

**MINUTE RECORD of Madera Unified School District Board of Education  
REGULAR BOARD MEETING HELD ON THE 19<sup>TH</sup> DAY OF JULY, 2011**

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, July 19, 2011**, at 5:30 p.m.

**ROLL CALL**

Robert E. Garibay, President  
Ricardo Arredondo, Clerk

Lynn Cogdill, Trustee  
Jose Rodriguez, Trustee  
Michael Salvador, Trustee  
Ray G. Seibert, Trustee  
Maria Velarde-Garcia, Trustee

Gustavo Balderas, Superintendent  
Kelly Porterfield, Associate Superintendent, Business and Operations  
Teri Bradshaw, Director, Fiscal Services  
Mike Lennemann, Director, Human Resources  
Robert Chavez, Chief Academic Officer  
Janet Morgan, Senior Administrative Assistant

Absent: Deborah A. Wood, Associate Superintendent, Educational Services  
Jake Bragonier, Public Information Officer

Hilda Garnica, Interpreter  
Brett Moglia, Security Supervisor  
Janet Grossnicklaus, Director, Curriculum, Instruction and Assessment  
Marisa DiMauro, Director, Categorical Programs  
Alma DeLuna, Director, English Learners  
Jesus Navarro, Vice Principal, Martin Luther King  
Sandra Perez, Director, Child Nutrition  
Sara Arthurs, Facilities Planning Analyst, Facilities Planning and Construction Management  
Dana Eckman, Director, Child Development Programs  
Lupe Rodriguez, Director, Maintenance & Operations

There were approximately 45 visitors/District employees in attendance.

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

President Garibay 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**

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**3. Pledge of Allegiance, Opening, Acknowledgement of Visitors and Media, and Invocation**

President Garibay adjourned the Closed Session at 6:55 p.m. and reconvened the Regular Meeting by calling the Public Session to order at 7:05 p.m. President Garibay welcomed the visitors and asked Trustee Seibert to lead the flag salute. President Garibay asked Pastor David Votaw of Harvest Community Church to lead the invocation. President Garibay explained the rules governing the Board meeting. The meeting was recorded on Audio File No. 01 -2011/12.

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

Superintendent Balderas announced there were no reportable Closed Session actions.

**5. Adoption of Agenda – Motion No. 01-2011/12**

President Garibay 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.

President Garibay announced the following:

- Item 7A12 will be pulled for a separate vote
- Item 7A13 will be removed from the agenda
- Item 7A20 will be pulled for a separate vote
- Item 7A26 will be pulled for a separate vote
- Item 7B1; Certificated Employment line item #26 will be removed from the agenda
- Item 7A22 will be pulled for a separate vote

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

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

**6. Communications**

**6A. Public Hearing**

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

- Dana Petty, CSEA Vice President; stated she was confused about use of the van requested at the last board meeting and wondered why it wasn't on the agenda; she re-stated the request for the use of the van and provided Board Policy regarding district-owned vehicle use; Ms. Petty stated she feels the CSEA conference does qualify as a school related use.
- Gloria Brown, 190 Riverpoint Drive, Madera, of NAACP; thanked the board for their consideration in allowing students to attend ACT SO even though students were not sent because of their decision not to participate this year; talked about the NAACP Adopt-A-School

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intervention program. The purpose is to make sure that disadvantaged students meet the state academic performance standards. They will monitor, watch and meet with school officials to make sure that minority students are represented and receive the same, equal education as everyone else. They were asked to pick one school and they chose MLK. They now see that there are at least 9 Madera schools in program improvement so they will be watching the whole program and asking questions and requesting information to take back to the NAACP state and national boards; Mrs. Brown stated they recently heard of a Madera Unified elementary student who was socially promoted from 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> grade and is now ready for junior high school and is totally unprepared because he cannot read or write.

