

SAN DIEGO UNIFIED SCHOOL DISTRICT
Minutes Regular Meeting, 3:00 P.M., Tuesday, August 2, 2011
4100 Normal Street
San Diego, CA 92103

A regular meeting of the Board of Education of the San Diego Unified School District, County of San Diego, California was held at the Eugene Brucker Education Center on August 2, 2011.

Present: Members Barnett, Barrera, Beiser, Evans, and Jackson

Absent: None

President Barrera called the meeting to order at 12:00 p.m., in room 2249.

Sally Smith provided public testimony to the Board regarding collective bargaining.

President Barrera adjourned the meeting to closed session at 12:00 p.m.

President Barrera reconvened the meeting in open (public) session at 3:00 p.m., in the Education Center auditorium

A. Public Participation

Sally Smith provided public testimony to the Board regarding the International Baccalaureate program; Nikena Carter and Robin Logan provided public testimony to the Board regarding Fulton Elementary; Terry Pesta, Gaylene Davis, and Cynthia Perez-Pothier provided public testimony regarding Valencia Park Elementary; Joan O'Hara provided public testimony regarding budgeting; and Tony Burks provided public testimony regarding music programs.

B. Opening Ceremony

1. Call to Order, Roll Call, Establish Quorum
2. Pledge
3. Student Presentation: None

C. Report of Closed Session Actions and Superintendent and Board Information Reports

1. Administrative Assignments (OE-5)

Superintendent Kowba announced recent management appointments he had made and reported that he had directed the Human Resources staff to implement the recall of 100 elementary credential teachers. (Attachment C1)

General Counsel, Larry Schoenke reported that the Board discussed in closed session, with member Jackson out of the room, his legal opinion regarding two questions raised by the Board, Board member residency and potential conflict of interest and the entities with authority over these issues. The Board took no action regarding these matters.

D. Adopt Agenda

1. Adopt Agenda (GC-2)

Motion by member Barnett, seconded by member Evans to adopt the agenda with items I.3., I.4., and I.5., Operational Expectations monitoring reports carried over to the next meeting, was approved unanimously.

E. Superintendent's Consent Agenda (Attachments E)

Motion by member Evans, seconded by member Jackson, to adopt the Consent calendar, items E.1., through E.34., was approved unanimously. Sally Smith provided public testimony regarding item E.7.

1. Field Trips; BUDGETED: N/A (OE-2)

2. Independent Contractor Agreements: BUDGETED: YES, VARIOUS SITE-IDENTIFIED FUNDS (OE-2)

3. Agreement with Interquest Detection Canines of San Diego for Substance Awareness and Detection Services on District School Sites; BUDGETED: YES, VARIOUS SITE IDENTIFIED FUNDS (OE-2)

4. Ratification of Agreement with San Diego County Superintendent of Schools for Participation in the Science Outreach Programs for the 2011-12 School Year; BUDGETED: YES, VARIOUS SCHOOL SITE BUDGETS/OUTSIDE SOURCES (OE-2)

6. Ratification of Agreement with San Diego County Superintendent of Schools to Provide Regional Occupational Program (ROP) Courses and Related Services; BUDGETED: YES, OTHER LOCAL: ROC/P CONTRACT (OE-2)

7. Interdivisional Curriculum Committee (ICC) Recommendations; BUDGETED: N/A (OE-2)

8. Ratification of Agreement with Dr. Charmi Patel Rao, M.D. to Provide Direct Psychiatry Services to Students with Mental Health Needs; BUDGETED: YES, MENTAL HEALTH RESOURCE CENTER PROGRAM FUNDS

9. Fourth Amendment to Agreement with County of San Diego/Children's Mental Health to Operate the District Unified Day Treatment Program; BUDGETED: YES, COUNTY OF SAN DIEGO/CHILDREN'S MENTAL HEALTH FUNDS (OE-2)

10. Agreements with Multiple Supplemental Educational Services (SES) Providers to Provide Tutorial Services to Eligible Students Enrolled at Program Improvement Years 2-5 Schools; BUDGETED: YES, BASIC TITLE I FUNDS (OE-2)

11. Agreement with Mayer-Johnson, LLC to Provide Boardmaker Studio Software, an Interactive Teaching and Learning Tool for Special-Needs Students; BUDGETED: YES, ARRA IDEA PART B/BASIC UNRESTRICTED (OE-2)

