

MINUTE RECORD OF: Madera Unified School District Board of Education

REGULAR BOARD MEETING HELD ON THE 9th DAY OF December, 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, December 9, 2008**, at 5:30 p.m.

ROLL CALL

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

J. Gary Adams, Trustee
Loraine Goodwin, Trustee
Michael Salvador, Trustee
Ray G. Seibert, Trustee

Absent:
Philip D. Janzen, Clerk/Trustee

Rebecca Ayala, Madera High School Student Board Representative
Espí Tovar, 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
Marjorie Barks, Librarian, Madera South High School
Andy Beakes, Principal, Madera South High School
Marisa DiMauro, Director, Categorical Programs
Lisa Chaney, Coordinator, Health Services
Carsten Christiansen, Principal, Alpha School
Jennifer Gaviola, Director, Special Services
Janet Grossnicklaus, Director, Curriculum, Assessment and Instruction

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Allan Kristensen, District Music Coordinator
Jon Schmid, Teacher, Music, Madera South High School
Galen Wright, Director, Student Services

Alice Rios, CSEA President
Sue Thornton, MUTA President

Randy Brannon, Pastor, Grace Community Church
Bill Coate, Madera Tribune
Treva Kreschal, Parent
Don Wright, Parent

There were approximately 35 visitors/District employees in attendance.

**2./3. CALL TO ORDER PUBLIC SESSION OF REGULAR MEETING
IMMEDIATELY FOLLOWING ORGANIZATIONAL BOARD MEETING --
ACKNOWLEDGEMENT OF VISITORS AND MEDIA**

President Westley called the Public Session of the Regular Board Meeting of the Board of Education to order at 7:35 p.m. immediately following the adjournment of the Organizational Board Meeting. President Westley explained the rules governing the Board meeting. The meeting was recorded on Tape No. 13-2008/09.

**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. 65–2008/09

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. Trustee Adams asked to pull Agenda Item 8A11 and 8A12 for separate discussion. These items were discussed after Agenda Item 8C.

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

Ayes:	Trustees Adams, Goodwin, Salvador, Seibert, Acting Clerk Garibay, and President Westley
Noes:	None

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Absent: Clerk/Trustee Janzen
Abstained: None

6. STUDENT BOARD REPRESENTATIVE REPORT

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

Espi Tovar, subbing for Michael Bravo, Madera South High School Student Board Representative, gave an update of academic, athletic, and extracurricular activities taking place at MSHS.

7. COMMUNICATIONS

7A. PUBLIC HEARING

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

Sue Thornton, 220 Autumn, Madera, California addressed the Board regarding Agenda Item 8B3, Resolution No. 38-2008/09 - to Authorize the Creation of a Human Resources Policy of Tuition Assistance Allowing Reimbursement of Tuition Costs for the 2008-09 School Year. She said that this resolution has been brought to her attention by several people, so she just wanted to make sure that on this item, it involves reimbursing teachers for tuition, that we have established some criteria. President Westley stated that this item is on the consent agenda so it is not supposed to be discussed in public comment. Ms. Thornton asked President Westley how do you get to that, because you adopt the agenda before the public hearing part. Trustee Seibert said that this item would have had to of been pulled prior to the adoption of the agenda. Ms. Thornton said that she was not objecting to the Board's approval of this item, she just wants the District to proceed with caution on this and make sure that we establish rules and parameters on this. She said that she had had discussion with an administrator on this so, she said I think we know where we need to go. Jerry Stehman, Director of Human Resources said that this Resolution that was passed tonight sets up the parameters for the Board so that we can now officially offer this and we will set up the rates prior to issuing any reimbursement. President Westley said, so that's still open for adjustment. Ms. Thornton then gave an envelope to each Board member with an invitation to the CTA/MUTA Board dinner on January 28, 2009 in Fresno.

7B. STUDENT AND STAFF RECOGNITION

➤ Madera South High School State Champion Band

Jake Bragonier, Public Information Officer introduced Allan Kristen, District Music Coordinator. Mr. Kristensen said that he is always excited to come up to the podium to speak, and he said that he has a great job. He said that tonight he is going to

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mention a couple of really special things that have happened. He went on to say that as you know, students District wide are involved in choir, band, guitar, piano and they actively perform at their sites, in the community and receive assessments from adjudicators and at competitions. Currently, I mean like probably right now, there are kids performing winter concerts throughout the District. These students aren't only successful in academics, they're excited about coming to school to be involved in activities and most of all the arts. Every time they hit the stage they gain individual confidence, poise, and are positive representatives of Madera Unified. As the Music Coordinator I have had several proud moments this fall and I'd like to share three of them. On Thursday night on Yosemite Avenue at the Tractor Light Parade I stood behind a Madera family to see one of our bands going by during the parade. As they performed I heard the father say to his wife, "this band is good too". And I would think if I stood there through the whole parade he would say every band was good tonight, and I was very proud to hear that. Another moment that happened this fall was receiving a call from Mr. Harabedian, who was in a house on Christmas Tree Lane singing, and he let me know that three Madera South High School choir students were accepted to the National Honor Choirs we talked about which will be in Oklahoma City this spring. Some details on that are that there were over 3,000 students that auditioned for this, and you know how it goes, directors will pick their very best to send in an audition tape. You know sometimes a director just doesn't send in one, so these are the select students around the country and to have three from our District and let alone one school is just a huge thing because not many are picked for this event, only about a hundred and fifty, so this is absolutely huge. One of those students is here tonight representing the band program too. But the main reason why I'm here tonight is because at the State Marching Band Championships at CSU East Bay in Hayward on November 22, 2008, our second year high school, Madera South High School Marching Band that has its first year of seniors, successfully completed an undefeated season and won the double-A Class State Championship. Mr. Kristensen asked John Schmid, MSHS Band Director to be here with his Drum Majors, Stephanie Cantu and Erica Santos and they're representing the entire band. Mr. Kristensen said he didn't want to bring the entire band here tonight. He asked the Drum Majors to shake each Board Members hand for recognition. He then said, I just wanted to take a moment to recognize Mr. Schmid. Mr. Kristensen said, Jon you've done an exceptional job, your students are so exciting to be around. They are fun and they have a huge amount of spirit and it rubs off on others. On this plaque that we have for you tonight, in recognition of Jon Schmid for his efforts in leading Madera South High School to the 2008 Double-A Class State Championship, thanks to your diligence that MSHS Band provided a landmark event for Madera Unified. Mr. Kristensen asked Andy Beakes, Principal at MSHS to come to the podium and say a few words. Mr. Beakes came to the podium to address the Board and Superintendent Stafford. He said that he also wanted the opportunity to congratulate our band, Mr. Schmid, Erica and Stephanie. He said we are so proud of you, and what I wanted to emphasize tonight, if some of you were at the review where the picture was taken when they performed for the student body at lunch time just after they won the State Championship, when they performed their half time show, your student body came

