



SAN DIEGO UNIFIED SCHOOL DISTRICT
MEETING OF THE BOARD OF EDUCATION
TUESDAY, JUNE 23, 2009
4100 NORMAL STREET
SAN DIEGO, CALIFORNIA 92103

MINUTES

A regular meeting of the Board of Education of the San Diego Unified School District, County of San Diego, California, was held in the Auditorium of the Eugene Brucker Education Center 4100 Normal Street, San Diego, California on June 23, 2009.

Present: Members Barrera, de Beck, Evans, Jackson, and Nakamura.
Absent: None

- Call to Order President Jackson called the meeting to order at 2:00 p.m. in Room 2249 and announced the matters to be considered in Closed Session.
- Adjourn to Closed Session President Jackson announced that the Board would be adjourning to Closed Session.
Latonya and Candace Williams, Felipe Rios, Nancy Sussman and Dr. Robert Prinz, addressed the Board.
- Call to Order President Jackson called the Open Session meeting to order in the Auditorium at 5:00 p.m., with all members present.
- Public Testimony Non-Agenda Items President Jackson asked if there was anyone present who wished to address the Board on matters of school district business not listed on the agenda.
Jay and Spencer Payne addressed the Board regarding Valencia Park Elementary Magnet School, Fabiola Bagula addressed the Board. regarding teacher staffing allocations for 2009-10, Roger Canfield addressed the Board regarding an employment issue, Pat Washington addressed the Board regarding the a-g resolution, Kathleen Vienna and Robyn Scott addressed the Board regarding elementary counselors, and Cecil Steppe addressed the Board regarding the expansion of Millennial Tech Academy.
- Student Presentation Student Presentation by Sequoia Elementary School
Principal, Susan Izu and students from Sequoia Elementary School provided a presentation and a musical performance for the Board and members of the audience.
- Admin. Assignments Superintendent Grier reported out the administrative appointments made in closed session. (Attachment C.01.)
- Adopt Agenda Motion by member de Beck, seconded by member Nakamura to adopt the agenda was approved unanimously.
- Board Items Approval of Minutes for Regular Meetings on May 12, 2009 and May 26, 2009 and Special Meetings on May 19, 2009 and May 26, 2009

Motion by member Evans seconded by member de Beck to adopt the minutes was approved unanimously.

Public testimony provided by Camille Zombro, Sandy Davison and Erin Clark, SDEA members, regarding collective bargaining and budget issues.

Annual Resolutions Annual Reenactment of Resolutions for the Conduct of District Business as Authorized Under Law for the 2009-10 School Year (Attachment E.02.)

Motion by member Evans seconded by member de Beck to adopt the annual reenactment of resolutions for conduct of district business was approved unanimously.

SDEA Agreement Master's Agreement with San Diego Education Association (SDEA) Regarding Special Education Master's Program (Attachment E.03.)

Motion by member Evans seconded by member de Beck to approve the SDEA agreement regarding a special education Master's program was approved unanimously.

SDEA Agreement Spec Ed Workload Agreement with San Diego Education Association (SDEA) Regarding Special Education Workload (Attachment E.04.)

Motion by member Evans seconded by member de Beck to approve the agreement with SDEA regarding special education workload was approved unanimously.

Prop S ICOC Indemnity Indemnity of Members of Proposition S Independent Citizens Oversight Committee (Attachment E.05.)

Motion by member de Beck, seconded by member Evans to approve indemnification of Proposition S Independent Citizens Oversight Committee members was approved unanimously.

SDEA Agreement Memorial Charter Agreement with San Diego Education Association (SDEA) Regarding Teachers at Memorial Academy of Learning and Technology Charter School (Attachment E.06.)

Motion by member Evans seconded by member de Beck to approve the agreement with SDEA regarding teachers at Memorial Academy of Learning and Technology Charter was approved unanimously.

2009-10 Budget Public Hearing and Adoption of the 2009-10 District Budget (Attachment F.02.)

