

Monterey Peninsula Unified School District
Minutes
Regular Board Meeting

August 1, 2005

- 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 Foss.
- B. Roll Call – Establishment of Quorum**
- Board Members Present: Resa Foss
Alan Haffa
Regena Lauterbach
Shanda LeBoeuf (arrived at 7:20 p.m.)
Marjorie Troutman
- Board Members Absent: Robert Eggers
Carlos E. Noriega
- Staff Members Present: Robert Costa
Yvonne Despard
John Lamb
Carol Weesner
Tom Woodruff
- DLI/POM/NPS Representative Present: Ron Graddy (for 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 5:36 p.m. to discuss the following:
1. Student Issues
Consider Readmission: Case #04/05-14
 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 (Gov. Code section 54957)
 4. Conference with and/or Receive Advice from Legal Counsel - Anticipated Litigation
Significant exposure to litigation pursuant to subdivision (b) of Government Code Section 54956.9
 5. Public Employee Performance Evaluation (Gov. Code section 54957)
Superintendent of Schools
- E. Reconvene Open Session** The Board reconvened at 7:22 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 military liaison Ron Graddy.

G. Report Action Taken in Closed Session, if any No reportable actions were taken in closed session.

It was the consensus of the Board to move Item Q-5 after Item M; and Item R-1 after Item Q-5.

President Foss reported that Board Member Noriega was out of the area, and that Board Member Eggers was ill.

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, Lauterbach
AYES:	5
NOES:	0

I. Certificates/ Presentations/ Recognitions

*1. Recognize Monterey High School 2005 Art Academy Senior, Megan Platsis, for her Design and Completion of the Enrollment Center Mural – *Strategy 2*

In planning the opening of the Enrollment Center, a wall was designated for a mural. Monterey High School 2005 Art Academy Senior Megan Platsis was recommended by her art teacher Jeanne Mays to design and produce the mural as part of her senior project. Megan and Ms. Mays met with Support Services Director Yvonne Despard to discuss the mural’s representation and focus. Following approval, she transferred the drawing to the mural, and with help from other Monterey High School students and Monterey Peninsula College students needing community service hours, completed the project in the beginning of July. At this time, Megan was recognized for her creativity, talent, perseverance, and time in completing the Enrollment Center mural.

Megan acknowledged the students who assisted her and said it was fun doing the project.

*2. Acknowledge the Monterey Peninsula Chamber of Commerce Education Committee’s Work with the Monterey Peninsula Unified School District – *Strategy 2*

The Education Committee of the Monterey Peninsula Chamber of Commerce has been instrumental in sponsoring First Day of School celebrations that are planned annually at each school site. By encouraging businesses to sponsor such an important school activity, an important link is made between community and school. The Health Supplies Drive motto is “Healthy Kids Learn Better.” In seeking donations of requested health supplies, it is hoped that students will not only stay healthier, but learn good habits of basic defense against germs. At this time, Support Services Director Yvonne Despard, who also sits on the Education Committee, provided an overview of both programs and said that an update on the Health Supplies Drive will be provided at a later date.

*3. Recognize Patricia Roberts for Receiving the National Citizenship Education Teacher Award, 2004-2005 – *Strategy 5*

The Veterans of Foreign Wars (VFW) annually recognizes the nation’s top elementary, junior high, and high school teachers of citizenship education topics who effectively promote America’s history, traditions, and institutions. Parents, school staff, or community members may make nominations for this award. VFW posts submit the names of local winners to the state level for judging, and the winners at the state level compete for the national award. The winners receive a monetary award for professional development expenses, a commemorative plaque, and an all-expense paid trip to Washington D.C. to attend the VFW and Ladies Auxiliary National Community Service Conference. At this time, Seaside High School teacher Patricia Roberts, who was chosen to receive the 2004-2005 National Citizenship Education Teacher Award, was recognized for receiving this prestigious award.

Ms. Roberts thanked the VFW for its support and encouraged other organizations to organize similar activities to educate young people.