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and surrounded the whole quad area where the band was performing, and that was a tribute to how exciting this band has been for our school and throughout the school year, particularly at football games and at their reviews. The enthusiasm for this band has been incredible and I have never ever seen a student body embrace a High School band like I've seen that this fall, so we are very proud of you and we thank you because you make a huge contribution for our school. Mr. Schmid addressed the Board to say, I just want to thank you for your support. Mr. Schmid said that without your support this wouldn't have been possible and the kids have been just absolutely wonderful this year, so thank you very much. Trustee Salvador said I've seen this band perform and being a former drum major myself about 25 years ago, these two young ladies, they rock!

8. APPROVAL OF CONSENT AGENDA – MOTION NO. 66-2008/09, DOCUMENT NUMBERS 178-2008/09 THROUGH -2008/09, AND RESOLUTION NUMBERS 34-2008/09 THROUGH 39-2008/09 INCLUDING COMMERCIAL WARRANTS – EXHIBIT “A”; STAFFING CHANGES – EXHIBIT “B”;

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

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

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

8A1. APPROVAL OF SPECIAL BOARD MEETING MINUTES OF NOVEMBER 5, 2008 AND REGULAR BOARD MEETING MINUTES OF NOVEMBER 18, 2008

**8A2. ADOPTION OF RESOLUTION NO. 35-2008/09 TO CERTIFY THE ACCOUNTING OF SCHOOL FACILITIES DEVELOPERS' FEES FOR FISCAL YEAR 2007-08
RESOLUTION NO. 35-2008/09**

8A3. ADOPTION OF RESOLUTION NO. 36-2008/09 - APPROVAL OF THE OCTOBER BUDGET AND EXPENSE TRANSFER REPORTS RESOLUTION NO. 36-2008/09

8A4. ADOPTION OF RESOLUTION NO. 37-2008/09 - APPROVAL TO SUBMIT APPLICATION TO THE SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT THROUGH THE HEAVY-DUTY ENGINE PROGRAM - ON ROAD VEHICLE COMPONENT FOR MATCH FUNDING FOR OUR CMAQ GRANT RESOLUTION NO. 37-2008/09

8A5. ADOPTION OF RESOLUTION NO. 39-2008/09 - AUTHORIZING DESIGNATED PERSONNEL TO SIGN CONTRACT DOCUMENTS FOR FISCAL YEAR 2008/09 SUBMITTED BY THE CALIFORNIA DEPARTMENT OF EDUCATION RELATING TO CHILD

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**DEVELOPMENT SERVICES, SPECIFICALLY CONTRACT NUMBER CIMS-8309
RESOLUTION NO. 39-2008/09**

**8A6. APPROVAL OF THE OCTOBER 31, 2008 STUDENT BODY STATEMENT OF CLUB TRUST
ACCOUNTS DOCUMENT NO. 177-2008/09**

**8A7. APPROVAL OF THE OCTOBER 31, 2008 FINANCIAL REPORT
DOCUMENT NO. 178-2008/09**

**8A8. APPROVAL OF CONTRACT FOR SERVICES WITH COMMUNITY ACTION PARTNERSHIP
OF MADERA COUNTY - RESOURCE AND REFERRAL PROGRAM, WHICH PROVIDES
CHILDCARE SERVICES FOR INFANTS AND TODDLERS AT OUR DISTRICT HIGH
SCHOOLS INCLUDING MADERA HIGH SCHOOL, MADERA SOUTH HIGH SCHOOL, MT.
VISTA AND FURMAN HIGH SCHOOL DOCUMENT NO. 179-2008/09**

**8A9. APPROVAL OF CONTRACT FOR SERVICES WITH COMMUNITY ACTION PARTNERSHIP
OF MADERA COUNTY - HEAD START PROGRAM, TO PROVIDE PRESCHOOL SERVICES
TO 48 ADDITIONAL CHILDREN NOT BEING SERVED DUE TO LACK OF SPACE IN
EXISTING STATE PRESCHOOLS AND HIGH DEMAND FOR THESE SERVICES
DOCUMENT NO. 180-2008/09**

