

MINUTE RECORD OF: Madera Unified School District Board of Education

SPECIAL BOARD MEETING - BUDGET WORKSHOP 3rd DAY OF March, 2009

The Board of Education of the Madera Unified School District convened in a **Special Board Meeting - Budget Workshop** in the Madera Unified School District Boardroom, 1902 Howard Road, Madera, California on **Tuesday, March 3, 2009**, at 5:00 p.m.

ROLL CALL

Michael H. Westley, President
Philip D. Janzen, Clerk

Robert E. Garibay, Trustee
Michael Salvador, Trustee
Ray G. Seibert, Trustee

Absent:
J. Gary Adams, Trustee
Loraine Goodwin, Trustee

John R. Stafford, Superintendent
Teri Bradshaw, Director, Fiscal Services
Jake Bragonier, Public Information Officer
Robert Chavez, Chief Academic Officer K-12
Kathleen Lopes, Associate Superintendent, Educational Services
Kelly Porterfield, Associate Superintendent, Business and Operations
Jerry Stehman, Director, Human Resources and Labor Relations
Darren Sylvia, Chief Academic Officer K-12
Fritz Ediger, Senior Administrative Assistant to the Superintendent
and the Board of Trustees

Kent Albertson, Principal, Madera High School
Arleen Alves, Accounting Technician, Transportation
Robert Amaro, Attendance Officer, Student Services
Andy Beakes, Principal, Madera South High School
Theresa Brown, Accounting Technician, Payroll
Jesse Carrasco, Principal, Thomas Jefferson Middle School
Tom Chagoya, Principal, Monroe School
Carsten Christiansen, Principal, Alpha School
Rosalind Cox, Director, Facilities Planning and New Construction
Marisa DiMauro, Director, Categorical Programs
Lisa Fernandez, Principal, Berenda School
Jennifer Gaviola, Director, Special Services

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Barbara Gonzalez, Director, Purchasing
Ray Gould, Bus Driver, Transportation
Janet Grossnicklaus, Director, Curriculum, Assessment and Instruction
Karen Lang, Teacher, Madera South High School
Mike Lenneman, Principal, Jack G. Desmond Middle School
Brett Moglia, Safety Officer Supervisor, Madera High School
Janet Pavlovich, Position Control/Payroll Specialist
Vicky Robertson, Receptionist, District Office
Lupe Rodriguez, Director, Maintenance and Operations
Patsy Rodriguez, Clerk, Child Nutrition
Elizabeth Runyon, Principal, Cesar Chavez School
Sharon Stockdale, Librarian, Martin Luther King, Jr. and Thomas Jefferson Middle Schools
Laura Toney, Teacher, Alpha School
Maggie Yamasaki, Administrative Assistant, Transportation
Joe Zamilpa, Safety Officer Supervisor, Madera South High School

Sue Thornton, MUTA President
Josie Zaragosa, CSEA Chief Job Steward

Jim Monreal, Chief Business Official, Golden Valley Unified School District

There were approximately 60 visitors/District employees in attendance.

1. CALL TO ORDER OF PUBLIC MEETING –

President Westley called the Public Session of the Board of Education to order at 5:03 p.m.

2. PLEDGE OF ALLEGIANCE, OPENING, AND ACKNOWLEDGEMENT OF VISITORS AND MEDIA

President Westley asked Trustee Salvador to lead the flag salute.

3. ADOPTION OF AGENDA – MOTION NO. 101–2008/09

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 Clerk/Trustee Janzen, seconded by Trustee Salvador, and unanimously carried to adopt the Agenda.

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

4. COMMUNICATIONS

President Westley opened the meeting for visitors to speak on a subject not on the Board Agenda. No one came to the podium to address the Board.

5. WORKSHOP

**5A. UPDATED BUDGET REDUCTION PLAN BASED ON NEGOTIATIONS
DOCUMENT NO. 255-2008/09**

Superintendent Stafford opened this portion of the meeting by stating that before Mr. Porterfield, Associate Superintendent of Business and Operations gets started, he just wanted to recognize the work of the Cabinet and all of the entirety of them, and in particular Teri Bradshaw and Kelly Porterfield whose effort to work with very fluid numbers, you know it's hard to imagine, we only got budget numbers just a little over a week ago and yet they've already done a tremendous amount of work with that. You'll be hearing plans today that really represent our first recommendation in terms of the plan dealing with those budgets.

Kelly Porterfield, Associate Superintendent of Business and Operations said that to go back to the last Board meeting, the information that was provided to the Board, it's important to point out that that was our original and sort of a best case scenario, one that we would hope that we would be able to come to a mutual understanding across all collective bargaining units. Obviously we know that there were variables and what is being presented tonight includes new variables and new assumptions and that's primarily because we have not been able to come to an agreement on the 2.5% reduction in lieu of anything else. And in all fairness to the collective bargaining units, it's a very tough timeline and a very tough process to approve something like that that is so far reaching in such a short period of time. So, what that has really created is a new scenario and literally the scenario has developed today in Cabinet, we reviewed the assumptions and what's in front of you is now our updated recommendation. The outcome tonight is also to get an idea of what will be presented to the Board on March 10th and ultimately adopted as our 2nd Interim. So, we're doing two things tonight, both review the reductions list and reviewing what we anticipate will be our 2nd Interim and meet our requirements of AB1200. Again, because we've gone through this in some detail already, I'm going to try to go through as quickly as I can, but then pause at the areas that might have changed, or pause in the areas that may require a little bit more clarification.

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Mr. Porterfield then went through a 43 page PowerPoint presentation that detailed the following:

- Review MUSD Educational Mission
- Review the Adopted Budget for 2008-09 and 2009-10
- Adopted Budget Effect on MUSD
- Draft List of Prioritized Reductions
- Review the Proposed Three Year Budget Plan
- Review the Federal Economic Recovery Act
- Timeline
- Questions and Answers

The main changes to the plan that was originally presented at the February 24th Board meeting are as follows:

- The current plan no longer includes a 2.5% salary reduction for MUTA and CSEA members. This results in the reduction of more personnel. The 2.5% salary reduction remains in effect for certificated and classified management.
- The number of full-time positions affected by reductions has increased. The current proposal calls for the reduction of 118.18 full-time positions (68.97 certificated, 49.21 classified). Of those 118.18 positions, 17.5 are vacant and will not be filled. A total of 100.68 currently filled positions will be reduced.
- The staffing ratio at the K-3 level is now 24.5:1, and PARS will be offered to age-eligible MUTA members.