VFW members were acknowledged in the audience.

Seaside City Council Member Tom Mancini and former MPUSD school board member Richard Pagnillo were also acknowledged in the audience.

President Foss said beginning with the next regular meeting, Board candidates will be acknowledged in the audience.

J. Communications

None.

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

Board Member Troutman reported on the certificated staff development inservice that was held in the Steinbeck Forum at the Monterey Conference Center.

Board Member Lauterbach also reported on the certificated staff development inservice, her attendance at the new teacher orientation, and first day of school visitation to Foothill School.

President Foss commented on the certificated staff development inservice, and said a similar inservice might occur for classified staff later in the year. She also reported on a second graduation ceremony for high school students who weren't able to march with their class in June, and her first day of school visitations to Marshall, Manzanita, King, and Marina del Mar.

L. DLIFLC/POM/NPS Representative Report

Military liaison Ron Graddy provided an update on the Partners in Education meetings, the implementation of the local action plan, and scholarships presented to two high school students. He also noted that the federal Base Realignment and Closure (BRAC) commission will be revisiting the status of the Defense Language School and Naval Postgraduate School. He congratulated the candidates for their interest in serving on the school board and wished them luck.

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

Helen Rucker, Seaside resident, gave praise to the work that Ms. Roberts has done for students and said she was deserving of the National Citizenship Education Teacher Award. She acknowledged Monterey County Herald education reporter Brandy Underwood in the audience, noted that she is moving out of the area, and thanked her for the reporting she has done for the District.

Shauna Rowe, former Foothill School parent, expressed concern regarding the bullying and negative impact her daughter experienced last year at the school, and said she was refused any additional accommodations by the principal and special education director, in particular a request for an aide to help socially during unstructured times due to ongoing bullying. Ms. Rowe said she was offended and angry that the special education director showed no compassion, and that her daughter is now attending a school in another state, at the cost of \$13,000 a month to her, where her daughter is happy and well taken care of. She said the bullying and teasing that goes on during unstructured times must be addressed, and she felt the trickle down effect of the mismanagement of funds is now directly affecting the children. Ms. Rowe said she will be filing a formal complaint.

Tom Mancini, Seaside Council member, announced that the City will be holding an open house on Friday, August 5, 4:00 – 6:00 p.m., so the community can meet the new city manager. He referred to the Board's request for a forensic audit on the District's modernization program and said it would be a waste of monies because the Chief Business Officer has already identified the issues, and anyone who may have been involved is no longer in the District.

Debra Gramespacher, Seaside resident, referred to the Board's 2004-2005 budget, noted that professional consulting services exceeded its budget by \$150,000, and asked if the services could be itemized.

Ruthie Watts, Seaside resident, said others in the audience might also be interested in the response, and asked whether it could be addressed tonight.

Chief Business Officer Tom Woodruff said the most appropriate time for a response would be at the September 6 meeting when the 2004-2005 unaudited actuals are presented to the Board for approval. Mr. Woodruff said the Business Office is spending most of August closing the books, so the actual expenses and income can be recorded. In the meantime, he will provide the public, upon request, a line item accounting of a particular budget item to date.

Marc Barlow, Marina resident, distributed information regarding Senate Bill 840, the California Health Insurance Reliability Act, which establishes a single comprehensive health plan for all California residents at no new cost to the state, and urged the Board to send letters to state legislators in support of the bill.

Item Q-5 was moved up on the agenda.

Q. Reports
Strategy 1

*5. Schedule of Charges for Facilities Use, 2005-2006 and Set Public Hearing – *Strategy 6*

On November 15, 2004, the Board approved Board Policy 7400, Community – Facilities Use. Boards are authorized under Education Code 38134 to charge an amount not to exceed direct costs for the use of school facilities or grounds by nonprofit organizations, clubs, or associations organized to promote youth and school activities. It also states that the District must charge fair rental value when facilities are used for fund-raising activities which are not beneficial to youth, public school activities, or charitable purposes. At this time, the Schedule of Charges for Facilities Use for the 2005-2006 school year was reviewed and discussed by Board members, and a public hearing set to receive public comment on this item on Monday, August 15, 2005, 7:00 p.m., at the Instructional Materials Center.