**8A10. APPROVAL OF CONTRACT FOR SERVICES AND MOU BETWEEN MADERA UNIFIED
SCHOOL DISTRICT AND MADERA COUNTY SUPERINTENDENT OF SCHOOLS TO
PROVIDE SCHOOL READING PRE-KIDNERGARTEN AND FAMILY LITERACY PROGRAM
AT MONROE ELEMENTARY SCHOOL FROM JULY 1, 2008 THROUGH JUNE 30, 2009
DOCUMENT NO. 181-2008/09**

**8A11. APPROVAL OF NEW CLUB AT MADERA SOUTH HIGH SCHOOL -- RAINBOW ALLIANCE
STUDENT CLUB MOTION NO. 67-2008/09, DOCUMENT NO. 182-2008/09
PULLED FOR SEPARATE DISCUSSION -- DISCUSSED AFTER AGENDA ITEM 8C**

**8A12. APPROVAL OF NEW CLUB AT MADERA SOUTH HIGH SCHOOL -- CAMPUS
AWAKENING STUDENT CLUB MOTION NO. 68-2008/09, DOCUMENT NO. 183-2008/09
PULLED FOR SEPARATE DISCUSSION -- DISCUSSED AFTER AGENDA ITEM 8C**

**8A13. APPROVAL OF THE 2008-2009 K-8 ELA/ELD TEXTBOOK ADOPTION COMMITTEE AND
9-12 ELD TEXTBOOK ADOPTION COMMITTEE DOCUMENT NO. 184-2008/09**

**8A14. 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: B-2008/09, 997380, 301880, 997635, 302798, 16819, 975847,
7052, 8987, 15110, 6723, 1819, 995986, 987042, 967407, 502886, 601522, 987739, 977777,
985193, C-2007/08 AND 987083 CONFIDENTIAL DOCUMENT NO. 185-2008/09**

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8A15. APPROVAL OF COMMERCIAL WARRANT LISTING DOCUMENT NO. 186-2008/09 EXHIBIT "A"

8B1. HUMAN RESOURCES ITEMS – STAFFING – EXHIBIT “B” - MOTION NO.66 –2008/09—RESOLUTION NUMBERS 34-2008/09 AND 39-2008/09

8B2. ADOPTION OF RESOLUTION NO. 34-2008/09 -- ASSIGNMENT OF STAFF DEVELOPERS TO SPECIFIC SUBJECT AREAS FOR 2008/09 SCHOOL YEAR RESOLUTION NO. 34-2008/09

8B3. ADOPTION OF RESOLUTION NO. 38-2008/09 TO AUTHORIZE THE CREATION OF A HUMAN RESOURCES POLICY OF TUITION ASSISTANCE ALLOWING REIMBURSEMENT OF TUITION COSTS FOR THE 2008-09 SCHOOL YEAR RESOLUTION NO. 38-2008/09

8C. FIELD TRIP/EMPLOYEE CONFERENCE REQUESTS DOCUMENT NO. 187-2008/09 EXHIBIT "C"

AGENDA ITEM 8A11 DISCUSSED HERE -- APPROVAL OF NEW CLUB AT MADERA SOUTH HIGH SCHOOL -- RAINBOW ALLIANCE STUDENT CLUB MOTION NO. 67-2008/09, DOCUMENT NO. 182-2008/09

Trustee Adams stated that he requested that this item be pulled for separate discussion. He said that he just felt that this is such a sensitive area that he wanted to provide an opportunity for any parents, or any community people or for that matter, any staff or students to openly discuss this. He said that he was concerned that if it stayed on as a regular consent agenda item that it would pass through and like I said, I consider this to be very sensitive and I wanted to make sure that we had an opportunity to discuss this openly. He said that some of his own concerns, I understand that we're faced with all of these legal responses, but he said he wanted to go on record in saying that there still is a need for the local community to at least express themselves. It seems that when we approved the Club at MHS, now it seems like it's extended a different type of membership. He said I'm wondering what happens next, will it now go to middle schools, is this in the future? He said he was also concerned that, he feels as a member of this Board, I feel coerced. We are threatened that if we vote against this Club that we will be sued and also, failure to approve this Club, I also feel coerced that all other Clubs will be disbanded because of all of these legal ramifications. And my final thoughts, I believe and I could be mistaken, maybe Dr. Wright can help us here, but not only for this Club, but I think there's a clause in which parents are supposed to sign permission slips for our students to be a part of these activities. I could be wrong, but I think it does exist. Trustee Seibert said that one comment he wants to make is we set parameters for Clubs, we have policies and if the Club falls within those policies, we accept those Clubs. If they don't, we don't accept them. And so we have all those policies in place. So, the only thing I can ask staff is if it meets the criteria. Kathy Lopes, Associate

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Superintendent of Educational Services responded that currently Board Policy does not require Parent Permission to participate in Clubs. The Clubs go through their ASB and follow the process and procedures as outlined in BP and they submit their approval to ASB and ASB approves that Club along with the Student Body and representatives of the ASB. That's where the only approval comes from for any Club or organization in the High Schools at this time.