- Yolanda Williams; Millview teacher; addressed the Language Star program (removed from the agenda at the start of the meeting); addressed the fact that teachers were let go and was surprised the district was even considering funding Language Star.

**7. Approval of Consent Agenda – Motion No. 02-2011/12**

Document Numbers 01-2011/12 through 23-2011/12

Resolution Numbers 01-2011/12 through 03-2011/12

Commercial Warrants, Exhibit A

Staffing Changes, Exhibit B

Field Trip/Employee Conference Requests, Exhibit C

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

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

Noes: None

Absent: None

Abstained: None

**7A. Routine Business Transactions, Annual Renewal of Programs, Bids, Agreements, Notices of Public Hearings, and Proclamations:**

**7A1.** Approval of Board Workshop Minutes of June 28, 2011

**7A2.** Approval of Regular Board Meeting Minutes of June 28, 2011

**7A3.** Adoption of Resolution # 02-2011/2012 that authorizes Deborah A. Wood to sign California Department of Education contract documents on behalf of Madera Unified School District for Fiscal Year 2011-12.

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

Noes: None

Absent: None

Abstained: None

RESOLUTION NO. 02-2011/12

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- 7A4.** Adoption of Resolution #03-2011/12 Authorized Signatures on Designated Madera Unified School District Accounts/Documents

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

Noes: None

Absent: None

Abstained: None

**RESOLUTION NO. 03-2011/12**

- 7A5.** Approval of contract between Madera Unified School District and California Department of Education Local Agreement for Child Development Services, Contract # CSPP-1281 for the fiscal year 2011-2012. **DOCUMENT NO. 01-2011/12**

- 7A6.** Approval of the individual Single Plan for Student Achievement (SPSA) for 21 schools for the 2011-2012 school year starting on July 1, 2011 and ending June 30, 2012. **DOCUMENT NO. 02-2011/12**

- 7A7.** Approval of the Carl Perkins Vocational and Technical Education Grant Application for Madera Unified School District high schools for the period of July 1, 2011 to June 30, 2012. **DOCUMENT NO. 03-2011/12**

- 7A8.** Approval of a Support Renewal Contract with Pearson software for each K-6 and K-8 school for the 2011-2012 school year starting on July 1, 2011 and ending June 30, 2012. **DOCUMENT NO. 04-2011/12**

- 7A9.** Approval to submit the annual Migrant Services Agreement with Merced County Office of Education for the 2011-2012 fiscal year. **DOCUMENT NO. 05-2011/12**

- 7A10.** Approval of agreement between the Regents of the University of California Merced and Madera Unified School District to provide a parent educational course series for the period of September 1, 2011 to June 30, 2012. **DOCUMENT NO. 06-2011/12**

- 7A11.** Approval of Consultant Services Agreement between Madera Unified School District and Ed Gwartney to implement the James Monroe Children's Museum Project at James Monroe Elementary School effective July 1, 2011 through June 30, 2012. **DOCUMENT NO. 07-2011/12**

- 7A12.** Approval of contract between Madera Unified School District and Lindamood-Bell Learning Processes. Lindamood-Bell Learning Processes is a research based company that will train, consult and build capacity for our Madera Unified teachers. The term of the contract is for 2011-2012 school year.

Marisa DiMauro responded to questions from the Board and the Superintendent regarding this item.

**It was moved by Trustee Salvador, seconded by Trustee Velarde-Garcia, and unanimously carried to approve the contract between Madera Unified School District and Lindamood-Bell Learning Processes.**

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

MOTION NO. 03-2011/12  
DOCUMENT NO. 08-2011/12

**7A13.** Approval of agreement between Clark Consulting and Training, Inc. and Madera Unified School District for the 2011-12 school year.

**Item Removed from Agenda**

**7A14.** Approval of Consultant Services Agreement between Madera Unified School District and Action Learning Systems, Inc. beginning July 19, 2011 and ending June 30, 2012.

