

ADOPTED MINUTES
El Dorado Union High School District
BOARD OF TRUSTEES
Regular Board Meeting
JANUARY 27, 2009

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 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 order in the manner of expulsion.
- b. Discuss hearing panel recommendations regarding possible order(s) to expel six 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. Consider one request for a California High School Exit Exam (CAHSEE) wavier.
- d. Discuss and take action about certificated and classified personnel listed in the consent agenda related to personnel action. *(GC 54954.5, 54957)*
- e. Conference with labor negotiators (agency negotiators for the Board are Asst. Superintendent Stevie Clark and Assoc. Superintendent Steve Luhrs) to discuss with the Board represented employees: Proposals from the **Faculty Association** regarding compensation package and other contract issues. *(GC 54957.6)*
- f. Conference with labor negotiators (agency negotiators for the Board are Asst. Superintendent Stevie Clark and Assoc. Superintendent Steve Luhrs) to discuss with the Board represented employees: Proposals from the **CSEA** regarding compensation package and other contract issues. *(GC 54957.6)*
- g. Conference with labor negotiators (agency negotiators for the Board are Asst. Superintendent Stevie Clark and Assoc. Superintendent Steve Luhrs) to discuss proposals from the El Dorado Managers Association (**EDMA**) regarding compensation package and working conditions.
- h. Discuss Superintendent's evaluation, goals, and objectives.

The Board entered Open Session at 6:00 p.m. in the Boardroom.

2. Pledge of Allegiance was led by Steve Wehr.

3. Attendance

Board Members Present

Mary T. Muse
Lori Veerkamp

D.O. Staff Present

Sherry J. Smith, Executive Secretary
Steve Luhrs, Associate Superintendent

Madeline T. Restaino
Kirby L. Ehler
Timothy M. Cary

Chris Hoffman, Associate Superintendent
Stevie Clark, Assistant Superintendent
Steve Volmer, Assistant Superintendent
Patty McClellan, Facilities Director
Jim Hall, Director, Career Preparation
Lisa Garrett, Director, Career Preparation
Sylvia Torres, Asst. to Superintendent

Student Board Member

Katie Paur

Association Representatives

Marc Moehlman, Faculty Association President
Pat Manthey, CSEA Association President

Others

Staff: 3

Community Members: 13

4. Requests to change the agenda and approval of agenda.
Mrs. Restaino moved to approve the agenda as presented. Seconded by Mrs. Veerkamp. (Katie Paur, aye.) Motion unanimously carried (5-0).

5. Consent Agenda
Mrs. Restaino moved to pull item 5.j: *Approve Resolution No. 2008/09-28 of the Board of Trustees of the El Dorado Union High School District Initiating Proceedings for the Annexation of Territory to the El Dorado Irrigation District* off the agenda and approve the following consent agenda items. Mr. Ehler seconded. (Katie Paur, aye.) Motion unanimously carried (5-0).
 - a. Approval of Minutes of January 13, 2009, 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 Updated Board Policy BP 4112.24 and Acceptance of Administrative Regulations AR 4112.24, AR 5141.24, and AR 3543.
 - g. Oak Ridge High School Naturally Occurring Asbestos Operations and Maintenance Plan Annual Review and Report – 2008.
 - h. Approve California Design West Architects, Inc., for Architectural Services for Various Measure Q Bond Projects at Ponderosa High School.
 - i. Approve Resolution No. 2008/09-26 Authorizing Prequalification of Bidders for the El Dorado High School Track and Football Field Project in the Disciplines of Site Work, Grading, Pavings, and Utility Work.
 - k. Approval of Variable Term Waiver Application, German Long-Term Substitute at El Dorado High School.
 - l. Behavioral Intervention Plans (Hughes Bill) Mandated Cost Claim and Settlement.
 - m. Approval of Out-of-State Travel for El Dorado High School PE/Health Teachers Joseph Volek and Rob Pifferini to Attend the 124th American Alliance for Health, PE, Recreation, and Dance National Convention, Tampa, FL, March 31–April 2, 2009.
 - n. Approval of California Department of Education, 2008–09 Consolidated Application for Funding Categorical Aid Programs (Part II).

