

**MINUTE RECORD of Madera Unified School District Board of Education  
REGULAR BOARD MEETING HELD ON THE 13<sup>TH</sup> DAY OF MARCH, 2012**

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, March 13, 2012**, at 5:30 p.m.

**ROLL CALL**

Ricardo Arredondo, President  
Michael Salvador, Clerk

Lynn Cogdill, Trustee  
Robert E. Garibay, Trustee  
Jose Rodriguez, Trustee  
Ray G. Seibert, Trustee  
Maria Velarde-Garcia, Trustee

Azka Fayyaz, Student Board Representative, Madera High School  
Cristal Rivera, Student Board Representative, Madera South High School

Gustavo Balderas, Superintendent  
Kelly Porterfield, Associate Superintendent, Business and Operations  
Deborah A. Wood, Associate Superintendent, Educational Services  
Jake Bragonier, Public Information Officer  
Teri Bradshaw, Director, Fiscal Services  
Mike Lennemann, Director, Human Resources  
Robert Chavez, Chief Academic Officer  
Julia Reese, Chief Academic Officer  
Janet Morgan, Senior Administrative Assistant

Gladys Wilson, Translator  
Lisa Fernandez, Principal, Berenda Elementary  
Rosalinda Galvez, Vice Principal, Sierra Vista Elementary  
Al Galvez, Commissioner, Merit System  
Janet Grossnicklaus, Director of Curriculum, Instruction and Assessment  
Brett Moglia, Security Supervisor  
Rachel Church, Principal, Sierra Vista Elementary  
Sheryl Sisil, Vice Principal, Madera South High School  
Rosalind Cox, Director, Facilities Planning and Construction  
Lupe Rodriguez, Director, Maintenance and Operations  
Sandon Schwartz, Principal, Madera South High School  
Paul van Loon, Director of Special Education  
Alma de Luna, Director of English Learners  
Kent Albertson, Principal, Madera High School  
Marcus Sosa, Director of Student Services  
Jesse Carrasco, Principal, Thomas Jefferson Middle School

Kathy Horn, MUTA President  
Danna Petty, CSEA President

There were approximately 90 visitors/District employees in attendance.

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**1. Call to Order of Public Meeting – Closed Session Immediately Convened**

President Arredondo called the Public Session of the Board of Education to order at 5:30 p.m. and immediately adjourned to Closed Session pursuant to Government Code Sections 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, Acknowledgement of Visitors and Media, and Invocation**

President Arredondo adjourned the Closed Session at 7:03 p.m. and reconvened the Regular Meeting by calling the Public Session to order at 7:07 p.m. President Arredondo welcomed the visitors and asked Trustee Rodriguez to lead the flag salute. President Arredondo asked Pastor Tim Bergdahl of the Madera Avenue Bible Church to lead the invocation. President Arredondo asked Ms. Morgan to call the Roll of Trustees. President Arredondo explained the rules governing the Board meeting. The meeting was recorded on Audio File No. 13-2011/12.

**4. Closed Session Reportable Actions (Government Code Section 54957.1)**

Superintendent Balderas announced that in closed session, the Board took action to issue notices of release/non-reelection to temporary and/or probationary certificated employees pursuant to Education Code Sections 44954 and 44929.21, effective at the end of the 2011-2012 school year, and directed the Superintendent or designee to send out appropriate legal notices. The roll call vote was as follows:

Ayes: Trustees Cogdill, Garibay, Rodriguez, Seibert, Velarde-Garcia, Clerk Salvador  
and President Arredondo

Noes: None

Absent: None

Abstained: None

**MOTION NO. 137-2011/12  
RESOLUTION NO. 45-2011-12**

Superintendent Balderas announced that in closed session, the Board took action to issue a notice releasing and reassigning a Chief Academic Officer pursuant to Education Code section 44951 effective at the end of the 2011-2012 school year, and directed the Superintendent or designee to send out appropriate legal notice. The roll call vote was as follows:

**MOTION NO. 138-2011/12  
RESOLUTION NO. 46-2011/12**

**5. Adoption of Agenda – Motion No. 140-2011/12**

President Arredondo 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 Cogdill asked for Item 8A7 to be pulled for discussion.

Superintendent Balderas asked for Item 8B1 to be pulled for correction.

**It was moved by Clerk Salvador, seconded by Trustee Garibay, and unanimously carried to adopt the Agenda as amended.**

Ayes: Trustees Cogdill, Garibay, Rodriguez, Seibert, Velarde-Garcia, Clerk Salvador  
and President Arredondo

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Noes: None  
Absent: None  
Abstained: None

**6. Student Board Representative Report**

Azka Fayyaz Student Board Representative for Madera High School and Madera South High School Principal Sandon Schwartz subbing for Student Board Representative Cristal Rivera each presented highlights of activities at their respective school sites.

