

**ADOPTED MINUTES**  
EL DORADO UNION HIGH SCHOOL DISTRICT  
**BOARD OF TRUSTEES**  
REGULAR BOARD MEETING  
**APRIL 8, 2008**

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**A. INTRODUCTORY ITEMS**

1. Call to Order

This meeting of the Board of Trustees was called to order at 5:00 p.m. by Board President Mary Muse 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. Consider approval of one stipulation and settlement agreement in the manner of expulsion.
- b. Discuss hearing panel recommendations regarding possible orders to expel two 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])*
- c. Discuss and take action about certificated and classified personnel listed in the consent agenda related to personnel action. *(GC 54954.5, 54957)*
- d. Discuss Superintendent's goals and objectives and performance evaluation.

The Board entered Open Session at 6:05 p.m. in the Boardroom.

2. Pledge of Allegiance was led by Pat Manthey.

3. Attendance

Board 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  
Stevie Clark, Assistant Superintendent  
Patty McClellan, Facilities Director  
Sylvia Torres, Assistant to the Superintendent

Student Board Member

Courtney Winzeler

Association Representatives

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

\*Absent

Others

Staff: 0

Community Members: 20

4. Requests to change the agenda and approval of agenda.  
Mrs. Veerkamp moved to approve the agenda. Seconded by Mr. Ehler. (Courtney Winzeler, aye.)  
Motion carried (4-0).
  
5. Consent Agenda  
Mrs. Muse asked to pull item 5.i: *Progress Report About Implementing the District's Interim Facilities Master Plan* for discussion at a later Board meeting. Mrs. Veerkamp asked to pull item 5.h: *Adoption of Proposed El Dorado Union High School District Student Calendars for 2009–10, Administrative Regulation 6111* for discussion under Section G. Educational Services.

Mr. Cary moved to pull items 5.i and 5.h. as requested and approve the remaining consent agenda items. Seconded by Mr. Ehler. (Courtney Winzeler, aye.) Motion carried (4-0).

- a. Approval of Minutes of March 25, 2008, Board Meeting.
- b. Approval of Commercial Warrants Report
- c. Approval of Routine Certificated Personnel Action.
- d. Approval of Routine Classified Personnel Action.
- e. Donations Received.
- f. Williams Act Uniform Complaint Procedures Quarterly Report.
- g. Approval/Acceptance of Update to Board Policies, Administrative Regulations, and/or Board Bylaws: BP 1230, AR 1230, BP 3516, AR 3516, AR 3541.1.
- i. Approve General Prevailing Wage Determination Rates.
- j. Approve Agreement for Architectural Services with ANOVA Architects, Inc., for Architectural and Engineering Services for the El Dorado High School Culinary Arts Building.
- k. Approve Contract with Youngdahl Consulting Group, Inc., for Testing Services for the Independence High School Modernization Phase 3 Portable Replacement Project.
- m. Annual Review of the El Dorado Union High School District Injury and Illness Prevention Plan.
- n. Approval for El Dorado High School Band Students to Participate in an Instructional trip: Disneyland Parade and Workshop, Anaheim, May 27–30, 2008.
- o. Approval for El Dorado High School and Ponderosa High School Speech and Debate Team Students to Participate in an Instructional Trip: California High School Speech Association Speech and Debate State Tournament, Santa Clara University, April 17–21, 2008.
- p. Approval for Oak Ridge High School Students to Participate in an Instructional Trip: First Lego League Asian Open Championship, Tokyo Metropolitan Gymnasium, Japan, April 24–30, 2008.
- q. Approval for Oak Ridge High School Band and Choir Students to Participate in an Instructional Trip: Heritage Music Festival, Santa Clara, May 2–4, 2008.
- r. Approval for Ponderosa High School FFA/Agriculture Students to Participate in an Instructional Trip: State FFA Conference, Fresno State and Fresno Convention Center, April 19–22, 2008.
- s. Approval for Ponderosa High School Leadership Students to Participate in an Instructional Trip: CADA Leadership Camp, UC Santa Barbara, July 18–22, 2008.
- t. Delegate Authority to the Superintendent to Reject All Bids and Authorize Rebidding of the Earthwork/Site Utilities Portion of the Oak Ridge High School 2007 Modernization and Additions.

**B. RECOGNITION OF SPECIAL CONTRIBUTIONS AND ACHIEVEMENTS**1. Student Representative Reports:

- a. Sheree Christensen reported on activities at Ponderosa High School.
- b. Alyssa Marks reported on activities at Union Mine High School.
- c. Jeffrey Hale reported on activities at El Dorado High School.