President Westley then opened up the floor for comments from the Board and the Audience.

Trustee Garibay asked a question regarding slide 32 - 2008/09 takes into account roughly \$4.5 million dollars in the reductions. He asked Mr. Porterfield if that was correct. Mr. Porterfield responded, actually I think it does, for the revenue limit, but not the actual reductions we're talking about today. Mr. Garibay said, oh, correct. He said he was talking about funding. Mr. Garibay said, so with a roughly \$4.5 million dollar reduction in revenue limit, we're going to be deficient by \$8 million dollars. Mr. Porterfield said that he would like to defer to Teri Bradshaw, Director of Fiscal Services. Ms. Bradshaw said that the reason that it shows that large negative is because of the carry-over. We currently have the carry-over budgeted to be spent and so that shows a negative. If we spend all of the carry-over that is currently budgeted we would have a deficit of that amount. Our hopes are that we won't spend all of it and we'll be able to sweep some of that money into our ending balance, and that's what that \$2 million dollars represents in the following year. Mr. Porterfield said that that also is a result of sort of the change instead of doing the restating of that carry-over that we've done in prior years. This is sort of a result of that change in the way the County wants us to account for that carry-over. Ms. Bradshaw said you'll see

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the carry-over amount in the previous year in the 2007/08 column, down at the bottom it says carry-over deferred revenue, that \$7.4 million, that is included in the expenditure budget in the following year. Mr. Garibay asked if under the other financing sources, the inter-fund transfers out. Ms. Bradshaw responded yes. Mr. Garibay said that is for transportation. Ms. Bradshaw responded that the inter-fund transfer out is for deferred maintenance and what we found out between the last meeting and now is that we're going to have to make that deferred maintenance transfer in the 2008/09 year because it's actually for a prior year. It's for 2007/08, so we'll need to make it for this year, and next year we won't have to make it. It's in this multi-year until we make the reductions, but that's why the \$886,247.00 that represents the transfer to deferred-maintenance and it went up from what it was last year, we got the information from the state on that. Mr. Garibay asked Mr. Porterfield about one of the lists on one of the slides you had, pursue PARS. At our last meeting we were informed by you that our Golden Handshake that we have now is, or maybe it was our attorneys that said that we could have some problems with that. Mr. Garibay said that if that's the case, I think we need to take a look at the possibility of doing away with our Golden Handshake program, and I do believe that moving forward with PARS at this point in time is going to cost us too much money. If we've got 60 teachers at \$600.00 a month for five years, we could be looking at an outlay of over \$2 million dollars over that five year period. I believe that if one of our teachers is going to retire, they're going to retire. So, I think it's just a waste of \$2 million dollars to move forward with the PARS program.

President Westley said that the other concern he has with that program is how long we can not back fill those positions. He said that he doesn't believe we can go for five years without filling the positions.

Mr. Porterfield responded by saying that what the PARS program essentially does is it in some ways offsets the effects of going to a 24:5.1 ratio. And it essentially creates positions to back fill your young teachers into the positions that are vacated by the more seasoned, sorry, more experienced teachers. So, while it's not entirely done for savings mechanism, it is a savings mechanism from a personnel standpoint. The argument could be made that if we have a class size reduction program then essentially we've been granted flexibility through 2012-2013. For PARS to work out financially, and that's the numbers that I've provided. I actually talked to Mr. Yu to provide additional data, assuming a zero replacement, 10%, 20%, 30%, 40%, 50%, 60%, 70%, 80%, 90%, 100% placement. Anything south of 50%, we know that there is a savings involved. Now, whether or not because it's easy to double count these too, I even did it at one point, but ultimately we won't know that until we get the list, those that are putting their names in the hat for retirement. We'll run those numbers and then present that information to the Board. Currently, staff's direction and what we have moved on is that we're assuming 100% salary over a five year period and that is what we've begun the process doing. The other reason that we started was for time. If we don't offer it, if we don't quantify those numbers, it will no longer be an option, and we couldn't do it anyway. So, that was the reason that we presented it at

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the time. The Board certainly has the option of saying, you know, at this time we're just not comfortable with it, and we could save that for another year, another day with new variables. Regardless of what happens we know we're going to have to address some things as far as our Golden Handshake is concerned. So, we will get additional numbers and we'll provide those to you as they become available. To give the Board all of the information necessary to make that decision. That decision rests with the Board of Education. I just wanted to clarify that, too.

President Westley asked, I don't know if you can do it, but the projections on this slide are pretty clean cut, one year through five years, and the percentages are uniform throughout. I don't know if there is a way to come up with a projection of what we think we'd actually do over one year, 2 year, 3 years, for replacement and an accurate picture or an estimate. Mr. Porterfield responded, it doesn't mean you wouldn't have new teachers because you still have growth. President Westley said, I understand that. I'm talking about you know, given the same population, this is what we're dealing with and with growth we would add teachers, but that's not what I'm looking at here. Mr. Porterfield said, and we will be able to do actual numbers once we get that data.

Trustee Garibay stated that one of the slides indicated a savings on PARS of \$183,000, that includes the back fill for twenty four teachers. Mr. Porterfield said he would have to defer that to Teri Bradshaw. Ms. Bradshaw responded yes it does. She said that is the net savings as a result of PARS. Superintendent Stafford referred to the PowerPoint slide, scenario F in column 1 (slide 43). Mr. Porterfield responded, it was with a 50% replacement. Superintendent Stafford said it also facilitates more experienced teachers having an option of when they retire, whether it's this year or next year given their STRS eligibility and then therefore would create options for our younger teachers, which if we didn't offer PARS and more teachers stayed in, it would be less likely for those younger teachers who have been with the District a year or two, it would be less likely for them to have employment with the District.

