

**MINUTE RECORD of Madera Unified School District Board of Education  
REGULAR BOARD MEETING HELD ON THE 23<sup>RD</sup> DAY OF AUGUST, 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, August 23, 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

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  
Julia Reese, Chief Academic Officer  
Janet Morgan, Senior Administrative Assistant

Absent: Robert Chavez, Chief Academic Officer

Gladys Wilson, Interpreter  
Kent Albertson, Principal, Madera High School  
Rosalind Cox, Director, Facilities Planning and Construction Management  
Barbara Gonzalez, Director, Purchasing and Warehouse, Interim Director, Transportation  
Janet Grossnicklaus, Director, Curriculum, Instruction & Assessment  
Lupe Rodriguez, Director, Maintenance and Operations  
Marcus Sosa, Director, Student Services  
Paul van Loon, Director, Special Services  
Marisa DiMauro, Director, Categorical Programs  
Alma DeLuna, Director, English Learners  
Jesse Carrasco, Principal, Thomas Jefferson Middle School

Kathy Horn, MUTA President  
Andi Albertson, CSEA President

There were approximately 65 visitors/District employees in attendance.

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

**MINUTE RECORD of Madera Unified School District Board of Education  
REGULAR BOARD MEETING HELD ON THE 23<sup>RD</sup> DAY OF AUGUST, 2011**

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**

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

President Garibay adjourned the Closed Session at 6:58 p.m. and reconvened the Regular Meeting by calling the Public Session to order at 7:07 p.m. President Garibay welcomed the visitors and asked Clerk Arredondo to lead the flag salute. President Garibay asked Pastor Lacaze of Grace Community Church to lead the invocation. President Garibay explained the rules governing the Board meeting. The meeting was recorded on Audio File No. 03-2011/12.

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

Superintendent Balderas reported that in closed session, the Board took action to accept a retirement agreement regarding a certificated employee.

The roll call vote as 7 ayes, 0 nays and 0 abstentions

MOTION NO. 22-2011/12  
DOCUMENT NO. 50-2011/12

**5. Adoption of Agenda – Motion No. 23-2011/12**

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 asked for Item 8A14 and Item 8A15 to be pulled for a separate vote due to a conflict of interest.

Trustee Cogdill asked for Item 8A5 and Item 8A12 to be pulled for separate discussion and vote.

**It was moved by Trustee Salvador, seconded by Trustee Cogdill 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. Student Board Representative Report**

**MINUTE RECORD of Madera Unified School District Board of Education  
REGULAR BOARD MEETING HELD ON THE 23<sup>RD</sup> DAY OF AUGUST, 2011**

2011/12 Student Board Representatives Azka Fayyaz, Madera High School and Cristal Rivera, Madera South High School each introduced themselves and presented highlights of activities at their respective school sites.

**7. Communications**

**7A. Public Hearing**

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

- Tina Romero, 848 Royal Drive, 93637: representing a group of parents asked to be placed on the September 27<sup>th</sup> Board agenda regarding the SB48; they would like a cost presentation on this issue and to allow the public to comment; what are the district's plans are regarding implementing SB48; and how the district will provide separate but equal education for students who do not want to participate in lessons taught under SB48.
- Amy Roberts 2412 Judith Court; has 2 daughters in Madera schools and is concerned about the Family Life classes taught at intermediate level. Her daughter was approached by an instructor who explained oral sex to her child; the teacher also talked about anal sex and masturbation. Mrs. Roberts asked why parents were not informed about this and why is her daughter being told this by her teacher. President Garibay advised Mrs. Roberts that we will look into this situation.
- Kathy Horn, MUTA President – stated this year was a better start than in the past but there are still issues: class size issues; 40 in kinder at Dixieland; Washington has a 6<sup>th</sup> grade temporary teacher; knows we have a leveling period but feels it is skewed and students are taking DPAs right now; SPED is another issue – lack of classroom aides for those who are unable to help themselves; textbooks – sharing algebra books, concerned that books go home with junior high school students; said there aren't complete sets in the classrooms at all times; great start at the BBQ hopes all Board members can come next year.
- Gloria Brown, NAACP President; stated that the Board has failed our kids because of the lack of success of students (AYP scores); feels our classrooms are too crowded and they are destined to fail; expelled students are failing as well; with the TSA's and academic coaches wonders how many of these people were in the classroom last year.
- A MSHS student (no name given) introduced herself as the Commission of Academics at MSHS and asked the students with her to step up to the podium and state their problems. Students spoke about the various issues they are encountering with AP classes being dropped, periods shifted, number of classes being offered, etc. The following students spoke and asked that these changes not be made: Amy Puentes, Paula Ramirez, Natasha Trejo, and Jacqueline Tate.

President Garibay advised the young ladies that the Board will look into this. Clerk Arredondo complimented the students on their passion for education.