Mr. Lamb corrected that this item should have been agendaized as an Information item. Mr. Woodruff, Risk Management Coordinator Judy Durand, and Mr. Lamb highlighted the following:

- It was discovered that groups were using District facilities without a facilities use application on file.
- There was no consistency in facilities fees categories and clear definition of which organizations fall under the Civic Center Act.
- Income potential was lost.
- Liability issues are a concern. A swimming pool incident at a local community college resulted in a \$1.5 million liability claim. Youth leagues are using MPUSD fields with no agreements in the event a child is injured.
- With diligence, there will be a more accurate picture of who is using District facilities.
- Modifications were made to the user categories: civic center partners, education/community partners, and commercial use.
- Staff and other costs are delineated in the proposed schedule.
- Administrators will be inserviced to insure all community and commercial organizations have completed the appropriate paperwork and that the schedule of charges is adhered.
- There are cost impacts on outside use of school facilities and fields.
- The purpose of the public hearing is to allow any group who is currently using a facility, or a potential group, an opportunity to provide input for implementation of the schedule by the end of August to protect the District and people using District facilities.
- Signs will be posted relative to the use of school grounds.
- The policy is designed for groups looking to use school facilities for an organized purpose.

Board Member Haffa expressed support for the schedule and the need to maximize and charge reasonable fees.

R. Information

*1. Athletic Sportsmanship and Safety Recommendations from the Community Task Force Committee – *Strategy 1*

As a result of previous safety issues at a high school athletic event, District staff formed an Athletic Sportsmanship Community Task Force to recommend District safety procedures for athletic events. The objective of the Community Task Force was to review sportsmanship and safety at athletic events, and to develop recommendations to the Board to improve athletic sportsmanship and promote safety at athletic events for athletes, coaches, students, parents/guardians, and spectators. At this time, Facilitator Darren Sylvia, Monterey High School Principal Dan Albert, Seaside High School Principal Sheila Keifetz, and Task Force member Richard Pagnillo provided background information, clarified questions from Board members, and highlighted the following. This item will come back for action at the August 15, 2005, meeting.

- The Task Force is an outgrowth of an incident that happened in February 2005 at Seaside High School following a basketball game.
- The charge was how to incorporate Board-adopted *Pursuing Victory with Honor* into a recommendation for a Board policy for an Athletic Code of Conduct.
- The Task Force was comprised of approximately 20 members to include athletic directors, high school principals, community members, parents, and student athletes.
- The committee was broken into four subgroups: officials, players, spectators, and coaches to form recommendations what they would like to see as part of an outcome of a Code of Ethics for the subgroups.
- Recommendations included: (1) looking at a sample Board policy; (2) developing and implementing a game management plan; (3) revising the MPUSD Secondary Education Athletic Guidelines/ Handbook; (4) improving communication between parents, coaches, spectators, students, and athletes relating to the importance of good sportsmanship at all athletic events; and (5) continuing to implement and adopting *Pursuing Victory with Honor* as the main focal point of co-curricular and curricular emphasis.
- Coaches will be asked to sign a statement that they have read the guidelines and will abide by sportsmanship and good ethics on the field.
- Meetings with coaches, athletes, and parents will be held with coaches prior to sports season to review the Code of Ethics.
- The expectations for fan behavior will be visibly posted, and the expectations will be announced prior to each event.
- Coaches will be A Safety Awareness Program (ASAP) trained
- A series of consequences will be published.

A recess was taken at 9:09 p.m. and the meeting reconvened at 9:17 p.m. to take the following action:

N. Student Issues

*2. Consider Readmittance Case 04-05-14

RESOLVED that the student in Expulsion Case 04/05-14 be readmitted to schools in the Monterey Peninsula Unified School District in accordance with the stipulations set forth by the Board of Education.