Trustee Seibert asked Mr. Porterfield about the Propositions. He asked about the unions and there are several groups that are attacking those propositions. He asked if the propositions fail and the state comes in and they're going to have more reductions in the following year, they'll have to go back to the table. We have to have the ability to make enough cuts if that happens. So my question is if we go to 32.1, if we have to do that, I hope we don't have to do that, but if we have to do that, are we putting out enough pink slips in order to accomplish that if we have to.

Mr. Porterfield responded that currently we are planning under the worst case scenario.

Mr. Stehman responded to Trustee Seibert that we have 144 temporary non-re-elects that are coming up and on top of that there is an additional 45 possible lay-offs that are either probationary or tenured teachers or another 7 or 8 in the non-re-election category. So it's about 195 openings if you want to look at it that way. That many

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people could "not be coming back", if that were the case. Absolutely worst case scenario.

Trustee Seibert said that he had someone ask him the other day about outsourcing janitorial, landscape and maintenance. He said that he thinks our crews are doing a great job, and he wouldn't want to do that, but he said he thinks it is something we may have to get a cost on and research it.

Mr. Porterfield responded that we've researched that, and there is law currently in place that prevents us from doing that and implementing a lay-off at the same time. And so we're sort of strapped by statute as to what our options are as it relates to that. We can provide that information to you though.

President Westley said, just going back real quick to the proposition question. We say that's a worst case lay-off from the stand point of noticing on the 13th, but I thought I heard, or maybe I misunderstood, when we got to slide 6 and we were talking about propositions, there was a statement that we really don't know what the impact is to the budget if one or all of these don't pass, assuming they all don't pass, that would be worst case scenario.

Mr. Porterfield responded, we don't know, I mean, that's the unknown. We're relying on variables that are constantly changing. As these initiatives and as the legislature endeavors to politic and get them passed, I think that there will be clarification added and provided for us to know what it means. What we can quantify though is that roughly \$11 billion. That's \$6 billion from revenue anticipation warrants and \$5 billion from Lottery Securitization will be affected by that. The other laws are meant to stabilize Proposition 98 funding, so that we don't have this, the up and down, up and down (referring to PowerPoint presentation). So not all of those are revenue specific, but they all have some tie to what it will look like in the future.

Clerk/Trustee Janzen stated that the current polling data doesn't look so encouraging, it looks really bad. Mr. Porterfield responded that he tries not to follow that. Clerk/Trustee Janzen said that the poll he saw today put a 25% yes vote for the propositions. Mr. Porterfield said that he believes that these are not super majority, they're majority (inaudible).

Mr. Porterfield asked if there were any other questions.

Trustee Salvador asked to look at slide 24. He said that he was going to go to the second item on the list, Security Supervisor positions. He said that he really wants staff to look at the Contract with the City of Madera which currently costs the District over \$175,000, and he said he just can't justify voting for that contract to be renewed at it's current levels. When you talk about law enforcement, we (the Sheriff's Department) come when we're called and we would have to get the city's position on it, but in conversations I've had with "boots on the ground", for lack of better terms, I

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think the District would be best served in a hybrid approach to this item where we reduce the number on the contract side, keep one of our employees in the position, maybe even to the point of consolidating the whole service itself to obtain some uniformity across the board. Whenever you have District employees in this type of realm you need people supervising them that know the job and the business at hand. I really don't think that the traffic loads at our two high schools and some of our middle schools are that high that the city would back off on supplying the second officer if we offered to pay 50% of each of them. That would save us enough money to keep one of our Security Supervisors as a liaison between the two entities, make sure our training is consistent across the board, have someone that really reports to us. Yes, we're contracted with the city to do what they say they're going to do but we don't control those police officers. Trustee Salvador said that he has that similar situation at Yosemite High School with his department. We have a deputy on campus at Yosemite High School that the county pays for 100%. The district doesn't pay us anything for him and that's because we had enough of a traffic load at Yosemite High School where it justified the department to put somebody there. He thanked Mr. Albertson for the great job that his staff provided to him. Trustee Salvador said that he asked for some statistics, and MHS staff did an awesome job, and that's where he came up with the hybrid approach to this. He said that he's not convinced that we have enough traffic between the two schools to justify full expenditure in this area. I'd like to see, I know we're negotiating, I'd like to see what the city's response would be to something like that, where we do a hybrid that saves one of our employees that is on this list. It allows for us to have a little better control over the whole macro area of security and I think it would be the best "bang for the buck" considering the economic times now. If propositions don't pass and we lose another \$11 billion dollars, all this stuffs up anyway, it's a moot point and we're looking at way more reductions than that. But under the current scenario, the current numbers, I'd really like to see it where we negotiate with the city. Back off our number to them and save one of our supervisors at the other end.

Mr. Porterfield responded -- just to update the Board and the public in general, our current contract with the City of Madera is for a 75/25 percent split between these two officers. It also includes a maintenance of the vehicles and Mr. Armentrout could give you a lot of information on how we paid them for the maintenance of their vehicles that are involved at our school sites. That contract is up at the end of this year. It's rather timely, so now is the time to look into it if we want to keep one supervisor and keep one resource officer, or do something else, now would be the time to do it. The Board invests a lot of money with our security which is part of "keeping a safe school environment". I thought it was in one of our mission statements "an orderly learning environment". I think that we can look into that. In general if I can get some direction from the Board, it would be helpful. I'm sure that maybe some people in the audience want to comment on that as well.

Trustee Salvador responded -- based on the numbers you're giving me here, we're coming close to a decision on whether these people need to actually be security

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guards or security personnel as a whole. We're coming to the part where we may somewhere down in the future want to look at the Clovis model, where they have their own police department. The universities do that really well, the colleges do that really well and Clovis Unified School District does that really well. Based on some of the numbers that Mr. Porterfield provided me with this afternoon, we're coming to that point.

Mr. Porterfield responded -- to summarize the numbers that were provided to Trustee Salvador, we have roughly 23 positions that are considered safety officers. That includes supervisors, which represents about \$1.1 million dollars in cost for the District. No obviously, if we were to look at that model, there would be a significant capital cost and original outlay but it would have to be mitigated or looked at within the context of the overall program. I believe it also may require collective bargaining and we would have to look at that as well. It's not outsourcing, so you're not within that realm, it would be a change of duty essentially, and focus, and program.

