

ADOPTED MINUTES
EL DORADO UNION HIGH SCHOOL DISTRICT
BOARD OF TRUSTEES
REGULAR BOARD MEETING
OCTOBER 23, 2007

A. INTRODUCTORY ITEMS

1. Call to Order

This meeting of the Board of Trustees was called to order at 5:00 p.m. by President Tim Cary in the Superintendent's Office.

After letting those in attendance know the specific items to be discussed during Closed Session, and asking if anyone in attendance had any comments or questions regarding the Closed Session agenda, the Board entered Closed Session for discussion of the following items:

- a. Discuss hearing panel recommendations regarding possible orders to expel five students. Any action will be taken in public session during the Student Services section of the public portion of the board meeting. All appropriate actions will be taken to preserve the confidentiality and legal rights to privacy of the students. *(EC 35146, 48918[c])*
- b. Consider one student's petition\ for reinstatement into El Dorado Union High School District.
- c. Discuss and take action about certificated and classified personnel listed in the consent agenda related to personnel action. *(GC 54954.5, 54957)*
- d. Conference with labor negotiator (agency negotiator for the Board is Asst. Superintendent Steve Volmer) to discuss with the Board represented employees: Proposals from the **Faculty Association** regarding compensation package and other contract issues. *(GC 54957.6)*
- e. Conference with labor negotiator (agency negotiator for the Board is Asst. Superintendent Steve Volmer) to discuss with the Board represented employees: Proposals from the **CSEA** regarding compensation package and other contract issues. *(GC 54957.6)*
- f. Discuss Superintendent's evaluation and contract.
- g. Discuss public employee performance evaluations and contracts of district-level administrators pursuant to Government Code 54957: Assistant Superintendent–Personnel Services, Associate Superintendent–Business Services, and Associate Superintendent–Educational Services.

The Board entered Open Session at 6:12 p.m. in the Boardroom.

2. Pledge of Allegiance was led by Pat Manthey.

3. AttendanceBoard Members Present

Timothy M. Cary
Kirby L. Ehler
Mary T. Muse*
Madeline T. Restaino
Lori M. Veerkamp*

D.O. Staff Present

Sherry J. Smith, Executive Secretary
Dennis Carocci, Associate Superintendent
Steve Volmer, Assistant Superintendent
Stephen Luhrs, Associate Superintendent
Patty McClellan, Facilities Director
Stevie Clark, Director of Student Services
Sylvia Torres, Assistant to the Superintendent

Student Board Member

Courtney Winzeler

Association Representatives

Dave Hamblen, Faculty Association President
Patricia Manthey, Classified Association President

*Absent

Others

Staff: 1

Community Members: 0

4. Requests to change the agenda and approval of agenda.

Mrs. Restaino moved to approve the agenda as presented. Seconded by Mr. Ehler. Motion unanimously carried (3-0).

5. Consent Agenda

Mrs. Restaino moved to approve the Consent Agenda. Mr. Cary asked to revise the motion by pulling item v: *Award Bids for the Framing, HVAC, and Miscellaneous Bid Divisions for the Construction of the New Maintenance Building at Oak Ridge High School and Approve Resolution No. 2007/08-12 Authorizing the Assignment of the Contracts to the Construction Manager, Carter/Kelly Construction Management Services, Inc.*, for further discussion immediately following action on the Consent Agenda. Seconded by Mr. Ehler. (Courtney Winzeler, aye.) Motion carried (3-0).

- a. Approval of Minutes of October 9, 2007, Board Meeting.
- b. Approval of Commercial Warrants Report (copy available at District Office).
- c. Approval of Routine Certificated Personnel Action.
- d. Approval of Routine Classified Personnel Action.
- e. Donations Received.
- f. Approval of Out-of-State Travel for Ruelle Carstenson, Health Education Coordinator, to Attend a Mandatory Conference for the Carol M. White (PEP) Grant in Washington, D.C., on November 8–9, 2007.
- g. Approve Resolution No. 2007/08-10 Certifying the Annual and 5-Year Accounting and Reporting Obligations of the Collection of School Facility Fees (Developer Fees).
- h. Permission to Dispose of Obsolete/Unusable Furniture, Equipment, and Textbooks.
- i. Approval of School Block Grant Proposal for the 2007–08 School Year for El Dorado High School.
- j. Approval for El Dorado High School, Oak Ridge High School, Ponderosa High School, and Union Mine High School Winter Sports 2007–08 (Boys' Basketball, Girls' Basketball, Ski and Snowboard, and Wrestling) Instructional Trips Which are Overnight and/or 300 Miles.

