

ADOPTED MINUTES
El Dorado Union High School District
BOARD OF TRUSTEES
Regular Board Meeting
June 23, 2009

A. INTRODUCTORY ITEMS

1. Call to Order

This meeting of the Board of Trustees was called to order at 4:30 p.m. by Mrs. Muse, Board President, at the El Dorado Union High School District 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 order(s) to expel one student. 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 student. *(EC 35146, 48918[c])*
- b. Consider approval of one stipulation and order in the manner of expulsion.
- c. Consider four student petitions for readmission into El Dorado Union High School District.
- d. Consider three requests for a California High School Exit Exam (CAHSEE) waiver.
- e. Approval of NPS/NPA Master Contract and Individual Service Agreement.
- f. Discuss and take action about certificated and classified personnel listed in the consent agenda related to personnel action. *(GC 54954.5, 54957)*
- g. Discuss Superintendent's evaluation, goals, and objectives.

2. Pledge of Allegiance was held.

3. Attendance

Board Members Present

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

D.O. Staff Present

Sherry J. Smith, Executive Secretary
Steve Luhrs, Associate Superintendent
Chris Hoffman, Associate Superintendent
Stevie Clark, Assistant Superintendent
Steve Volmer, Assistant Superintendent
Patty McClellan, Director
Jim Hall, Director
Lisa Garrett, Director
Sylvia Torres, Asst. to Superintendent

Association Representatives

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

Others

Staff: 2

Community Members: 15

4. Requests to change the agenda and approval of agenda.
Mr. Cary moved to amend the agenda to allow public comments (Section D) to be heard following this item, prior to moving forward with the remaining agenda. Mr. Ehler seconded. The motion unanimously carried (5-0).

Section D has been moved here to demonstrate sequence in this meeting's discussions.

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

- a. Community Members: Karen Gutierrez, Amy Selters, Mary Hughes, and Bob Bennett addressed the Board of Trustees on the topic of open enrollment for families in the Mother Lode School District transitioning to high school. Mrs. Gutierrez informed the Board that she was speaking tonight on behalf of Families for School Choice, a parent organization she and others were in the process of forming. Concerns expressed by these speakers included: decreasing enrollment at UMHS and the impact on academic and extracurricular activity opportunities at UMHS, the need for equitable opportunities between schools and the right of parents to choose the best high school placement for their student(s). Mrs. Gutierrez requested that this item be agendaized for the next meeting, and that an open dialogue be held on allowing parents more flexibility in school choice. Mrs. Muse thanked the speakers for their courteous comments and explained that having now heard their comments, the item they requested to be discussed will be pulled from the Consent Agenda to be considered by the Board this evening.
- b. Mrs. Manthey, Classified Association President, shared conversations held at a CSBA dinner on June 13 regarding the large number of layoffs in school districts, to which she added that EDUHSD had only one. Mrs. Manthey thanked the Board and District for continuing to manage layoffs through attrition.
- c. Mr. Marc Moehlman, Faculty Association President, shared some personal thoughts.

Following the above public comments, Mrs. Muse resumed the meeting at Item A.5 (Consent Agenda) on the posted agenda.

5. Consent Agenda
Mr. Cary motioned to pull item 5.i: *Annual Review of Intradistrict Open Enrollment Process {BP/AR 5116.1}* from the Consent Agenda to allow comment from the Board. Mrs. Muse acknowledged a request to hear item 5.q: *Approve Conceptual Design for the El Dorado High School Library Expansion, Building D Science Classrooms Modernization, and Other Measure Q Renovation Projects* under Section F (Facilities). Mr. Cary amended his motion to pull items 5.i. and 5.q. to be heard as noted above, and to approve the remaining items as submitted. Mrs. Veerkamp seconded. Motion unanimously carried (5-0).
 - a. Approval of Minutes of June 9, 2009, Board Meeting.
 - b. Approval of Commercial Warrants Report (copy available at District Office for viewing).
 - c. Approval of Routine Certificated Personnel Action.
 - d. Approval of Routine Classified Personnel Action.
 - e. Initial Proposal from the District Regarding Negotiations for 2009–10 Public Hearing.