**MINUTE RECORD of Madera Unified School District Board of Education  
REGULAR BOARD MEETING HELD ON THE 23<sup>RD</sup> DAY OF AUGUST, 2011**

**7B. Student and Staff Recognition**

None tonight

**8. Approval of Consent Agenda – Motion No. 24-28-2011/12**

Document Numbers 51-2011/12 through 62-2011/12

Resolution Number 04-2011/12

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

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

**8A1.** Approval of Special Board Meeting Minutes of July 29, 2011

**8A2.** Approval of Special Board Workshop Minutes of August 3, 2011

**8A3.** Approval of Regular Board Meeting Minutes of August 9, 2011

**8A4.** Adoption of Resolution #4-2011/12 K-3 Class Size Reduction  
Operations Funding **RESOLUTION NO. 04-2011/12**

**8A5.** Approval to renew contract with Ezequiel Tafoya Alvarado Academy to supply one School Bus for the 2011-2012 school year

Trustee Cogdill asked for this item to be pulled and stated he was shocked to see that someone was spending \$2000 for a school bus and referred back to CSEA and Act So who were not allowed to rent a van. President Garibay explained that Madera Unified has oversight of ETAA. Kelly Porterfield responded that ETAA does provide the driver of the bus and added that this is a home to school transportation – these students live within Madera Unified's boundaries.

**It was moved by Trustee Cogdill, seconded by Trustee Salvador, and unanimously carried to approve the renewal of the contract with Ezequiel Tafoya Alvarado Academy to supply one School Bus for the 2011-2012 school year.**

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

**MINUTE RECORD of Madera Unified School District Board of Education  
REGULAR BOARD MEETING HELD ON THE 23<sup>RD</sup> DAY OF AUGUST, 2011**

Noes: None  
Absent: None  
Abstained: None

**MOTION NO.25-2011/12  
DOCUMENT NO. 51-2011/12**

**8A6.** Approval to accept San Joaquin Valley Unified Air Pollution Control District Grants # C-2458-B & C to purchase two CNG buses.  
**DOCUMENT NO. 52-2011/12**

**8A7.** Approval of Information Technology Services contract between Madera Unified School District and Madera County Superintendent of Schools  
**DOCUMENT NO. 53-2011/12**

**8A8.** Approval to upgrade and purchase new gas card reader system  
**DOCUMENT NO. 54-2011/12**

**8A9.** Approval of Consultant Service Agreement between Madera Unified School District and Cathy Funk, retired Certificated School Nurse, for the period August 24, 2011-March 1, 2012 to perform hearing and vision screening.  
**DOCUMENT NO. 55-2011/12**

**8A10.** Approval of Consultant Service Agreement between Madera Unified School District and Linda Tuttle, retired Certificated School Nurse, for the period August 24, 2011-March 1, 2012 to perform hearing and vision screening.  
**DOCUMENT NO. 56-2011/12**

**8A11.** Ratification of Contract for Services between Madera Unified School District (MUSD) – Cal-SAFE Program and Community Action Partnership of Madera County – Resource and Referral Program (Contractor) from August 15, 2011 through June 1, 2012.  
**DOCUMENT NO. 57-2011/12**

**8A12.** Approval of individual agreements between Madera Unified School District and forty three (43) approved Supplemental Educational Services Providers by the California Department of Education to provide tutoring services to Madera Unified Schools who are in Program Improvement status beginning on August 24, 2011 and ending June 30, 2012.

Trustee Cogdill explained that he asked for this item to be pulled for separate discussion in order to seek clarification of which students are eligible and how we get the word out about the program. Marisa DiMauro explained that letters are mailed home; students also carry letters home and we offer workshops at school sites with the vendors available for families to talk to. This is a Title I requirement. Requirements are for most needy (those available for free and reduced lunch) although, Mrs. DiMauro explained, that we have not turned away anyone who has applied. The District provides two open enrollment periods for families (one at beginning of the year and one at mid-year). Trustee Cogdill asked if we've done an interview with the newspaper to get the story out. Lynn asked what the grade-level cut off is. Mrs. DiMauro responded that we start with 3<sup>rd</sup> thru 12<sup>th</sup> grades with students who are classified as "far below basic" although we have been able to allow everyone who applied to participate.

**MINUTE RECORD of Madera Unified School District Board of Education  
REGULAR BOARD MEETING HELD ON THE 23<sup>RD</sup> DAY OF AUGUST, 2011**

Other Trustees asked clarifying questions about how the tutoring process is handled and how it is funded.

Kathy Horn commented on the cost and equated it to crowded classrooms, lack of support, etc. and stated that she would like to see a breakdown of how the Title 1 money is helping students.