Trustee Seibert said that he just wanted to bring one thing up here. He said that you have PACES, eliminating PACES or bringing it back.

Mr. Porterfield responded that it's actually being eliminated. Trustee Seibert asked, it's being eliminated, but it's on the list to be brought back. Mr. Porterfield responded - in the prioritization? Trustee Seibert replied yes. Mr. Porterfield said that PACES is #16. Trustee Seibert said 16? Mr. Porterfield responded -- should funding become available. Trustee Seibert said a lot of us don't think it's effective, what we're doing now in PACES, so before we bring something like that back in we may look at an art program that may be more effective. Mr. Porterfield said that he thinks it's important to point out, this is a staff recommended prioritization. Trustee Seibert said that he knows that. Mr. Porterfield said that you as a Board may want to prioritize this in another order. He told the Board that is at their discretion. Trustee Seibert said that he just wants to bring up the point that before we look at that program, we need to put money back into art. Something that's more effective, more useful to us. Mr. Porterfield responded okay. President Westley said that he's hearing that it's not as much a change in priority as possibly changing the program. Trustee Seibert said that we would have to put more money into it for it to be an effective program. He said it's something to look at. So if we come to that bridge and have to cross it, then we need to have some input on it.

Superintendent Stafford said that it's important to consider the purpose of PACES or the role of it. It's really not an art education program. It's not designed to deliver art education to all of our students. It's designed to bring local artists in to work with students on specific kinds of projects. So, it's a melding of community resources. It's not designed to be a standards based visual and performing arts aligned curriculum approach to art education. That would of course be much more expensive if we were to do something like that. It's along the line of P.E. specialist's type of a program. That's kind of what would deliver a curriculum like that. Trustee Seibert responded

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that we have music programs, they can be involved in sports but we really don't have anything for art. Superintendent Stafford said that you're right. So, what I think I'm hearing you say is something as I just described, something along the lines of the P.E. Specialists model. We would have a series of art specialists that would work with them. That's a great goal to have, difficult time to be looking at it right now. But, again, I just didn't want it to be confused that it's an art education program. It's really an experience with an artist.

Mr. Porterfield asked if there were any other questions or comments. We could open it up to the community now, if you like or it's at your discretion.

President Westley stated that if anyone in the audience would like to come forward and comment on what they've heard tonight, we'd appreciate the input.

Brett Moglia, 3466 Todd Street, Madera, California came to the podium to address the Board. He said that he is one of the School Safety Officer Supervisors, but more important, I'm a parent of four Madera Unified students. He then passed a handout to the Board members. He stated that the following quotes are taken from a study conducted by a Fiscal Crisis and Management Assistance Team, what Mr. Porterfield has quoted a few times is FCMAT. He said that he would continue to use that acronym. He said that he did show some credence that you are still using this as a District or we are still using their information. The FCMAT report was done sometime around 2004, it may have been started in 2003. He said he wasn't exactly sure on that, but he said that he was sure that we could find the archives and get the entire dissertation. The study was commissioned and accepted by MUSD in 2004. The results follow with the creation of Safety Officer Supervisor positions and the elimination of the Safety Officer II position. All the techs and italics (referring to the report handed to the Board) are my editorialized comments or just telling you what's happened since then is what it really is in normal type. I'm not going to cover the entire thing, but the first section, Leadership & Training - organizational structure and leadership and management, are keys to an effective school district security department. The Madera Unified security department lacks the adequate leadership necessary for optimal performance. Because there is no single leader to assume responsibility for all safety and security functions, most of the personnel report to the principals, which results in inconsistencies in practices and procedures from school to school. Safety officers do not operate according to any formal or consistent District or site guidelines. Because the District Safety Officers lack formal District supervision, they have little training. Safety Officers have also not been evaluated and it goes on. Now, to the recommendations, and keep in mind this is all FCMAT's report to you. I Our recommendations; the District should, #1 - establish a security chief position to oversee the operations of the security personnel pursuant to California Ed Code section 38000.a which reads, I won't read the entire thing, the Governing Board of any school district may establish a security department under the supervision of a Chief of Security or Police Department and it goes on as Trustee Salvador was explaining about a police department, which, by the way, if you went to that and this isn't in here,

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but I prepared something in previous stats when we just looked at this. Actually, if you hire at the same salaries that you pay the two supervisors now, which is just under what a sergeant makes at Madera Police Department, you would double your peace officers, assuming you hired two peace officers and you use the two supervisors in place as peace officers. I am currently POST certified through July, then I get to recertify and so it would be a one-time expense of putting the other supervisor through a POST academy and hiring two to take the place of a contract -- supposing you do it that way. You would save \$30,000 on the entire program. That's the kind of money you're spending through the City of Madera. Obviously there would have to be someone in charge of that. You have a retired quasi peace officer in your Director of Transportation that you could temporarily put that under, should you choose to go that way. That's just something that came to mind doing the figures in my head and that's based on the figures presented based on the elimination of the two supervisors as well as the excess of \$92,000 each that you pay for the two police officers to the City of Madera. After the italicized part, once again, this is my update to you and what's happened as a result of this FCMAT study that some of you were around for and on the Board at the time. The District hired one supervisor in February of 2005 and that was me. I oversaw all school safety officers. Then another in July 2005 to oversee Madera South and the pyramid while the first did Madera High and the pyramid. These supervisors reported to the Director of HR/Risk Management/Security at District level. Since the reorganization and departure of Dave Pinnecker, the supervisors have reported primarily to their high school administrator and have significantly less role in District-wide function. Now this isn't saying anything bad about anybody or anything else, this is just in the last year of the transition there's been a lot of things happen and quasi where do we belong, where do we fit in? There's a certain amount of opinion that says it should go to each site administrator. However, this is directly in contradiction with the FCMAT study that you paid for several years ago. For example, prior to the change in philosophy, the supervisors would coordinate together responses to middle or elementary schools in the event of emergency at their site. These emergencies occurred when they had to lock down for safety concerns or for high profile events requiring more staff temporarily. I listed four examples that I'm not going to go into. To summarize my opinions on how it went, we did assist with a lock down at Washington School where the Madera Police Department requested the school be locked down because they were chasing someone in the area with a weapon, with a gun. In the spring of 2008, a middle school had a series of gang related incidents and one day where we sent staff from, instead of sending it and stripping one school, both supervisors worked together so we would not leave one site particularly uncovered, but we could go in and help that site get through while their officers focused on the incident. Just this last fall, a middle school after hours, while it was after hours, they had after school participants and athletes on campus and I think a principal was locked in the gym too as a result, but we were able to make contact with the site and get locked-down. Unfortunately, due to delays of getting through without a District-wide function of security, it inhibited me from getting officers from a high school football game over to help and this person ultimately ran onto school campus and came face to face with a custodian. This