President Westley asked if there was anyone that wanted to speak on this topic. Randy Brannon, Pastor of Grace Community Church, outgoing President of the Madera Ministerial Association, 26171 Valerie Avenue, Madera, California came to the podium to address the Board. He also wished to congratulate Mr. Schmid and MSHS Band. He said that he does not think that we can over state the importance of music education here in Madera as well as throughout the State. He said that he has seen it in his own children and others, how it affects their grades, how it affects their involvement and it certainly encourages the community in so many respects. He then read a couple of statements:

- 1) The clergy and ministry directors of Madera would like to convey that we're not supportive of the proposed Rainbow Alliance Club that is seeking Board approval to be on the Madera South High campus. We realize that the equal access law extends to them the right to be on the campus, and I verified that with the American Center for law and Justice today as well as the Pacific Justice Institute. They're very helpful in their recommendations and direction. We realize this that they have that right, but we would be remiss to not make a statement against their presence and their purpose for existence. The ultimate end of homosexual activity is so destructive and can be deadly due to HIV and AIDS that exist in a disproportionate amount of people who are engaged in this activity. As you vote whether or not to allow access of the Rainbow Alliance Student Club, we would encourage the Board members to give consideration to the afore mentioned problems. May the facts, the law and a clear conscience guide you to an appropriate statement on and responsibility to this issue. That statement is from the Madera Ministerial Association, Mr. Brannon stated.
- 2) Now separate to that, he said that he would like to make his own statement as a private citizen, as one having had four children in the District and still involved with students. Speaking as an individual citizen and not for the Madera Ministerial Association, it is my concern that the schools would respond to potentially violent acts, such as Madera High had to in its lockdown yesterday, for the protection of students, and yet allow the promotion of behavior that is wiping out entire countries in parts of the world. Curriculum or Clubs that promote homosexuality as normal are a scourge upon the Educational and legal systems of our great country. People are all equal, I want to emphasize that, should be treated as such and loved. But the fact is some relationships are natural and healthier than others. Homosexuality is a behavior that is contrary to the natural design and compatibility of the body and procreative

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activity that sustains a society. In addition to its ability to procreate, homosexual behavior does these four things: a) results in numerous health problems to those who practice it including the increase in AIDS, other STD's, hepatitis and colorectal cancer. b) It shortens the median life span of homosexuals by 20 to 30 years, depending on the study. One study showed that death in the early 40's for gay men and women who don't even have AIDS. It's just the entrapments of the lifestyle. c) It spreads the disease to innocent people through contact and body fluids. An example would be blood transfusions and so forth and even in sporting activities, although they try to restrict those that are bleeding. d) Increases the medical costs for Americans as health insurance premiums rise because of the increased health costs for homosexuals. The bottom line is that homosexual behavior is unhealthy. All sexual behaviors are not equally beneficial and some of them can have negative consequences. Innocent people can and do get hurt. Thus any Club or group that promotes the tolerance of this activity should be suspect at best. For people to remain silent on this issue because of polite or group press demonstrate lack of love and care of those people engaged in this lifestyle. May we not be guilty of remaining silent but demonstrate our love and care through a proper response, and I thank you very much. And you need to know that I don't state this out of a vacuum, I work at the Rescue Mission weekly. I teach the disciples there. I'm involved with men who have come from all type of lifestyles, some have had AIDS or they have AIDS, some are on their way out, checking out and it's a difficult thing to sit with a man who is literally weeping because he knows that he is dying because of his lifestyle. So please take that into consideration with my comments. Thank you so much.

Marjorie Barks, MSHS Teacher/Librarian, advisor for Rainbow Alliance Club for MSHS came to the podium to address the Board. She stated that she doesn't know what the homosexual agenda is. I don't know if there is a homosexual agenda, and if there is one, I certainly couldn't promote it because I am heterosexual. What I know is that I'm a teacher and I'm passionate about children. The LGBT community at MSHS represents a very, very small percentage of our student population. Unfortunately, they represent a very high percentage of the population that will attempt suicide. These are children who are in a tremendous amount of pain because they have nowhere to turn. They are rejected by their families, they are rejected by their community, they are rejected by their churches, by their ministers, by their friends, by almost everyone they know because of something they cannot control, something over which they have no power. A number of you seem to be suffering under a horrible misappropriation about the function of the Gay Straight Alliance. It not a place to encourage homosexuality. I wouldn't know how to do that. If I live to be a million, I will never understand homosexuality. In fact, I don't think about it very much because it quite frankly horrifies me. I simply accept that there are people who are homosexual in this world, and I leave it at that and I try not to think about it very much. It bothers me very much that there are children on my campus who hurt so badly that they want to kill themselves. The Gay Straight Alliance has two functions. Its primary

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function is to give children a safe place where they can feel accepted and welcomed and where they can just sit and talk and be accepted by other people and their straight allies and their friends. Its second function is to teach tolerance which in and of itself is not a bad thing. Tolerance comes in a lot of shapes and sizes and a lot of colors. When I was a whole lot younger than I am now, I marched for Civil Rights. And when we elected Barack Obama, President of the United States of America, I wept, because I thought that we had finally made some steps forward towards change and I believed that I lived in a country that could learn from its mistakes. I asked the kids to not call the organization the Gay Straight Alliance because I felt that was a "hot button" name and too "in your face", and I felt that Rainbow Alliance was a softer name. They have a right to not have their voices be silenced. They have a right to go on living. They have a right to be accepted on their campus and in this community and I don't want the things that have happened in other communities in this country to happen in my town to my students. President Westley thanked Ms. Barks.

Don Wright, Citizen of Madera, also a free-lance journalist came to the podium. I'm kind of combining a couple of things, he said, but after what I've heard tonight, I'm also a parent who has a daughter who will be attending the High School here in Madera and I don't want a Club on campus based on somebody's sexuality. I don't want sexuality for my daughter to be an issue when she's in High School. I want her to wait until she's married. Orientation and all that is one thing, but to put sexuality in these children's faces, and these are children. A right is not the same thing as a desire. A right to be heard on this facet of a child's life, there's no such right in my opinion. There may be a desire, there may be a desire by some people to allow this, but that doesn't equate a right and that doesn't equate what needs to happen for our children. He said to the Board, I have a question for you. Who originally brought this to the District's attention, the formation of this Club or the possible formation? Kathy Lopes, Associate Superintendent of Educational Services said the students brought this forward through ASB. Mr. Wright asked who, the advisors to the students? The Rainbow Alliance contacted the students? Someone from the Rainbow Alliance? Ms. Lopes responded there is also a Club at MHS which we instituted I believe a year ago and the students themselves came together and have an interest in developing a Club. They speak with the ASB person and Ms. Zimmerman and they find an advisor to help support that Club. Mr. Wright responded, well I'll leave it with this, I would not like to see any Club on a campus for children based on sex and I think there are other causes of suicide and other more appropriate ways to treat what is absolutely a person that needs to be loved. That would be toleration I believe. Thank you. President Westley said thank you.