- k. Approval for El Dorado High School Drama Students to Participate in an Instructional Trip: Oregon Shakespeare Festival, Ashland, March 7–10, 2008.
- l. Approval for El Dorado High School Speech and Debate Team to Participate in an Instructional Trip: UOP Invitational Speech Tournament, University of Pacific, Stockton, March 26–28, 2008.
- m. Approval for Oak Ridge High School Ski and Snowboard Team to Participate in an Instructional Trip: Ski and Snowboard Team Mini Training Camp, Boreal Ski Mountain, November 17–18.
- n. Approval for Oak Ridge High School Girls' Basketball Team to Participate in an Instructional Trip: Lady Cat Classic Basketball Tournament Held at Brea Olinda High School, November 27–December 1.
- o. Approval for Oak Ridge High School Boys' Basketball Team to Participate in an Instructional Trip: Mission Prep High School Basketball Tournament, San Luis Obispo, December 20–22.
- p. Approval for Oak Ridge High School Youth and Government Students to Participate in Instructional Trips: November 2007–February 2008.
- q. Approval for Oak Ridge High School Honor Bands to Participate in Instructional Trips: January–March 2008.
- r. Approval for Oak Ridge High School Boys' Volleyball Team to Participate in an Instructional Trip: Volleyball Team Camp, Honolulu, March 16–22, 2008.
- s. Approval for Oak Ridge High School Students to Participate in an Instructional Trip: Southern California College Tour, Santa Barbara, Los Angeles, and San Diego, March 17–20, 2008.
- t. Approval for Ponderosa High School Choir Students to Participate in an Instructional Trip: Central Regional Honor Choir, University of Pacific, Stockton, November 16–18.
- u. Approval for the Establishment of the El Dorado High School Parent Academic Boosters–The Cougars' Den.

Item v., was discussed immediately following the approval of Consent Agenda Items a-u.

- v. Award Bids for the Framing, HVAC, and Miscellaneous Bid Divisions for the Construction of the New Maintenance Building at Oak Ridge High School and Approve Resolution No. 2007/08-12 Authorizing the Assignment of the Contracts to the Construction Manager, Carter/Kelly Construction Management Services, Inc.

Patty McClellan, Facilities Director, and Bill Wright, Legal Counsel for the District, informed the Board that the District had received a protest relating to the HVAC bids presented in this item. Mrs. McClellan explained that an examination of the forms found that there was some ambiguity that could have affected the bid. The Administration was, therefore, recommending that the Board reject all bids in the HVAC division to allow a fair bid to all bidders. Mrs. McClellan confirmed that no such ambiguities affected the Framing or Miscellaneous bid divisions and recommended that the Board award those bids and approve Resolution No. 2007/2008-12 as recommended.

Mrs. Restaino moved to award bids for the Framing and Miscellaneous Bid Divisions for the Construction of the New Maintenance Building at Oak Ridge High School. Seconded by Mr. Ehler. (Courtney Winzeler, aye). The motion carried (3-0).

Mr. Ehler moved to approve Resolution No. 2007-2008-12 authorizing the assignment of the contracts to the Construction Manager, Carter/Kelly Construction Management Services, Inc. (Courtney Winzeler, aye). Seconded by Mrs. Restaino. Motion carried (3-0).

Mr. Cary moved to reject all bids in the HVAC Bids Division and authorize a rebidding. Prior to the motion being seconded, Mr. Cary opened the meeting to public comment, noting that no public was in attendance, Mr. Cary closed the public comment session. Mr. Ehler seconded the motion. (Courtney Winzeler, aye). The motion carried (3-0).