B. RECOGNITION OF SPECIAL CONTRIBUTIONS AND ACHIEVEMENTS1. Special Recognition

Mrs. Muse recognized Oak Ridge High School for being selected as a National Blue Ribbon School. The NCLB Blue Ribbon Schools Program honors schools that are either academically superior or that demonstrate dramatic gains in student achievement to high levels. Oak Ridge High School achieved in the top 10 percent of the state on state tests. It was one of only 320 schools in the Nation to be named a Blue Ribbon School recipient. Principal Steve Wehr, former Assistant Principal Lisa Garrett, and student Katie Paur, were present to accept the NCLB Blue Ribbon building plaque and banner on behalf of the Oak Ridge High School educational community.

C. ACKNOWLEDGMENT OF CORRESPONDENCE1. Acknowledge Receipt of Annual Audit Report – June 30, 2008. (10)

All public school districts in California are required to have an examination and audit of all financial records of the agency on an annual basis. The State prescribes a series of criteria, evaluations, and compliance certifications that must be included in the annual audit. The firm of Goodell, Porter & Fredericks, LLP, has performed the 2007–08 audit. Each year the Board of Trustees receives the independent audit report for the prior fiscal year in a public meeting. The audit report provides the board, staff, and the public with the financial status of the District for the fiscal year ending June 30, 2008.

Mr. Luhrs, Associate Superintendent of Business Services, introduced Mike Henkel of Porter & Fredericks, LLP, who was present to assist with the presentation of the Audit Report. Mr. Henkel reviewed the report with the Board and confirmed that the audit results have reported the District to be Unqualified. The audit found two reportable findings. No conditions of material weakness were found or reported. Mr. Henkel and Mr. Luhrs indicated that the District has begun an examination process to correct the findings and implement the recommendations for this year. Mr. Henkel also informed the Board that El Dorado County has properly managed the District's money in a responsible and conservative manner, with the District's best interest in mind.

Mr. Cary moved to accept the annual 2007–08 Audit Report as prepared by Goodell, Porter & Fredericks, LLP. Seconded by Mrs. Restaino. (Katie Paur, aye.) The motion was unanimously approved (5-0).

E. INVITATION TO BARGAINING UNIT PRESIDENTS/DESIGNEES AND/OR MEMBERS OF THE PUBLIC TO ADDRESS THE BOARD (GC54954.3)

1. Jim Von Tellrop, of Peladeau Lumber, Inc., is part of an organization that works across the country to help high school woodworking programs. The organization started up in Placerville four years ago and has been donating significant woodworking supplies to high schools in El Dorado County. Mr. Von Tellrop distributed flyers for their upcoming fundraising event and invited the Board's support and participation. The Board accepted the information and thanked Mr. Von Tellrop and his organization for their continued support.

2. The Board heard statements from a group of EDUHSD parents and community members requesting that District schools provide the full Health curriculum required by law. Speakers included: Laurie Enwright, Brian Fitzgerald, Beverly Van Meurs, Paula Lee (reading statement for Meredith Koch), Kathleen McCoy, and Karen Guthrie.

Mrs. Muse advised the group that the Board does not comment or respond to unagendized items. Mrs. Muse referred all comments to Mrs. Smith for further recommendation.

3. Pat Manthey, CSEA President, congratulated Mr. Wehr on Oak Ridge High School's recognition as a Blue Ribbon School. Mrs. Manthey related that two daughters graduated from Oak Ridge High School, another from Ponderosa, and because she works at El Dorado High School, she can attest that the District's high schools all do a great job of educating students. Mrs. Manthey commented on the loss of jobs and unemployment rates throughout the state and nation. Although the District has guaranteed the entire staff jobs through the end of this year, there is reason to expect that next year looks bleak. Mrs. Manthey is glad to be representing the classified unit, which, she stated, has full confidence and trust in the Board and District. She emphasized the importance for open and continued communication.
4. Marc Moehlman, CTA President, shared that he has been elected to the State Council of CTA, which serves as the governing body for CTA. He shared that CTA is organizing and hiring every available lawyer for RIF proceedings. He also indicated that NTA delegates are getting ready to sign up for the social security windfall that could be coming under the Obama administration.
5. Mr. Cary commented that the Board takes its responsibility to staff seriously; CTA and CSEA staff are the reason the Board governs conservatively.

