



**MINUTES OF THE REGULAR MEETING
OF THE
BOARD OF EDUCATION
January 11, 2011**

PLACE	James Areida Education Support Center, 1305 E. Vine Street, Lodi
TIME	7:00 p.m.
CALL TO ORDER	The meeting was called to order at 6:00 p.m. There were no public comments on closed session items. The Board adjourned to closed session.
RECONVENE	The meeting was reconvened at 7:08 p.m. Attendance was recorded and the President led in reciting the Pledge of Allegiance.
PRESENT	<u>Board Members:</u> Mr. George Neely, President; Ms. Bonnie Cassel, Vice-President; Mr. Joe Nava, Clerk; Mr. Michael Abdallah; Mr. Ken Davis; Ms. Ruth Davis; Mr. Ron Heberle <u>Administrators:</u> Dr. Cathy Washer, Superintendent; Mr. Mike McKilligan, Assistant Superintendent, Personnel; Mr. Doug Barge, Interim Chief Business Officer; Mr. Art Hand, Assistant Superintendent, Facilities and Planning <u>Student Representatives:</u> Ms. Melanie Lim, Bear Creek High School; Mr. Brandon Le, McNair High School; Ms. Anna Adams, Lodi High School and Ms. Deyanira Nava, Tokay High School <u>Recorder:</u> Mrs. Lois John, Executive Assistant
CLOSED SESSION	Action taken in closed session was announced as follows:
Appointment - Director of Budgets	Motion was made by Mr. Nava, seconded, and carried unanimously to approve the appointment of Angel Murnan, Director of Budgets, effective date to be determined. Mr. Neely announced that the Board would return to closed session following the regular meeting.
MEETING PROCEDURES	Mr. Neely outlined the procedures to be followed at Board meetings in order to effectively move through the agenda and give maximum opportunity for public input. The procedures include the process for a member of the public to place an item on the agenda and guidelines on the procedures of a meeting to best serve the Board, staff, and members of the audience.
RECOGNITION	Ms. Pennington introduced student Ms. Julie Fukunaga, Elkhorn School, who was recognized as the First Place Winner of the San Joaquin County Spelling Bee.
PUBLIC HEARING	Mr. Neely declared open the Public Hearing: General Waiver Request to California Department of Education (CDE) to Extend the School Accountability Report Card (SARC) February 1, 2011, Posting Timeline. Mr. Neely asked if there

were implications to extending the timeline. Mr. Barge responded that there would be no repercussions from the state. There were no other comments and the hearing was declared closed.

ACTION
ITEMS
Consent
Agenda A

The following items were removed from Consent Agenda A:

- A-8 Minutes of the December 7, 2010, Special Board Meeting (Ms. Cassel)
- A-10 Minutes of the January 4, 2011, Special Board Meeting (Mr. Heberle/ Ms. Davis)
- A-13 Instructional Calendar for 2011-12 (Mr. Heberle)
- A-14 Resolution 2011-04 Finding that Board Member Bonnie Cassel was Absent from the December 7, 2010, Special Board Meeting Due to a Personal Hardship (Ms. Cassel)
- A-15 Resolution 2011-05 Finding that Board Member Ruth Davis was absent from the Special Board meeting of January 4, 2011, Due to Illness (Ms. Davis)

Motion was made by Mr. Davis, seconded, and carried unanimously to approve Consent Agenda A, as amended:

- A-1 Resolution 2010-115 Restoration of Concessions
- A-2 Changes to the Adopted Budget
- A-3 Contract List
- A-4 Purchase Order Detail Reports
- A-5 Warrants
- A-6 Donations to the District
- A-7 Minutes of the November 16, 2010, Regular Board Meeting
- A-9 Minutes of the December 14, 2010, Organizational Board Meeting
- A-11 General Waiver Request to California Department of Education (CDE) to extend the School Accountability Report Card (SARC) February 1, 2011, Posting Timeline
- A-12 Resolution 2011-01 Application for Continued Funding from the California Department of Education, Child Development Division, for the 2011-2012 School Year for State Preschool
- A-16 Resolution 2011-06 Lockeford Elementary School Addition, Sitework and Modernization, Certification of Guaranteed Project Cost and Authorization to Begin Construction (Project #8911)

The student representatives' preferential vote was unanimously aye.

Minutes of
December 7, 2011

Motion was made by Mr. Nava, and seconded, to approve Item A-8 Minutes of the December 7, 2010, Special Board Meeting. The vote on the motion was as follows:

Ayes: Abdallah, K. Davis, R. Davis, Heberle, Nava, Neely
Abstain: Cassel

Motion carried

The student representatives' preferential vote was unanimously aye.

Minutes of
January 4, 2011

Mr. Heberle pointed out that the Minutes of the January 4, 2011, Special Meeting showed an incorrect meeting date. The correction was noted and the minutes will be revised to reflect the correct date.