MSC Lauterbach, Troutman
AYES: 4 (Board Member LeBoeuf was not present during the vote)
NOES: 0

O. Action Items

1. Approve Addendum to Interim Superintendent's Employment Agreement – *Strategy 5*
- RESOLVED** that the Addendum to the Interim Superintendent's Employment Agreement be approved.
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|-------|-------------------|
| MSC | Lauterbach, Haffa |
| AYES: | 5 |
| NOES: | 0 |

- *2. Approve Definition of Trust – *Strategy 1*
- One of the uncompleted Strategic Plan Action steps is 1.1 – *Formally adopt a definition of trust that everyone in the community will understand.* It was recommended by the Strategic Planning Action Team at the June 16, 2003, Board meeting for Board approval of a definition of Trust. The Superintendent's Advisory began work on that definition in the fall of 2003, and since then the definition has been through the Strategic Planning Action Team twice, through the Leadership Support Team, through the Board at its meetings of December 6 and 15, 2004, and through a Board subcommittee with input from Board Members Troutman and Haffa.

Mr. Mancini felt that the definition should have a broader obligation, and referred to correspondence from constituents received by Board members, and acknowledged only at an open meeting and telling the public what the complaint is. He felt that it ambushes staff. He said when a constituent trusts a Board member to do something, that doesn't mean it has to be announced at a meeting; rather a response from the Board member should be sent to the constituent indicating that the concern will be forwarded to staff for a response. Mr. Mancini provided the following alternative definition of Trust:

"Trust is a commitment as a Board to treat each other, District staff and faculty, parents and students, and our community ethically with respect, honesty, integrity and openness to achieve our mission and to act in a manner consistent with our beliefs."

Board Member Haffa said the recommended definition evolved over many renditions, and was recommended by consensus. He said one of the notions is that many people on the Strategic Planning Committee felt that the Board and the whole District is inclusive, and it was felt if any were not a part of the trusting process, that it wouldn't be as effective.

RESOLVED that the following definition of Trust be approved.

TRUST is the result of commitment by community, board, staff, parents, and students to collaborate with integrity, ethics, accountability, and respect.

MSC	Lauterbach, Haffa
AYES:	5
NOES:	0

- *3. Consider Taping and Broadcasting of School Board Meetings – *Strategy 1*
- Board Member LeBoeuf motioned and Board Member Lauterbach seconded that the Board discuss a system to be used for the taping and broadcasting of school board meetings.
- Board Member Lauterbach expressed support for the more cost effective options and suggested the following: (1) using two cameras --- one mounted behind the Board to view the public and one mounted by the clock to view the Board, using a switch to go from one camera to the other; (2) using the tripod system and having a regional occupational program (ROP) student film the meetings; or (3) advertising upcoming topics at Board meetings on Access Monterey Peninsula (AMP).
- TABLED**

Board Member Haffa also expressed support for a cost effective options, and suggested if approved to move forward, that staff be given a budget to work with and directed to determine the details.

Board Member LeBoeuf suggested that staff also be given parameters.

ROP Coordinator Elmer Canady said if two mounted cameras and a switch are used, he will need to consult with the ROP/Adult Education Service Center instructor for cost of the switch and wiring, and to determine who will do the switching of cameras.

Shauna Rowe expressed support for two cameras with a switch, and asked if it's possible to seek community donations for the purchase and installation of the equipment in exchange for free advertising. She also suggested using CDs to tape the meetings so it can be given to AMP.

Helen Rucker expressed support for a condensed version of the Board meetings on Access Monterey Peninsula, to include announcing what will be on the upcoming agenda, and providing a summary of what transpired at the previous meeting.

Shauna Rowe said the minutes condense the meetings, and said some people prefer viewing the entire meeting.

Board Members LeBoeuf and Lauterbach withdrew their motions.

Following further discussion, it was the consensus of the Board to table the item, and for staff to look into the feasibility of using two mounted cameras with a switch and to determine the related costs.

