

MINUTE RECORD OF: Madera Unified School District Board of Education

REGULAR BOARD MEETING HELD ON THE 9th DAY OF September, 2008

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, September 9, 2008**, at 5:30 p.m.

ROLL CALL

Ray G. Seibert, President
Michael H. Westley, Clerk

J. Gary Adams, Trustee
Robert E. Garibay, Trustee
Loraine Goodwin, Trustee
Philip D. Janzen, Trustee

Rebecca Ayala, Madera High School Student Board Representative
Michael Bravo, Madera South High School Student Board Representative

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

Kent Albertson, Principal, Madera High School
Jesse Carrasco, Principal, Thomas Jefferson Middle School
Carsten Christensen, Principal, Alpha School
John Denno, Principal, Mt. Vista High School
Marisa Di Mauro, Director, Categorical Programs
Jennifer Gaviola, Director, Special Services
Janet Grossnicklaus, Director, Assessment and Instruction
Allan Kristensen, District Music Coordinator
Karen Lang, Teacher, Madera South High School
Lupe Rodriguez, Director, Maintenance & Operations

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Patsy Rodriguez, Clerk, Child Nutrition
Dr. J. Galen Wright, Director, Student Services
Darrell Yates, Vice-Principal, Jack G. Desmond Middle School

Eva L. Chavez, MUSD Board Applicant
Paul "Bruce" Norton, MUSD Board Applicant
John N. Peters, MUSD Board Applicant
Michael Salvador, MUSD Board Applicant

Bill Coate, Madera Tribune
Jack Porter, Madera On Line

Sue Thornton, MUTA President

There were approximately 45 visitors/District employees in attendance.

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

President Seibert called the Public Session of the Board of Education to order at 5:33 p.m. and immediately adjourned to Closed Session pursuant to Government Code Sections 54956.9(b), 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 Seibert adjourned the Closed Session at 6:45 p.m., and he reconvened the Regular Meeting by calling the Public Session to order at 7:02 p.m. President Seibert welcomed the visitors and he asked Clerk/Trustee Westley to lead the flag salute. President Seibert asked Pastor Dave Barr of Lake Street Fellowship to lead the invocation. President Seibert explained the rules governing the Board meeting. The meeting was recorded on Tape No. 4–2008/09.

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

Superintendent Stafford announced there were not any reportable Closed Session actions.

5. ADOPTION OF AGENDA – MOTION NO. 16–2008/09

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President Seibert 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.

Superintendent Stafford asked that Agenda item 8A8 be pulled for separate discussion. Agenda Item 8A8 was discussed after Agenda Item 8C.

It was moved by Clerk/Trustee Westley, seconded by Trustee Garibay, and unanimously carried to adopt the revised Agenda.

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

6. STUDENT BOARD REPRESENTATIVE REPORT

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

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

7. COMMUNICATIONS

7A. PUBLIC HEARING

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

Nielli Torres, 211 Asti Way, Madera, California came to the podium and addressed the Board regarding the removal of bus stops at Nishimoto School. She said that she is a parent of students at Nishimoto Elementary School. This year all bus stops north of Sherwood Way were eliminated she told the Board. She said that this has caused many students to walk to school under very dangerous conditions. There are no sidewalks and the children are forced to walk in the street. This will just get worse in the winter time when the dirt shoulder is muddy. Very small children are having to walk far distances. At this time of the year they are exhausted and overheated. During the rainy season they will get wet and then get ill. The District will loose money due to the absences. She urged the Board to replace the stops for the students of Nishimoto School.

7B. STUDENT AND STAFF RECOGNITION

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Ara Kuyumjian, Math Teacher at Thomas Jefferson Middle School gave a brief introduction of Tianna Williams who he said he had the privilege of teaching last year. Mr. Kuyumjian said that Tianna was an incredible student. She was his top geometry student in his class. She was the top GPA candidate in the school. She also took on multiple extra curricular activities. She is the top math student in the state selected to go to the UC Davis/COSMOS Program. Mr. Kuyumjian then introduced Tianna and asked her to give a little overview of her visit to UC Davis. She said that it was awesome to meet other students. She was there for 4 weeks, and stayed in the dorms. She really enjoyed the experience, and hopes to attend UC Davis.

8. APPROVAL OF CONSENT AGENDA – MOTION NO. 17-2008/09, DOCUMENT NUMBERS 75-2008/09 THROUGH 83-2008/09, AND RESOLUTION NUMBER 6-2008/09 INCLUDING COMMERCIAL WARRANTS – EXHIBIT “A”; STAFFING CHANGES – EXHIBIT “B”;