Motion was made by Mr. Heberle, and seconded, to approve Item A-10 Minutes of the January 4, 2011, Special Board Meeting, as amended. The vote on the motion was as follows:

Ayes: Abdallah, Cassel, K. Davis, Heberle, Nava, Neely

Abstain: R. Davis

Motion carried

The student representatives' preferential vote was unanimously aye.

Instructional
Calendar 2011-12

Mr. Heberle inquired if the calendar had been approved by all employee groups. Mr. McKilligan responded that each group approved their instructional calendar. Motion was made by Mr. Heberle, seconded, and carried unanimously to approve Item A-13 Instructional Calendar for 2011-12. The student representatives' preferential vote was unanimously aye.

Resolution
2011-04

Motion was made by Mr. Nava, and seconded, to approve Item A-14 Resolution 2011-04 Finding that Board Member Bonnie Cassel was Absent from the December 7, 2010, Special Board Meeting, Due to a Personal Hardship. The vote on the motion was as follows:

Ayes: Abdallah, K. Davis, R. Davis, Heberle, Nava, Neely

Abstain: Cassel

Motion carried

The student representatives' preferential vote was unanimously aye.

Resolution
2011-05

Motion was made by Mr. Davis, and seconded, to approve Item A-15 Resolution 2011-05 Finding that Board Member Ruth Davis was Absent from the January 4, 2011, Special Board Meeting, Due to Illness. The vote on the motion was as follows:

Ayes: Abdallah, Cassel, K. Davis, Heberle, Nava, Neely

Abstain: R. Davis

Motion carried

The student representatives' preferential vote was unanimously aye.

OTHER
ACTION ITEMS
Resolution
2011-02

Mr. Barge reported that this resolution would provide the District with the opportunity to participate in the mid-year TRAN offering from the California School Cash Reserve Program, which is designed to address cash flow deficits caused by the state's deferral of apportionments.

Motion was made by Mr. Nava, seconded, and carried unanimously to approve Resolution 2011-02 Authorizing an Increase to Maximum Amount of Borrowing for Fiscal Year 2010-2011 and Authorizing the Issuance and Sale of an Additional Series of 2010-2011 Tax and Revenue Anticipation Notes and Requesting the Board of Supervisors of the County to Issue and Sell Said Series of Additional Notes. The student representatives' preferential vote was unanimously aye.

Resolution
2011-03

Mr. Neely presented Resolution 2011-03 which calls for the immediate implementation of the District's Expense Reduction Plan. The resolution recognizes the District's current fiscal situation and solicits appropriate cost saving suggestions from all employees and students. It asks supervisors to carefully evaluate all expenses and calls for active involvement of the Superintendent to

oversee the implementation of the Plan and the Chief Business Officer to work with supervisors and vendors to extract savings.

Motion was made by Mr. Neely, seconded, and carried unanimously to approve Resolution 2011-03 Reduction of District Expenses. The student representatives' preferential vote was unanimously aye.

Sub-Committee
Appointment

Mr. Neely recommended the appointment of a Board sub-committee to research creating an in-house legal counsel position to handle daily legal issues and manage needs for outside specialty firms. The committee would be comprised of two Board members, Dr. Washer, Mr. Hern, Mr. Hand and Mr. McKilligan, with a representative from the public. Mr. Neely and Mr. Heberle volunteered to serve on the subcommittee.

Motion was made by Mr. Heberle, seconded, and carried unanimously to approve the appointment of a Board Sub-committee to research creating an in-house legal counsel position. The student representatives' preferential vote was unanimously aye.

Elkhorn School
Lottery Procedures

Mr. Neely explained that he brought this item before the Board to consider a revision of the lottery procedures currently in place for 7th and 8th grades at Elkhorn School. Currently, all sixth grade GATE students who wish to attend Elkhorn for 7th and 8th grade participate in a lottery to access placement. This includes those students attending Elkhorn in Grade 6. The change would allow students in Grade 6 to automatically remain for Grades 7 and 8. A lengthy discussion was held among Board members, staff, and members of the public as to the pros and cons of retaining or revising the current lottery procedures.

Motion was made by Mr. Nava, seconded, and carried unanimously to reject the proposal to revise the lottery procedures for Elkhorn School.

Chief Business
Officer Contract

Motion was made by Mr. Nava, seconded, and carried unanimously to approve the Chief Business Officer Employment Contract.

Grand Jury
Investigation

Dr. Washer reported that the San Joaquin Grand Jury is conducting an investigation on how school boards, cities and county offices form committees that involve the public. She stated that a response is required and asked the Board for input on how they wish to proceed. It was the direction of the Board for Dr. Washer to further research the request and return to the Board on February 1, 2011, with more information. No action was taken on this item.

PERSONNEL
MATTERS

Motion was made by Mr. Davis, seconded, and carried unanimously by a roll call vote to approve the Certificated and Classified Personnel Matters as presented.