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person was a wanted fugitive being chased by, I'm not sure what they call them, their "pop team", their "tactical team" or whatever and was apprehended fortunately with only a physical fight and not weapons. These are the areas where I think there needs to be some District-wide control or guidelines on how securities doing, not just isolated to one site because we do consistently, even as recent as this spring, respond to a middle school where on a Friday night a high school age student had texted, the latest thing is all the texting and cyber crime, my space, we're doing investigations on those. There is a new Ed Code section 48900(r) which deals specifically with threats and intimidation by this. But, anyway, on Friday night this high school kid texted and threatened, terrorist threats, a felony level crime, to a sixth-grader at an after school event at an elementary school. Monday, when we got it and investigated it, the gentleman was not apprehended until 4:00 p.m. that afternoon by detectives. He was not at school that day. We sent a couple of officers over, I was there, to make sure this person didn't come anywhere around the elementary school in their departure at 2:30 p.m. Of course, I ended up getting the questions, why are we doing that, you're high school officers. There needs to be some direction, if nothing else, there needs to be some understanding why you have security and what you want them to do. This isn't saying anybody has been negligent or anything else. There's been lot of things going on for the last year and with the money thing, it's only getting worse. There needs to be some direction. I'm going to skip on to the last page now. That middle part essentially says you as District should come up with some type of policy and procedure manual. That has to be done, there has been training done, we are in compliance with state law, Senate Bill 1626, which requires training for every officer that works over 20 hours a week. We have done that, up to now we have done that. It also suggested fuller background checks on employees. 'POST' stands for Peace Officers Standard Training. It governs all the peace officers in the State of California. Not only internal affairs, but I'm a certified background investigator. I contract my services to about 3 different police departments up and down the state. In my efforts to initially present that and say, that we need to do further checks on our security officers. Fortunately, we have a very good staff, but it's still currently the same check you do for anybody who delivers a letter from one school site to another. You check or the administrator checks the references that person provides. Not like a law enforcement where they're going to go walking and talking to neighbors and really see what's going on. President Westley stated to Mr. Moglia that you're going into a lot of detail here, and he said that he appreciates that you're painting a good picture, but he said I've got a question for you and I know you have a lot at stake here because you're one of the people on the list. He said our school safety program is really important to us and it's one of our objectives to maintain a safe environment for our students. How do you feel our program is going to be impacted by moving supervisors out of the picture? Based on what you're saying, I see a lot of leadership that just happens by supervisors being in place. Mr. Moglia responded by saying that the best opinion I can give you is the reason the Board asked for this study, and this is based on everything that I've read is that you have security officers, school safety officers that report to administrators and nobody knew what they did. That doesn't mean that they were running amuck and not doing productive things, but in the

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absence of having supervisors, no one knew what they did. There wasn't training, they didn't wear the same uniform, so I think that temporarily, if you were to eliminate these positions and when we get down to the end here, and I read my last paragraph, you'll see it. I'm not asking for you to save my position, or anything else, my concern is that I have four of my own children that go to school here. I really think that you could temporarily function and you won't notice that much of a difference because we have good staff. He said that he knows the supervisors here. We believe in our people, we've trained them, we've had the support of the District when we've gone forward and we have the support of our administrators. He said that there are some inconsistencies that happen from the high schools to the middle schools and this is the greatest example I can give you. In the last year, since our outreach to the middle schools have grown farther and farther away, to where we really don't have anything to do with the middle schools and that's through lack of who will report to the District. We don't have any instance that now our police officers as Trustee Salvador is asking about, they do an entire report if they go for even a menial task at a middle school because our middle school officers do not write reports. It's apples and oranges, and at the high school, if you do have to cut some of your law enforcement services, the officers are trained. They operate every day, they write their reports. They can turn to any peace officer and say, here's your crime, here's the elements for your crime, thank you very much. It's an "837 arrest" and they transport the person to correctional facilities. That doesn't happen at the middle schools, so that's the first example I can give you of what's happened in a year. And, so if you were to take away the supervisors, unfortunately, while you have great administrators at the sites, specifically the two supervisors where Mr. Zamilpa and I work, they don't know what an "837 arrest" is. Most of you may not know, I know he (referring to Trustee Salvador) knows. But that means that you don't necessarily have to have a peace officer there. The education code gives, I get asked all the time from law enforcement, and everything else and now you want to take a non-peace officer role in this. Well, the education codes give us so much authority and power that we really don't need that. Obviously you're looking into a law enforcement group of your own, that is an option, a cost saving issue that may come in future years. But really that's what I see you losing, is you have people trying to operate way out of their expertise. When I recertified last time, I'm trying to remember the county, it's up north somewhere, they have all their vice principals going to a "POST" academy because they didn't have supervisors and they needed to know, they were writing reports to the incoming agency. So, I see a few months, maybe into the second semester, you could function without and function pretty well without supervisors, you're going to turn what you actually have and no offense to anybody, but your middle school officers are basically glorified gophers. So, you're paying a very good security wage and benefits and everything else for people to do way less than what we would expect them to do. President Westley asked Mr. Moglia -- what the job was designed to do. He responded yes. Mr. Moglia then said I'll close real quickly. I created a tiered lock down plan because those of you that don't know lock down is accepted nationwide as lock your door, hide in the closet, turn your lights off. That's not going to last with all age groups for very long. So, we created a tiered lockdown based on what types of

