

MINUTE RECORD OF: Madera Unified School District Board of Education

REGULAR BOARD MEETING HELD ON THE 28th DAY OF April, 2009

The Board of Education of the Madera Unified School District convened in a **Regular Board Meeting** in the Madera Unified School District Boardroom, 1902 Howard Road, Madera, California on **Tuesday, April 28, 2009**, at 5:30 p.m.

ROLL CALL

Michael H. Westley, President
Robert E. Garibay, Acting/Clerk

Loraine Goodwin, Trustee
Michael Salvador, Trustee
Ray G. Seibert, Trustee

Absent:
Philip D. Janzen, Clerk/Trustee
J. Gary Adams, Trustee

Kirsten Hadjis, Madera High School Student Board Representative
Michael Bravo, Madera South High School Student Board Representative

Kelly Porterfield, Associate Superintendent, Business and Operations
Jake Bragonier, Public Information Officer
Jerry Stehman, Director, Human Resources/Certificated
Fritz Ediger, Senior Administrative Assistant to the Superintendent
and the Board of Trustees

Absent:
John R. Stafford, Superintendent
Teri Bradshaw, Director, Fiscal Services
Robert Chavez, Chief Academic Officer, K-12, Educational Services
Kathleen Lopes, Associate Superintendent, Educational Services
Darren Sylvia, Chief Academic Officer K-12, Educational Services

Kent Albertson, Principal, Madera High School
Vicky Bandy, Outreach Consultant, Martin Luther King, Jr. Middle School
Andy Beakes, Principal, Madera South High School
Tom Chagoya, Principal, Monroe School
Lisa Chaney, Coordinator, Health Services
Carsten Christiansen, Principal, Alpha School

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Rachel Church, Principal, Millview School
Sharon Cloud, Teacher, Furman and Adult Education
Sherri DeFina, Principal, Sierra Vista School
Marisa DiMauro, Director, Categorical Programs
Lisa Fernandez, Principal, Berenda School
Jennifer Gaviola, Director, Special Services
Karen Lang, Teacher, Madera South High School
Anne Lozano, Administrative Assistant, Jack G. Desmond Middle School
Raul Lozano, Principal, Nishimoto School
Sandon Schwartz, Principal, Pershing School
Sharon Stockdale, Librarian, Martin Luther King, Jr. Middle School and Thomas Jefferson Middle School
Laura Toney, Teacher, Alpha School
Rachel Villarreal, Administrative Assistant, Pre-School

Sue Thornton, MUTA President

There were approximately 100 visitors/District employees in attendance.

**1. CALL TO ORDER OF PUBLIC MEETING –
CLOSED SESSION IMMEDIATELY CONVENED**

President Westley called the Public Session of the Board of Education to order at 5:30 p.m. and immediately adjourned to Closed Session pursuant to Government Code Sections 54956.9(a), 54957, 54957.1 and 54957.6 and Education Code Sections 35146, 44951, 48900, and 48918.

2. RECONVENE PUBLIC SESSION/CALL TO ORDER REGULAR MEETING –
3. PLEDGE OF ALLEGIANCE, OPENING, AND ACKNOWLEDGEMENT OF VISITORS AND MEDIA

President Westley adjourned the Closed Session at 6:40 p.m., and he reconvened the Regular Meeting by calling the Public Session to order at 7:01 p.m. President Westley welcomed the visitors and he asked Katalin Berlow, student at Berenda School to lead the flag salute. President Westley asked Pastor Samuel Alvarado of Building for Christ Ministries to lead the invocation. President Westley explained the rules governing the Board meeting. The meeting was recorded on Tape No. 21–2008/09.

**4. CLOSED SESSION REPORTABLE ACTIONS
(GOVERNMENT CODE SECTION 54957.1)**

Associate Superintendent Porterfield announced there were not any reportable

Closed Session actions.

5. ADOPTION OF AGENDA – MOTION NO. 131–2008/09

President Westley stated that if the Board and/or Administration determined they wished to add to the Agenda under Miscellaneous Items, this would be the appropriate time.

It was moved by Trustee Goodwin, seconded by Trustee Salvador, and unanimously carried to adopt the Agenda.