Sue Thornton, 220 Autumn Drive, Madera, California stated that she wasn't expecting to talk about this because I didn't even realize it was on here, but first of all I want to point out to the people who don't have a Board Packet what the goals and purpose of the Club are: a) to promote tolerance and equality among students of all sexual orientations and gender identities through educational efforts and awareness building b) to inform members of the student body of issues and events affecting the lives of

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gay, lesbian, bisexual, transgendered, and straight adolescents c) to create a safer, more respectful learning environment for all students d) to form a coalition with administration, faculty, staff, and the student body to expose and dismantle oppression and prejudice in all its expressions e) to create a safe, welcoming space for lesbian, gay, bisexual, and transgendered (LGBT) and Straight-Allie students to socialize and discuss topics and issues of mutual concern and interest. Ms. Thornton said that what this always brings back is a memory of my very first year here in Madera Unified, 1983-84. I was a roving teacher, first day of scheduling you get your rosters and you know I had 5 periods of classes, and they have their schedule cards, and you walk around and you check your roster with their schedule cards and I got to one student and I read the name on the card and I said, oh this must be a misprint because the name on the card, first name ended in an "a" and this little 7th grader was wearing kind of like what St. Joaquim students wear, the blue slacks, the little white sport shirt, very short cropped hair, and I just, looked like a little boy to me. And the girl assured me that the name was spelled correctly. I did end up talking to a counselor about this student and found out that in PE, and that's when they still changed during PE to gym clothes, that she actually bound her breasts. And I think that it's really important to realize that these kids don't make the decision to be what they are and they struggle with it and they are persecuted by their peers. The purpose of a Club like this is to help people understand this and to promote tolerance. So, I have the utmost respect for Mr. Brannon, but I have to have a different opinion here, and the Board doesn't have a choice anyway. I mean you pretty much have to approve it just because of the laws, but I think there's good reason for that as well. Thank you.

Treva Kraschel, 123 Santa Cruz Apt. B, Madera, California stated, I came here tonight to speak about something else, but the session goes really quick, but listening to everybody talk, I'm a parent and I get real nervous in front of people. She then went on to say that we've settled in Madera Unified, we're not going anywhere. My son's a 7th grader and my daughter is a 6th grader. A cousin of mine died, he hung himself when he was 17 because he was gay. It had nothing to do with the school, had nothing to do with acceptance, had nothing to do with not being able to talk to anybody, so in my opinion, the assumption that they need a Club, that's not what they need. They need guidance, yes, they don't need a Club per say. They need one person that they can go to. You hand out a flyer and say if you need to talk, talk to so and so. I don't approve of Gay relationships. I'm a Christian. I've been married for 14 years. We set a very good example for our children. Allowing a group where all these kids are going to go that tolerate Gay relationships and support it I feel is going to cause other students who are against it, which there is more of a majority of straight students to react in a way that you might have more violence on campus, you might have more students attacking other students after school. Oh, you're in that Club, you must be Gay. I don't want my son to go to MHS and just because he's talking to a student who's in that Club be assumed that he's Gay, or attacked for that matter. Whether you have to approve this Club or not, I don't know your rules and laws. I don't even know how you guys work to be honest. I just know that as a parent I can't

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imagine my son on campus and a Club like this existing. I went to High School, I'm sure everyone else in here has. We didn't have Clubs like that. We had African-American Club, Music Club, Football Club, you know, basic normal everyday Clubs that you go to and learn about what you need to learn about or support. I understand the aspect of this Alliance Club, it would be the same thing, but I also think that it's sending the wrong message to other students at the school, and I don't know if I'm allowed to approve or disapprove, but I don't think it's right. That's all I have to say. And I have a question. Can I speak to you after. President Westley responded of course. She said, I didn't know because the part goes real quick. President Westley said that was my fault.

Alice Rios, said I am here as a parent, not as CSEA President. She said I'd just like to share that the statement was made tonight that these students are rejected by the church and that statement is untrue. I believe that that is where the children should be turned to for help.

President Westley said we've heard a lot of community input and feelings about this issue. He said you know I think probably the hardest decision or vote that I had in the 6 years, or at that time I guess it was 4 1/2 years or so was for the GSA Club on North Campus, because I to don't approve of the lifestyle. But I came, my thinking was that I had tremendous concern for the student welfare that they have a place to go. But it was, my decision to vote for it was based on what I knew at the time. Since then whenever I see any articles, I seek out information on the impact of these Clubs in school districts and I see a big mix of concerns, with both sides, so I think it's worth us taking a little more time to look into these things. I'd like to know if these kinds of Clubs have any impact on the suicide rates. How do we find that information, I don't know. Do these Clubs do any good for the student because that was my feeling for accepting the Club when we voted on this the first time. What kind of bullying issues could this help or exacerbate by having a Club like this. And I also believe that this community has very strong feelings on this and I think that we need to understand ramifications if we just decide to deny this Club and by that I mean we need to be ready to say the Law requires us to disband any non-academic Student Club if we deny this Club and I think, I'd like to see a list of what these Clubs would be, what kind of impact would that decision have on the District. The big issue is about a lawsuit, and money is a big issue, I mean it is a big issue because we're looking at a possibility of a \$5 million dollar mid-year cut. That's absolutely insane and this isn't something I want to deal with in respect to cost, and so I'd say if we're going to deny it, I'd like to see what kind of impact it has on the District and those are my feelings at this point.

