

**SAN DIEGO UNIFIED SCHOOL DISTRICT  
Minutes of the Regular Meeting, 5:00 P.M.  
Tuesday, July 12, 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 July 12, 2011.

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

Absent: None

President Barrera called the meeting to order at 2:00 p.m., in room 2226.

Sally Smith provided public testimony to the Board regarding evaluation of the superintendent and collective bargaining.

President Barrera adjourned the meeting to closed session at 2:05 p.m.

#### **A. Public Participation**

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**Leilana Orduno, Jeffrey Gaspar, Dowla Kuwai, Anthony Orduno, Elvis Tello, Daniel Villegas, and Cindy Marten provided public testimony regarding restoring positions at Central Elementary School; Rick Pankow, George Hosang, Artie Delimitros, Pravin Wilkins, Charlie Martinez, Bruce Nguyen, Connor Alvarez, James Fortier, Janet Dabbert, Mike Martinez, John Wood, and Vivian Colmenero provided testimony regarding an employee at Patrick Henry High School; Julieta Juarez provided public testimony regarding Promise Charter School; Matthew Stoeber, Timothy Briggs, Latoiya Gloria, Annabel Valencioa, Ann Marie Haney, Jessi Hughes, Bill McClain, Ricky Lopez, and Daijah Scorza provided public testimony regarding certificated staffing.**

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#### **B. Opening Ceremony**

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3. Student Presentation: None

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

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**Superintendent Kowba reported on personnel management assignments he recently appointed. Christine McClain provided public testimony to the Board regarding the appointment at San Diego High School.**

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#### **D. Adopt Agenda**

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1. Adopt Agenda (GC-2)

Motion by member Jackson, seconded by member Evans, to adopt the agenda, was approved unanimously.

## **E. Superintendent's Consent Agenda (Attachment E)**

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Motion by member Jackson, seconded by member Barnett to approve the Consent Agenda, items E1., through E.29., was approved unanimously

1. First Amendment to Agreement with Higgs, Fletcher & Mack to Provide Legal Advice and Representation Pertaining to General Legal Matters; BUDGETED: YES, LITIGATION/SETTLEMENT EXPENSE (GC-2; OE-1)
2. Approve Second Amendment to Agreement with Tosdal, Smith, Steiner & Wax, to Provide Legal Advice and Representation Pertaining to General Public School Facilities and Construction Matters; BUDGETED: YES, PROP S (GC-2; OE-1)
3. Field Trips; BUDGETED: N/A (OE-2)
4. Ratification of Agreement with San Diego County Superintendent of Schools for Participation in the Marine Science Floating Laboratory Program; BUDGETED: YES, VARIOUS SITE SPECIFIC FUNDS (OE-2)
5. Ratification of Agreement with Orange County Superintendent of Schools for Participation in the Medi-Cal Administrative Activities Program; BUDGETED: REVENUE TO THE DISTRICT (OE-2)
6. Ratification of Agreements with Multiple Vendors to Provide Vision Assessment and/or Vision Therapy Services to Special-Needs Students; BUDGETED: YES, SPECIAL EDUCATION PROGRAM/VISION THERAPY FUNDS (OE-2)
7. Independent Contractor Agreements; BUDGETED: YES, VARIOUS SITE IDENTIFIED FUNDS (OE-2; OE-9)
8. Student Expulsions; BUDGETED: N/A (OE-3)
9. Student Readmits; BUDGETED: N/A (OE-3)
10. Ratification of Certificated and Classified Personnel Actions; BUDGETED; YES, VARIOUS FUNDS (OE-5)
11. Position Establishment and Classification Changes; BUDGETED: YES, VARIOUS FUNDS (OE-5)
12. Agreement with Spicers Paper, Inc. for Xerographic Paper; BUDGETED: YES, WAREHOUSE REVOLVING FUND (OE-7)
13. Agreement with Rainbow Vending to Provide Districtwide Beverage Vending Services; BUDGETED: N/A (OE-7)
14. Second Amendment to Agreement with Apple Inc., to Purchase Apple Computer Equipment As Needed; BUDGETED: YES, VARIOUS SITE SPECIFIC FUNDS (OE-8)
15. Ratification of Agreement with Discovery Education, Inc. to Continue Providing Web-Based Streaming Curricular Resources; BUDGETED: YES, VARIOUS SITE IDENTIFIED FUNDS (OE-8)

16. First Amendment with ATC Associates, Inc. to Provide Professional Services for Hazardous Materials Inspection and Testing; BUDGETED: YES, VARIOUS FUNDS (OE-9)

17. First Amendment with Ninyo & Moore to Provide Professional Services for Hazardous Materials Inspection and Testing; BUDGETED: YES, VARIOUS FUNDS (OE-9)

18. Agreements with California Commercial Asphalt, LLC and Vulcan Materials Company for Asphalt Sealer, Concrete Sealer and Related Products; BUDGETED, YES, ONGOING AND MAJOR MAINTENANCE FUNDS (OE-9) .