2. Student FFA Report.

- a. Ryan Wimmer and Josh Dewey reported on FFA activities at Ponderosa High School.

3. Bus Driver Recognitions.

Mrs. Muse acknowledged the following bus driver award recipients:

- a. Driver of the Year: Cindy Salmeri
- b. Substitute Driver of the Year: Gary Warren
- c. Safe Driving Award: Stan Rees, 10 years
- d. Transportation Classified Employee of the Year: Pat Fleshman

**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. Pat Manthey, CSEA Past President, thanked Dennis Carocci for his service to the district and being a friend of classified staff. Mrs. Manthey commented how glad she is to be able to say that there are no layoffs or cutbacks taking place in the district, unlike so many other districts in the region. Mrs. Manthey attributed the district's positive financial standing to the District's administrative staff.
2. Faculty Association President Dave Hamblen shared that a vote of certificated staff indicated 90% of those who voted are supportive of the Measure Q bond. Mr. Hamblen encouraged the District to get folks involved, especially those who will be affected if the bond passes. He also offered his services to help with the bond. Lastly, Mr. Hamblen invited everyone to the annual Faculty Association picnic on May 9<sup>th</sup>, at the fairgrounds.

**E. SUPERINTENDENT'S COMMENTS**

Mrs. Smith pointed out the boardroom makeover; the EDHS AVID display and the placement of the California Distinguished School flag in honor of the four comprehensive school sites that have earned the recognition. Lisa Fehlman, EDHS Counselor, and Becca Kaldunski, EDHS Assistant Principal, were acknowledged for the great job they did in creating the EDHS AVID display.

Mrs. Smith stated that the community has been busy working on Measure Q. At schools, state testing is in full force, keeping Dennis Carocci's office and the Guidance offices busy. ORHS is in the midst of their *Every 15 Minutes* program.

**F. FACILITIES SERVICES – ACTION/DISCUSSION ITEMS**

Mrs. Muse made note at this time that she had pulled item 5.1: *Progress Report About Implementing the District's Interim Facilities Master Plan* for discussion at a later meeting. She asked the Board and Administrative Staff for suggestions on calendaring the board item. It was agreed to agendaize this item on June 24, the second meeting in June.

1. Public Hearing and Board Consideration of Adoption of Resolution No. 2007/08-33 to Establish Level 2 and Level 3 School Facility Fees.

Senate Bill 50, which was signed into law in 1998, allows school districts to establish Level 1, 2, and 3 developer fees to offset the cost of school facilities made necessary by enrollment growth due to new construction.

Level 1 fees (previously known as AB 2926 or Stirling fees) have been in effect in the District since 1986. On February 26, 2008, the Board of Trustees took action to make an inflationary adjustment to Level 1 fees. Level 1 fees of \$2.97 per sq ft for residential construction (new units or 500+ sq ft additions to existing units) and \$0.47 per sq ft for commercial/industrial construction were approved by the Board on February 26, 2008, and will take effect on April 28, 2008. The El Dorado Union High school District receives 39% of the total Level 1 fees collected (\$1.16 for residential and \$0.18 for commercial/industrial).

SB 50 provides that Level 2 may be levied in lieu of Level 1 fees on new residential construction if certain eligibility requirements are met. (If Level 2 fees are imposed, Level 1 fees continue to be levied against 500+ sq ft additions to residential units, senior housing and commercial/industrial construction). The Needs Analysis required by Government Code Section 65995.6 establishes the District's eligibility and has determined that Level 2 fees shall be the following: single-family residential, \$1.62 per sq ft; multi-family residential, \$1.62 per sq ft.

Level 3 fees may be levied in lieu of Level 2 fees only in the event that the state runs out of growth construction money. The Needs Analysis has determined that Level 3 fees, when applicable, shall be the following: single-family residential, \$3.24 per sq ft; multi-family residential, \$3.24 per sq ft.

Patty McClellan, Director of Facilities, presented this item and provided clarification on the purpose of a public hearing required to consider the adoption of proposed Resolution No. 2007-08-33 to establish level 2 and level 3 school facilities fees on new development pursuant to Government Code Section 65995. The public hearing is to set fees at different levels, not to extend the fees. Level 2 fees, she explained, have to be adopted each year. Mrs. McClellan added that if adopted the new fees would take effect on April 15, 2008.

Mrs. Muse opened the meeting for public hearing. Mrs. McClellan responded to a question about the purpose of Level 2 fees. She explained that level 2 fees are charged on family residential properties and used to provide additional facilities in schools to house student growth. There being no further public comments, Mrs. Muse closed the public hearing.