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

Ayes:	Trustees Adams, Garibay, Goodwin, Janzen, Clerk Westley, and President Seibert
Noes:	None
Absent:	None
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 AUGUST 26, 2008**
- 8A2. ADOPTION OF RESOLUTION NO. 6-2008/09 GANN LIMIT CALCULATIONS FOR 2007-08 ACTUAL AND 2008-09 ESTIMATED RESOLUTION NO. 6-2008/09**
- 8A3. APPROVAL OF THE JUNE 30, 2008 STUDENT BODY STATEMENT OF CLUB TRUST ACCOUNTS DOCUMENT NO. 75-2008/09**
- 8A4. APPROVAL OF CHANGE ORDER #3 FOR PARKWOOD ELEMENTARY SCHOOL CONSTRUCTION PROJECT DOCUMENT NO. 76-2008/09**
- 8A5. APPROVAL OF CHANGE ORDER #3 FOR MOUNTAIN VISTA CONTINUATION HIGH SCHOOL 6 RELOCATABLES PROJECT DOCUMENT NO. 77-2008/09**
- 8A6. APPROVAL OF CONTRACT AGREEMENT FOR SERVICES BETWEEN MADERA UNIFIED SCHOOL DISTRICT AND MADERA COALITION FOR COMMUNITY JUSTICE (MCCJ) DOCUMENT NO. 78-2008/09**
- 8A7. APPROVAL OF GRANT FROM MADERA COUNTY CHILDREN AND FAMILIES COMMISSION -- FIRST 5 MADERA COUNTY FOR A BACKPACK LITERACY PROGRAM**

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DOCUMENT NO. 79-2008/09

- 8A8. APPROVAL OF MADERA ADULT SCHOOL TO CONTRACT WITH COMMUNITY ACTION PARTNERSHIP OF MADERA COUNTY TO PROVIDE COMMUNITY EDUCATION/ENRICHMENT CLASSES TO PARTICIPANTS IN THE SHUNAMMITE PROGRAM EFFECTIVE SEPTEMBER 1, 2008 THROUGH JUNE 30, 2009**

MOTION NO. 18-2008/09 DOCUMENT NO. 80-2008/09 PULLED FOR SEPARATE DISCUSSION -- DISCUSSED AFTER AGENDA ITEM 8C

- 8A9. APPROVAL TO ADOPT THE FINDINGS, CONCLUSIONS AND RECOMMENDATIONS RELATED TO THE POSSIBLE EXPULSION OR READMISSION OF PUPILS AS THESE 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: 975971, 985189, and 976849
CONFIDENTIAL DOCUMENT NO. 81-2008/09**

- 8A10. APPROVAL OF COMMERCIAL WARRANT LISTING DOCUMENT NO. 82-2008/09 EXHIBIT "A"**

- 8B1. HUMAN RESOURCES ITEMS – STAFFING – EXHIBIT “B” - MOTION NO. 17–2008/09**

- 8C. FIELD TRIP/EMPLOYEE CONFERENCE REQUESTS - ATHLETIC COMPETITION SCHEDULES FOR MADERA HIGH SCHOOL FOR 2008
DOCUMENT NO. 83-2008/09 EXHIBIT "C"**

AGENDA ITEM 8A8 DISCUSSED HERE --

- 8A8. APPROVAL OF MADERA ADULT SCHOOL TO CONTRACT WITH COMMUNITY ACTION PARTNERSHIP OF MADERA COUNTY TO PROVIDE COMMUNITY EDUCATION/ENRICHMENT CLASSES TO PARTICIPANTS IN THE SHUNAMMITE PROGRAM EFFECTIVE SEPTEMBER 1, 2008 THROUGH JUNE 30, 2009
MOTION NO. 18-2008/09 DOCUMENT NO. 80-2008/09**

It was moved by Trustee Janzen, seconded by Trustee Adams, and unanimously carried to approve the Madera Adult School Contract with Community Action Partnership of Madera County to Provide Community Education/Enrichment Classes to Participants in the Shunammite Program Effective September 1, 2008 through June 30, 2009.

Ayes: Trustees Adams, Goodwin, Janzen, Clerk Westley, and President Seibert
Noes: None
Absent: None

Abstained: Trustee Garibay

9. OLD BUSINESS

**9A. APPROVAL OF 2007/08 FINANCIAL REPORTS
MOTION NO. 19-2008/09, DOCUMENT NO. 84-2008/09**

It was moved by Trustee Janzen, seconded by Trustee Garibay, and unanimously carried to approve the 2007/08 Financial Reports.

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

10. NEW BUSINESS

**10A. PROVISIONAL APPOINTMENT TO THE BOARD OF TRUSTEES TO FILL THE REMAINING TWO-YEARS OF THE TERM VACATED BY BOARD TRUSTEE CARLES BECKETT
MOTION NO. 20-2008/09 -- LIMITING THE THIRD BALLOT VOTE TO THOSE APPLICANTS WHO RECEIVED MORE THAN ONE VOTE, ELIMINATING ANY APPLICANT WHO RECEIVED ONE VOTE
DOCUMENT NO. 85-2008/09**

MOTION NO. 21-2008/09 -- APPROVAL OF THE PROVISIONAL APPOINTMENT OF MICHAEL SALVADOR AS THE NEWLY SELECTED GOVERNING BOARD TRUSTEE TO FILL THE REMAINING TWO YEARS OF THE TERM VACATED BY FORMER TRUSTEE CARLES BECKETT WHOSE RESIGNATION WAS ACCEPTED BY THE BOARD OF EDUCATION ON JULY 15, 2008 AND EFFECTIVE JULY 31, 2008

Each Candidate gave a brief statement about themselves regarding their qualifications, and why they would like to serve on the MUSD Board of Education. They came to the podium in alphabetical order. The candidates that applied are: Eva L. Chavez, Paul "Bruce" Norton, John N. Peters, and Michael Salvador.