At this time, Mr. Cary moved to amend the agenda to go directly to the Facilities Section for discussion of Item F.1.

B. RECOGNITION OF SPECIAL CONTRIBUTIONS AND ACHIEVEMENTS

There were no recognitions.

C. ACKNOWLEDGMENT OF CORRESPONDENCE

No request for correspondence was received.

D. INVITATION TO BARGAINING UNIT PRESIDENTS/DESIGNEES AND/OR MEMBERS OF THE PUBLIC TO ADDRESS THE BOARD

1. Faculty Association President Dave Hamblen spoke on his concern with the reduction of classified staff in the Adult Education program. Negotiations are going well and very close to settling. Having gone through the contract entirely, there is a sense that everyone at the table has heard the evolution of and gained a historical understanding of the contract. Mr. Hamblen urged everyone to register for the El Dorado County Food Banks' Walk for Hunger on November 10 in El Dorado Hills. There are scholarships available to students who want to participate in the Walk. Mr. Hamblen will provide sponsor forms through the District Office.
2. CSEA President Pat Manthey commented on the staff reduction in the Adult program, saying that she was pleased that the District was been able to offer the classified employee affected by the reduction another position. Mrs. Manthey shared that EDHS is still on air after the exciting double-overtime win over their undefeated rivals last Friday. Negotiations seem close to being settled, they are down to crunching numbers.

E. SUPERINTENDENT'S COMMENTS

The Superintendent's comments were heard during Section L: Announcements by Board and Cabinet.

Item F.1. was heard and acted on following approval of Consent Agenda Items a-u and discussion of Item v.

F. FACILITIES SERVICES – ACTION/DISCUSSION ITEMS

1. Approve Resolution No. 2007/08-13 Rejecting the Lowest Bid as Nonresponsive and Awarding the Bid to the Next Lowest Responsive Bidder for the Electrical Portion of the Construction of the New Maintenance Building at Oak Ridge High School and Approve Resolution No. 2007/08-14 Authorizing the Assignment of the Contract to the Construction Manager, Carter/Kelly Construction Management Services, Inc.

Patty McClellan, Facilities Director, presented this item. Mr. Bill Wright, legal counsel for the District, was present to respond to any questions and advise the Board on this matter.

On October 16, 2007, the District opened bids for the framing, HVAC, electrical, and miscellaneous bid divisions for the new maintenance building that is part of the Oak Ridge High School Phase 4 Expansion/ Modernization Project authorized by the Board on January 9, 2007. The District found that the low bid in the electrical division from Sacramento Electrical Co., Inc., contained an irregularity and submitted it to the District's legal counsel, Bill Wright, for review. Mr. Wright concurred with District staff that the bid from Sacramento Electrical Co., Inc., was nonresponsive because Sacramento Electrical Co., Inc., failed to include the amount of its bid on the appropriate bid form. The failure of the apparent low bidder to include the amount of its bid on the appropriate bid form renders the bid by Sacramento Electrical Co., Inc., nonresponsive on its face, and should be rejected.

Both the Construction Management Services Agreement and the individual contracts with the trade contractors state that the District intends to delegate responsibility for the administration of the contracts to the Construction Manager. Resolution No. 2007/08-14 formally assigns the contract for the electrical bid division to Carter/Kelly Construction Management Services, Inc., to administer as the Construction Manager for the Oak Ridge High School New Maintenance Building Project. The cost for contract administration services is included in the Construction Management Services Agreement.

Mrs. McClellan reported that she and Mr. Wright had reviewed the noted resolutions and were recommending that the Board approve Resolution No. 2007/08-13 and Resolution No. 2007/08-14.

Mr. Cary moved to approve Resolution No. 2007/08-13 rejecting the lowest bid as nonresponsive and awarding the bid for the electrical portion of the Oak Ridge High School New Maintenance Building Project to the next lowest responsive bidder meeting contract documents for the performance of work listed in the Summary of Bids, and Resolution No. 2007/08-14 for the assignment of the contract to Carter/Kelly Construction Management Services, Inc., as the District's Construction Manager for the Oak Ridge High School New Maintenance Building Project. Mrs. Restaino seconded. (Courtney Winzeler, aye.) The motion carried (3-0).

