

January 10, 2005

**A. Call to Order**

The Board of Education of the Monterey Peninsula Unified School District met in regular session at 5:42 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 Foss.

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

Board Members Present: Resa Foss  
Alan Haffa  
Regena Lauterbach  
Shanda LeBoeuf (arrived at 6:05 p.m.)  
Marjorie Troutman

Board Members Absent: Robert Eggers  
Carlos E. Noriega

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

DLI/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**

No public comments were made at this time.

**D. Closed Session**

The Board adjourned to closed session at 5:43 p.m. to discuss the following:

1. Student Issues  
*Consider Expulsion Cases #04/05-10 and #04/05-11*
2. Public Employee Appointments – 2004/05 (Gov. Code section 54957)  
*Associate Superintendent*  
*Assistant Superintendent*  
*Principal*
3. Conference with Labor Negotiator (Gov. Code section 54957.6)
  - a. Agency Negotiator: *Daniel Callahan*  
Employee Organization: *Unrepresented Employees*  
*Chief Business Officer*  
*Associate Superintendent*  
*Assistant Superintendent*
  - b. Agency Negotiator: *Robert Costa*  
Employee Organization: *California School Employees Association*

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*

- E. Reconvene Open Session** The Board reconvened to open session at 7:42 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 Board Member Lauterbach.
- G. Report Action Taken in Closed Session, if any** Board President Foss reported that in closed session, the Board took action to approve the contract of Chief Business Officer Tom Woodruff, as recommended. The vote was 5-0.
- 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   | Lauterbach, Troutman |
| AYES: | 5                    |
| NOES: | 0                    |
- I. Public Hearing**
- \*1. Public Hearing Regarding Sufficient Textbooks or Instructional Materials, or Both, for Each Pupil in MPUSD – *Strategy 1*
- The public hearing regarding whether each pupil in each school district has, or will have prior to the end of that fiscal year, sufficient textbooks or instructional materials, or both, was opened by the Board President at 7:45 p.m.
- Support Services Director Yvonne Despard provided background information on the Education Code requirement.
- Valerio Biondo, Independent Study teacher, spoke about older textbooks and their condition.
- There being no further comments, the Board President closed the public hearing at 7:48 p.m.
- J. Certificates/ Presentations/ Recognitions**
- \*1. Program Report for Adult Education and Regional Occupational Program/Vocational Education
- Adult Education Director Ann Kilty and Regional Occupational Program/Vocational Education Coordinator Elmer Canady highlighted their programs' successes and ongoing efforts to meet the education needs of their students. Artwork from older adult students was shared, staff introduced, and questions from Board members were clarified. Hard copies of their presentations were distributed to Board members, staff, and audience.
- K. Communications** President Foss acknowledged correspondence from a parent, an invitation to a Leadership Summit at California State University Monterey Bay, and holiday greetings.
- L. Suggestions and Comments from Members and Officers of the Board**
- Incoming Student Board Member Cristina Thomas reported on activities at Monterey High School including a food fair, winter sports, and spring semester.
- Former Student Board Member Samantha Grillo expressed best wishes to the Board for the remainder of the year.
- (Cristina and Samantha left the meeting at 8:17 p.m.)
- Dr. Callahan acknowledged newly appointed Special Education Director Jeff Gabrielson in the audience.

Board Member Troutman reported on an International School of Monterey holiday program that Board Member Lauterbach and she attended. She spoke about comments made at a recent Superintendent's Advisory meeting and distributed comments from members of the advisory who expressed their disagreement on some of the Board issues.

Seaside City Council member Tom Mancini was acknowledged in the audience.

**M. Suggestions and Comments From Visitors - Non-Agenda Matters**

No comments.

**N. Student Issues**

- \*1. Consider Expulsion Case 04/05-10

**RESOLVED** that the student in Expulsion Case 04/05-10 be expelled from schools in the Monterey Peninsula Unified School District for the remainder of the 2004-2005 school year; and

**BE IT FURTHER RESOLVED** that the expulsion be suspended with placement as recommended by staff.

MSC Foss, Lauterbach  
AYES: 5  
NOES: 0

- \*2. Consider Expulsion Case 04/05-11

**RESOLVED** that the student in Expulsion Case 04/05-11 be expelled from schools in the Monterey Peninsula Unified School District for the remainder of the 2004-2005 school year, and placed as recommended by staff.