Superintendent Stafford explained the process for voting on the ballots in front of them. He stated that each Board member would choose one preferential vote and then Mrs. Ediger would call each trustee's name, ask each trustee to state their preferential ballot vote, and then each trustee would pass in their ballots.

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Trustee

J. Gary Adams
Robert E. Garibay
Loraine Goodwin
Philip D. Janzen
Michael H. Westley
Ray G. Seibert

Preferential Vote

John N. Peters
Michael Salvador
Eva L. Chavez
Eva L. Chavez
Michael Salvador
Paul "Bruce" Norton

Each trustee turned in their ballot and Mrs. Ediger reported that Paul "Bruce" Norton received one vote; John N. Peters received one vote; Eva L. Chavez received two votes; and Michael Salvador received two votes. Mrs. Ediger called for the second ballot vote:

Trustee

J. Gary Adams
Robert E. Garibay
Loraine Goodwin
Philip D. Janzen
Michael H. Westley
Ray G. Seibert

Preferential Vote

John N. Peters
Michael Salvador
Eva L. Chavez
Eva L. Chavez
Michael Salvador
Paul "Bruce" Norton

Each trustee turned in their second ballot and Mrs. Ediger announced the second ballot vote. Mrs. Ediger announced the second ballot vote was exactly the same as the first ballot vote: Eva L. Chavez received two votes; Paul "Bruce" Norton received one vote; John N. Peters received one vote; Michael Salvador received two votes.

Trustee Garibay stated that he recalled that as long as an applicant received a vote, those applicants would remain in the voting. He stated that at some point during this process, the Board may have to change the process.

It was moved by Trustee Janzen, seconded by Clerk/Trustee Westley, and unanimously carried that we limit it to those applicants who received more than one vote and eliminate any applicant who received just one vote. That eliminated Paul "Bruce" Norton and John N. Peters because they both received one vote on vote number two.

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

Mrs. Ediger called for the third ballot vote:

Trustee

J. Gary Adams

Preferential Vote

Michael Salvador

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Robert E. Garibay
Loraine Goodwin
Philip D. Janzen
Michael H. Westley
Ray G. Seibert

Michael Salvador
Eva L. Chavez
Eva L. Chavez
Michael Salvador
Michael Salvador

Each trustee turned in their third ballot and Mr. Stafford stated that if the Board wishes to, at this time, it would be appropriate for a motion, a second, and a vote on the preferential candidate.

It was moved by Trustee Adams, seconded by Trustee Garibay, and unanimously carried to provisionally appoint Michael Salvador to the Madera Unified School District Governing Board.

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

**10B. OATH OF OFFICE ADMINISTERED BY THE CLERK OF THE BOARD OF EDUCATION DOCUMENT NO. 86-2008/09
CERTIFICATE OF APPOINTMENT OF GOVERNING BOARD MEMBER, NOTICE OF PROVISIONAL APPOINTMENT --
DOCUMENT NO. 87-2008/09**

Mr. Stafford introduced Michael Salvador to those present in the Boardroom and asked him to come forward and receive the Oath of Office which was administered by Clerk/Trustee Michael Westley. Newly selected Trustee Salvador and Clerk/Trustee Westley signed the Oath of Office, and Clerk/Trustee Westley attested to the Certificate of Provisional Appointment of Michael Salvador as the newly selected Governing Board Member and it was noted that a Notice of Provisional Appointment would be posted and published pursuant to the Education Code. Trustee Salvador was formally seated on the Board of Education.

**10C. FIRST READING OF CHANGES TO BOARD POLICY 5141.26(A)
TUBERCULOSIS TESTING POLICY**

10D. FIRST READING OF BOARD POLICY 5030(A) STUDENT WELLNESS

**10E. FIRST READING OF AMENDMENTS TO BOARD POLICY AND
ADMINISTRATIVE REGULATION 5112.5 (CLOSED CAMPUS)**

Trustee Janzen excused himself to return to an out of town meeting.

11. INFORMATION/REPORTS

11A. STANDARDS REPORT

Kathleen Lopes, Associate Superintendent of Educational Services gave a power point presentation of the District's successes in AYP Achievements and API Achievements. Document No. 88-2008/09

11B. BUSINESS AND OPERATIONS UPDATE

Kelly Porterfield, Associate Superintendent of Business and Operations gave a brief update on Enrollment and on the Pool renovation project at MHS.

12. ANNOUNCEMENTS

There were none.

13. MISCELLANEOUS

There were no items.

ADVANCED PLANNING

President Seibert made the following announcement:

Next Regular Board Meeting

Tuesday, September 23, 2008 - 7:00 p.m.

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

15. SUGGESTED FUTURE AGENDA ITEMS

There were no items.

16. ADJOURNMENT MOTION NO. 22-2008/09

President Seibert adjourned the Public Session at 8:57 p.m.

Fritz Ediger

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

Dated: September 9, 2008