Ayes:	Trustees Goodwin, Salvador, Seibert, Acting/Clerk Garibay, and President Westley
Noes:	None
Absent:	Clerk/Trustee Janzen, and Trustee Adams
Abstained:	None

6. STUDENT BOARD REPRESENTATIVE REPORT

Kirsten Hadjis, Madera High School Student Board Representative, gave an update of academic, athletic, and extracurricular activities occurring at MHS.

Michael Bravo, Madera South High School Student Board Representative, gave an update of academic, athletic, and extracurricular activities occurring at MSHS.

7. COMMUNICATIONS

7A. PUBLIC HEARING

President Westley opened the meeting for visitors to speak on a subject not on the Board Agenda.

Dominoe LaMattina, 300 Stadium Road, Madera, California came to the podium to address the Board. She is a student at Madera High School. She said that she dyed her hair purple. The principal at Madera High School told her that she could not be on campus with her hair that color. The rule is that if it is a distraction in the classroom, you have to dye it back to a natural color. Ms. LaMattina was not happy with that response and asked to speak to someone that has authority over Mr. Albertson. He told her to go to the District Office. She went to District Office and spoke with Darren Sylvia, CAO and Kathy Lopes, Associate Superintendent of Educational Services, and they both told her the same thing, she needed to dye her hair back to the natural color. District Office staff also asked her to take out her piercings.

Alexandria Malick, 2300 Riverview Drive, Madera, California came to the podium to address the Board. She said that she is 19 years old, a MHS alumni, very proud of

that, she said she had a great time while she was there. She said that she has a problem with how Ms. LaMattina was treated at the high school. She feels that she was discriminated against because of her hair color and the piercings.

7B. STUDENT AND STAFF RECOGNITION

➤ **600 CST Scorer Recognition - Madera South High Pyramid**

Jake Bragonier, Public Information Officer recognized 23 students from the Purple Pyramid that achieved a perfect score of 600 on their CSTs in math, ELA, history or science. Each student received a certificate and had their photo taken with Associate Superintendent Kelly Porterfield and Board President Michael Westley.

8. APPROVAL OF CONSENT AGENDA – MOTION NO. 132-2008/09, DOCUMENT NUMBERS 306-2008/09 THROUGH 315-2008/09 INCLUDING COMMERCIAL WARRANTS – EXHIBIT “A”; STAFFING CHANGES – EXHIBIT “B”;

It was moved by Trustee Goodwin, seconded by Acting Clerk Garibay, and unanimously carried to approve the consent agenda.

Ayes:	Trustees Goodwin, Salvador, Seibert, Acting/Clerk Garibay, and President Westley
Noes:	None
Absent:	Clerk/Trustee Janzen, and Trustee Adams
Abstained:	None

8A. ROUTINE BUSINESS TRANSACTIONS, ANNUAL RENEWAL OF PROGRAMS, BIDS, AGREEMENTS, NOTICES OF PUBLIC HEARINGS, AND PROCLAMATIONS:

8A1. APPROVAL OF REGULAR BOARD MEETING MINUTES OF APRIL 14, 2009

8A2. APPROVAL OF AWARD OF BID #042209, FENCING IMPROVEMENTS AT EASTIN-ARCOLA, LA VINA, JAMES MADISON, JAMES MONROE, WASHINGTON, MILLVIEW AND SIERRA VISTA ELEMENTARY SCHOOLS DOCUMENT NO. 306-2008/09

8A3. APPROVAL OF THE WORK EXPERIENCE EDUCATION APPLICATION DOCUMENT NO. 307-2008/09

8A4. APPROVAL OF MOU BETWEEN MADERA UNIFIED SCHOOL DISTRICT AND THE CAL PASS DATA SHARING NETWORK DOCUMENT NO. 308-2008/09

8A5. APPROVAL OF MADERA UNIFIED SCHOOL DISTRICT CARL PERKINS VOCATIONAL AND TECHNICAL EDUCATION GRANT APPLICATION DOCUMENT NO. 309-2008/09

8A6. APPROVAL OF EQUIPMENT PURCHASE APPROVAL FOR 7 PRE-SCHOOL SITES DOCUMENT NO. 310-2008/09

8A7. APPROVAL TO ADOPT THE FINDINGS, CONCLUSIONS AND RECOMMENDATIONS RELATED TO THE POSSIBLE EXPULSION OR READMISSION OF PUPILS AS THESE