19. Agreement with Whillock Contracting, Inc. to Provide Slope Reconstruction at Correia Middle School; BUDGETED: YES, MAJOR REPAIR AND REPLACEMENT FUNDS (OE-9)

20. Agreement with Atlas Environmental Services, Inc. to Provide Tree Trimming Services on an As-Needed Basis; BUDGETED: YES, VARIOUS FUNDS (OE-9)

21. Second Amendment to Agreement with San Diego Concrete Cutting Co., Inc. to Provide Asphalt and Concrete Cutting and Coring Services; BUDGETED: YES, MAJOR REPAIR AND REPLACEMENT FUNDS (OE-9)

22. First Amendment to Agreement with Pacific Bell Telephone Company, dba AT&T DataComm to Provide Local Area Network Technology Upgrades to District Schools; BUDGETED: YES, PROPOSITION S FUNDS (OE-9)

23. Agreement with La Jolla YMCA to Provide Physical Education Support and Facilities for Torrey Pines Elementary Schools Students; BUDGETED: YES; GENERAL FUND-UNRESTRICTED, CONTRIBUTED (OE-9)

24. Item withdrawn by staff.

25. Authorization to Purchase a Districtwide Web-Based Software License from Learning Upgrade, LLC for Mathematics Supplemental Instructional Support; BUDGETED: YES, TITLE II, MICROSOFT VOUCHER AND VARIOUS SITE SPECIFIC FUNDS (OE-2)

26. Ratification of Agreement with Able-Disabled Advocacy, Inc. to Provide Education and Work Readiness Services for Special Needs Students; BUDGETED: YES; STATE OF CALIFORNIA/EDD CAL-GRIP GRANT FUNDS (OE-2)

Accessories for the Hoover High School Wood Shop (Green) Building; BUDGETED, YES, PROPOSITION S FUNDS (OE-9)

28. Continuing Membership and Agreement to Conditions of Membership with the California Interscholastic Federation-San Diego Section (CIFSDS)

29. Second Amendment to Agreement with Valic Retirement Services Company to Administer a Voluntary 457(b) Deferred Compensation Employee Retirement Investment Program; BUDGETED: N/A (OE-7)

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## **F. Student Instructional Matters**

## 1. Proposed Grade Reconfiguration for Carver K-8 Effective 2011-12 (Attachment F1)

Stephanie Mahan and Bill McClain provided public testimony regarding the Carver grade reconfiguration.

Motion by member Jackson, seconded by member Barnett to approve the grade reconfiguration at Carver School to K-6 effective 2011-12 and K-5 effective 2012-13, was approved unanimously.

## **G. Board Consent Agenda**

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### 1. Approval of Minutes: Regular Meetings, June 14, 2011, June 28, 2011 (withdrawn); Special Meetings, June 14, 2011, June 21, 2011

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

### 2. Authorization to Excuse Board Member Absence

Motion by member Jackson, seconded by member Evans to approve authorization to excuse Board member Scott Barnett's absence from the regular meeting, July 5, 2011, was approved unanimously.

## **H. Operational Matters Reserved for the Board**

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### 1. Operations and Efficiency Ad Hoc Committee, Tiger Teams Update (Barnett and Beiser) (Attachment H1)

Members Barnett and Beiser provided an update on Tiger Team meetings.

### 2. Resolution Recognizing San Diego Education Association Retired (SDEA-R) (Barrera) (Attachment H2)

Norma Heeter and Tim Jenkins provided public testimony to the Board regarding the San Diego Education Association Retired (SDEA-R) Association. Motion by member Barrera, seconded by member Beiser to adopt the resolution recognizing SDEA-R was approved unanimously.

### 3. Adoption of a Tentative Agreement with Administrators Association San Diego City Schools (AASD), Certificated Supervisor Unit – 2011-12 Reopeners; BUDGETED: N/A (OE-5) (Attachment H3)

Motion by member Jackson, seconded by member Evans to approve the Tentative Agreement with AASD, Certificated Supervisor Unit, 2011-12 Reopeners, was approved unanimously.