Ms. Lopes said that she would give the Board some background on what's in Board policy and I apologize that I didn't copy all of this for you, but under Board Policy 6145.5 section 801 indicates that we cannot deny, the denial of equal access is prohibited. If we received Federal funding, we have to allow access to Clubs and Organizations as long as they meet the requirements of ASB and so if we choose to deny this Club, then it could affect Federal funding for us. President Westley

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responded, okay and then I go back to, and that's another item on the list, I'd like to table this until the District can do some of the research of going to quantifying the clubs that would be impacted and if there is any research data available on the impact that these clubs have on the welfare of the students it would be interesting to see. Trustee Salvador said he would like to go one step further. We have a club similar to this at Madera High School he said, is that correct? Ms. Lopes responded yes, Madera High School. Trustee Salvador said, what I'd like to see before I can vote one way or the other is there was a lot of concern with our parents here regarding the safety of the students either in the club or out of the club, that sort of business, so I'd like to know, since we've had the Club at MHS for a year, have staff at MHS had any greater or less incidence because of the club being on their campus. Is it a risk to the safety of our students or does this mitigate the risk to the safety of our students, which then the teachers point is well taken. It gives them an outlet, gives them a place to go. Well, if that place to go now becomes a target, especially with the one event that is listed here and the prior problems we had at South Campus earlier this year, I would hate to put those students in the line of fire so to speak. So, I'd like to see some statistics. What is the impact of the student safety at MHS with this Club on campus and then I'd chime in with President Westley's comments on what's the impact? Kent Albertson, Principal at Madera High School Stated that the Club (Gay Straight Alliance) is inactive. He said we don't have it at MHS presently this year. He said he doesn't know if there would be any statistics because we only had the Club for a short time last year. He said we do not have an active Club this year at MHS. Superintendent Stafford asked if that was due to student's not participating or loss of the advisor? Mr. Albertson responded it could be either non-participation or they may not have been able to find an advisor to help them out. He said he didn't know which it was. Trustee Salvador said, I'd like to know that too, because why approve a Club that has a four month life span and then dies. Ms. Lopes responded, that actually happens a lot. Trustee Salvador asked why? Ms. Lopes said its student interest. Because a group of students started it, and then as they graduate and move on, other students do not come in and those clubs are listed in their books but they are not open and active. Trustee Garibay said that he hoped that in the future that if we have clubs that are inactive and have not been an active club on the books, that if it takes an action by the Board to eliminate them, and if they want to resurrect later, they can come back and go through the same process once again. I would urge our two principals at the High Schools to start having their staff review those lists of clubs and bring some names of, or bring the names of the inactive clubs back to the Board. Just a little bit of background. When the Board approved the Gay Straight Alliance Club last year, you know their write up was similar to what we see here for MSHS. And it's amazing what a little notoriety will do for people. You know my interpretation of getting the word out, trying to get to people to understand the lifestyle and when I read in the Fresno Bee that our MHS Gay Straight Club participated in the parade in Fresno, you know I'm thinking wow, you know, now it's more of a taunt, that's the way I interpreted it, more of a taunt than anything. We're a Club, now let's go out there and just let the world know that we are what we are. I wish the officers were in attendance at our Board meeting. I wish them well that they would be able to carry

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out their message, but I just couldn't vote for approval of that Club. And I don't care how much information comes back to this Board, my vote will be no.

Ms. Lopes said that right now we have direction to go back and find out which clubs we have currently at our schools that are functioning or not functioning. And you want some research on the impact of GSA on students at various schools in the system or in the country. Does it affect suicidal rates or not and then you also want us to look at MHS's GSA Club to see if it's increased or decreased incidences on campus and affects the safety of it's students. Am I right, are those the critical points? Trustee Garibay said, well now that they don't have a club, now that it's inactive, it's a mute point. Trustee Seibert asked, no club can limit access, is that right? Ms. Lopes said anybody can join any club. Trustee Seibert said, so they form the Club and there is total access to anyone that wants to be in that Club. Ms. Lopes responded yes, every Club on Campus is open to anyone. Trustee Seibert said if we limit access to this club as being a, we went through all the rules last time who we'll accept as a Club, legally who we can and cannot. We've gone through all this. He said, I don't see where we can limit access to this Club. I mean I don't agree with the lifestyle. I feel sorry for those kids that are in that lifestyle, I know they hurt, and I know they go through a lot of pain, but the more we talk about it, and the bigger issue we make out of it, all we're doing is just creating news, and stirring a pot that doesn't need to be stirred because be quiet, and it will just go away. The Club at North it went away, and if they want to have the Club that's their school. ASB, if they want to have a Club, you can't limit them from having that Club. Legally, we cannot do it. You can have your prejudice here and you know, I've had my prejudice for years about that. I mean I see kids that I grew up with, I have friends they don't choose that. I don't believe that anymore that they choose it, and they can drag this out to another meeting, but we're going to have to pass it.

President Westley then asked the Board, do you fully understand the impact of whatever the vote outcome is? Superintendent Stafford said it would jeopardize Federal funding which is several million dollars. Trustee Goodwin said, and it's the law. Trustee Seibert made the motion, Trustee Goodwin seconded the motion. The vote was 4 yes, 2 no. Trustee Goodwin, Salvador, Seibert and President Westley voted yes. Trustee Adams, and Acting Clerk Garibay voted no.

