how it progressed and to see how scores were improving before it went to any other schools.

Board Member Noriega said it appears that there is a presentation that has been proven to be positive, and there are principals and teachers asking to take a portion of it to implement into their school. He said it appears that the Board is attacking the Superintendent for allowing the schools to do something positive and what is good for students.

President Foss said if Board members needed additional information, the item can be re-agendized at a future meeting.

L. Communications

Board Member Lauterbach acknowledged correspondence from a Seaside High School teacher regarding funds to make a presentation, and said it was forwarded to Support Services Director Yvonne Despard for follow-up.

President Foss acknowledged an invitation from the County Alternative Education Director for the MPUSD Board to visit the Monterey Peninsula Community School.

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

Board Member Troutman referred to an article about former MPUSD administrator Linda Weesner, who was recently hired as Superintendent of the Lafayette Elementary School District in Contra Costa County. She also distributed a report on the workshops that she attended at the California School Boards Association (CSBA) annual conference.

Board Member Lauterbach reported on her attendance at the CSBA annual conference, and distributed items that she gathered from the trade booths for certificated, classified, and administrative staff. She also donated a ream of paper for school use.

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

Anna Macaluso, California School Employees Association (CSEA) President, said the Board meetings are too long and noted that the audience had to wait one hour before the scheduled open session began. She stated if the meeting begins at 7:00 p.m. then start at 7:00 p.m. She suggested that maybe the Board should schedule closed sessions on a different evening and open session within 24 hours, and that the agenda be reduced to those items that are important for the everyday business of the school sites so the meeting can adjourn at a decent hour. Ms. Macaluso referred to "repeats" on the agenda, and referenced America's Choice, consultants and legal counsel who provide data to the Board. She referred to the number of questions asked, and why they aren't clarified earlier. Ms. Macaluso said she was re-elected CSEA President for next year, and that she does not want to sit through another 57 meetings during the course of the time. She urged the Board to make a commitment to reduce the items on the agenda, get their questions answered, and rely on staff, consultants, and legal counsel who are paid to provide information needed by Board members.

O. Student Issues

- *1. Consider Expulsion Case 04/05-07

RESOLVED that the student in Expulsion Case 04/05-07 be expelled from schools in the Monterey Peninsula Unified School District for the remainder of the first semester and second semester; and

BE IT FURTHER RESOLVED that the student may be considered for readmission in accordance with the stipulations set forth by the Board of Education.

MSC Troutman, Lauterbach
AYES: 5
NOES: 0
ABSTAIN 1 (Board Member Noriega was not present during the discussion)

- *2. Consider Expulsion Case 04-05-08

RESOLVED that the student in Expulsion Case 04/05-08 be expelled from schools in the Monterey Peninsula Unified School District through the remainder of the first semester and second semester; and

BE IT FURTHER RESOLVED that the student may be considered for readmission in accordance with the stipulations set forth by the Board of Education.

MSC Lauterbach, Troutman
AYES: 5
NOES: 0
ABSTAIN: 1 (Board Member Noriega was not present during the discussion)

P. Action Items

- *3. Determine Consultant for Facilitation of Board Governance Team Retreats – *Strategy 1*

Board Member LeBoeuf motioned that the Board determine a consultant for the facilitation of Board Governance Team retreats; and to direct staff to bring forward several sets of dates between January and March 15, 2005, for Board consideration. Board Member Lauterbach seconded the motion.

Board members discussed several consultants for the facilitation of Board Governance Team retreats. Following a brief discussion, it was the consensus to table this item to a future meeting.

It was the consensus of the Board that the meeting be extended to 10:45 p.m.

After a brief discussion, it was the consensus that a special Board meeting be held on Wednesday, December 15, 2004, with closed session at 5:30 p.m., followed by open session at 7:00 p.m.

It was the consensus to move the Consent items up on the agenda with the exception of Item Q-7, Approve Placement of Cell Tower at Seaside High School.

Q. Consent Agenda

- 1. Approval of Consent Agenda - *Strategy 1*

RESOLVED that the Consent Agenda be approved with the exception of Item 1.7, Approve Placement of Cell Tower at Seaside High School.