MSC Foss, LeBoeuf  
AYES: 5  
NOES: 0

**O. Action Items**

It was the consensus of the Board to move Item O-3 up on the agenda.

- \*3. Accept Bids and Award Contract for Lease of Monte Vista and Larkin Elementary Schools – *Strategy 6*

Dr. Callahan said he received one sealed bid from the Department of the Army. The bid was opened and read. He said the item for consideration is to accept or reject the bid subject to later Board ratification of the actual approved lease.

At this time, Board President Foss called for oral bids to lease the sites. There being no oral bids, the following action was taken:

**RESOLVED** that the Board accept the bid of the United States Army for leasing the Monte Vista and Larkin sites; and

**BE IT FURTHER RESOLVED** that the acceptance shall be conditional upon District staff and Army preparing a written agreement incorporating the key terms accepted by the bidder, and that the final written agreement will then come before the Board for its approval.

MSC Troutman, LeBoeuf  
AYES: 5  
NOES: 0

- \*1. Recognize Former Board President – *Strategy 1*

Former Board Presidents Regena Lauterbach and Marjorie Troutman were recognized for their service.

**RESOLVED** that the Board of Education recognize former Board President Regena Lauterbach for her service to the District and the community.

MSC Troutman, Haffa  
AYES: 5  
NOES: 0

**RESOLVED** that the Board of Education recognize former Board President Marjorie Troutman for her service to the District and the community.

MSC LeBoeuf, Haffa  
AYES: 5  
NOES: 0

- \*2. Acceptance of Annual Audit – Fiscal Year 2003-04– *Strategy 1*

Interim Chief Business Officer Jim Maxwell acknowledged written questions from Board Member Troutman, and said his responses will be included in the next Board letter.

Board Member Lauterbach said she would meet with Mr. Maxwell and go over some questions.

Steve Wescoatt, representing the firm of Perry-Smith, LLP, Certified Public Accountants, reviewed the 2003-2004 audit and answered questions from Board members regarding the audit findings and recommendations. He noted there were no audit adjustments, and that it was completed in accordance with the scope established.

Board President Foss referred to internal control findings regarding student body accounting procedures, and said that the Board might want to involve the student Board members and bring them into the discussion on how to do basic accounting. She referred to the findings regarding the logging of student absences, and said it might be nice for the Board or Superintendent to send a thank you recognition to the school sites.

**RESOLVED** that the annual audit, as conducted by the firm of Perry-Smith, for fiscal year July 1, 2003 to June 30, 2004 be accepted and forwarded to the County Office and State.

MSC LeBoeuf, Troutman  
AYES: 5  
NOES: 0

- \*4. Approve Resolution 2004/2005-16: Acknowledging Circumstances for Re-Roofing Bid Package R-1 (Modernization) Exceeding 10% Over Bid is in the Public Interest – *Strategy 6*

Mr. Maxwell said the re-roofing contract exceeded its original price by more than 10% due to the discovery of dry rot.

**RESOLVED** that Resolution 2004/2005-16: 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 Lauterbach, Troutman  
AYES: 5  
NOES: 0

**P. Consent Agenda**

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

Items P-5, P-6, P-8, and P-10 were pulled for discussion.

**RESOLVED** that the Consent Agenda be approved with the exception of items P-5, P-6, P-8, and P-10.

- \*1. Approve Minutes
  - December 15, 2004
- \*2. Approve/Ratify Personnel Items
- 3. 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
Education Foundation for MPUSD	La Mesa School For the grade reconfiguration	\$5,796.20
Washington Mutual	Olson School For instructional supplies	\$351.75
Marina Coast Water District	Olson School For teacher workshop stipend	\$950.00
The Chapman Foundation	Olson School For the science program	\$10,000.00
Lifetouch National School Studios	Olson School For the outdoor field program	\$1,021.53
The Paul Davis Partnership Architects	Monterey High School For the Randy Randall Scholarship Fund	\$250.00
Salinas Circle for Children	Special Services For the adaptive P.E. swim program	\$300.00