**7. Communications**

**7A. Public Hearing**

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

Seeing no one come forward, President Arredondo closed the Public Hearing.

**7B. Student and Staff Recognition**

- Madera Area Reading Council (MARC) Essay Contest Award Winners  
MARC President Vicky Hughes introduced the winning students.
- Madera FFA program update and donation presentation  
Robert Chavez introduced Sheryl Sisil and the FFA Ag students who provided PowerPoint presentations.

**8. Approval of Consent Agenda – Motion No. 140-142-2011/12**

Document Numbers 229-2011/12 through 237-2011/12

Resolution Numbers 41-2011/12 through 42-2011/12

Commercial Warrants, Exhibit A

Staffing Changes, Exhibit B

Field Trip/Employee Conference Requests, Exhibit C

President Arredondo opened the floor for visitors to speak on a Consent Agenda item.

Seeing no one come forward, President Arredondo closed public comment.

**It was moved by Trustee Seibert, seconded by Clerk Salvador, and unanimously carried to approve the Consent Agenda as amended.**

Ayes: Trustees Cogdill, Garibay, Rodriguez, Seibert, Velarde-Garcia, Clerk Salvador and President Arredondo  
Noes: None  
Absent: None  
Abstained: None

**8A. Routine Business Transactions, Annual Renewal of Programs, Bids, Agreements, Notices of Public Hearings, and Proclamations:**

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**8A1.** Approval of Regular Board Meeting Minutes of February 28, 2012

**8A2.** Adoption of Resolution #41-2011/12: Approval of the January 31, 2012 Budget and Expense Transfer Report.

Ayes: Trustees Cogdill, Garibay, Rodriguez, Seibert, Velarde-Garcia, Clerk Salvador and President Arredondo

Noes: None

Absent: None

Abstained: None

**RESOLUTION NO. 41-2011/12**

**8A3.** Adoption of Resolution #42-2011/12: for Participation in California School Cash Reserve Program

Ayes: Trustees Cogdill, Garibay, Rodriguez, Seibert, Velarde-Garcia, Clerk Salvador and President Arredondo

Noes: None

Absent: None

Abstained: None

**RESOLUTION NO. 42-2011/12**

**8A4.** Approval for Madera FFA to apply for the Food for America grant  
**DOCUMENT NO. 229-2011/12**

**8A5.** Approval to accept the following donations: \$50,000 donated by the Madera County Ag Boosters to the Madera South High School Ag Department; a locking safe valued at \$850 donated by Maria Taylor to MHS; and cash donations to the MHS Robotics Team as follows: David L Rich DMD -\$500, Elite I Home and Auto Insurance, \$50; David Berry \$150; Madera Management Co -\$250; Span Construction - \$100; Gary Svanda - \$100; Anonymous Donor - \$300; Susan Morgan - \$100; Chowchilla Women's State Prison - \$1000; Monty Schultz CPA - \$100; Soroptomist International of Madera - \$100; Madera Rotary Foundation \$500  
**DOCUMENT NO. 230-2011/12**

**8A6.** Approval of Amendment No. 2 to the Agreement between the City of Madera and Madera Unified School District for Maintenance of a CNG Fueling System  
**DOCUMENT NO. 231-2011/12**

**8A7.** Approval of GASB 45 Actuarial Valuation of the District's Retiree Health Insurance Program as of July 1, 2011.

Trustee Cogdill asked for an explanation of this item which was provided by Associate Superintendent Porterfield.

President Arredondo opened the floor to public comment on this item. Seeing no one come forward, President Arredondo closed public comment and called for a motion.

**It was moved by Clerk Salvador, seconded by Trustee Garibay, and unanimously carried to approve the GASB 45 Actuarial Valuation of the District's Retiree Health Insurance Program as of July 1, 2011**

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Ayes: Trustees Cogdill, Garibay, Rodriguez, Seibert, Velarde-Garcia, Clerk Salvador and President Arredondo  
Noes: None  
Absent: None  
Abstained: None

**MOTION NO. 141-2011/12  
DOCUMENT NO. 232-2011/12**

**8A8.** Approval of 2011-12 Second Interim Reports for Sherman Thomas Charter, Sherman Thomas Charter High, and Ezequiel Tafoya Alvarado Academy  
**DOCUMENT NO. 233-2011/12**

**8A9.** Approval of the January 31, 2012 Financial Report **DOCUMENT NO. 234-2011/12**

**8A10.** Approval of the January 31, 2012 Student Body Statement of Club Trust Accounts **DOCUMENT NO. 235-2011/12**

**8B. Human Resources Items**

**8B1.** Approval of Staffing Changes and Coaches

Superintendent Balderas advised that Item 1 under Classified Leaves of Absence, Sandra Gonzalez, should be removed from this list.