DOCUMENT NO. 09-2011/12

**7A15.** Approval of Consultant Services Agreement between Madera Unified School District and DataWorks Educational Research beginning July 19, 2011 and ending June 30, 2012.

DOCUMENT NO. 10-2011/12

**7A16.** Approval of contract between Madera Unified School District and Creative Alternatives, Inc., Joseph Novack Academy for a Nonpublic School placement for 2011-2012 school year.

DOCUMENT NO. 11-2011/12

**7A17.** Approval of Food Service Agreement between Madera Unified School District and Sherman Thomas Charter School.

DOCUMENT NO. 12-2011/12

**7A18.** Approval of Bid Award for frozen and chilled meats; fruits and vegetables; bakery; general support grocery; non-food items; and processed commodity product.

DOCUMENT NO. 13-2011/12

**7A19.** Approval to Award Bid #070611, Walk-In Refrigerator at District Central Kitchen.

DOCUMENT NO. 14-2011/12

**7A20.** Approval to accept donations

Clerk Arredondo advised that he must recuse himself from voting on this item due to a conflict of interest.

**It was moved by Trustee Salvador, seconded by Trustee Rodriguez, and carried by majority to accept the donations to Madera Unified School District.**

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

MOTION NO. 04-2011/12  
DOCUMENT NO. 15-2011/12

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**7A21.** Approval of Change Order #9 for the Madera High School Aquatic Complex Project DOCUMENT NO. 16-2011/12

**7A22.** 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: 997575, 603760, 997198, 987586, 6828, 603130, 985537, 977096, 985177, 997014, 995465, 201821, 14548, 302025, 602163, 5440, 985227, 996334, 16622, 16623, 200731, 601522, 403294, N-2009/10, 5777, 997075, 5460, 603044, 17373, 997518, 2636, 17782, 17110, 16594 and 15849

Trustee Velarde-Garcia explained that she must recuse herself from voting on this item due to a conflict of interest.

Trustee Cogdill asked to see data regarding the GPA of students on the expulsion list. Trustee Cogdill would like to see this data spread over time. President Garibay will ask staff to look into this and prepare a report.

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

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

MOTION NO. 05-2011/12  
CONFIDENTIAL DOCUMENT NO. 17-2011/12

**7A23.** Approval of the May 31, 2011 Financial Report DOCUMENT NO. 18-2011/12

**7A24.** Approval of the May 31, 2011 Budget and Expense Transfer Reports (Resolution No. 01-2011/12)

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

DOCUMENT NO. 19-2011/12  
RESOLUTION NO. 01-2011/12

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**7A25.** Approval of the May 31, 2011 Student Body Statement of Club Trust Accounts  
DOCUMENT NO. 20-2011/12

**7A26.** Approval of Commercial Warrant Listing

President Garibay explained that he must recuse himself from voting on this item due to a conflict of interest. He then passed the gavel to Clerk Arredondo who called for the vote.

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

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

MOTION NO. 06-2011/12  
DOCUMENT NO. 21-2011/12

**7B. Human Resources Items**

**7B1.** Approval of Staffing Changes and Coaches  
DOCUMENT NO. 22-2011/12

**7C.** Approval of Field Trip/Employee Conference Requests  
DOCUMENT NO. 23-2011/12

Superintendent Balderas took this opportunity to introduce Julia Reese, newly appointed Chief Academic Officer for the Blue Pyramid and Paul van Loon, newly appointed Director of Special Services.

**8. Old Business**

None

**7:15 PM Public Hearing: District Initial Negotiation Proposal to California School Employees Association for 2011-2012**

**District Initial Negotiation Proposal to Certificated Management Bargaining Association for 2011-2012**

President Garibay opened the Public Hearing for the District's initial negotiation proposal to CSEA for 2011-2012 at 7:55 pm and seeing no one come forward President Garibay immediately closed the Public Hearing.

President Garibay opened the Public Hearing for the District's initial negotiation proposal to CMBA for 2011-12 at 7:56 pm and seeing no one come forward President Garibay immediately closed the Public Hearing.