D. BUSINESS SERVICES – ACTION/DISCUSSION ITEMS (Continued)

2. Update On Governor's Proposed Budget.

Steve Luhrs provided the following recap and status of the Governor's proposed budget. In January the Governor presented his proposed budget for 2009–10. The Governor acknowledged that the state and the nation are in a severe recession that could be the worst since the Great Depression. California faces an estimated \$40 billion deficit by the end of 2009–10. The starting point in developing the Governor's 2009–10 Budget Proposal includes revisions to the 2008–09 Budget and the Governor's revenue proposals that have yet to be adopted in order to avoid even deeper cuts to schools and other state programs.

Based on the proposed budget, estimated impacts to our District include a reduction of current year's revenue limit of 4.57% with a further reduction in 2009–10 of an additional 2.52%. The combination of which along with unfunded COLAs would result in a revenue limit deficit of 16.2%. Mr. Luhrs emphasized that the exact effects on the District are difficult to determine since this is still just a proposal. Due to sound fiscal management, however, the District is in a position to be able to properly plan and react to any proposed cut.

Mr. Luhrs noted that the state's budget problems are expected to continue for two, and probably three years. He added that the District's credit rating may be affected somewhat by the state's credit worthiness, presently rated as being very risky. He does not, however, anticipate that the District will

have a need to borrow during the next several years. Mr. Luhrs used information from School Services to explain the many factors that have contributed to the budget uncertainties, and estimations of what the future holds.

The Board of Trustees voted unanimously to accept Mr. Luhrs' update on the Governor's Proposed Budget.

F. SUPERINTENDENT'S COMMENTS

Mrs. Smith did not have any comments to share.

G. FACILITIES SERVICES – ACTION/DISCUSSION ITEMS

1. Conceptual Approval of Plan for the El Dorado Union High School Natural Resources/Land Management Program Facility at the El Dorado East Campus.

Mrs. McClellan noted that on December 10, 2008, the El Dorado High School Natural Resources/Land Management Program located at the El Dorado East Campus was granted a Reservation of Funds apportionment for 50% of the estimated project costs. The Reservation of Funds apportionment allows districts 12 months to complete working drawings and receive CDE and DSA approvals. On December 17, 2008, the SAB notified school districts that the State put a temporary freeze on SAB fund releases due to the current State budget situation. Mrs. McClellan advised the Board that District Administration is recommending planning for these projects continue in order to be in line for a fund release when the State resumes project funding. Mrs. McClellan also indicated that the staff is looking for ways in which the project might be phased or value engineered. Due to the state's freeze on SAB funds, the Board was also asked to consider partially, or fully, funding the project, with expectation that the matching funds from the state would be received sometime in the future.

Peter Kennedy and Jeff Berchtold of ANOVA Architects, Inc., appointed architect for the El Dorado High School Natural Resources/Land Management Program facility, presented conceptual plans and discussed construction alternatives and cost estimates.

Mr. Cary moved that the Board of Trustees (1) conceptually approve the plan for the El Dorado High School Natural Resources/Land Management Program Facility at the El Dorado East campus, (2) approve the use of VESA-Type Classroom Building with CMU Walls, and (3) approve full funding of the project. Mrs. Restaino seconded the motion. (Katie Paur, aye.) The motion unanimously carried (5-0).

H. EDUCATIONAL SERVICES – ACTION/DISCUSSION ITEMS

There were no items for action or discussion under this section.

I. STUDENT SERVICES – ACTION/DISCUSSION ITEMS

1. Consideration of Student Disciplinary Matters Relating to Expulsions and/or Readmissions.
(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 #08-30. The Board finds that Student #08-30

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 #08-30, and (2) designate the term of expulsion through the last day of the second semester of the 2008-2009 school year. Mrs. Restaino seconded. The motion unanimously carried (5-0).

- 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 #08-31. The Board finds that Student #08-31 violated California Education Code Sections 48915, part (a)(1), and 48900, part (k), as well as District Administrative Regulation 5144.1, parts F.2.a. and C.11.