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threats you may have. It may just be a threat in the community. It's a pre-interior and then a full lockdown. I took that to supervisor Zamilpa, after we both agreed on it, we recommended it to both principals, they signed off on it. When we took this to District staff a couple of years ago, they said yes absolutely, we want to go forward with it. Take it to the high schools, work out the bugs, get them trained and then we'll work the next year on implementing it. In fact, when I gave the presentation to the Board at the beginning of last school year that's what we were preparing to do. We have trained high school sites, their teachers, and their custodians. We commandeer the custodians to help us in situations, everybody knows what to do, the students know. We don't have that at our elementary schools. We weren't able to fulfill that and that's what you're going to lose even more is the continuation of a safety plan that reaches down as, and if you look at the news now, the budget times only make things worse and worse. It makes people more desperate; people that are on the edge are going way past the edge. I will close with a short word and now this is my pure opinion, before it's just been my comments on what has happened based on the FCMAT study. These are my comments -- I find the elimination of supervisors particularly concerning because I see the District slipping back to the way things were prior to the study and the changes that have resulted. Most concerning is that no one has ever asked those that might know about security how this would impact security. I understand that security might have to be cut, maybe even my position. However, I take great pride in being part of the reason for the great steps security has taken since 2005. I have the expertise to recommend how to function security with any type of cuts. I'm not saying that the cuts proposed will yield no loss in service, but I can provide you with the ways to implement what staff remains. To this date, no administrator or District staff member has asked to see any type of statistics or inquired what my staff does. They may not be considered my staff and nobody knows to whom we report right now, but you may wish to ask the officers, your officers, that are assigned my watch how security functions and what leadership has accomplished. I have on request, and any of you are welcome to come and walk around with my staff, or you can ride around with me, whatever you want to do. I have all site stats from the time when I was in charge of everything prior to the second supervisor hired and since then I have stats for my site and the feeder school where the officers under my watch are monthly stats, and I can show you trends, what the guys do, what referrals they are writing, what reports they are writing, all the way back to my hire February 17, 2005. I'm not asking you to save my job. I'm asking you to ask me for the information you need to make an informed decision. Should that mean the loss of my job, I will work with you for the remainder of my employment to plan accordingly for the best possible service of remaining security in Madera Unified.

President Westley thanked Mr. Moglia. He said that he appreciates his input. He asked if anyone has questions for Mr. Moglia.

Trustee Seibert responded that he did not have any questions, but he sure appreciates the way that Mr. Moglia presented his report and everything. He said it was very classy. Thank you, he said.

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President Westley also said that the report was well done.

Karen Lang, 426 North Pine Street came to the podium to address the Board. She said that she has been a teacher for MUSD for 34 years. She said that she had a prepared statement that she thought she was going to be making on the 10th, but she said that she'd like to talk now about the "Golden Handshake" and "PARS". She said that at the last meeting there were concerns about why teachers who have been here a long time have not taken the "Golden Handshake". She said that she thinks that the Board needs to understand that the "Golden Handshake" and "STRS" did not reconcile together. She said that she wasn't going to use herself as an example, but because she is not speaking from her notes, it's better to talk about herself. She said that she is 56 years old, but I have been teaching for 32 years. She said that she had it all planned that at 58 years of age she would take the "Golden Handshake". By that time she would have the maximum for "STRS" because you need 32 years. So when Sue Thornton said last year, she said, I mean last meeting that it didn't reconcile, she said that she needed us to understand that if you started as she did at 24, she needed the 32 years, which Ms. Lang has, and then Ms. Lang said okay, good, at 58 1/2 I'll take the District's "Golden Handshake". She said that now she knows that's going to be gone. Okay, now my concern is the comments I'm hearing about "PARS". She urged the Board as Mr. Porterfield said, to look at the numbers. Because, just from my point of view, because I don't have my notes, I will leave this year because of many things. No. 1, "Pars" gives teachers much more flexibility. "Golden Handshake" was a five year thing. "PARS" gives us anywhere from 5 to is it 14 years to plan our budget, to plan our health costs, to plan how we can reconcile leaving early with not having the "Golden Handshake" and making up the difference from the two years. She said that she was going to stay as far as the income that she would lose from "STRS". She said that she believes that there are some teachers that still don't understand this. She said that she'd like to put it this way, I'm at the top, and without "STRS" I can't leave. Without "PARS" I will not leave for 3 years. She said that she will leave this year and she knows at least 45 teachers that are interested and you will be paying, I don't even know what a new teacher makes, but that alone projected over 3 years that some of us will have to stay at my age should make an amazing savings for you. There is so much more flexibility in "PARS". She said that she believes there are about 45 teachers interested and she said that she is going to put on a workshop at the high school. There's one other thing that I wanted to say about this and that is another reason teachers didn't leave for "PARS" is people my age or 2 or 3 years older, I know Mr. Seibert addressed people who were 60 that didn't take the "Golden Handshake". Here's the deal, Ms. Lang said - some of them I know would have left but they had kids in college. So, once they got past where they didn't take the "Golden Handshake", they said I might as well go to the next bump up in "PARS". So those were non-issues, because they couldn't leave. Some stayed because of health, and we now have a whole different kind of health plan that's tiered. Medical costs go down; teachers have more of an option. Okay, the plan for me now has gone down because I'm single, so the options, I just want to urge you, the options for teachers to

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retire with "PARS" is so much more wide open than it was with the "Golden Handshake" and I know you were talking about the cost, but I really want to urge you - let us, I know we're going to run the numbers. Before you say this is going to cost too much, please, please, let us take the 45 teachers, run the numbers and I'm going to do a little workshop at the high school for some of the teachers who are my age or older, that I don't think understand it because since I heard about it with 32 years of teaching, don't get me wrong, I love teaching, I'm immersed in those numbers. I know back and forth what it's going to cost if I stay another year, why would I stay another year if you offered "PARS", no more "Golden Handshake". So I really believe you have people my age and a little older that really would take this, and in the long run if you think about it, in the 32 years I've been here, that's a savings to you. You could hire another teacher at a lower salary or not replace me, although I am irreplaceable. So, I want to urge you to please, please, don't be against it until we actually give you some of the numbers. The solid numbers and you can see I believe it will be a savings for you this year and every year after that, more than five years. So thank you for bearing with me without my notes, I thought I would talk next time.