COMMUNICA-
Comments
from Student
Representatives'

Student Representatives Ms. Melanie Lim, Bear Creek High School, Mr. Brandon Le, McNair High School, Ms. Deyanira Nava, Tokay High School, and Ms. Anna Adams, Lodi High School, reported on activities and events at their respective schools.

Comments
from the
Public

Mrs. Susan Heberle commented on the recent passing of Mr. Tom Bandelin, a former teacher, administrator and Board member, and recognized him as a fine man and a wonderful role model.

Mr. Rick Brewer, D-MAND Charter School, addressed the Board on the status of their charter petition, asking the Board to focus solely on the updated information being presented to them on February 1, 2011.

Mr. Lester Patrick, an advocate for African American students, parents, and administrators, addressed the Board with regards to what he sees as the re-emergence of destructive behavior and discrimination within the District.

Comments
from Employee
Group Reps.

Ms. Joni Kort, President, Lodi Pupil Personnel Association (LPPA), welcomed the new and returning Board members and introduced members of the association.

Mr. Jeff Johnston, President, Lodi Education Association (LEA), commented on LEA remaining optimistic in spite of the budget shortfall. He requested the ability to be able to communicate electronically with his membership.

Mr. Pete Geraldizo, President, California School Employees Association (CSEA), commented on the progress of negotiations and the hope of a resolution. He asked the Board to accept their offer.

Comments
from Board
Members

Mr. Nava echoed Mrs. Heberle's comments about Mr. Bandelin. He commented on his rewarding visit to Lockeford Elementary School.

Mr. Heberle announced an upcoming crab feed at Bear Creek High School. He stated he will be placing an item on an upcoming meeting agenda on the topic of how the District can be ready for the start of the new school year in areas such as student/teacher ratios, class schedules, and supplies.

Mr. Abdallah reported he has visited 48 schools in the past month, meeting principals and staff. He shared his positive impressions of interactions he witnessed in the classrooms at the elementary level. He announced an upcoming Student Speaker Contest for high school students sponsored by the Clements Lions Club.

Mr. Neely announced he will be attending a meeting regarding the direction of K-6 education. He clarified that K-8 configurations are being discussed, but will not be implemented for the start of the 2011-12 school year. He commented favorably on recent conversations he has had with Dr. Washer on the concept of what classrooms will look like in the future.

Comments
from the
Superintendent

Dr. Washer recognized students for their outstanding performances in the San Joaquin County Band/Choir concert. She announced that a Suggestion Box has been placed in the lobby of the District office for submission of budget reduction ideas. She reported that entries are due on January 28, for the Poetry contest she is sponsoring, noting that District funds will not be used for prizes.

REPORT
Lockeford
Kindergarten
Construction

Ms. Cassel excused herself from the meeting for this report due a possible conflict of interest relating to the potential sale of a commercial building she owns near Clements School.

Mr. Hand reported that the recent funding approval of the Lockeford School Addition Project by the State Allocation Board has created an opportunity to move forward with the third and last phase of the expansion of Lockeford School. The additional work would include the construction of two new permanent kindergarten classrooms with an adjoining play yard area.

Teachers from Clements School requested a community forum be held prior to the construction plan being approved. Following discussion, the Board directed staff to return the agenda item to the February 1, 2011, Board meeting for action.

CLOSED
SESSION,
continued

The Board adjourned to Closed Session at 10:15 p.m., following which they reconvened the public meeting. Mr. Neely announced the following action was taken in Closed Session:

Motion was made, seconded, and carried unanimously to approve the placement of Non-Public School Students #'s 120, 121, and 122.

Motion was made, seconded, and carried unanimously to reject Claim IH830201.

CONSENT
AGENDA B -
Student Discipline
Cases

Motion was made, seconded, and carried unanimously to approve Consent Agenda B – Student Discipline Cases, as follows:

- B-1 Expulsion: Student #10/11-12-30
- B-2 Expulsion: Student #10/11-9-31
- B-3 Expulsion: Student #10/11-10-32
- B-4 Expulsion: Student #10/11-7-33
- B-5 Expulsion: Student #10/11-10-34
- B-6 Expulsion: Student #10/11-12-35
- B-7 Expulsion: Student #10/11-7-36
- B-8 Expulsion: Student #10/11-8-37
- B-9 Expulsion: Student #10/11-12-38
- B-10 Expulsion: Student #10/11-11-39
- B-11 Expulsion: Student 10/11-9-40
- B-12 Readmission: Student #09/10-7-33
- B-13 Readmission: Student #09/10-11-42
- B-14 Readmission: Student #09/10-5-46
- B-15 Readmission: Student #09/10-7-50
- B-16 Readmission: Student 06/07-150

ADJOURNMENT The meeting was adjourned at 11:45 p.m.

Clerk of the Board

President of the Board