12. Special Education Payment Authorizations; BUDGETED: YES, SPECIAL EDUCATION AND GENERAL FUNDS (OE-2)

13. Authorize Payments to Nonpublic Schools and and Nonpublic Agencies who Provide Education and

Related Educational Support Services to Special-Needs Students; BUDGETED: YES, SPECIAL EDUCATION PROGRAM/NONPUBLIC SCHOOLS AND AGENCIES FUNDS (OE-2)

14. Ratification of Agreements with Multiple Vendors who Provide Transition Services for Special-Needs Students; BUDGETED: YES, SPECIAL EDUCATION PROGRAM/TRACE FUNDS (OE-2)

15. Agreement with Voyager/Cambium Education, Inc. to Provide Professional Development to District Teachers; BUDGETED: YES, SPECIAL EDUCATION ARRA STIMULUS FUNDS (OE-2)

16. First Amendment to Agreement with Early Childhood Associates, to Provide Staff Development for Special Education Early Childhood (SEEC) and Early Childhood Education (ECE) Teachers; BUDGETED: YES; SPECIAL EDUCATION IDEA STIMULUS FUNDS (OE-2)

17. Second Amendment to Subcontract Grant Award Agreement with Florida State University to Collaborate on an Autism Research Project Funded by the U. S. Department of Education; BUDGETED: YES, FLORIDA STATE UNIVERSITY FUNDS (OE-2)

18. Student Expulsions; BUDGETED: N/A (OE-3)

19. Student Readmits; BUDGETED: N/A (OE-3)

20. Ratification of Certificated and Classified Personnel Actions; BUDGETED: YES, VARIOUS FUNDS (OE-5)

21. Agreement with Becker Institute, Inc. to Provide School Security Campus Training; BUDGETED: YES, GENERAL OPERATIONS/POSITION ALLOCATION (OE-5)

22. Ratification of Amendment Number One to the District's Flexible Spending Account Plan; BUDGETED: N/A (OE-5)

23. Additional Spending Authorization for Dion International Trucks, LLC to Continue the Maintenance and Repair of School Buses and Trucks; BUDGETED: YES, FLEET TRANSPORTATION FUNDS (OE-7)

24. Agreement with Minert & Associates, Inc. to Provide Mobile, On-site and Laboratory Drug and Alcohol Testing; BUDGETED, YES, HUMAN RESOURCES and TRANSPORTATION SERVICES FUNDS (OE-5)

25. Rejection of All Bids to Furnish and Install Playground Equipment and Surfacing; BUDGETED: N/A (OE-9)

26. Agreements with A & Z Enterprise, Inc. dba Road One and C & D Towing Specialist, Inc. to Provide Districtwide Towing and Storage Services; BUDGETED: YES, FLEET MAINTENANCE and ON-GOING AND MAJOR MAINTENANCE FUNDS (OE-9)

27. Agreements with the YMCA of San Diego County - Mission Valley YMCA and Tobey Wells YMCA for Use of Swimming Pools and Facilities for District Students; BUDGETED: N/A (OE-9)

28. First Amendment to Multi-Year Facilities Use Permit Agreement with King/Chavez Primary Academy Charter School; BUDGETED: N/A (OE-9)

29. Resolution Overruling Zoning for King/Chavez Primary Academy Charter School Portables Project (This item requires 4 votes); BUDGETED: N/A (OE-9)
30. Ratification of First Amendment to Agreement with San Diego State University Research Foundation for City Heights Educational Collaborative 2010-11 Project; BUDGETED: YES, SDSU RESEARCH FOUNDATION (OE-2)
31. Agreement with Sound Options, LLC to Provide Staff Development Training to District Certificated and Classified Staff; BUDGETED: YES; SPECIAL EDUCATION ARRA STIMULUS FUNDS (OE-2)
32. Facility Use Permit Agreement with San Diego Global Vision Academy; BUDGETED: N/A (OE-2; OE-9)
33. Authorization to Pay \$11,247.90 in Settlement of Level Two Grievance Regarding Bus Driver, Mid-Day Split Assignments; BUDGETED: YES, TRANSPORTATION DEPT FUNDS (OE-5)
34. Agreement with National University Virtual High School (NUVHS) to Provide Access to Online Courses to Supplement District Online Coursework; BUDGETED: YES, SITE IDENTIFIED FUNDS (OE-2; OE-8)

F. Student Instructional Matters

1. Consideration of the Revocation of the Charter and Petition for Promise Charter School; BUDGETED: N/A (OE-2) (Attachment F1)

Sally Smith, Juliet Juarez, Guadalupe Rivas, Miguel Torres, Lisa Corr, and Sheila Solorzano provided public testimony to the Board regarding Promise Charter School. Motion by member Evans, seconded by member Jackson to revoke the Promise Charter School Charter for violating the law, material provisions of its charter, and committing fiscal mismanagement and adopt resolution as the written factual findings supported by substantial evidence sustaining the findings of violations identified therein, was approved with member Barnett voting no.