- \*4. Approve Single Plan for Student Achievement for Colton School
- \*5. ~~Approve Submission and Implementation of the *Second Step* Curricula for Grade Levels K-8 at All K-8 sites (\$19,998)~~
- \*6. ~~Approve Submission and Implementation of the Mission Trails WorkAbility I Grant for 2004-2005 (\$118,580)~~
- \*7. Approve Preparation and Submission of the 2004-2005 Application for Funding Categorical Aid Programs, Part II (\$5,562,477)
- \*8. ~~Approve Submission and Implementation of the California Integrated Waste Management Board Waste Tire and Track and Recreational Surfacing Grant Program for Monterey High School (\$100,000)~~
- \*9. Approve Board Policy 7330 – Community Relations, District Citizens Advisory Committees
- \*10. ~~Approve Board Policy 5116.1 – Students, Intradistrict Transfers –~~
- \*11. Approve Board Policy 1300, Internal Board Policies – Individual Board Members
- \*12. Approve Board Policy 5131.7, Students – Weapons and Dangerous Instruments

\*13. Approve ROP Professional Actor's Training Program Course Outline

\*14. Approve Ratification of Change Order 01 for General Construction Project (Modernization) at Various Schools for Bid Pack G01-1C.1 (from \$2,086,345.00 to \$2,094,390.00)

Approve Ratification of Change Order 10 for Re-Roofing Bid Package R06 (Modernization) at Marshall Elementary School (from \$1,075,008.17 to \$1,077,938.17)

Approve Ratification of Change Order 11 for Re-Roofing Bid Package R-1 (Modernization) at Olson School (from \$1,031,395.66 to \$1,060,417.66)

Approve Ratification of Change Order 11 for General Construction Project (Modernization) at Various Schools for Bid Package G01-1B.2 (from \$4,305,403.25 to \$4,311,853.00)

MSC            LeBoeuf, Troutman  
AYES:        5  
NOES:        0

Board members received clarification regarding Items P-5, P-6, and P-8.

It was the consensus of the Board that Item P-10 be pulled from the Consent agenda and brought back to the Board Policy Subcommittee for further discussion.

Maria Buell, League of United Latin American Citizens President (LULAC), referred to Item P-9 and recommended language that was discussed at the December 15, 2004, meeting. It was the consensus of the Board that the wording be amended to... "selected by the Board from all three trustee areas as appropriate."

**RESOLVED** that the following Consent Agenda items be approved:

\*5. Approve Submission and Implementation of the *Second Step* Curricula for Grade Levels K-8 at All K-8 sites (\$19,998)

\*6. Approve Submission and Implementation of the Mission Trails WorkAbility I Grant for 2004-2005 (\$118,580)

\*8. Approve Submission and Implementation of the California Integrated Waste Management Board Waste Tire and Track and Recreational Surfacing Grant Program for Monterey High School (\$100,000)

MSC            LeBoeuf, Troutman  
AYES:        5  
NOES:        0

**R. Reports**  
*Strategy 1*

Routine status reports and announcements regarding campus activities, meeting schedules, conferences attended, and recent developments from:

- \*1. Committees/Conferences
  - Community Human Services Project No Report
  - Mission Trails Regional Occupational Program Meeting Next Week (Foss)
  - Special Education Joint Powers Board No Report
  - Head Start Liaison to County Office No Report
  - Board Policy Subcommittee Working on hiring and compensation practices for Cabinet members (Troutman)  
Spent time on Williams lawsuit settlement requirements in terms of facilities, credentialing, and textbooks (Foss)
- \*2. Superintendent's Report Dr. Callahan said Celebrating Successes will be deferred to the January 24 meeting.
- \*3. DLIFLC/POM/NPS Representative Cindy Rothstein said the military is energizing the Partnership in Education Program.

**S. Information**

- \*1. Recommendation for Strategic Plan Implementation for 2005-2006 – *Strategy 1*

Dr. Callahan reviewed the recommendation for Strategic Plan Implementation for 2005-2006, highlighted revisions to the schedule (Items 3.3 and 3.4), and clarified questions from Board members.

After a brief discussion, it was the consensus to bring the item back under Action for further discussion to include singling out items to discuss at a future Board Study Session.
- \*2. Implementation of Various Employee Appreciation Options – *Strategy 5*

Dr. Callahan said this item was agendaized at the request of a Board member.

Board Member Troutman distributed an excerpt from a brochure regarding employee appreciation options for Board consideration.

After a brief discussion, it was the consensus of the Board to direct the Superintendent to take the options to the Presidents' meeting with Cabinet for input.
- \*3. Future School or Facilities Siting Update – *Strategy 6*

Dr. Callahan reviewed the most updated information regarding future facilities sitings, and spoke about setting a study session for the presentation of various financing options for the projected needed facilities over the next fifteen years. He reviewed the proposed developments on former Fort Ord and Armstrong Ranch (Marina), potential and dedicated sites, and clarified questions from Board members.