Mr. Cary moved to adopt Resolution No. 2007-08-33 to establish level 2 and Level 3 fees in accordance with the provisions of Senate Bill 50. Mr. Ehler seconded. (Courtney Winzeler, aye.) Mrs. Muse abstained from the vote. The motion carried 3-0.

**G. EDUCATIONAL SERVICES – ACTION/DISCUSSION ITEMS**

- 5.h: *Adoption of Proposed El Dorado Union High School District Student Calendars for 2009–10, Administrative Regulation 6111.* This item was pulled from the Consent Agenda and discussed at this time.

Mrs. Veerkamp commented that she asked to discuss the 2009-10 Student Calendar due to concerns about the three weeks of vacation scheduled at the winter break. Mrs. Veerkamp's concerns were: (1) that this might be setting a precedence for long winter holidays, (2) that Law Enforcement would see increased activity of kids without supervision, (3) that feeder schools might not be in favor of this, and, the biggest piece, (4) that working parents may only have two weeks of vacation, which leaves kids home alone for one week.

Mrs. Smith commented that the District, along with employee units, feeder schools and the County Office of Education reviewed several calendar options for consideration prior to recommending the proposed calendar. She explained the issue with the memorial day weekend and the need to balance instructional days in the first semester versus the second semester. The proposed calendar allows students to finish the first semester before the winter break. Another calendar option called for a full week of vacation in February, but the concerns from the varying parties were essentially the same as voiced by Mrs. Veerkamp regarding the three weeks at winter break. Consideration was given to sprinkling days throughout the calendar, but principals did not favor that option due to the interruption of instruction. A possibility of ending the school year on May 21 was deemed unfeasible; state testing and reporting requirements, as well as the affect on athletics were just a few of the factors which posed potential issues. EDUHSD already ends the school year much earlier than school districts in the state.

Mr. Cary questioned the possibility of holding an intersession for students needing academic remediation. Mrs. Smith commented that this is an area that principals would like to explore and for which anytime funding could be used. She noted that it would require some time to study the logistics, but that the District would be willing to explore it over the next school year.

Mr. Cary moved to adopt the proposed El Dorado Union High School District Student Calendar for 2009-10, with a strong recommendation that the District explore the use of anytime funds to conduct a remediation intersession during the three week winter break. In response to Mrs. Veerkamp's concern of setting a precedence, Mr. Cary amended his motion to note that the long winter break is not to be used to set a precedent for future years. Mr. Ehler seconded. (Courtney Winzeler, aye.) Motion carried 3-1.

**H. BUSINESS SERVICES – ACTION/DISCUSSION ITEMS**

1. Approval of Resolution Number 2007/08-32, Authorizing the Issuance and Sale of Refunding Bonds of the District and Related Actions.

On February 26, 2008, the Board approved beginning the refinancing process for the Measure E (1997) General Obligation Bonds. Current market interest rates provide the potential to save District taxpayers money by refinancing these bonds.

Mr. Luhrs, Assistant Superintendent of Business Services, along with Jonathan Edwards, our representative from Government Financial Strategies, Inc., and Jonathan Christy from Kronick Moskovitz Tiedemann & Girard, our bond counsel, were present to provide a current market update and answer any questions.

It was explained that a flexible competitive sale process is recommended to sell the bonds to interested underwriters. The Board was asked to review the Preliminary Official Statement which provides potential investors with material information about the bonds being offered.

The Board was reassured that the Refunding Bonds will not be issued unless net present value savings of at least 3% of the amount of bonds refinanced can be achieved, as stated in Section 2 of Resolution 2007/08-32. Mr. Luhrs informed the Board that rates are still good and could still save the district about 600,000.

Mrs. Muse called for a motion on this item. Mr. Ehler moved to approve Resolution Number 2007/08-32, authorizing the issuance and sale of refunding bonds of the district and related actions as proposed. Mrs. Veerkamp seconded.

Mrs. Muse asked for Board discussion on this matter. She pointed out that the Board had been cautioned to review the Preliminary Official Statement very closely and thus questioned the absence of figures throughout the Preliminary Official Statement and accompanying draft documents. Mr. Edwards and Mr. Christy explained that the missing figures would be finalized when bids are received. They noted that many of the blanks contain objective data to be compiled by California statistics and do not have material effects on the debt. Some figures are not included because they would prefer to have the freshest numbers possible at the appropriate time, which, again, they don't know; the appropriate time could be anytime within a month or more. They emphasized that the Board retains the policy decision. The Board is being asked to approve the issuance and sale of bonds with the caveat of "not to exceed," and the understanding that the refunding will not go forward if the District can not save at least 3%. Approval of the proposed resolution would authorize the Superintendent and Associate Superintendent to complete the documents with actual figures based on the market rates at the time of the sales.