2. Selection of a Charter School to be Located at Downtown Library; BUDGETED: N/A (OE-2) (Attachment F2)

Tim Wolf, Alberto Ochoa, Jebb Hubbs, Carlos LeGerrette, Linda LeGerrette, and Mel Katz provided public testimony to the Board regarding the Charter at the Downtown Library site. Motion by member Jackson, seconded by member Barnett, to approve selection of the Downtown Charter High School to be located at the new Downtown Library Site, was approved unanimously.

3. Surrender of Charter of the Girard Charter Middle School; BUDGETED: N/A (OE-2) (Attachment F3)

Motion by member Jackson, seconded by member Beiser to accept the voluntary surrender of the Charter for the Girard Charter Middle School was approved with member Barnett voting no.

4. Material Revision to Charter of King/Chavez Community High School to Establish Additional Sites; BUDGETED: N/A (OE-2) (Attachment F4)

Motion by member Evans, seconded by member Beiser to approve the material revision to the Charter

of King/Chavez Community High School, was approved unanimously.

5. Secondary District Plan for Work Experience Education (WEE) Program and Application to the State Department of Education; BUDGETED: N/A (OE-2) (Attached F5)

Sally Smith provided public testimony to the Board regarding the district's work experience education program. Motion by member Beiser, seconded by member Jackson to approve the secondary district plan for work experience education programs and authorize application to the State Department of Education, was approved unanimously.

6. Restructuring Plans for Three District Schools in Program Improvement Year 4 Status; BUDGETED: N/A (OE-2) (Attachment F6)

Motion by member Jackson, seconded by member Beiser to approve restructuring plans for three Program Improvement Year 4 status schools was approved unanimously.

7. Item Withdrawn by Staff

8. ITEM CARRIED OVER TO SEPTEMBER 13, 2011: Agreement with City Heights Education Collaborative for Continued Compatibility with District Educational Initiatives, Student Achievement Outcomes, and Annual Reporting; BUDGETED: N/A (OE-2) (Attachment F8) No action taken

G. Board Consent Agenda

1. Approval of Minutes: Regular Meetings, June 28, 2011, July 5, 2011 (withdrawn), July 12, 2011 (withdrawn)

Motion by member Beiser, seconded by member Evans to approve minutes was approved unanimously.

H. Operational Matters Reserved for the Board

1. Operations and Efficiency Ad Hoc Committee, Tiger Teams Update (Barnett and Beiser) Information only

2. Report on Superintendent Evaluation (Attachment H2) Information only

Vice President Evans reported on the Board's mid-year evaluation of the Superintendent.

3. Board Memberships and Legislative Advocacy for 2011-12 (Evans) (Attachment H3)

Motion by member Evans, seconded by member Barnett to authorize and approve travel for 2011-12 within the Board office's budgeted amount which benefits the district; the Board President and Board Action Officer will monitor, track, and report to the full Board all expenses, was approved unanimously.

Motion by member Evans, seconded by member Barrera to approve 2011-12 membership in the Council of Great City Schools only and direct that the funds budgeted in the Board memberships account not expended be directed towards more efficient advocacy efforts, was approved with members Barnett and Jackson voting no.

4. Appointments to the Proposition S Independent Citizens Oversight Committee (ICOC) (Evans &

Jackson) (Attachment H4)

Motion by member Jackson, seconded by member Evans to approve appointments to the Proposition S ICOC was approved unanimously.

5. Board Direction to Staff Regarding Advocacy for 2011-12 and 2012-13 Budgets (Evans) (Attachment H5)

Motion by member Evans, seconded by member Barnett to direct staff to post and educate public and staff and to advise the Board regarding potential education trailer bills that would benefit the District and encourage staff to develop opportunities for Board members and staff to interact with other Board members and legislators, was approved unanimously.

6. Resolution Recognizing September 17 through September 23, 2011 as "Constitution Week" (Beiser) (Attachment H6)

Motion by member Beiser, seconded by member Evans to adopt the resolution recognizing September 17 through September 23, 2011 as Constitution Week, was approved unanimously.