G. EDUCATIONAL SERVICES – ACTION/DISCUSSION ITEMS

No items were presented for information or approval under this section of the agenda.

H. BUSINESS SERVICES – ACTION/DISCUSSION ITEMS

No items were presented for information or approval under this section of the agenda.

I. STUDENT SERVICES – ACTION/DISCUSSION ITEMS

1. Consideration of Administrative Hearing Panel Recommendation from Expulsion Hearings.
(GC 54954.5[h]; EC 35146, 48918[c])

- a. Mrs. Restaino reported that the Board of Trustees adopts the Findings of Fact, Conclusions, and Recommended Order of the Administrative Panel as the Findings of Fact, Conclusions, and Order of the Board of Trustees regarding the expulsion of **Student #07-05**. The Board finds that **Student #07-05** violated California Education Code Section 48900, parts (a)(1) and (k), as well as District Administrative Regulation 5144.1, parts C.1.a. and C.11.

Mrs. Restaino moved to: (1) order the expulsion of **Student #07-05**, and (2) designate the term of expulsion as the first and second semesters of the 2007-2008 school year. Seconded by Mr. Ehler. The motion carried (3-0).

- b. Mrs. Restaino reported that the Board of Trustees adopts the Findings of Fact, Conclusions, and Recommended Order of the Administrative Panel as the Findings of Fact, Conclusions, and Order of the Board of Trustees regarding the expulsion of **Student #07-06**. The Board finds that **Student #07-06** violated California Education Code Section 48900, parts (c) and (k), as well as District Administrative Regulation 5144.1, parts C.3 and C.11.

Mrs. Restaino moved to: (1) order the expulsion of **Student #07-06**, and (2) designate the term of expulsion as the first and second semesters of the 2007-2008 school year. Seconded by Mr. Ehler. The motion carried (3-0).

- c. Mrs. Restaino reported that the Board of Trustees adopts the Findings of Fact, Conclusions, and Recommended Order of the Administrative Panel as the Findings of Fact, Conclusions, and Order of the Board of Trustees regarding the expulsion of **Student #07-07**. The Board finds that **Student #07-07** violated California Education Code Section 48900, parts (c) and (k), as well as District Administrative Regulation 5144.1, parts C.3 and C.11.

Mrs. Restaino moved to: (1) order the expulsion of **Student #07-07**, and (2) designate the term of expulsion as the first and second semesters of the 2007-2008 school year. Seconded by Mr. Ehler. The motion carried (3-0).

- d. Mr. Ehler reported that the Board of Trustees adopts the Findings of Fact, Conclusions, and Recommended Order of the Administrative Panel as the Findings of Fact, Conclusions, and Order of the Board of Trustees regarding the expulsion of **Student #07-08**. The Board finds that **Student #07-08** violated California Education Code Sections 48915, part (a)(3), 48900, parts (c) and (k), as well as District Administrative Regulation 5144.1, parts F.2.c., C.3 and C.11.

Mr. Ehler moved to: (1) order the expulsion of **Student #07-08**, and (2) designate the term of expulsion as the first and second semesters of the 2007-2008 school year. Seconded by Mrs Restaino. The motion carried (3-0).

- e. Mr. Ehler reported that the Board of Trustees adopts the Findings of Fact, Conclusions, and Recommended Order of the Administrative Panel as the Findings of Fact, Conclusions, and Order of the Board of Trustees regarding the expulsion of **Student #07-09**. The Board finds that **Student #07-09** violated California Education Code Section 48900, parts (c) and (k), as well as District Administrative Regulation 5144.1, parts C.3 and C.11.

Mr. Ehler moved to: (1) order the expulsion of **Student #07-09**, (2) designate the term of expulsion as the first and second semesters of the 2007-2008 school year, but to (3) suspend the expulsion, and (4) grant probationary student status at Oak Ridge High School. Seconded by Mrs. Restaino. The motion carried (3-0)

- k. Mr. Ehler reported that the Board of Trustees adopts the Findings and Recommendations of full readmission for **Students #07-D** to Ponderosa High School.