President Arredondo opened the floor to public comment on this item. Seeing no one come forward, President Arredondo closed public comment and called for a motion.

**It was moved by Trustee Seibert seconded by Trustee Velarde-Garcia, and unanimously carried to approve the Staffing Changes and Coaches as amended.**

Ayes: Trustees Cogdill, Garibay, Rodriguez, Seibert, Velarde-Garcia, Clerk Salvador and President Arredondo  
Noes: None  
Absent: None  
Abstained: None

**MOTION NO. 142-2011/12  
DOCUMENT NO. 236-2011/12**

**8C. Field Trip/Employee Conference Requests**

**8C1.** Approval of Field Trip/Employee Conference Requests  
**DOCUMENT NO. 237-2011/12**

**9. Old Business**

**9A.** Adoption of Amended Resolution No. 39-A-2011/2012 Regarding the Reduction or Discontinuance of Particular Kinds of Service (Certificated Layoff)

Superintendent Balderas introduced Mike Lennemann, Director of Human Resources who provided background information on this item.

President Arredondo then opened the floor for public comment.

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- Kathy Horn, MUTA President; commented on the layoff process and affects
- Bill Coate, Madera Tribune; comments concerned a change in the number of reductions

Seeing no others come forward, President Arredondo asked Mr. Balderas and Mr. Lennemann to explain the discrepancy between the Resolution that was sent out in the board packet and the Resolution presented this evening.

Following board questions and comments President Arredondo called for a motion.

**It was moved by Trustee Seibert, seconded by Trustee Rodriguez, and carried by majority adopt Amended Resolution No. 39-A-2011/12 Regarding the Reduction or Discontinuance of Particular Kinds of Service (Certificated Layoff)**

Ayes: Trustees Garibay, Rodriguez, Seibert, Velarde-Garcia, Clerk Salvador and President Arredondo

Noes: Trustee Cogdill

Absent: None

Abstained: None

**MOTION NO. 143-2011/12  
RESOLUTION 39-A-2011/12**

- 9B.** Reading and Request Approval of Revised Board Policy and Administrative Regulation 5116 (BP/AR 5116) - School Boundaries and Attendance Options

Superintendent Balderas advised this was a second reading and recommended approval.

Following Board questions and comments, President Arredondo opened the floor to public comment.

- Amanda Vela, MUSD employee; commented on the enrollment process
- Sylvia Mulherin, MUSD employee; commented on the enrollment process

Seeing no others come forward, President Arredondo moved the discussion back to the Board.

Following additional questions and comments from the Board regarding the requirement for documents to be notarized, Superintendent Balderas responded that he will work with staff on a revision and bring it back to the Board for approval.

**It was moved by Trustee Cogdill and seconded by Clerk Salvador to TABLE Revised BP/AR 5116 – School Boundaries and Attendance Options.**

Ayes: Trustees Cogdill and Clerk Salvador

Noes: Trustees Garibay Rodriguez, Seibert, Velarde-Garcia, and President Arredondo

Absent: None

Abstained: None

**MOTION NO. 144-2011/12  
MOTION FAILED**

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Following further discussion by the Board and clarification that the proof of residency procedure and notarizing of documents requirements were not covered in the Board Policy under consideration this evening, President Arredondo called for a motion.

**It was moved by Trustee Rodriguez, seconded by Trustee Velarde-Garcia, and unanimously carried to approve Revised BP/AR 5116 – School Boundaries and Attendance Options.**

Ayes: Trustees Cogdill, Garibay, Rodriguez, Seibert, Velarde-Garcia, Clerk Salvador and President Arredondo

Noes: None

Absent: None

Abstained: None

MOTION NO. 145-2011/12  
DOCUMENT NO. 238-2011/12

**10. New Business**

**7:30 PM Public Hearing**

**Madera Unified Teachers Association (MUTA) Initial Negotiation Proposal to Madera Unified School District for the 2012-2013 School Year**

President Arredondo opened the Public Hearing at 8:51 p.m.

Seeing no one come forward, President Arredondo closed the Public Hearing at 8:52 p.m.

**10A. Adoption of Resolution No. 43-2011/12 Regarding Classified Layoff/Reduction**

Superintendent Balderas provided background information on this item.

President Arredondo opened the floor to public comment:

- Amanda Vela, MUSD employee commented on the item.