Trustee Goodwin stated that she's never seen, really stressed out over the homosexuality issue and I've lived in San Francisco, and I can assure you, you can be working with homosexuals, you can see young homosexuals and old homosexuals because you come in close contact or proximity even if you're in close contact on a daily basis. Many of your very educated people, if you ever have to go to the hospital, you will find a lot of your doctors and surgeons may be homosexual and I bet most of you will not refuse the care that they will give you to save your life. Transsexual confusion, gender identification, questions occur in childhood and these children are way too young to be thinking about having sex. It's a mental disorder, it's not a sexual thing. Some of this may be interpreted as sex, it's something you as lay people think

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you see on MTV, but that is not the real issue. Those are not the people we're trying for. We're looking for people who have a mental disorder who need support and care. So saying ignore it, you do not ignore mental health problems as they did for so many years where people would be locked up in the back room of Aunt Lizzie's closet because nobody wanted them out and they were afraid to talk to them. Today you can come out, you can talk. We have the internet, we have all kinds of things where people can meet together, talk about issues in a calm and rationale way. And for those people who do seem to have some fears, a bit irrational, it's a chance to talk and try to get those issues out so that you don't feel so nervous and fearful. There was a time when I was a little child, people thought if they came near a Black person, they would become Black. That was a real fear, and I didn't know if it was true. I had white friends, they never turned Black. But these are the crazy things that people put in your minds, and although you may not like homosexuals, you don't agree with it, there are a lot of heterosexual practices I don't agree with and we can all take a second and think of one or two, talking about their genitalia, or sex on the campus to the kids. This is a place for kids to resolve their issues whether they be mental health issues or promiscuity issues. We're going to have a meeting on teen pregnancy, I think that is being set up with the Department of Public Health. What is going on with our kids that we don't know. But you can't keep putting these kids in a closet. We need to help them.

It was moved by Trustee Seibert, seconded by Trustee Goodwin and carried to approve the New Club at Madera South High School -- Rainbow Alliance Student Club.

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

**AGENDA ITEM 8A12 DISCUSSED HERE -- APPROVAL OF NEW CLUB AT MADERA SOUTH HIGH SCHOOL -- CAMPUS AWAKENING STUDENT CLUB
MOTION NO. 68-2008/09, DOCUMENT NO. 183-2008/09**

It was moved by Trustee Salvador, seconded by Trustee Seibert and carried to approve the New Club at Madera South High School -- Campus Awakening Student Club.

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

9. OLD BUSINESS

9A. NONE

10. NEW BUSINESS

**10A. REVIEW AND ACCEPTANCE OF THE 2007-08 DISTRICT AUDIT
MOTION NO. 69-2008/09, DOCUMENT NO. 188-2008/09**

It was moved by Trustee Seibert, seconded by Trustee Adams, and unanimously carried to approve the 2007-08 District Audit.

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

**10B. APPROVAL OF THE FIRST INTERIM
MOTION NO. 70-2008/09, DOCUMENT NO. 189-2008/09**

It was moved by Trustee Seibert, seconded by Acting Clerk/Trustee Garibay, and unanimously carried to approve the First Interim.

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

**10C. FIRST READING OF PROPOSED NEW BOARD POLICY AND
ADMINISTRATIVE REGULATION ON "ANTI-BULLYING" -- BOARD
POLICY/ADMINISTRATIVE REGULATION 4131.11**

**10D. FIRST READING OF PROPOSED REVISED BOARD POLICY AND
ADMINISTRATIVE REGULATION ON "INDEPENDENT STUDY" --
BOARD POLICY/ADMINISTRATIVE REGULATION 6158**

**10E. FIRST READING TO REPEAL CURRENT BOARD POLICY ON
"HOMEBOUND INSTRUCTION" -- BOARD POLICY 6173 -- FIRST
READING OF PROPOSED REVISED BOARD POLICY AND
ADMINISTRATIVE REGULATION 6173 AND FIRST READING OF
PROPOSED REVISED BOARD POLICY AND ADMINISTRATIVE
REGULATION ON "FOSTER YOUTH" -- BOARD POLICY 6173.1**

11. INFORMATION/REPORTS

11A. STANDARDS REPORT
There was none.

11B. BUSINESS AND OPERATIONS UPDATE

Kelly Porterfield, Associate Superintendent of Business and Operations gave a brief update regarding the Drug Dog Program. He said that he was happy to report that we have all of the numbers back on the Drug Dog Program, and we will be putting it on an agenda in the future because we got the information too late to put it on this agenda. A summary of the numbers received is KIDS, Inc. cost is \$375.00 for a full day, with a minimum of 45 visits equaling \$16,875.00; Interquest numbers are \$320.00 for a full day, with a minimum of 45 visits equaling \$14,400.00; and the Sheriff's Department comes in at a whopping \$533.60 with no minimum visits, so there's flexibility there. Some of the items that are different between the two are that both Interquest and KIDS, Inc. their dogs are trained to I guess sniff out not just drugs, but they also sniff out explosives, knives, and peanut butter and jelly. They can do everything. The Sheriff's dogs, and Trustee Salvador may be able to touch on this too, they're primarily trained to hit on drugs. Trustee Salvador responded that the Sheriff's Department's dogs are basically Narcotics Detection Dogs. They're there to enforce the law. You get the Sheriff and people, you find dope and people go to jail. We may appear to be cheaper. I won't vote on this if it comes before the Board because of my position now on the Board, but you get very limited scope. You're looking for dope. He said that the Sheriff's Department would not have been useful for an incident like what happened at MHS the other day. Mr. Porterfield said that there are some other options available we'll bring that forward at a later date, hopefully the first Board meeting next month and we'll provide the information for the Board to decide. Superintendent Stafford stated that he thought some of the other dogs also hit on alcohol. Mr. Porterfield said that is true.