**9. New Business**

**9A.** Approval of Adaptive Physical Education Waiver for the 2011/12 School Year

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Human Resources Director Mike Lennemann explained the request for this waiver and requested approval from the Board.

**It was moved by Trustee Velarde-Garcia, seconded by Trustee Salvador, and unanimously carried to approve the Adaptive Physical Education Waiver for the 2011/12 School Year.**

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

MOTION NO. 07-2011/12  
DOCUMENT NO. 24-2011/12

**9B. Approval of Valenzuela/CAHSEE Lawsuit Settlement Quarterly Report on Williams Uniform Complaints for April thru June 2011**

Mr. Lennemann reported that Madera Unified received no complaints during the April through June 2011 quarter.

**It was moved by Trustee Salvador, seconded by Trustee Velarde-Garcia, and unanimously carried to approve the Valenzuela/CAHSEE Lawsuit Settlement Quarterly Report on Williams Uniform Complaints for April thru June 2011.**

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

MOTION NO. 08-2011/12  
DOCUMENT NO. 25-2011/12

**10. Information and Reports**

**10A. Educational Services Report**

○ Using iPads as Instructional Tools (Kim Imrie)

Janet Grossnicklaus, Director of Curriculum, Instruction and Assessment introduced Instructional Technology Coordinator Kim Imrie and Desmond Middle School Teacher Anastasia Sosa who demonstrated how iPads are used in teaching math.

**10B. Business and Operations Update**

○ Summary of the Adopted State Budget

Associate Superintendent Kelly Porterfield presented a PowerPoint presentation and recap of this issue. The Board made comments and asked clarifying questions.

○ Redistricting Update

Mr. Porterfield provided an update on this issue. Madera Unified will move forward individually as a district rather than being included with Madera County. Our goal is to



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complete this by November and Madera County is going to take longer. "Drawing lines" goes through the same process we followed previously – there will be community input and our demographer advises us regarding what we can and cannot do in order to be in compliance with the law.

### **10 C. Human Resources**

#### **○ Benefits Report (Stella Moosios)**

Mr. Lennemann introduced Benefit Technician Stella Moosios who provided an overview of the district's employee health insurance program. Following her presentation Mrs. Moosios responded to clarifying questions from the Board.

#### **○ Madera Unified School District ("MUSD") Initial Negotiation Proposal to Madera Unified Teachers Association ("MUTA") for 2011-12**

Mr. Lennemann stated that the proposal will be available for viewing tomorrow morning at 8:00 a.m. in the office of Human Resources.

### **10D. Superintendent's Time**

meet Superintendent Balderas thanked the community members who took the time to with him last week and announced that he will be calendaring community meetings starting next month. PIO Jake Bragonier and Superintendent Balderas will be going out into the community to hold these meetings.

### **11. Announcements**

There were none this evening.

### **12. Miscellaneous**

Trustee Cogdill complimented staff for working with NAACP regarding the van request for students attending ACT SO and stated that he feels bad that we haven't helped out CSEA with a van for their conference.

### **13. Advanced Planning**

Superintendent Balderas announced that there will be a Board Governance Workshop on August 2, 2011 from 8:00 a.m. until noon. There will also be a Special Board informational workshop on August 3, 2011 from 8:00 am until 10:00 a.m.

President Garibay made the following announcement:

**Next Regular Board Meeting**

**Tuesday, August 9, 2011 at 7:00 p.m.**

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

### **14. Suggested Future Agenda Items**

Trustee Velarde-Garcia asked to revisit CSEA's proposed use of a district-owned van since they provided board policy and Ed. Code information to the Board.

Superintendent Balderas will review the information and provide that Board with a response by the end of the week.

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**15. Adjournment – Motion No. 09-2011/12**

President Garibay adjourned the Public Session at 9:25 p.m.



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

Dated: July 19, 2011