President Westley thanked Ms. Lang. He said that we are concerned and that's why we're moving forward with this. We don't see it as a slam dunk because from our view there are a lot of other things to consider. We just want to make sure it's a good decision. Ms. Lang responded -- right. President Westley said that's why these questions are coming up. Ms. Lang said -- I understand. President Westley said that we're going to trust the numbers that come forward and we'll ask the questions and see what Mr. Porterfield and Ms. Bradshaw have to say about answering those questions and that's how we'll make a decision. Ms. Lang said that she understands that. She said because of the questions that were asked last time and this time, I just want to urge you to please, please, let's just wait, because I think in the long run it will benefit you (the District). Trustee Salvador asked her when the workshop would take place. Ms. Lang responded that she is running her own workshop at the high school. Trustee Salvador responded - okay.

Mr. Porterfield said that it will be determined -- "PARS" will have a larger meeting, then we'll have one on one meeting. Mr. Stehman said that he would be getting that schedule within the week. Trustee Salvador responded -- good. Can we go? These newbie's like me you know just sit in the back and go okay. Ms. Lang said that she has had so many people at the high school ask her and she said she can see that they don't really understand it. She said that she asked Mr. Beakes if she could have his permission to run a little workshop. She said that they have a lot of the older teachers and she would invite the MHS teachers and really run it through them. She said that way you may have more than 45 teachers once they are a little more educated. So, just give us a chance, please, before you make a final decision. Thank you.

Sue Thornton, MUTA. She said that she wants to thank Ms. Lang because she did a great job. Ms. Thornton said that right now, you only have eight retirees from our

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bargaining unit and if anybody else was going to go, they would have gone because February 6th was the deadline. "PARS" did not surface until after February 6th, so it's not like people heard about "PARS" and thought, I'm going to wait, they knew before then. She said that Ms. Lang is absolutely right. As people are hearing more and learning more about "PARS", we have 218 potential. She said that she knows all of those can't go, but she thinks that the numbers will grow and so we definitely do want to look at that and hope it works for people. She said that she too wants to echo what Superintendent Stafford said, we really appreciate and recognize the Herculean efforts of the administration and trying to make this work. She said that she thinks that, she said that she really doesn't appreciate having the choice of a 2.5% pay cut, and class size reduction thrown into our midst. She said that's kind of the way it works out and that certainly isn't fun, but according to Mr. Porterfield, those numbers just happen to equal one another. She said that Mr. Porterfield insists so we'll see. Anyway, the March 13th deadline is the key to everything, you've got to deal with that. We're not ready to make that kind of commitment. She said that we would need language, I realize putting it in priority order that you would restore something, that's one thing but that's just not the way we operate. Trust has not exactly been way up there lately, so to tell somebody, oh yeah you take that cut and it'll come back if things come back first. She said that we've got to have some really concrete language and we haven't seen anything like that yet. She said that she doesn't want to say we're closing the door. I will say that it's an interesting thing working with a thousand teachers that have such totally different perspectives on things. Certainly, the K-3 teachers are class size reduction as a priority; certainly the temporary teachers and the early probationary teachers see that as a priority. High school teachers with 38 kids in their classroom worry about people going from 20:1 to 25:1 not so much. So, we've got a lot of different perspectives. Another thing, we really think that there are a lot of things left to find out, certainly federal money, recognizing that it's one time money but never the less, if it can get us through this year then that might help keep people employed for another year. The categorical flexibility, I think there's a lot of investigating to do. I know we don't want to throw the baby out with the bath water, but one of the things that Mr. Moglia was talking about, I think we really need to negotiate these contracts with outside people. You negotiate with us; make us work for what we get, so really negotiate with them. I'll give you an example, Ms. Lopes knows my "pet peeve" here, that SB472 where the law says that the teachers have to have this training, forty hours of training. If they do it on their own time, our District has been paying them \$500.00. That's about \$12.00 an hour and the law provides \$1,250.00 per participant to the District, and I'm not saying the District keeps it, and they specify that at least \$500.00 goes to the participant. It doesn't say that you can't give them more. That leaves \$750.00 and as I understand it, where that \$750.00 is going is to the trainer. I understand the Madera County Office of Education has been one of the main trainers. If you have a training session with 30 people, we're talking \$22,500.00 to the trainers. Our trainers have been doing the work, in one building, and they're getting this kind of money. She said that she thinks in this particular contract, just say no. She said that she knows they've got a lot of power because they're on an approved list and all that, but she said I think on things like that we need

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to just really start putting our foot down and figuring out a way to do that. Hopefully, we won't find that out until May, but hopefully CVT will be able to keep us below the 10% increase that's budgeted. One of the problems and this is kind of going back in another direction, because I've got notes all over the place, but one of our real concerns and a lot of you will remember, a little less than a year ago when I brought you the names of probably a dozen or so of our temps who had not been released because of poor job performance, they were just released because of the budget cuts. They were temps, they were released and then hiring back started. When hiring back started a whole bunch of new people were brought into the District. For instance, just multiple subject teachers. So if we're going to give up 2.5% to save our teachers, we will need to know our teachers get to come back. So, we have to have that kind of assurances. If they're released because of poor job performance, I'm not talking about those people. We've asked for some information, and still don't have that, but again everybody's got a lot on their plate. These are things that we will really want to look at within the next few weeks. More information on the categoricals, the language I mentioned, credit card expenditures, and we would like to see what the actual projections of staffing will be at each site with the different scenarios, the 20:1, 22:1, 24:1 and so on. By May, actually by mid April we will know whether "PARS" works and how many people we will be losing that way and whether that will save some of our jobs. Thank you very much.

President Westley thanked Ms. Thornton.