P. Consent Agenda

1. Approval of Consent Agenda - *Strategy 1*

RESOLVED that the Consent Agenda be approved as submitted.

- *1. Approve Minutes
- July 18, 2005
- *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
Washington Mutual	Marina del Mar School For student activities	\$450.80

- *4. Approve 2005-2006 Agreement for Professional Services – Lozano Smith
- *5. Approve the Submission and Implementation of an Emergency Response and Crisis Management Grant (\$100,000)
- *6. Approve Proposed 2005-2006 Adult Education Program

MSC Troutman, LeBoeuf
AYES: 5
NOES: 0

Q. Reports
Strategy 1

- | | | |
|---|---|---|
| 1. Committees/
Conferences | <ul style="list-style-type: none"> - Community Human Services Project - Mission Trails Regional Occupational Program - Head Start Liaison to County Office - Board Policy Subcommittee - Monterey County School Boards Association - Special Education Joint Powers Board - Subcommittees to the Cities of Marina, Monterey, Seaside, Del Rey Oaks, and Sand City | <p>No report.</p> <p>No report.</p> <p>Board Member LeBoeuf said she will be meeting with the head teacher for an update.</p> <p>Board Member Lauterbach reported that policies will be brought to the Board for approval, and that Mr. Lamb is setting a meeting with community members to discuss law enforcement as it relates to students.</p> <p>No report.</p> <p>No report.</p> <p>Board Member Lauterbach reported that a meeting with City of Monterey representatives will be scheduled the middle of August/early September.</p> |
| 2. Superintendent's Report | <p>Mr. Lamb reported on a July 27 meeting with certificated employees to welcome them back to the District, re-establish a connection, and share with teachers the District's Program Improvement status.</p> <p>Chief Business Officer Tom Woodruff provided a progress report on the Board's request for a forensic audit on the modernization program, and said requests for proposals were issued and are to be submitted to the District by August 10. Mr. Woodruff said to date, he has received two proposals from firms, and has made personal requests from three other firms – the Fiscal Crisis & Management Assistance Team (FCMAT), the District's independent auditor Perry-Smith LLP, and a local certified public accountant. The proposals will be agendized for Information at the August 15, 2005, meeting.</p> | |
| 3. Report on First Day of School Enrollment – <i>Strategy 1</i> | <p>Information regarding first day attendance comparison by school from 2001-2002 to present was distributed. Mr. Lamb reviewed enrollment patterns and said typically, staff meets on days 1, 3, 5, 9, and 13 to check enrollments. He indicated another enrollment update will be presented at the August 15 meeting.</p> <p>In response to questions from Board members and public regarding enrollment in K-6 schools and whether there is a lot of movement out of 6th grade to attend the middle schools; Marshall School's first day attendance being over the projected enrollment; whether the District is still in declining enrollment; the amount lost on average daily attendance per student per day; whether transfer outs might be affecting enrollment due to the District's Program Improvement (PI) status; and concern about the enrollment of some schools and whether there will be discussion about boundary changes in the future, staff responded:</p> <ul style="list-style-type: none"> • It is anticipated that 6th graders are expected to continue for the span of the K-6 school, but there have been some requests to go to the middle school. • Marshall School is 17 students over projection, is spread out, and in good shape. • By Day 5, some sites will have to look at combination classes to address enrollment issues within their allocation of staff. • It's still too early to be able to address declining enrollment. • Approximately \$30 is lost per student per day. | |

- There is no higher rate of interdistrict requests out than as in the past; there are a number of students coming in. There are over 150 California school districts in PI status. While it is something that is taken seriously, it doesn't mean that there is not good learning and teaching in the District.
- Staff will not be recommending boundary changes within the next month or two until enrollment stabilizes. Staff will then look at what the impact would be in changing boundaries.