7. Resolution to Ensure Provision of a Public School Education to Students Free of Charge (Beiser) (Attachment H7)

Sally Smith provided public testimony to the Board regarding free public education. Motion by member Beiser, seconded by member Jackson to adopt the resolution to ensure provision of a public school education to students free of charge, was approved unanimously.

8. Agreement with ARCBridge Consulting & Training, Inc., for Professional Services in Support of the Redistricting of Board Member District Boundaries; BUDGETED, YES, BOARD OF EDUCATION CONSULTANT SERVICES FUND) (OE-4) (Attachment H8)

Motion by member Jackson, seconded by member Evans to approve the agreement with ARCBridge Consulting & Training, Inc., for redistricting to be completed by the County of San Diego Registrar of Voters office by the October 2011 deadline, was approved unanimously.

9. Resolution Recognizing Jay Powell (Barrera) (Attachment H9)

Motion by member Jackson, seconded by member Beiser to adopt the resolution recognizing Jay Powell was approved unanimously.

10. Item withdrawn by Board Member

11. Allocation of State School Facilities Fund (SSFF) Dollars as One-Time Revenues for 2011-12 Budget (Barrera and Barnett) (Attachment H11)

No action taken. See item I.2., 2011-12 Revised Budget.

12. Resolution Restoring K-3 Class Size Reduction (CSR) Program and Establishing Reappointment Process (Barnett) (Attachment H12)

Member Barnett withdrew item H12 from the agenda.

I. District Operations

1. Human Resources Monthly Update: Review of June Data; BUDGETED: N/A (OE-5) (Attachment I1) Information Only

2. Public Hearing and Approval of Revisions to Adopted 2011-12 District Budget

Deja Taylor, Donnie Taylor, Terry Pesta, Pamela Stevens, Bob Turner, Kathryn Lopez, Joe Frichtel, Gaylene Davis, Qiaunci Jones, LaToiya Gloria, and Gaylene Davis provided public testimony to the Board regarding the 2011-12 budget. Motion by member Barrera, seconded by member Beiser to approve the revised budget with addition that as staff reconciles ending balances and actuals versus budgeted amounts, if there are balances up to \$2m more, direct the Superintendent to spend up to \$2m of the ending balance as follows, up to \$1m to restore office assistants and attendance clerks to school sites, up to \$1m for bare bones funding at IB schools, some funding for school police presence during summer and holidays, and restore Valencia Park performing arts position, was approved unanimously.

3. ITEM CARRIED OVER TO SEPTEMBER 6, 2011: Operational Expectations Monitoring Report OE-3, Learning Environment/Treatment of Students/Discipline; BUDGETED: N/A (GC-6) (Attachment I3)

4. ITEM CARRIED OVER TO SEPTEMBER 6, 2011: Operational Expectations Monitoring Report OE-12, Emergency Superintendent Succession; BUDGETED: N/A (GC-6) (Attachment I4)

5. ITEM CARRIED OVER TO SEPTEMBER 6, 2011: Operational Expectations Re-Monitoring Report OE-9 Facilities; BUDGETED: N/A (GC-6) (Attachment I5)

6. Resolution of Intention to Consider Proposals to Lease Property for Joint Occupancy for Development, Operation, and Maintenance of Recreational Facilities and a Community Center at Pacific Beach Middle School; BUDGETED: N/A (OE-9) (Attachment I6)

7. Initiation of School Closure/Consolidation/Reconfiguration Process, 2012-13; BUDGETED: N/A (OE-9) (Attachment I7)

Motion by member Jackson, seconded by member Barnett to approve initiation of the school closure/consolidation/reconfiguration process was approved unanimously.

8. Five-Year Enterprise Software Plan for Oracle PeopleSoft, Oracle Business Intelligence, Zangle, and Non-Instructional Computer Refresh; BUDGETED: YES, STATE SCHOOL FACILITIES FUND (OE-8) (Attachment I8)

Motion by member Barnett, seconded by member Barrera to direct staff to retain a consultant to work with Darryl LaGace, Chief Information Technology Officer and the Superintendent to review the five year IT plan and review general fund and operations expenditures, and review the Proposition S plan for a data center and sustainability, and bring forward recommendations for a holistic plan by the end of the calendar year, December 2011, was approved unanimously.

J. Public Participation

Lillie McMillan provided public testimony regarding Porter Elementary staffing.

K. Recess

L. Informal Debriefing: Meeting and Process

M. Adjourn

President Barrera adjourned the meeting at 5:50 p.m. The next regular meeting will be held on September 6, 2011

Cheryl Ward, Board Action Officer

These Minutes Adopted by the Board at a regular meeting
of the Board held on _____