Janet Pavlovich, 2800 Monocott, Madera, California. She stated that she also works for the District in the business office. She said that her voice is going to crack because she gets real nervous speaking in front of people. She said that the thing she would like to bring up is that she's been looking into for herself is the fact that we have approximately 144 employees that are married within the District and pay absolutely nothing for their health insurance. The thing that I'm looking into and would like to propose is if there's a way to make it where instead of paying for two policies for these families, making it one policy per family and having them pay for it. There would be a large enough savings, I think, she said to where it would be approximately a little over \$600,000.00 in savings to the District. She said that she has asked why we have to have 100% enrollment. She said that she has asked to see the policy between MUSD and CVT.

Mr. Porterfield responded that he has it.

Ms. Pavlovich said, now you have it. She said that it wasn't here when I asked but I would like to see that, and see if it is CVT's policy. I've been told it's CVT's policy, I've been told that it's not, that it's the policy we have written with them. If it's not their policy, which I've never heard of an insurance company dictating to their customers what kind of policies, usually it's a policy written between the two agreement and having that policy. It might be something to look into to have one policy per family, rather than paying for two policies for these people and them not having any out of

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pocket expense. Like I said, it's over \$600,000.00 in savings on these 72 policies.

President Westley said that he remembers this question coming up in the past but there was never a definite answer as to who's making this rule. Whether it's us or the insurance company, CVT.

Ms. Pavlovich responded that she has heard that too and she said that she has heard that people have dropped it because they get such a run-around. They go to CVT, CVT says it's us, we say it's them. It's like okay, we just want to see the policy. She said that she had requested the policy this morning.

President Westley responded that it certainly would be worthwhile and worth looking into. Mr. Porterfield responded to Ms. Pavlovich that she now has it via e-mail. Ms. Pavlovich said -- you e-mailed it to me? She said that it would have been nice to have it before. Mr. Porterfield responded that he just now got it. President Westley asked Mr. Porterfield if he is a speed reader. Superintendent Stafford asked Mr. Porterfield if he has an interpretation. Mr. Porterfield responded no interpretation yet. He said that he would get together with Ms. Pavlovich and review the policy together. He said that Ms. Pavlovich is our Position Control for MUSD, and does a fabulous job. Ms. Pavlovich said that it would be somewhere we could look for savings and not lose as many supervisors or whatever. President Westley said, it's a big number, \$640 something. Ms. Pavlovich said that it is \$638,874.00. President Westley said thank you. Trustee Salvador asked if you eliminate, is that, does that need to be collectively bargained? Because, or is that part of the health and welfare contract that as management, as a Board, we could just dictate for families that have two people, District employees, we'll pay for one Mr. Porterfield responded that we'll have to find out if it has to be collective bargained. He said that he believes it's a part of the policy and we would negotiate with CVT and then that would be what we collectively bargain, that CVT is the provider. He said that he believes we have some perimeters within that. He said that he thinks we need to look even deeper than that. He said I think we're at a point where similar to the police, we're at a point where self insurance is a huge possibility and opportunity and so I believe we need to expand not just that. Trustee Salvador said that you need to be careful with self insurance; he said that he saw Kern County's stuff. Mr. Porterfield stated that yes we do need to be careful of that.

President Westley thanked Ms. Pavlovich. President Westley then asked Ms. Thornton if she would like to come back to address this? Ms. Thornton said that CVT has 150% rule, so when we have married couples they charge the District 1.5 instead of 2.0. You do not get to opt out for the bargaining unit. Board members get to opt out. Ms. Pavlovich said that even at 1.5, it's still over \$600,000.00. Ms. Thornton said you're right, but we're also not letting them pay their share. It's negotiable.

President Westley then asked if anyone else would like to speak. How about Board members, do you have any comments you want to add before we adjourn?

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Clerk/Trustee Janzen said that he wants to thank Mr. Porterfield for putting this thing together. He thanked both Mr. Porterfield and Ms. Bradshaw so that the Board can try and digest it. He said that he knows there are a lot of variables left and there are going to be a lot of variables for the next couple of months. It's a tough deal.

Mr. Porterfield said that he wants to make sure that he has some general direction. He said that this was a Board workshop and we were here to discuss and really share thoughts and ideas. He said that he thinks that one item we will look at a little bit closer, from what I have heard tonight, is the security issue. Is there a consensus on the Board that we should go down that road and look into that a little bit further? President Westley stated that it appears to be yes. Mr. Porterfield said that the other item, and Ms. Bradshaw, you took some of our notes, was there anything else in particular that stood out, that we needed to look into? Ms. Bradshaw responded, not really. Mr. Porterfield said that he thinks that is one of the primary issues. President Westley responded -- the "PARS" numbers. Mr. Porterfield said that he would provide that. He then said that he has just received brand new information, just minutes ago and it answers one of the questions that one of the Board members had, what if the voter approval does not happen -- bottom line is, if any of these fail, there will be a hole in the budget. At this point, legislation does not have a plan on how to deal with these shortfalls that materialize. However, we suspect that they will be addressed through a May revision which must be released no later than June 8th. We'll just have to wait and see how it all works out. Trustee Salvador stated that he participated in a conference call with Nick Warner, who is the lobbyist for Cal State Sheriffs and a lot of the other lobbying groups up in Sacramento, and he's chief of staff for the Speaker of the Assembly and there is a lot of hard feelings up in Sacramento. Especially amongst the Republicans for what happened over the last two weeks. They ousted their leaders, they got new leaders in there. So, if this stuff fails, I don't know. The Republicans that were ousted, there was talk of trying to recall a couple of them. The ones that voted no are very upset at the ones that voted yes. To the point where they might not vote yes a second time. President Westley said that based on what you're saying here, he's not surprised. It's just been typical of what's been going on.

Mr. Porterfield said that what staff's next move will be is we will meet as a Cabinet and review some options. We are looking at keeping the items essentially in the numerical order that they're in now and that list may change somewhat from the information after tonight but for the most part, we're moving forward with the plan as it currently sits. We'll see you on the 10th he said. President Westley said thank you and with that the meeting is adjourned.

6. ADJOURNMENT MOTION NO. 102-2008/09

President Westley adjourned the meeting at 6:44 p.m.

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Fritz Ediger

Dated: March 3, 2009

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