- f. Monthly Report of Developer Fees Collected.
- g. Award of Bid for Gym Floor Refinishing Project.
- h. 2008–09 School Transfer Data.
- j. Destruction of Records.
- k. Approve Resolution No. 2008/09-41 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.
- l. Submission of the California Department of Education's 2009–10 Application for Funding Categorical Aid Programs, Part 1 (copy available at District Office for viewing).
- m. Approval of Revised Use of School Facilities Fee Structure {AR 1330}.
- n. Approve Resolution No. 2008-09-42 Approving Lease/Leaseback Agreement with Carter-Kelly, Inc., for Construction of the Shenandoah High School Cosmetology Program Facility.
- o. Approve Resolution No.2008/09-43 Approving the Guaranteed Maximum Price, a Facilities Lease, and a Site Lease with Carter-Kelly, Inc., for the Acquisition of Modernized Facilities (Phase 1D) at Oak Ridge High School.
- p. Approve Resolution No. 2008/09-44 Amending a Facilities Lease and a Site Lease with Carter-Kelly, Inc., for the Acquisition of Improvements at Oak Ridge High School (The Football Stadium).
- q. Approve Conceptual Design for the El Dorado High School Library Expansion, Building D Science Classrooms Modernization, and Other Measure Q Renovation Projects.

Item 5.i, pulled from the Consent Agenda, was addressed as noted below:

- i. Annual Review of Intradistrict Open Enrollment Process {BP/AR 5116.1}.
Mr. Cary commented on this item in relation to the public comments received earlier in this meeting. He advised that three years ago, at the Board's direction, the District initiated a lengthy and encompassing process to implement school boundary changes for the next decade. District and school personnel, parents, students and community members were engaged to serve on the Boundary Committee. The process took months as the District held public comment meetings to include each of its feeder districts, reviewed thousands of comments from EDUHSD school and community members, and held board meetings to allow extensive public comment and input on specific areas of proposed boundary changes, all of which were taken into consideration by the Board,. Mr. Cary noted that all the issues expressed earlier this evening regarding the Mother Lode areas were addressed multiple times through the boundary change process. He pointed out that the Board has kept this District financially solvent through these hard economic times, and has been able to avoid personnel layoffs and cuts in student programs. Mr. Cary stated that he is recommending against reopening the Open Enrollment policy.

Before calling for a vote, Mrs. Muse explained that as the open comment session had previously been closed after hearing all speakers who had requested to address the Board on this agenda item, no further comments from the public would be allowed. Mrs. Muse called for Board Action on this item and received a unanimous vote (5-0) in favor of keeping the existing Intradistrict Open Enrollment Process in place. Members of the public were advised that no further discussion would be held on this item at this meeting,

but that they were welcome to contact any of the Board members individually for further discussion on the matter.

At this time, Mrs. Muse called for a short recess. The meeting was reconvened at 6:42 p.m.

B. RECOGNITION OF SPECIAL CONTRIBUTIONS AND ACHIEVEMENTS

There were no recognitions of special contributions and achievements.

C. ACKNOWLEDGMENT OF CORRESPONDENCE

There was no correspondence for acknowledgment.

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

See page 2 for comments made under this section.

E. SUPERINTENDENT'S COMMENTS

Mrs. Smith did not have any comments to share.

F. FACILITIES SERVICES – ACTION/DISCUSSION ITEMS

The following item (5.q) was pulled from the Consent Agenda to allow for a presentation and discussion with the Board.

- q. Approve Conceptual Design for the El Dorado High School Library Expansion, Building D Science Classrooms Modernization, and Other Measure Q Renovation Projects.

Mrs. McClellan, and Jeff Kennedy and Tom Gaines of ANOVA, presented rendered drawings of EDHS site plans for the expansion of the library, modernization of building D science classrooms, and restroom facilities in Bennett Park, and provided details of the proposed floor plans. These projects are planned for spring 2010, with an estimated cost of \$3.7 million, funded using 2008 Measure Q Bond funds.

Mr. Cary moved to approve the conceptual design and authorize the preparation of construction documents for the El Dorado High School library expansion, building D science classrooms modernization, and restrooms. Mrs. Veerkamp seconded. The motion unanimously passed (5-0)

G. EDUCATIONAL SERVICES – ACTION/DISCUSSION ITEMS

1. Approval of Proposed Textbooks Recommended for Adoption for 2009–10.

Mr. Hoffman presented this item. He advised that the textbooks listed below are being recommended for adoption for 2009/10 new or revised courses. The Instructional staff revised the course of study for all classes which were due for textbook adoption. The courses of study were previously reviewed and approved by the Board of Trustees. In each course, the new curriculum aligns with the District and State content standards for that department. Staff from all sites participated in the evaluation of textbooks in each curricular area, and a consensus or a majority vote was used to select a common textbook for all District courses. Mr. Hoffman commended the SILT Coordinating Chairs for each curricular area for their excellent organization and management of the textbook selection process.