The following individuals addressed the Board prior to the vote on the adoption of the budget: Martha Morena, Libby Montagne, Cindy Marten, Bruce McGirr, Michael Dodson, Stephan Baur, Sheelagh Moran, Sarah Sullivan, Margaret Joseph, Patricia Ladd, students from Wilson, Howard Justus, Betsy Cook, Chris Hargrave, Jonathan Ton, Jeannie Steeg, Jim Davis, Myra Perdono-Melendez, Sandra Andrews, Carmen Garcia, Luis Aguilar, Earlene Dunbar and Fernando Rivas.

Motion by member Evans, seconded by member Barrera to approve 2010-11 Target Solutions, line item numbers 1-19 and at line item number 20, to eliminate magnet programs and transportation, changed the dollar amount from \$11,578,870 to \$7.2 million, was approved with members de Beck and Nakamura voting no.

Motion by member Barrera, seconded by member Evans to adopt the resolution of intent to adopt the 2009-10 District budget and certify fiscal solvency for the subsequent two fiscal years, approve the 2009-10 budget and approve the SACS report, was approved with members de Beck and Nakamura voting no.

Plan for Demographics Study Plan for Comprehensive Study of Demographics, Location of Neighborhood Schools, and Transportation (First Reading) (Attachment F.04.) Information Only

Ethel Larkins addressed the Board regarding comprehensive planning and requested Operations Support Services (OSS) membership in the planning process.

Budget Report Planning Plan for Regular Budget Reports to the Board on a Monthly Basis (Attachment F.05.)

Motion by Evans, seconded by member Barrera to adopt the resolution directing the Superintendent and staff to provide monthly reports to the Board on the current financial state of the District and by July 28, 2009 provide to the Board for review and consideration an outline of the information to be included in the monthly reports. Following discussion of the Board members and staff the motion was amended to provide that the reports would initially be provided to the Board on a quarterly basis with the goal to provide reports on a monthly basis, was approved unanimously.

Holy Drive Charter Renewal Charter Petition for Holly Drive Leadership Academy (Attachment F.06.)

Prior to the motion on the above item, Alysia Smith, Principal, Holly Drive Charter addressed the Board.

Motion by member de Beck, seconded by member Nakamura to renew the Holly Drive Charter petition for a five-year term beginning July 1, 2009 and expiring on June 30, 2014, so long as the following conditions are achieved by June 30, 2010 and maintained for the duration of the term. Failure to meet conditions 3 through 9 would result in the immediate revocation of the charter petition:

1. The school achieve API growth targets for the next three consecutive years;
2. The school receive a statewide ranking above the minimum rank of 4 as required in Education code 47607(b) the next three consecutive years;
3. The school change its status from a dependent (arm-of-the-District) charter school to a non-profit public benefit corporation with a 501c3 non-profit tax exemption from the Internal Revenue Service;

4. The school maintains a sufficient cash reserve in the County Treasury to reimburse the district within 30 days of receiving an invoice for expenses incurred on behalf of the charter school and for fees and services owed to the district;
5. The school's expenses will not exceed the earned revenue for the fiscal year in order to generate an operational surplus each year for the term of the charter;
6. The school generates a sufficient operational surplus to obtain and maintain a positive ending fund balance at the end of each fiscal year;
7. The school achieves the district required reserve for economic uncertainty of \$50,000 or 3 percent of expenses and maintains the reserve requirement for the term of the charter;
8. The Holly Drive Board must all have current terms, receive appropriate Brown Act training, develop charter school By-laws, and conduct all board meetings only when quorums are present; and
9. The school must possess a Conditional Use Permit by September 1, 2009.

The above motion regarding Holly Drive Leadership Academy Charter renewal was approved with member Nakamura voting no.

Downtown Library Agreement with the City of San Diego for the Incorporation of an Educational Facility in the New Main Downtown Library (Attachment F.08.)

Motion by member Nakamura, seconded by member Barrera to approve the letter of intent agreement with the City of San Diego for the placement of a charter school in the central downtown library to support downtown educational requirements

Gil Johnson, Proposition S Independent Citizens Oversight Committee, (statement read by Executive Director of the 2008 Capital Improvement Bond Program, Stu Markey) provided testimony regarding the proposed letter of intent with the City of San Diego regarding an educational facility in the new main downtown library.