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ARE PRESENTED TO THE BOARD IN ONE OR MORE OF THE FOLLOWING FORMS OF DOCUMENTATION:

- REPORT(S) OF ADMINISTRATIVE HEARING PANEL(S)
- EXPULSION STATUS REVIEW REPORT(S) BY THE SUPERINTENDENT'S DESIGNEE
- STIPULATED EXPULSION AGREEMENT(S)

THE GOVERNING BOARD IS ALSO REQUESTED TO ISSUE ORDERS CONSISTENT WITH THE ABOVE REFERENCED FINDINGS, CONCLUSIONS AND RECOMMENDATIONS RELATED TO THE POSSIBLE EXPULSION OR READMISSION OF PUPILS IN THE CASES OF THE FOLLOWING STUDENTS, HEREIN IDENTIFIED BY THEIR DISTRICT-ASSIGNED IDENTIFICATION NUMBERS: 997112, 6828, 16623, 201346, 17698, 5460, 16576, 6194, 5094, 17110, 996979, 967903, 8062, 995510 AND 6289
CONFIDENTIAL DOCUMENT NO. 311-2008/09

8A27. APPROVAL OF COMMERCIAL WARRANT LISTING DOCUMENT NO. 312-2008/09
EXHIBIT "A"

8B1. HUMAN RESOURCES ITEMS – STAFFING – EXHIBIT “B” - MOTION NO. 132–2008/09—DOCUMENTS NUMBERED 313-2008/09 THROUGH 315-2008/09 AND RESOLUTION NUMBER 56-2008/09

8B2. ADOPTION OF RESOLUTION NO. 56-2008/09 FOR ASSIGNMENT OF TEACHER TO DEPARTMENTALIZED CLASSROOM FOR MADERA HIGH SCHOOL RESOLUTION NO. 56-2008/09

8B3. APPROVAL OF INTERIM CSEA APPOINTEE FOR THE PERSONNEL COMMISSION -- AL GALVEZ DOCUMENT NO. 313-2008/09

8B4. APPROVAL OF MOU BETWEEN KERMAN UNIFIED SCHOOL DISTRICT AND MADERA UNIFIED SCHOOL DISTRICT FOR PROFESSIONAL SERVICES PROVIDED BY DEBORAH A. WOOD FROM MAY 1, 2009 TO JUNE 30, 2009 DOCUMENT NO. 314-2008/09

8C. FIELD TRIP/EMPLOYEE CONFERENCE REQUESTS
DOCUMENT NO. 315-2008/09 EXHIBIT "C"

9. OLD BUSINESS

9A. REVIEW AND APPROVAL OF A POTENTIAL EARLY RETIREMENT INCENTIVE PROGRAM BETWEEN PUBLIC AGENCY RETIREMENT SERVICES (PARS) AND MADERA UNIFIED SCHOOL DISTRICT
MOTION NO. 133-2008/09, DOCUMENT NO. 316-2008/09

It was moved by Trustee Seibert, seconded by Acting Clerk Garibay, and unanimously carried for approval of a Potential Early Retirement Incentive Program between Public Agency Retirement Services (PARS) and Madera Unified School District.

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Ayes: Trustees Goodwin, Salvador, Seibert, Acting/Clerk Garibay, and President Westley
Noes: None
Absent: Clerk/Trustee Janzen, and Trustee Adams
Abstained: None

**9B. SECOND READING AND REQUEST FOR APPROVAL OF REVISIONS TO BOARD POLICY AND ADMINISTRATIVE REGULATION 5116 ON "SCHOOL ATTENDANCE BOUNDARIES AND ATTENDANCE OPTIONS"
MOTION NO. 134-2008/09, DOCUMENT NO 317-2008/09**

It was moved by Trustee Salvador, seconded by Trustee Goodwin, and unanimously carried to approve the revisions to Board Policy and Administrative Regulation 5116 on "School Attendance Boundaries and Attendance Options".