1. Business
 - a. Accounting (#0482) – revised course
2. English
 - a. English 1 (#0101) – revised course
 - b. Advanced English 1 (#0102) – revised course
3. Family and Consumer Science:
 - a. Foods and Nutrition (#0553) – revised course
 - b. Housing and Interior Design (#0554) – revised course
 - c. Culinary II (#0556) – revised course
 - d. Culinary Production and Careers (#0557) – revised course
 - e. Fashion, Apparel, and Textiles (#0561) – revised course
 - f. Living on Your Own (#0591) – revised course
 - g. Teaching and Learning (#0585) – revised course
 - h. Child Development (#0581) – revised course
 - i. Hospitality and Tourism (#0568) – new course
4. Math
 - a. Algebra Foundations (#0239) – revised course
 - b. Algebra 2 (#0213) – revised course
 - c. AP Computer Science A (#0242AP) – revised course
5. Science
 - a. Physics (#0330) – revised course
6. Special Education
 - a. Practical Economics (#0739) – new course
 - b. Applied American Government (#0738) – new course

Mr. Hoffman explained that the Williams Lawsuit settlement, Instructional Materials Funding is limited to the purchase of standards-based textbooks in the core academic areas, English, foreign languages, math, science, and social science. However, when the District certifies, as is the case, that there are sufficient textbooks in the core academic areas, funding can be used to purchase textbooks in elective courses.

Funding sources for the proposed purchase of these textbooks come from a combination of state and District programs. The estimated total amount of income and carryover available for instructional materials is \$562,159, with projected costs totaling \$358,950.

Mrs. Muse opened the meeting for public hearing on the proposed textbooks and instructional materials. There being no public comment, Mrs. Muse closed the public hearing and called for Board comments or action. Mrs. Restaino moved to approve the adoption of instructional materials for the courses listed for the 2009-10 school year. Mrs. Veerkamp seconded. The motion unanimously carried (5-0).

H. BUSINESS SERVICES – ACTION/DISCUSSION ITEMS

1. Budget Inspection, Public Hearing, Inspection, and Adoption of the 2009–10 Proposed Budget.

Education Code section 42127(a)(2) requires that school districts adopt an annual budget no later than July 1 of each year. Education Code section 42127(e) requires school districts revise their adopted budget no later than September 8th of each year to reflect changes in projected income or expenditures that become known after the annual budget is adopted. No later than 45 days after the Governor signs the annual Budget Act, Education Code section 42124(l)(4) requires school districts to make budgetary changes necessary to reflect new information included in the State budget. As a result of these requirements, District staff will be closely monitoring developments in Sacramento as well as revising the District's budget projections over the summer and in hopes of bringing a revised budget to the Board no later than the first Board meeting in September.

Mr. Luhrs presented this item and provided an overview of the 2009/10 Proposed Budget. He pointed out that the District is in a better position than many other California school districts due to measures taken at the direction of the Board, including the implementation of boundary changes three years ago, and fully utilizing existing facilities. The District also maximized the use of categorical funds, reigned in expenditures, and tightened staffing. Other factors contributing to the District's financial well-being are the successful operation of the cafeterias, the District's charter school, and the adult education program; all of which once posed major deficit issues. Additionally, Measure Q Bonds (although they do not supplant the general fund) have taken the pressure off of some of the money that would have been spent for emergency repairs, HVAC repairs, and new roofs, from the general fund and District savings. Mr. Luhrs commented on the budget changes coming through every day and how hard he and Chris Cox' have worked to maintain accurate figures and projections. As an example of those changes, Mr. Luhrs shared that as of Friday, the District may now get another \$800,000 that is not reflected in the budget, as well as another \$200,000 of additional monies from the distribution of IDEA money, based on the distribution scenario developed by the Superintendent's Council yesterday.

An important piece of the changes to this year's budget is the flexibility over categorical programs granted through SBX 34. Categorical programs such as GATE, Supplemental Counseling, and Arts and Music Block Grants, are no longer being funded, but the District will be receiving similar monies (with cuts of 15% for 2008/09 and 20% in 2009/10) lumped together as unrestrictive funds. Mr. Luhrs emphasized that the District fully intends to exercise full flexibility of these funds.

Mr. Luhrs' review of projected revenue limits and District reserves indicate the District is expected to have a reserve of 9.60% in 2009/10, and a 3.15% reserve in 2010/11; the required reserve is currently 3%. Although the projections for 2011/12 indicate that the District may not meet the 3% reserve requirement, Mr. Luhrs indicated that he fully expects the District will have reacted well before then to rectify that projection.