An amendment to the above motion was provided by member de Beck to change designation of a high school facility to, or other appropriate district proposed use, and add that the landlord, City of San Diego, would share 50% in both any profit and any loss, died for lack of a second.

Following Board member discussion of the information provided in Gil Johnson's statement, the motion was amended to state that the letter of intent with the City of San Diego will be modified to include a statement that any prepayment of rent or other financial consideration prior to the certificate of library completion and the lease commencement date will not be released to the City without recourse in the event of a default by the City. The amended motion was approved with members de Beck and Evans voting no.

Sharon Peterson, Judy Eby, Laura Andrews, Christine Villa, Judith Harris, and Deborah Barrow addressed the Board regarding the letter of intent agreement with the City of San Diego prior to the vote on the item.

Bell Times Proposal to Keep Bell Times for 2009-10 Same as 2008-09 (Attachment F.09.)

Diane Masser-Frye, Dawn Vellase, Denise Vedder, Michelle Huber, Kate O'Connor, and Allison Dearden addressed the Board regarding bell times.

Motion by member Nakamura, seconded by member de Beck to approve the recommendation to keep the bell times for 2009-10 the same as 2008-09 except for CPMA was approved unanimously.

Finance Interns Recognition of Finance Student Interns (Barrera)

Member Barrera and Chief Finance Officer, James Masias discussed the internship program for San Diego Unified students and introduced student Finance Office intern, Anthony Martinez.

TRANS Resolution Authorizing the Issuance of 2009-10 Tax and Revenue Anticipation Notes (TRANS) in an Amount Not to Exceed \$300,000,000 (Attachment H.01.)

Motion by member Nakamura, seconded by member Barrera to adopt the resolution authorizing the issuance of 2009-10 TRANS in an amount not to exceed \$300,000,000 was approved unanimously.

First Student Agreement Agreement with First Student, Inc. for Home to School Bus Services (Attachment H.03.)

Motion by member de Beck, seconded by member Evans to approve the agreement with First Student in an amount up to \$6,000,000 for a two year period was approved with member Jackson voting no.

Leticia Munguia addressed the Board prior to the vote on this item.

Qualified Educators Declaration of Need for Fully Qualified Educators (Attachment H.04.)

Motion by member Barrera, seconded by member de Beck to approve the declaration of need for fully qualified educators was approved unanimously.

Consent Superintendent's Consent Agenda (Attachment I.)

Prior to the vote on the Consent agenda, items I.015., I.035., I.096., were withdrawn from the agenda and items I.004., I.036., I.037., I.042, I.088., and I.099 were withdrawn from the Consent agenda. Motion by de Beck, seconded by member Nakamura to approve the revised Consent agenda was approved unanimously.

Mike Goldwater addressed the Board regarding items I.01., I.03., I.036., and I.075. Ernest Azhocar addressed the Board regarding item I.03., Leticia Munguia addressed the Board regarding item I.04., Gabby Barnes addressed the Board regarding item I.088., and Kevin Carlin addressed the Board regarding item I.099.

Motion by member Nakamura, seconded by member Evans to approve item I.004., agreement

with Proxient was approved unanimously.

Motion by member de Beck, seconded by member Evans to approve item I.36., agreement with Apex Learning, was approved unanimously.

Motion by member Evans, seconded by member de Beck, to approve item I.037., amendment to agreement with Safe and Civil Schools was approved unanimously.

Motion by member Nakamura, seconded by member Barrera to approve item I.042., authorization for payment to the College Board for purchase of AP exams was approved unanimously.

Motion by member Nakamura, seconded by member Evans to approve item I.088., agreement with Great Scott Services, Inc., was approved unanimously.

Motion by member Barrera, seconded by member de Beck to approve item I.099., agreement with Logical Choice Technologies, Inc., and Victor Resources, Inc., was approved unanimously.

Public None

Testimony

Debrief Board members debriefed the meeting.

ADJOURNMENT

President Jackson adjourned the meeting at 10:30 p.m. The next regular meeting of the Board of Education will be held on Tuesday, July 14, 2009 in the Eugene Brucker Education Center, 4100 Normal Street, at 2:00 p.m., closed session and 5:00 p.m., open (public) session.

Board Action Officer