Ayes: Trustees Goodwin, Salvador, Seibert, Acting/Clerk Garibay, and President Westley
Noes: None
Absent: Clerk/Trustee Janzen, and Trustee Adams
Abstained: None

**9C. SECOND READING AND REQUEST FOR APPROVAL OF REVISIONS TO BOARD POLICY 5141.33 ON HEAD LICE
MOTION NO. 135-2008/09, DOCUMENT NO. 318-2008/09**

It was moved by Acting Clerk Garibay, seconded by Trustee Goodwin, and unanimously carried to approve the revisions to Board Policy 5141.33 on Head Lice.

Ayes: Trustees Goodwin, Salvador, Seibert, Acting/Clerk Garibay, and President Westley
Noes: None
Absent: Clerk/Trustee Janzen, and Trustee Adams
Abstained: None

**9D. SECOND READING AND REQUEST FOR APPROVAL OF REVISIONS TO BOARD POLICY/ADMINISTRATIVE REGULATIONS - BP/AR 5141, BP/AR 5141.21, BP/AR 5141.22, AR 5141.24, BP/AR 5141.27, BP/AR 5141.3, BP/AR 5141.31 AND AR 5141.32
MOTION NO. 136-2008/09, DOCUMENT NO. 319-2008/09**

It was moved by Trustee Goodwin, seconded by Trustee Salvador, and unanimously carried to approve the revisions to Board Policy/Administrative Regulations - BP/AR 5141, BP/AR 5141.21, BP/AR 5141.22 AR 5141.24, BP/AR

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5141.27, BP/AR 5141.3, BP/AR 5141.31 AND AR 5141.32.

Ayes: Trustees Goodwin, Salvador, Seibert, Acting/Clerk Garibay, and President Westley
Noes: None
Absent: Clerk/Trustee Janzen, and Trustee Adams
Abstained: None

10. NEW BUSINESS

10A. 7:30 P.M., PUBLIC HEARING, MADERA UNIFIED SCHOOL DISTRICTS ("DISTRICT") INITIAL NEGOTIATION PROPOSAL TO MADERA UNIFIED TEACHERS ASSOCIATION ("MUTA") FOR THE 2009/2010 SCHOOL YEAR

10B. APPROVAL OF THE COLLECTIVE BARGAINING AGREEMENT ADDENDUM C (CLASS AND CLASSIFICATION ASSIGNMENT AND APPLICABLE SALARY RANGE) BETWEEN CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION AND MADERA UNIFIED SCHOOL DISTRICT MOTION NO. 137-2008/09, DOCUMENT NO. 320-2008/09

It was moved by Acting Clerk Garibay, seconded by Trustee Goodwin, and unanimously carried to approve the Collective Bargaining Agreement Addendum C (Class and Classification Assignment and Applicable Salary Range) between California School Employees Association and Madera Unified School District.

Ayes: Trustees Goodwin, Salvador, Seibert, Acting/Clerk Garibay, and President Westley
Noes: None
Absent: Clerk/Trustee Janzen, and Trustee Adams
Abstained: None

**10C. APPROVAL OF DECLARATION OF NEED FOR FULLY QUALIFIED EDUCATORS
MOTION NO. 138-2008/09, DOCUMENT NO. 321-2008/09**

It was moved by Acting Clerk Garibay, seconded by Trustee Salvador, and unanimously carried for Approval of Declaration of Need for Fully Qualified Educators.

Ayes: Trustees Goodwin, Salvador, Seibert, Acting/Clerk Garibay, and President Westley
Noes: None
Absent: Clerk/Trustee Janzen, and Trustee Adams
Abstained: None

10D. FIRST READING OF PROPOSED REVISIONS TO BOARD POLICY AND ADMINISTRATIVE REGULATION 5141.1 ON "SUSPENSION/EXPULSION"

The proposed revisions would bring this Board Policy and Administrative Regulation up to date and more reflective of current California School Boards Association(CSBA) recommendations.

10E. FIRST READING OF PROPOSED REVISIONS TO BOARD POLICY 5131 ON "CONDUCT"

The revisions more specifically detail "cyber"-bullying and are consistent with what is recommended by California School Boards Association. The proposal would include language regarding the District's obligation to educate students on appropriate online behavior along with how a student may submit a complaint of conduct they consider to be bullying.