- *1. Approve Minutes
 - November 15, 2004 Regular Board Meeting
- *2. Approve/Ratify Personnel Items

3. Approve Gifts to the District

From	To/Purpose	Amount
The Chapman Foundation	Bay View School For the Reading Intervention program	\$10,000.00
Marina del Mar School PTA	Marina del Mar School Books for the Reading program	\$369.80
Olson School PTA	Olson School For the Vocal Music program	\$6,000.00
The Chapman Foundation	Seaside High School For the GATE program	\$25,000.00

GATE: Gifted and Talented Education

- *4. Approve Adult Education Hospitality/Tourism Occupations Course Outline
- *5. Approve Memorandum of Understanding Between the Pathways Foundations and the Monterey Peninsula Unified School District
- *6. Approve Single Plans for Student Achievement for Highland and Ord Terrace Elementary Schools
- ~~*7. Approve Placement of Cell Tower at Seaside High School~~
- *8. Approve 2004-2005 Student Teaching Agreement with California State University Monterey Bay
- *9. Approve Submission and Implementation of the Toyota Tapestry Grant for the Monterey Academy of Oceanographic Science (MAOS), Monterey High School (\$10,000)
- *10. Approve Proposed Salary Schedule for Under the Big Top Program
- *11. Approve Ratification of Change Orders 5-10 for Modernization Phase 1B (Bid Package 2) General Construction at Monterey High School (from \$4,247,000 to \$4,305,403.25)
- *12. Approve Ratification of Change Order 8 for Re-Roofing Project (Modernization) Bid Package 4 (from \$915,000 to \$935,557.73)
- *13. Approve Ratification of Change Orders 4-6 for Re-Roofing Project (Modernization) for Bid Package 5 (from \$895,000 to \$970,723.84)
- *14. Approve Ratification of Change Order 9 for Re-Roofing Bid Package R06 (Modernization) at Marina Vista Elementary School (from \$1,071,450.05 to \$1,075,008.17)

MSC Troutman, Noriega
 AYES: 6
 NOES: 0

- *4. Set Town Hall Meetings – *Strategy 1*

Board Member Troutman motioned to set town hall meetings in the three Trustee Areas, 7:00 p.m., site to be determined.

There was no second.

- *5. Call for Nominations – CSBA Delegate Assembly – *Strategy 5* There were no nominations considered to the California School Boards Association Delegate Assembly, Subregion 9B (Monterey County).

R. Reports
Strategy 1

It was the consensus that Item R-3 be moved up on the agenda.

- 3. DLIFLC/POM/NPS Representative No report.

- 2. Superintendent's Report Due to the lateness of the hour, there was no report.

S. Information

- *1. Strategic Plan, Action Step 1.1 – “Formally adopt a definition of trust that everyone in the community will understand” – *Strategy 1* Dr. Callahan provided a brief overview of the Strategic Plan, and a specific step to “formally adopt a definition of trust that everyone in the community will understand.” Due to the lateness of the hour, it was the consensus of the Board to bring the item back for discussion under Information at the December 15 special Board meeting.

Due to the lateness of the meeting, it was the consensus of the Board to table the following items to the December 15, 2005, special Board meeting:

ACTION

- P-3 Determine Consultant for Facilitation of Board Governance Team Retreats – *Strategy 1*

CONSENT

- Q-1.7 Approve Placement of Cell Tower at Seaside High School.

REPORTS

- R-1 Committees/Conferences
 - Community Human Services Project
 - Mission Trails Regional Occupational Program
 - Special Education Joint Powers Board
 - Monterey County School Boards Association
 - Head Start Liaison to County Office
 - Strategic Plan Planning Team
 - Board Policy Subcommittee

INFORMATION

- S-1 Strategic Plan, Action Step 1.1 – “Formally adopt a definition of trust that everyone in the community will understand” – *Strategy 1*
- S-2 Board Policy 7330 – Community Relations, District Citizens Advisory Committees – *Strategy 1*
- S-3 Board Policy 5116.1 – Students, Interdistrict Transfers – *Strategy 1*
- S-4 Board Policy 1300, Internal Board Policies – Individual Board Members – *Strategy 1*

- S-5 Board Policy 5131.7, Students – Weapons and Dangerous Instruments – *Strategy 1*
- S-6 ROP Professional Actor’s Training Program Course Outline – *Strategy 3*
- T Board Member Request(s) for Information and/or Possible Future Agenda Items

It was the consensus of the Board that the following items be agendize at a January 2005 meeting:
- Set Town Hall Meetings – *Strategy 1*

- U. Board Self-Evaluation, as Applicable** There was no Board self-evaluation.
- V. Closed Session** There was no need for the Board to go back into closed session.
- W. Adjournment** The meeting adjourned at 10:40 p.m.

Respectfully submitted,

John Lamb
Interim Executive Secretary

JL/jif
Defense Language Institute Foreign Language Center, Presidio of Monterey & Naval Postgraduate School
+Motion/Second/Carried