Having reviewed the budget and responded to questions from the Board, Mr. Luhrs asked that a public hearing be opened to receive and consider public comments regarding the 2009/10 Proposed Budget. Mrs. Muse opened the public hearing for comments. There being no comments from the public, she closed the hearing and called for a motion from the Board.

Mrs. Veerkamp moved to adopt the 2009/10 Proposed Budget. Mrs. Restaino seconded. The motion unanimously carried (5-0).

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. Restaino moved that the Board of Trustees adopt 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 to expel Students #08-90. Mr. Ehler seconded. The motion unanimously carried (4-1-0; Mrs. Muse abstained).

- b. Mrs. Restaino moved that the Board of Trustees adopt the Stipulation to Expulsion and Settlement Agreement in the matter of Student #08-91 as the Findings of Fact, Conclusions and Order of the Board of Trustees to expel Student #08-91, and to suspend the expulsion. Mrs. Veerkamp seconded. The motion unanimously carried (5-0).
 - c. Mrs. Veerkamp moved that the Board of Trustees adopt the Findings and Recommendations in the readmissions of Students #08-AK, #08-AL, #08-AM, and #08-AN, thereby ordering their full readmission to the schools of the District. Mrs. Restaino seconded. The motion unanimously carried (5-0).
2. Consider Recommendations for CAHSEE Waiver Requests (if needed).
 - a. Mrs. Veerkamp moved to approve the CAHSEE waiver requests for Students #CEEW0809-36, #CEEW0809-37, #CEEW0809-38. Mrs. Restaino seconded. The motion unanimously carried (5-0).

J. HUMAN RESOURCES – ACTION/DISCUSSION ITEMS

1. Resolution #2008/09-37 Reducing 0.8438 Classified FTE.

Mrs. Clark advised that a particular service within the classification of Instructional Technician II no longer meets the needs of the District. Due to the reduction of this particular kind of service (Learning Resource Center, Union Mine High School), the Board is being asked to approve Resolution #2008/09-37 calling for the reduction of classified staff by 0.8438 FTE within the Instructional Technician II classification. The reduction of this particular kind of service will result in a layoff. Mrs. Clark added that the District exhausted every possibility prior to making this recommendation.

Mr. Cary moved to approve Resolution #2008/09-37 to reduce 0.8438 of classified service within the Instructional Technician II classification effective August 10, 2009. Mrs. Restaino seconded. The motion unanimously carried (5-0).

2. Resolution #2008/09-40 Reducing 0.6250 Classified FTE.

Mrs. Clark advised that services within the classification of Instructional Specialist no longer meet the needs of the District. Due to the reduction of this particular kind of service, the Board is being asked to approve the Resolution #2008-09-40 calling for the reduction of classified staff by 0.6250 FTE within the Instructional Specialist classification. The reduction of this particular kind of service will not result in a layoff due to the ability to transfer the employee.

Mr. Cary moved to approve the resolution to reduce classified service within the Instructional Specialist classification effective June 24, 2009. Mrs. Veerkamp seconded. The motion unanimously carried (5-0).

K. OTHER – ACTION/DISCUSSION ITEMS

This section was not needed.

L. ANNOUNCEMENTS BY BOARD AND CABINET, IF NEEDED.

Mr. Hoffman shared that he enjoyed helping out in the Golden Star Student booth at the El Dorado County Fair. It was also a good time for the students.

Mrs. Veerkamp expressed thanks to FFA for the El Dorado County Fair tickets they provided Board members. She wished the laid-off classified employee the very best.

Mrs. Restaino also thanked FFA for her ticket to the fair; she was able to attend the beef show. Mrs. Restaino commented that the lay-off of a classified employee was sad, and also extended her best wishes.

Mr. Cary recognized and thanked the District Office administrators for all their hard work.

Mrs. Muse extended thanks to site administrators for the insight expressed in tonight's Closed Session discussions. Mrs. Muse asked for input from the Board on whether to respond to the letters to the editor pertaining to open enrollment. Board members felt that tonight's comments on the subject were sufficient and advised against any formal response. The Board instructed the Superintendent to direct district staff to meet with and provide information on open enrollment laws and district policies to individuals who wish further dialogue on the issue. Mrs. Smith was asked to keep the Board informed of dialogues held with these parents, and to advise the Board on whether to agendaize the matter at a future meeting or continue with the required annual review.

M. CLOSED SESSION

This session was not needed.

N. OPEN SESSION

Mrs. Muse reported out that action was taken in Closed Session to approve and adopt the NPS Master Contract and Individual Service Agreements.

O. ADJOURNMENT

There being no further business, Mrs. Muse adjourned the meeting at 8:09 p.m.

Sherry J. Smith
Executive Secretary