Seeing no others come forward, President Arredondo closed public comment and moved the item back to the Board for questions and comments after which he called for a motion.

**It was moved by Clerk Salvador, seconded by Trustee Velarde-Garcia, and unanimously carried to adopt Resolution No. 43-2011/12 Regarding Classified Layoff/Reduction**

Ayes: Trustees Cogdill, Garibay, Rodriguez, Seibert, Velarde-Garcia, Clerk Salvador and President Arredondo

Noes: None

Absent: None

Abstained: None

MOTION NO. 146-2011/12  
RESOLUTION NO. 43-2011/12

**10B. Certification of the 2011-12 Second Interim Report**

Superintendent Balderas introduced this item and then turned it over to Teri Bradshaw, Director of Fiscal Services and Kelly Porterfield, Associate Superintendent for Business and Operations who presented a PowerPoint overview.

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Following the presentation, President Arredondo opened the floor to public comment. The following commented on the report:

- John Seybold, 116 Gable way, 1<sup>st</sup> Vice President of MUTA
- Kathy Horn, MUTA

Seeing no others come forward, President Arredondo closed public comment and moved the item back to the Board for questions and comments after which he called for a motion.

**It was moved by Trustee Seibert, seconded by Trustee Rodriguez, and unanimously carried to certify the 2011-12 Second Interim Report**

Ayes: Trustees Cogdill, Garibay, Rodriguez, Seibert, Velarde-Garcia, Clerk Salvador and President Arredondo

Noes: None

Absent: None

Abstained: None

**MOTION NO. 147-2011/12  
DOCUMENT NO. 239-2011/12**

**10C.** 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: 301575, 301487, 402390, 7807, 303128, 203148, 987083, 16527, 997190, 8569, 402194, 200264, H-2011/12, 1002088, 501549, 17462 and 996187

President Arredondo explained that Trustee Velarde-Garcia must recuse herself due to a conflict of interest.

President Arredondo opened the floor to public comment:

- Kathy Horn, MUTA President; requested the Board hold an interactive workshop on suspensions/expulsions where the public is allowed to address the Board.

Seeing no others come forward, President Arredondo closed public comment and called for a motion.

**It was moved by Trustee Seibert and seconded by Clerk Salvador and carried by majority to adopt the findings, conclusions and recommendations as outlined above.**

Ayes: Trustees Cogdill, Garibay Rodriguez, Seibert, Clerk Salvador and President Arredondo

Noes: None

Absent: None

Abstained: None

Recused: Trustee Velarde-Garcia

**MOTION NO. 148-2011/12  
CONFIDENTIAL DOCUMENT NO. 240-2011/12**



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**10D.** Approval of Commercial Warrant Listing

President Arredondo opened the floor to public comment on this item. Seeing no one come forward, President Arredondo closed public comment and called for a motion.

**It was moved by Trustee Garibay, seconded by Trustee Velarde-Garcia, and unanimously carried to approve the Commercial Warrant Listing.**

Ayes: Trustees Cogdill, Garibay, Rodriguez, Seibert, Velarde-Garcia, Clerk Salvador and President Arredondo

Noes: None

Absent: None

Abstained: None

Recused: None

**MOTION NO. 149-2011/12  
DOCUMENT NO. 241-2011/12**

**10E.** Discussion of Budget Advisory Committee

Superintendent Balderas introduced this item and provided background information.

President Arredondo opened the item for public comment:

- Amanda Vela: commented on the change and process for forming the committee

Seeing no others come forward, President Arredondo closed public comment and brought the item back to the Board for discussion.

Following discussion by the Board, Trustee Cogdill made a motion that was seconded by Clerk Salvador for purposes of discussion. Following additional discussion, President Arredondo called for the vote.

**It was moved by Trustee Cogdill, seconded by Clerk Salvador and carried by majority that the seven (7) community members are to be chosen from within each Trustee's area by the Trustee representing that area.**

Ayes: Trustees Cogdill, Garibay, Velarde-Garcia, Clerk Salvador

Noes: Trustees Rodriguez, Seibert and President Arredondo

Absent: None

Abstained: None

Recused: None

**MOTION NO. 150-2011/12**

Point of order from the floor that the vote was taken prior to public comment.

President Arredondo opened the item for public comment:

- Kathy Horn, MUTA President; commented on the discussion.
- Amanda Wade, 2323 Trevor Way, Madera; commented on the discussion

Seeing no other come forward, President Arredondo closed public comment and brought the item back to the Board.