Mrs. Smith thanked the Board for their prudence in review of the documents. She commented that their thorough review is appreciated and warranted in light of the current and possible additional district debt. The refunding, however, is an opportunity to restructure the district debt and lower payments for interest for taxpayers.

Mrs. Muse called for a vote on the pre-stated and seconded motion. The Board voted unanimously (4-0) to approve Resolution Number 2007-08-32. (Courtney Winzeler, aye.)

## 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. Veerkamp reported that the Board of Trustees adopts the Stipulation to Expulsion and Settlement Agreement as the Findings of Fact, Conclusions, and Order of the Board of Trustees regarding the expulsion of Student **#07-43**. The Board finds that **Student #07-43** violated California Education Code Section 48900, parts (c), (j) and (k), as well as District Administrative Regulation 5144.1, parts C.3, C.10 and C.11.

Mrs. Veerkamp moved to: (1) order the expulsion of **Student #07-43**, and (2) designate the term of expulsion through the last day of the second semester of the 2007-2008 school year. Seconded by Mr. Ehler. The motion carried (4-0).

- b. Mrs. Veerkamp 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 #07-44**. The Board finds that **Student #07-44** 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. Veerkamp moved to: (1) order the expulsion of **Student #07-44**, and (2) designate the term of expulsion as the second semester of the 2007–08 school year through the last day of the first semester of the 2008-09 school year. Seconded by Mr.Ehler. The motion unanimously carried (4-0).

- c. Mrs. Veerkamp 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 #07-45**. The Board finds that **Student #07-45** 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. Veerkamp moved to: (1) order the expulsion of **Student #07-45**, and (2) designate the term of expulsion as the second semester of the 2007–08 school year through the last day of the first semester of the 2008-09 school year. Seconded by Mr.Ehler. The motion unanimously carried (4-0).

#### **J. PERSONNEL SERVICES – ACTION/DISCUSSION ITEMS**

1. Resolution {2007/08-34}Reducing 0.3750 Classified FTE.

Mr. Volmer, Assistant Superintendent of Human Resources asked the Board to approve the Resolution 2007/08-34 calling for the reduction of classified staff by 0.3750 FTE within the Food Service Worker I classification, due to lack of work. The action will not result in a layoff because the position is currently vacant.

Mr. Cary moved to approve Resolution 2007/08-34 to reduce classified service in Food Service due to lack of work. Mrs. Veerkamp seconded. The motion carried 4-0.

#### **K. OTHER – ACTION/DISCUSSION ITEMS**

1. Graduation: Board Member Assignments.

Mrs. Smith acknowledged that Board members had signed up by email to attend graduation ceremonies. The Superintendent's Office will communicate the Board members' attendance with each of the school sites. Mrs. Smith stated that her office had communicated to all schools that all Board members are to be identified on the graduation programs.

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

Mr. Carocci commended Superintendent Smith for the amount of time she has devoted in preparation of the bond measure. Patty McClellan was also recognized for going above and beyond in support of the details for the bond.

Mrs. Smith commended the Student Services department, and Stevie Clark in particular, for delivering a consistent in message on the matter of transfers.

Courtney Winzeler shared that she is able to get her classes at the University of Idaho in Moscow where she will be attending in the fall.

Mr. Cary happily announced that both his daughters will be home next year.

Mrs. Muse shared that her youngest daughter will be leaving Boston and moving back home. Son, John will be graduating from Berkeley on May 1. She noted that she will be missing the May Board meeting to attend his graduation.

Mrs. Veerkamp extended her thanks to Lisa Fehlman and Becca Kaldunski for sprucing up the Boardroom with the AVID display.

Mr. Cary congratulated Dennis Carocci on his upcoming retirement and acknowledged that not many curriculum people get to retire with all their comprehensive high schools recognized as California Distinguished Schools.

Mrs. Smith congratulated Dennis Carocci and Stevie Clark for being recognized last Friday at the ACSA Region 2 Gala. It was a wonderful evening of recognition; 18 people from the District attended in their honor.

**M. CLOSED SESSION**

This session was not needed.

**N. OPEN SESSION**

This session was not needed.

**O. ADJOURNMENT**

There being no further business, the meeting was adjourned at 7:18 p.m.

Sherry J. Smith  
Executive Secretary