### 4. Adoption of a Tentative Agreement with the Administrators Association San Diego City Schools (AASD), Classified Supervisor Unit – 2011-12 Reopeners; BUDGETED: N/A (OE-5) (Attachment H4)

Motion by member Jackson, seconded by member Evans to approve the Tentative Agreement with AASD, Classified Supervisor Unit, 2011-12 Reopeners, was approved unanimously.

### 5. Adoption of a Tentative Agreement with the Administrators Association San Diego City Schools (AASD), Certificated Supervisor Unit – Impact and Effect of Layoffs; BUDGETED: N/A (OE-5) (Attachment H5)

Motion by member Jackson, seconded by member Evans to approve the Tentative Agreement with

AASD, Certificated Supervisor Unit, Impact and Effect of Layoffs, was approved unanimously.

6. Adoption of a Tentative Agreement with the Administrators Association San Diego City Schools (AASD), Classified Supervisor Unit – Impact and Effect of Layoffs; BUDGETED: N/A (OE-5) (Attachment H6)

Motion by member Jackson, seconded by member Evans to approve the Tentative Agreement with AASD, Classified Supervisor Unit, Impact and Effect of Layoffs, was approved unanimously.

7. Adoption of a Memorandum of Understanding with the Confidential Employees; BUDGETED: N/A; (OE-5) (Attachment H7)

Motion by member Jackson, seconded by member Evans to approve the MOU with the Confidential Employees, was approved unanimously.

8. Workyear Reduction Dates for 2011-12 for Unrepresented Employees; BUDGETED: YES (OE-5) (Attachment H8)

Motion by member Jackson, seconded by member Evans to approve the workyear reduction dates for 2011-12 for unrepresented employees, was approved unanimously.

9. Resolution Nominating Assembly Member Marty Block as CSBA 2011 Outstanding Legislator of the Year (Attachment H9)

Motion by member Jackson, seconded by member Barrera to adopt the resolution nominating Assembly Member Marty Block as CSBA 2011 Outstanding Legislator of the Year, was approved unanimously.

10. Board Support of Regular Evaluation of All District Employees (Evans) (Attachment H10)

Motion by member Evans, seconded by member Jackson to designate 2011-12 school year for a special focus on employee evaluations as outlined in the Operational Expectation, OE-5 Personnel Administration, Sections 9 and 10 and that the ongoing implementation of this will be a special focus in the Superintendent's annual evaluation in January 2012, was approved unanimously.

11. Board Direction to Staff Regarding Advocacy for 2011-12 and 2012-13 Budgets (Evans) (Attachment H11)

Member Evans discussed and reported that he will revise his proposal and agendize an action item for Board consideration at a future meeting.

## **I. District Operations**

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1. Progress Reports on Board-Identified Focus Areas in Operational Expectations (Attachment I1) Information Only

Staff provided an update on Operational Expectations (OE) OE-2 sections 2.2 and 2.4, Instructional Program; OE-4, section 4.6, Personnel Administration; OE-5, sections 5.16 and 5.17, Democratic Engagement of Stakeholders; and OE-7, section 7.8, Financial Administration.

2. Operational Expectations Monitoring Report OE-6, Financial Planning; BUDGETED: N/A (GC-6) (Attachment I2)

Motion by member Jackson, seconded by member Beiser to approve the monitoring report on OE-6, Financial Planning, as compliant with exceptions at section 6.5 and 6.8, was approved unanimously.

3. Resolution to Encourage Lactation Accommodation in School Facilities; BUDGETED: N/A (OE-5; OE-9) (Attachment I3)

Motion by member Jackson, seconded by member Barrera to adopt the resolution to encourage lactation accommodation in school facilities, was approved unanimously.

4. Human Resources Attrition Update (Attachment I4) Information Only

5. Update on State Budget and 2011-12 District Budget (Attachment I5) Information Only

Kandi Nieto, Lance Wren, and Ricky Lopez, provided public testimony to the Board regarding the budget.

#### **J. Public Participation**

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**None.**

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#### **K. Recess**

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#### **L. Informal Debriefing: Meeting and Process**

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#### **M. Adjourn**

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President Barrera adjourned the meeting at 8:15 p.m. The next regular meeting will be held on August 2, 2011

### Board Action Officer

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