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**It was moved by Clerk Salvador, seconded by Trustee Cogdill and carried by majority to rescind the earlier vote as it was taken out of order.**

Ayes: Trustees Cogdill, Garibay, Seibert, Velarde-Garcia, Clerk Salvador and  
President Arredondo  
Noes: Trustee Rodriguez  
Absent: None  
Abstained: None  
Recused: None

MOTION NO. 151-2011/12

President Arredondo then called for a motion regarding the Budget Advisory Committee.

**It was moved by Trustee Cogdill and seconded by Trustee Velarde-Garcia to approve the Budget Advisory Committee as presented with the additional requirement that the seven (7) community members are to be chosen from within each Trustee's area by the Trustee representing that area for equalization in the community**

Point of order from the floor that the earlier motion to rescind must be made by a Trustee who voted no on the motion being rescinded.

**It was moved by Trustee Seibert, seconded by Trustee Rodriguez and unanimously approved to rescind the earlier vote as it was taken out of order.**

Ayes: Trustees Cogdill, Garibay, Rodriguez, Seibert, Velarde-Garcia, Clerk Salvador and  
President Arredondo  
Noes: None  
Absent: None  
Abstained: None  
Recused: None

MOTION NO. 151-2011/12

President Arredondo called for a motion regarding the Budget Advisory Committee.

**It was moved by Trustee Cogdill, seconded by Trustee Velarde-Garcia and carried by majority to approve the Budget Advisory Committee as presented with the additional requirement that the seven (7) community members are to be chosen from within each Trustee's area by the Trustee representing that area for equalization in the community.**

Ayes: Trustees Cogdill, Garibay, Rodriguez, Seibert, Velarde-Garcia, Clerk Salvador and  
President Arredondo  
Noes: Trustees Rodriguez, Seibert and President Arredondo  
Absent: None  
Abstained: None  
Recused: None

MOTION NO. 152-2011/12  
DOCUMENT NO. 242-2011/12

**11. Information and Reports**

**11A. Educational Services Report**

- Common Core Update  
Janet Grossnicklaus presented Mathematics

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**11C. Superintendent's Time**

○ Meeting Protocols

Superintendent Balderas reviewed the items he was suggesting be used at future Board meeting to provide information and clarification to those in attendance. Mr. Balderas asked Board members to contact him with any questions they might have.

**12. Announcements**

Trustee Cogdill commented on the American Indians recognition in November and asked for this item to be brought to the Board for a vote. President Arredondo asked Trustee Cogdill to provide more information on this item.

President Arredondo made the following announcements:

- There is a Superintendent's Listening Session scheduled for tomorrow evening, March 14<sup>th</sup> in the gym at Desmond Middle School
- Madera High School and Madera South High School are hosting the Third Annual College Awareness Conference on Saturday, March 17<sup>th</sup> from 8:00 am to 2:00 pm at the Madera South High School East Gym
- The Madera South Theatre Company will be presenting Seussical The Musical starting March 22<sup>nd</sup> – tickets are on sale now

**13. Miscellaneous**

Trustee Velarde-Garcia asked if the Classified Reduction/Layoff Resolution could be revised to read Classified Management Reduction/Layoff. Superintendent Balderas stated that he would bring back information to the Board on this question.

Trustee Cogdill stated that he would like for himself, Trustee Rodriguez, Child Nutrition Director Sandra Perez, MUTA President Kathy Horn, CSEA President Danna Petty and HR Director Mike Lennemann to form a committee on Nutrition. President Arredondo stated that this request would fall under Suggested Future Agenda Items below.

**14. Advanced Planning**

President Arredondo made the following announcements:

**Next Regular Board Meeting**

**Tuesday, March 27, 2012 at 7:00 p.m.**

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

**15. Suggested Future Agenda Items**

President Arredondo brought forward Trustee Cogdill's request to formalize a committee to address concerns related to nutrition. Superintendent Balderas commented that Kelly Porterfield has a small committee that he has been working with. Mr. Porterfield is also working on recommendations for improvement. Trustee Rodriguez asked that he and Trustee Cogdill be included in that committee.

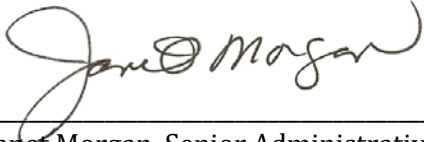
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President Arredondo asked for a discussion on the enrollment process and possible modification of the current process.

President Arredondo also asked Superintendent Balderas to set up a Special Education interactive meeting with the public. Superintendent Balderas will confer with staff and come back with a recommendation.

**16. Adjournment - Motion No. 153-2011/12**

President Arredondo adjourned the Public Session at 10:35 p.m.



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Janet Morgan, Senior Administrative Assistant  
to the Superintendent and Board of Trustees

Dated: March 13, 2012