Mr. Porterfield said one other item and a time sensitive item, even though I was not able to get it agendaized, I will be bringing forward a plan to implement or to look at the implementation of Alternative Energy in the form of solar. We're in the process of doing a study throughout the District. We have 15 sites that actually qualify. Why this is coming up now because the incentives to do so have been implemented through the \$7 billion dollar bail out.

12. ANNOUNCEMENTS

President Westley asked Treva Kraschel, 123 Santa Cruz, Apt. B., Madera, California to come forward and address the Board if she would like. Mrs. Kraschel did not get a chance to address the Board during the Communications part of the Agenda because she said that part of the meeting went to fast. She stated that she has a son at Thomas Jefferson and a daughter that attends Madison, and when she first came to the District her children attended Cesar Chavez. She said that Ms. Gaviola, Director of Special Education put her children in Special Education and they soared. She said the transition for her son to Thomas Jefferson has not been so good. She said they have tried to work with Mr. Sylvia and Mr. Carrasco. She said nothing is getting done. She said it is now down to nitty gritty nit picking. She went on to say that she was just

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made aware that we do not allow belt buckles at all, but he was getting yelled at for not wearing a belt, so there is contradiction. You want him to wear a belt but you don't want him to wear a belt buckle because it's against the rules. He's been wearing the belt buckle I have in my pocket for two years now, and just this past week Mr. Carrasco told him if he wears it again he will be suspended for five days. I'm frustrated. I don't know who I'm supposed to speak to anymore, but it's getting worse day by day. Mr. Sylvia is now having to change my son's complete schedule because one teacher has lost control of her class. Nothing is being done about that. We're just moving kids out of that class. The communication from the Principal to the teachers, there is a big gap. I can go to Mrs. Rahe today, that's my son's case manager, and whatever the problem is she'll handle it. Anyone of his teachers I can go too directly and they'll hear me. But if I go through the Principal to get to the teachers, which is the proper chain of command, I don't know what happens, but there just, I end up calling Mr. Sylvia who is a busy man. It's frustrating. So, I wanted to make the Board aware of this big problem that just keeps getting bigger and bigger and bigger and going through this chain of command that you guys have set up is not working. My husband and I are beating our heads against the wall. Mrs. Kraschel showed the belt buckle to the Board. She said that her son received it as a birthday present and he's always worn it. He's always worn it the same way. She said he is not in a gang. She said she understands the rule, but it's been allowed all this time. Now because I'm cracking down harder on Mr. Carrasco, he's now threatening to suspend him for it. She said she's hoping the Board can help her out here to solve issues that are at this school that are not being handled. She said she doesn't know what to do. I'm at my wit's end.

Superintendent Stafford said I understand your concern. He said I would again urge you to continue working with Mr. Sylvia, however if you're not satisfied with Mr. Sylvia, you can always go to Ms. Lopes, his direct supervisor, so that would be your next stop. Mrs. Kraschel said that she spoke to Ms. Lopes on the phone once and she was referred back to Mr. Sylvia. She said that she has also spoken with you (referring to Superintendent Stafford) and I was referred back to Mr. Sylvia. Mr. Stafford said that's correct. She said that she went to Mr. Carrasco, was referred back to Mr. Sylvia. She said she's not sure if Mr. Sylvia has a lot on his plate, she told him that she's not saying you're (Mr. Sylvia) a horrible person, it's just its big and big and big and I'm tired and frustrated and I want someone to do something. Superintendent Stafford stated that you may not always like the solution that is presented. Mrs. Kraschel said I understand that. You have a child in a classroom and this teacher is constantly removing tons of kids all the time in every single class, are you telling me that all those kids are at fault, or it's the teacher. Common denominator, the teacher, and nothings being done. Superintendent Stafford said, what I would recommend is to take that specific concern and meet with Ms. Lopes in person and make sure that you have enough time to fully express your concerns related to this specific teacher. He said we do have a process regarding complaints about personnel, teachers and others, and so she would be able to facilitate and help you in the process. Mrs. Kraschel responded that's why I'm here. This started in September, it's now

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December. I've gone through the chain of command and it hasn't worked. Superintendent Stafford said thank you.

13. MISCELLANEOUS

Trustee Salvador and Trustee Goodwin gave a brief report on their attendance at the California School Boards Association Annual Tradeshow and Conference held in San Diego on December 3-6, 2008.

14. ADVANCED PLANNING

President Seibert made the following announcement:

Next Regular Board Meeting

Tuesday, January 13, 2008 - 7:00 p.m.

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

15. SUGGESTED FUTURE AGENDA ITEMS

Trustee Salvador asked for a worst case scenario 2010-2011 projected 3.5% COLA. He said he'd like to see the damage with 0% COLA.

Trustee Garibay asked for a report on Child Nutrition, in's and out's, cash flows, how the system works, why they have a \$1.3 million dollar surplus and yet they're borrowing \$800,000 from the General Fund, \$1.4 million in receivables, you know, just give us an overview of what goes on and why it takes so long to collect money in that fund.

16. ADJOURNMENT MOTION NO. 71-2008/09

President Westley adjourned the Public Session at 10:02 p.m.

Fritz Ediger

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

Dated: December 9, 2008