

Oxnard Union High School District

Oxnard, California

MINUTES FOR THE SPECIAL BOARD MEETING

May 20, 2009

CALL TO ORDER:

The special meeting of the Board of Trustees of the Oxnard Union High School District was called to order by President Stocks at 11:10 a.m., May 20, 2009, in the District Office Board Room, 220 South K Street, Oxnard, California.

President Stocks stated pursuant to Government Code §54956 and §54953 no business other than that set forth on the special meeting agenda would be considered and only those topics listed on the agenda would be addressed.

Trustees present:

Steve W. Stocks, President
Robert Q. Valles, Vice President
Socorro López Hanson, Clerk
Ken Benefield, Member
Dick Jáquez, Member

Administration present:

Nancy R. Serros, Executive Assistant

Guests present: Stacey Roth, Amy Hutchins, Jim Rose, Gil Guevara, Ernest Stein, Maricruz Hernandez, Barbara Kimmel, Cheri Carlson, and John Alamillo.

PLEDGE OF ALLEGIANCE:

Mr. Jim Rose, OFT/SE President led the Pledge of Allegiance.

ADOPTION OF AGENDA:

Mrs. López Hanson reiterated she felt the Board was in violation of the Brown Act by making decisions to appoint an interim superintendent behind closed doors, she inquired why two agendas were distributed, and stated she wanted her concerns to be out in the open.

Adopted

Trustee Benefield moved to adopt the May 20, 2009 agenda as presented, seconded by Trustee Valles, motion carried 3:2. Ayes Trustees Stocks, Benefield, and Valles. Noes Trustees Jáquez and López Hanson.

Trustee Jáquez stated "the allegations that we all know what is going on does not include me". He stated that for the record Mr. Parham, legal counsel for the district was in the audience. He clarified that there were technical difficulties getting the information to Trustees, and a discussion was held about appointing an interim superintendent in the past.

Mr. Parham asked that for the record it be noted that Michael Schwartz from the District Attorney's office was also present. He clarified the agenda was changed, in the required 24-hour period in response to his concern that there be an agenda item to discuss the selection process; he stated the Board could discuss the candidates incorporated on the list; and he informed Trustees the need to designate a representative to speak on behalf of the Board of Trustees before entering closed session.

Mr. Schwartz opined the memos circulated among the Board on how to select an interim superintendent was a violation; he stated it appeared there had been a private gathering of opinions of an item that should have been done in open session.

Mr. Parham stated that if the District Attorney's office determined there was a problem, they would be required to advise the District to correct the error. He explained it was his intent to resolve the agenda issue in a way that would be compliant with the Brown Act.

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Trustee Jáquez stated it appeared that there was talk about the District being improper and clarified the district does not try to be improper. If there are mistakes made, the District goes to the D.A.'s for help. In the past, 2-3 cases have gone to the D.A.'s and it was determined that no violation was committed. At this point, if there is no error on the part of the District, Mr. Jáquez requested that a note be sent by the District Attorney's office to *The Star* stating that there was no violation of the Brown Act committed.

AUDIENCE TO ADDRESS THE BOARD OF TRUSTEES

Stacey Roth, addressed Trustees to ask the Governing Board to work together with the public to appoint an interim superintendent and to hold special board meetings at a time when the general public can attend.

Amy Hutchins, addressed Trustees regarding an intra district transfer for her son.

Jim Rose, President OFT/SE, urged Trustees to use the same selection process as was used for the current Superintendent, Dr. Dunlap and not limit itself to an interim superintendent.

Gil Guevara, LULAC asked Trustees that the process for selection of interim superintendent be transparent; to involve the public; and that the time of the meetings should be more conducive for public input. Lastly, he offered the assistance of LULAC in the process to select a superintendent.

DISCUSSION OF SELECTION PROCESS FOR SUPERINTENDENT

President Stocks asked Trustees to express their concerns regarding the process of selecting an interim superintendent. Concerns, questions and opinions shared:

- Discuss openly the names of possible superintendents.
- More time requested to review the list of potential candidates.
- Discuss the selection process more thoroughly in open session.
- It was opined that the memos distributed was a serialized meeting.
- Were the candidates on the list asked if they would serve if appointed?
- Different options have been used by other districts to select a superintendent. Such as Oxnard Elementary the appointment was made on the recommendation of their attorney.
- Trustees were reminded that the District's previous superintendent was appointed, no one else was considered.
- It was suggested to rank candidates on their availability.
- It was stated one of the candidates was a close friend of some of the board members and this was considered a conflict of interest.

Mr. Parham responded to questions presented by Trustees and reviewed the process, as stated by the Attorney General's office, by which a Board can set a special board meeting. The president or majority may speak to one another about what items to place on an agenda. One section of the Attorney General's guidelines allows the majority of the board to talk to one another, which is relatively simple, and provides a way for the members to ultimately complete the agenda. He further clarified "conflict of interest" is regulated in the Government Code and does not include friends, unless engaged in business deals.

President Stocks reiterated that all board members have a say in the selection process, each has a vote, and the majority will prevail in this matter. He further stated that Trustees receive communication every Friday from the Superintendent and if Trustees have questions, calls are made to the individual(s) who has placed the item in the Friday Update – it is a two-way communication process. He clarified that board members were given an option as to their preference for the

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selection of appointing a superintendent; only three responses were received; and a reminder was sent out. From the onset of Dr. Dunlap's letter of resignation, Trustees were given over 30 days to select an option for the selection process.

Trustee López Hanson read the list of potential candidates.

CLOSED SESSION

The board adjourned to closed session at 12:10 p.m. to discuss items related to:

- Designated Representative: Ken Benfield [Government Code §54957.6]
- Public Employee Appointment [Government Code §54957(b)(1)]
Title: Interim Superintendent


**RECONVENE IN PUBLIC:
REPORT OF CLOSED SESSION
ACTION**

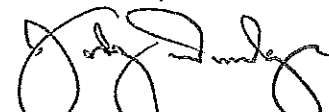
The Board returned to open session at 1:20 p.m. President Stocks asked Executive Assistant Nancy Serros to report the action taken during closed session. Ms. Serros reported that a motion was made by Mr. Benefield, seconded by Mr. Valles to authorize Mr. Benefield and Mr. Valles to make further inquiry among the names that have been made publicly available yesterday. A Roll Call Vote was taken Trustees Benefield, Stocks and Valles voted yes, Trustee Jaquez voted no, and Trustee López Hanson was absent. Motion carried 3:1. For the record, Trustee López Hanson joined closed session; however, she stated she felt uncomfortable and excused herself at 12:31 p.m.

ADJOURNMENT:

There being no further items of discussion on the Agenda, President Stocks adjourned the meeting at 1:21 p.m.

BOARD OF TRUSTEES


Socorro López Hanson, Clerk


Jody Dunlap, Ed.D., Secretary

Approved as read
(or approved as corrected)
June 10, 2009

*Board meetings are recorded by video tape pursuant to Government Code Section 54953.5(b).
Copies of these video tapes are available by request to this office at (805) 385-2527.*