Mrs. Veerkamp moved to: (1) order the expulsion of Student #08-31, and (2) designate the term of expulsion through the last day of the second semester of the 2008-2009 school year, (3) further order the expulsion suspended from January 28, 2009 through May 22, 2009, and (4) grant probationary student status at ILC. Mrs. Restaino seconded. The motion unanimously carried (5-0).

- 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 #08-32. The Board finds that Student #08-32 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 #08-32, and (2) designate the term of expulsion as the first and second semesters of the 2008-2009 school year. Mrs. Restaino seconded. The motion unanimously carried (5-0).

- d. 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 #08-33. The Board finds that Student #08-33 violated California Education Code Sections 48900.4 and 48900, parts (f), (i) and (k), as well as District Administrative Regulation 5144.1, parts C.21, C.6, C.9 and C.11.

Mrs. Restaino moved to: (1) order the expulsion of Student #08-33, and (2) designate the term of expulsion as the first and second semesters of the 2008-2009 school year. Mrs. Veerkamp seconded. The motion unanimously carried (5-0).

- e. 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 #08-34. The Board finds that Student #08-34 violated California Education Code Section 48900, parts (c), (g) and (k), as well as District Administrative Regulation 5144.1, parts C.3, C.7 and C.11.

Mrs. Restaino moved to: (1) order the expulsion of Student #08-34, and (2) designate the term of expulsion as the first and second semesters of the 2008-2009 school year. Mrs. Veerkamp seconded. The motion unanimously carried (5-0).

- f. 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 #08-35. The Board

finds that Student #08-35 violated California Education Code Section 48900, parts (a)(1), (d) and (k), as well as District Administrative Regulation 5144.1, parts C.1.a., C.4. and C.11.

Mrs. Restaino moved to: (1) order the expulsion of Student #08-35, (2) designate the term of expulsion through the last day of the second semester of the 2008-2009 school year, (3) further order the expulsion suspended from January 28, 2009 through May 22, 2009, and (4) grant probationary student status at ILC. Mrs. Veerkamp seconded. The motion unanimously carried (5-0).

- g. 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 #08-36. The Board finds that Student #08-36 violated California Education Code Sections 48915, part (a)(1), and 48900, parts (a)(2) and (k), as well as District Administrative Regulation 5144.1, parts F.2.a., C.1.b. and C.11.

Mrs. Restaino moved to: (1) order the expulsion of Student #08-36, and (2) designate the term of expulsion through the last day of the second semester of the 2008-2009 school year, (3) further order the expulsion suspended from January 28, 2009 through May 22, 2009, and (4) grant probationary student status at ILC. Mrs. Veerkamp seconded. The motion unanimously carried (5-0).

2. Consider Recommendations for CAHSEE Waiver Requests.

- a. Mr. Ehler moved to approve the California High School Exit Exam Waiver Request for Student No. CEEW0708-22. Mrs. Veerkamp seconded. The motion carried (5-0).

J. HUMAN RESOURCES – ACTION/DISCUSSION ITEMS

There were no items for action or discussion under this section.

K. OTHER – ACTION/DISCUSSION ITEMS

There were no items for action or discussion under this section.

L. ANNOUNCEMENTS BY BOARD AND CABINET, IF NEEDED.

Katie Paur shared that she and about 85 other ORHS students attended the Point Break Retreat. It was a wonderful bonding experience that led to an increased awareness and understanding of people's differences. Katie added that every student should have the opportunity to attend.

Stevie Clark announced that her second son is the new voice of Cal Berkeley.

Steve Luhrs shared that he is reading a new book titled, *Success Through a Positive Attitude*, which should be helpful in light of the current state budget dilemmas.

Steve Volmer shared that his daughter is a member of the CSU Debate team that competed against Berkeley. Results are pending.

Mrs. Muse welcomed Lisa Garrett to the District Office. Condolences were extended to Robbie Colvin and her family on the death of her daughter.

M. CLOSED SESSION

This session was not needed.

N. OPEN SESSION

There was no action to report out from Closed Session

O. ADJOURNMENT

There being no further business, the meeting was adjourned at 7:40 p.m.

Sherry J. Smith
Executive Secretary