10F. REVIEW AND DISCUSSION OF GRADUATION CEREMONY PROTOCOL/PROCEDURE

Kent Albertson, Madera High School Principal and Andy Beakes, Madera South High School Principal discussed with the Board the proposed changes to the high schools' graduation ceremonies. There were two changes discussed that would affect both graduations:

1. The stage will now be oriented to face east. Previously, the stage faced south toward the home side bleachers.
2. The official photo, which historically has featured the graduate with a Board member, will be altered to remove the Board member from the process. The Board member will still certify the graduate by presenting them with their diploma. However, the official photo will be taken with another individual. Just who that individual is will be a discussion item at a future Board meeting. Among the options include the school principals.

11. INFORMATION/REPORTS

11A. REVIEW PARCEL TAX SURVEY INFORMATION

Kelly Porterfield, Associate Superintendent of Business and Operations presented information obtained during a recent survey of Madera voters regarding a Parcel Tax. Based on the results of the survey, it does not appear there would be support from voters for a parcel tax.

11B. DISCUSSION OF POSSIBLE JOINT CITY AND MADERA UNIFIED SCHOOL DISTRICT (CNG) COMPRESSED NATURAL GAS FACILITY

The Board heard discussion regarding the possible construction of a compressed natural gas (CNG) facility to be housed at the MUSD Transportation facility on Gill Avenue. The District currently has 18 CNG buses with five more planned to come online in the near future. The facility would also be used by the city's CNG vehicles (transit buses, et al). Funding for the project is being procured by city managers, and there would be no cost to the District. Although it was not an action item, the Board members in attendance did give their support of the project.

11C. STANDARDS REPORT

There was none.

11B. BUSINESS AND OPERATIONS UPDATE

Lisa Chaney, Coordinator of Health Services and Wellness gave a brief update on the H1N1 Influenza, commonly know as the swine flu, outbreak in California. Precautions and procedures include, but not limited to:

- School personnel who are sick should stay home.
- Students who are sick should stay home.
- Cover coughs and sneezes.
- Wash hands often and properly -- for at least 20 seconds. It is essential that you ensure that all school sites have soap and or hand sanitizers for both student and staff use.

12. ANNOUNCEMENTS

Trustee Seibert asked if there was any new information received at the CALSSD meeting that Superintendent Stafford, Mr. Porterfield and Trustee Goodwin attended on April 24, 2009. Kelly Porterfield, Associate Superintendent of Business and Operations gave an update from that meeting.. He said that we are continually getting updated information regarding both the Federal Stimulus money for both Title I, IDEA and the State Fiscal Stablization Fund. Information is being clarified, but we do not know the exact amount that we will be receiving. We know what the uses are, in general what they're intended for, based on the federal information that is being put out, but again, how the state will disperse those funds we have yet to see how that will happen. We should be expecting our first infusion of funds somewhere around the end of May and then what we need to do as far as what's incumbent upon the District is to put together a plan on how we will utilize those funds with the understanding that the May election will change our environment once again and we'll have to plan accordingly.

13. MISCELLANEOUS

Trustee Garibay said that he has an update on Adult Education. They are currently in

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the process of going through accreditation. They had two visitors that came by from WASC that met with the leadership team early this week. We had a good visit. They were impressed with their visits in the classrooms and they interviewed a number of staff. He said that he was there for that meeting and the team will go back, write up their report and submit a letter back to the school in a couple of weeks to let them know whether they should move forward with the process, so staff is excited about the possibility. President Westley said that they have a good team working on this. He said they're very passionate about making this happen and he's been very impressed with the process so far. He said he hopes it goes well.

14. ADVANCED PLANNING

President Westley made the following announcement:

Next Regular Board Meeting

Tuesday, May 12, 2009 - 7:00 p.m.

Madera Unified School District Boardroom – 1902 Howard Road, Madera, CA. 93637

15. SUGGESTED FUTURE AGENDA ITEMS

Trustee Goodwin asked for a follow up report to see how our BMI, we've been tracking the students as far as their weight and nutrition. She would like an update to see how it's going.

16. ADJOURNMENT MOTION NO. 139-2008/09

President Westley adjourned the Public Session at 9:23 p.m.

Fritz Ediger

Fritz Ediger, Senior Administrative Assistant
to the Superintendent and Board of Trustees

Dated: April 28, 2009