*4. Monthly
Modernization
Update – *Strategy 6*

The Board has requested a monthly status report on the District's modernization projects. Attached to the agenda were the project detail cost summaries on the schools that have active modernization projects, as well as narrative information on project scope and status of the work being accomplished and areas of concern. In response to questions asked at a previous meeting regarding the roofs, Mr. Woodruff said due to their rapidly deteriorating condition, the District directed 3D/International to proceed with the replacement of roof systems on 18 of the 24 schools before general construction packages were completed. He noted that page 5 of the report delineated the 18 schools where roofing projects have been completed, and that the only one remaining is Marshall School which is 25% complete. Mr. Woodruff said there are other schools/sites in the District that may need roof replacements, and that a recommendation will be brought to the Board at the future meeting.

In response to questions from Board members and the public regarding the condition of sewer lines and the non-ventilated new windows in the boys' gym at Monterey High School; Foothill School saturated soils, pavement issues, and sewer lift station; of the 24 projects, which one was not contracted; the status of canopies at Marshall School and Central Coast High School; why Larkin is considered beneficially occupancy and Monte Vista is not; the need for portable restrooms for students at Olson School; rationale for the increase in total soft costs expended to date and should the District be responsible to absorb all of the soft costs; whether the deferred maintenance funds used for roof repairs around 2003 were replaced with modernization funds, staff responded:

- The sewer lines at Monterey High School aren't within the scope of the current modernization contract, but there are state-funded rehabilitation project monies.
- Windows are not always a good source of ventilation. The District is looking into a forced mechanical ventilation system that will draw air out of the gym and supply fresh air, especially when the gym is full of people. There is still funding available for Monterey High School and the system can be incorporated into that funding scheme.
- The areas of concern at Foothill School, as a result of heavy equipment brought through the playgrounds to work behind the portables, have been addressed and repairs have been absorbed by the contractor. The lift station has been rewired and a new pump station motor and emergency power generation is in place. The pump was charged to deferred maintenance.
- Monte Vista was not contracted.
- The District is looking at stand-alone canopies and is working on a design to adapt to the existing columns. It is doubtful that they will be in place before the rains.
- The term beneficially occupancy is defined as being able to turn the site over to the Army so it can move in and hold their classes. The Army is adapting Monte Vista to meet its needs before taking occupancy.
- The District worked with the contractor at Olson School to expedite the modernization of the restrooms and they will be available for student use on Tuesday, August 2.

- It appears that the architectural designs of many of the projects needed to be re-designed and/or re-engineered. Soft costs include architects, engineers, construction manager, labor compliance issues, school site assessments, inspection services, discovering additional damage, the upgrading of plans, and extra fees. Soft costs is an issue with modernization projects and responsibility for absorbing those costs can be included within the scope of the modernization audit.
- Deferred maintenance funds were used to start many of the roofing projects and is a legitimate expenditure. With respect to offsetting those costs with modernization monies, it could be an item included within the scope of the modernization audit.

In response to Shauna Rowe’s request for a list of contracts that were \$15,000 and below and information related to bid splitting in the District, Mr. Woodruff said a list is not available, but the information will be made available at the District Office for her perusal. Board Member Haffa said her request for information regarding bid splitting in the District might be an item to ask the auditor should the Board decide to look into bid splitting.

President Foss requested, in the interest of time, that Board members call in their modernization questions to Facilities Planner Charlie Van Meter prior each meeting monthly modernization update.

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

- Taping of Board meeting (Lauterbach)
- Review of bullying policy. A review of how proactive the District is with special education students in the mainstream. Is the District giving the general education teachers and the students the information they need so that bullying and other problems don’t exist (Foss)
- Suggest that they be a separate item. There are people who get bullied who aren’t necessarily special education students (Haffa)

T. Board Self-Evaluation, as Applicable

None.

U. Closed Session

The Board adjourned to closed session at 10:22 p.m. and reconvened at 10:45 p.m. to take the following action:

V. Adjournment

The meeting adjourned at 10:45 p.m. in memory of retired administrator Jonathan Beene.

Respectfully submitted,

John Lamb
Executive Secretary

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