Board Member Haffa suggested a discussion about the K-8 concept in the planning of new school sites, and requested a tour of the sites.

Board Member Troutman indicated that she would also like to tour the sites.

In response to an update on the Del Monte School soundproofing program, it was the consensus that the update be included in a future Board letter.
- \*4. Board Policy 7345.1 – Community, Uniform Complaint Procedures – *Strategy 1*

Robert Costa, Assistant Superintendent – Personnel Services, provided background information on the recently concluded Williams lawsuit requiring school districts to address three education resources – instructional materials, teachers, and school facilities, and reviewed the revised uniform complaint policy. He said the District will be required to have two different Administrative Regulations due to different guidelines, deadlines, and procedural changes under the Williams lawsuit. Following a brief discussion and clarification from Board members, it was the consensus that the policy be brought back for Consent at a subsequent meeting.

- \*5. Board Appointing of New Committee Members to the Strategic Planning Committee, Business Advisory Committee, and Superintendent's Advisory Committee  
– *Strategy 1*

Dr. Callahan said the item was tabled at a December meeting and brought back for further Board discussion.

President Foss said it was her understanding that the discussion was whether the Board should have a part in appointing members to the Strategic Planning Committee, Business Advisory Committee, and the Superintendent's Advisory Committee; and determine what part the Board plays. She said the committees are not Brown Act committees, and it has been questioned whether the Board wants to play a role in the selection process.

Board Member Haffa said of the three committees, the Superintendent's Advisory should have the choice. He felt that the Board should have a role in selecting committee members for the Strategic Planning Committee and the Business Advisory Committee. He also suggested the formation of a Facilities Planning Committee. Board Member Haffa said the advantage is to make sure there is proper representation and that the Board will more likely accept a recommendation where they played a role in the selection process.

Board Member LeBoeuf, a member of the Business Advisory Committee, said it was formed by the Chief Business Officer, and that the committee is comprised of people from the business community with a specific goal.

Board Member Haffa said the Board can seek out people with financial experience and recommend that they serve on the committee.

Board Member Troutman said the Superintendent's Advisory and the Business Advisory Committee have no charge, and that she felt they should have a charge.

Board Member Lauterbach concurred with Board Member Haffa, and said it would be good to get new people on the committees and that their term be limited and revolving.

Tom Mancini, Seaside resident, said Board-appointed committees are subject to the Brown Act, and suggested ad hoc committees. He said if Board committees are formed, they need to be careful of the mission.

Anna Macaluso, California School Employees Association (CSEA) President, said the Board needs to be careful about the number of people on the committees, and that it should be a set amount.

Kathie Buaya, parent, said there are a lot of people in the community who would like to help support the Board. She suggested equal representation from each trustee area, and sending out notices for community participation.

Board Member Haffa said the new Chief Business Officer should be involved in the discussion of the Business Advisory Committee.

After further discussion, it was the consensus of the Board that the item be agendaized as an information item for the first meeting in February for further discussion.

**T. Board Member Request(s) for Information and/or Possible Future Agenda Items**

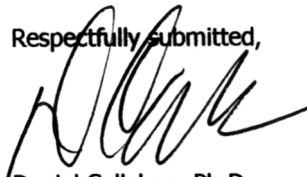
There were no Board member requests for information and/or possible future agenda items.

Board Member Troutman provided a brief report on her attendance at the California School Boards Association Annual Conference.

It was the consensus of the Board that the Peninsula Governance Collaborative be rescheduled from January 19 to Wednesday, February 16, 7:00 p.m., at Oldemeyer Center, Seaside.

It was the consensus of the Board that a special Board meeting be set on Tuesday, January 18, 7:00 p.m., at the District Office, 700 Pacific Street, regarding the Superintendent's evaluation.

- U. Board Self-Evaluation, as Applicable** No Self-Evaluation
- V. Closed Session** There was no need for the Board to go back into Closed Session.
- W. Adjournment** The meeting adjourned at 10:30 p.m. in honor of Army Staff Sergeant Robert Johnson, former Seaside High School student and graduate of Ano Nuevo School, who became the Peninsula's first casualty in the War of Iraq.

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