Mr. Ehler moved to readmit **Students #07-D**. Seconded by Mrs. Restaino. The motion carried (3-0).

J. PERSONNEL SERVICES – ACTION/DISCUSSION ITEMS

1. Resolution Reducing 1.0 Classified FTE.

Steve Volmer, Assistant Superintendent of Personnel, reported that due to lack of funds in Adult Education, he is asking the Board to approve the resolution calling for the reduction of classified staff by 1.0 FTE within the Instructional Technician I classification.

Mr. Volmer noted that the employee affected by the reduction has been offered another instructional tech position, with the same number of hours, at Oak Ridge High School. The employee may accept or reject the offer, or retire from the district.

Mr. Cary opened the meeting for public hearing. There being no public to comment, the hearing was closed.

Mrs. Restaino moved to approve Resolution 2007/08-11 for the reduction of classified staff by 1.0 FTE within the Instructional Technician I classification. Seconded by Mr. Ehler. The motion carried (3-0).

K. OTHER – ACTION/DISCUSSION ITEMS

1. Request by Superintendent for Approval to Extend Current Strategic Planning Goals to 2009–10 School Year.

In 2006 the Board adopted the current Strategic Planning Goals for a period of two years, 2006-2008. During the past year, the Board has received ongoing progress reports on the action taken and progress made as a result of the five major goals. Although there has been major progress throughout the district, the administration believes that there is much more to achieve. Mrs. Smith recommended that the Board extend the Strategic Planning Goals for an additional two years, through 2010, to allow time to reach the ultimate goals. Mrs. Smith suggested that the strategic goals remain the same, but that the targets be revised and that the Administration continue to provide progress reports over the next two years.

The Board commented on the positive changes that have come about since the enactment of the five major goals. Results are evident in the cleanliness of the campuses, student achievement, and in staff. The Board favored the extension of the Strategic Planning Goals with updated targets and requested that the Administration return with updated targets and a master plan for new projects.

Mrs. Restaino moved to extend the Strategic Planning Goals for an additional two years, through 2010, and that targets be updated and presented to the Board at a later date. Mr. Ehler seconded. (Courtney Winzeler, aye.) The motion carried (3-0).

L. ANNOUNCEMENTS BY BOARD AND CABINET, IF NEEDED, AND REVIEW OF TIME LINE FOR FUTURE BOARD AGENDA ITEMS.

Superintendent's Comments were received during this time:

- Sherry, Stevie Clark, Dennis Carocci, and Chuck Palmer were at CSUS this morning for the signing of the Memorandum of Understanding that will guarantee EDUHSD students who have met the 3.0

G.P.A. and CSU requirements, entrance to CSUS. Chuck Palmer was credited for spearheading the process and making the contacts that led to the agreement. The MOU will apply to our 2008 graduates.

- The College Fair will be held on Thursday night at UMHS at 6:30 p.m.
- Jim Hall is recuperating at home and is expected back in six weeks.
- Great conversations are taking place with the career tech staff. The November Board meeting will include a progress report on the manufacturing/engineering/construction sector.

Courtney announced that she will be attending the University of Idaho as a third generation alumni. She added that she will be working at the College Fair on Thursday evening.

Maddy commented that she is pleased to hear that negotiations are on track.

Sherry thanked Maddy for making the Board meeting on short notice in her condition, and her husband for bringing her in.

Tim shared that he will be attending his daughter's boyfriend's graduation from boot camp.

M. CLOSED SESSION

This session was not needed.

N. OPEN SESSION

The following was reported from Closed Session:

Mr. Cary reported that the Board had approved a 6.03% raise increase for the Assistant Superintendent of Personnel, the Associate Superintendent of Educational Services and Associate Superintendent of Business Services.

O. ADJOURNMENT

There being no further business, the meeting was adjourned at 6:50 p.m.

Sherry J. Smith
Executive Secretary