**It was moved by Trustee Salvador, individual agreements between MUSD and forty-three approved Supplemental Educational Services Providers for tutoring services to Madera Unified schools who are in Program Improvement Status beginning August 24, 2011 and ending June 30, 2012.**

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

**MOTION NO.26-2011/12  
DOCUMENT NO. 58-2011/12**

**8A13.** Approval to enter into an agreement with University of California, Merced (UC Merced) to conduct data analysis and evaluation services at the request of Madera Unified School District starting on August 24, 2011 through June 30, 2012. **DOCUMENT NO. 59-2011/12**

**8A14.** The Governing Board is requested 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: 995320, 8987, 202744, 301293, 7573, X-2010/11, 15826, 17375, 201435, 202765, 401677, 17316, 5350 and 602705.

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

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

**MINUTE RECORD of Madera Unified School District Board of Education  
REGULAR BOARD MEETING HELD ON THE 23<sup>RD</sup> DAY OF AUGUST, 2011**

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

**MOTION NO. 27-2011/12  
DOCUMENT NO. 60-2011/12**

**8A15. 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. 28-2011/12  
DOCUMENT NO. 61-2011/12**

**8B. Human Resources Items**

**8B1. Approval of Staffing Changes and Coaches**      **DOCUMENT NO. 62-2011/12**

Following approval of the Staffing Changes, CAO Julia Reese introduced Jesse Carrasco, Principal of Thomas Jefferson Middle School who introduced Isabel Guzman as the new Vice Principal of Thomas Jefferson.

President Garibay also recognized retirees Laura Sandoval with 20 years of service and Joyce Klein-Cook with 45 years of service.

President Garibay then announced the new Vice Principal at Madison Elementary as Shannon Capshaw who will be introduced at the next meeting.

**9. Old Business**

**9 A. Approval to Award RFP #062011, for a District-Wide Solid Waste and Recycling Provider**

This item was introduced by Associate Superintendent Kelly Porterfield who provided a PowerPoint review. Following the presentation Mr. Porterfield stated that staff's recommendation remains the same as at the previous board meeting, to award the

**MINUTE RECORD of Madera Unified School District Board of Education  
REGULAR BOARD MEETING HELD ON THE 23<sup>RD</sup> DAY OF AUGUST, 2011**

RFP to Allied Waste. Mr. Porterfield added that this is acceptance of the RFP – staff would still need to negotiate the contract and bring it back for Board approval.

Trustees asked clarifying questions prior to President Garibay calling for a motion on this item.

**It was moved by Trustee Seibert, seconded by Trustee Rodriguez, and approved by majority to award RFP #062011 for a District-Wide Solid Waste and Recycling Provider**

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

**MOTION NO. 29-2011/12  
DOCUMENT NO. 63-2011/12**

**10. New Business**

**10A.** Approval to Award Solicitation # 061711, for a District-Wide Energy Conservation Services Program Audit

Kelly introduced and provided PowerPoint presentation. Mr. Porterfield explained that a Request for Qualifications was issued by the District for a District-Wide Energy Conservation

Services Program Provider. A panel analyzed and rated the qualifications and as a result of the process, staff is requesting approval to contract with Indoor Environmental Services. A maximum cost for audit without implementation of services is \$30,000, to be paid from general funds.

Members of the Board asked clarifying questions prior to President Garibay calling for a motion on this item.

**It was moved by Trustee Salvador, seconded by Trustee Velarde-Garcia, and unanimously carried to award Solicitation #061711 for a District-Wide Energy Conservation Services Program Audit**

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

**MOTION NO. 30-2011/12  
DOCUMENT NO. 64-2011/12**

**11. Information and Reports**

**11A. Educational Services Report**

•DIAP Accountability



**MINUTE RECORD of Madera Unified School District Board of Education  
REGULAR BOARD MEETING HELD ON THE 23<sup>RD</sup> DAY OF AUGUST, 2011**

The report scheduled for this evening was postponed.

**11B. Business and Operations Update**

- Adopted Budgets for Sherman Thomas and Ezequiel Tafoya Charter Schools  
Teri Bradshaw, Director of Fiscal Services provided an overview of this item.

- Review Quarterly Investment Portfolio Report Ending 6-30-11 for Madera County  
Treasurer-Tax Collector  
Teri Bradshaw, Director of Fiscal Services provided an overview of this item.

- 10-Year Facilities Plan  
Rosalind Cox, Director of Facilities Planning and Construction explained that this report is normally presented in January; one will be presented now and another in January after we receive the CBEDS numbers.

- Overview of Developer Fees  
Kelly Porterfield presented a PowerPoint presentation on this item which was followed by comments and discussion by members of the Board. Mr. Porterfield explained that this item will be brought back to the September 13<sup>th</sup> Board meeting as an action item.

**11C. Human Resources Report**

There was no report this evening.

**11D. Superintendent's time**

Superintendent Balderas thanked the Breakfast Lions club for providing equipment grilling for the "Welcome Back" BBQ held recently at the Madera South High School campus. Superintendent Balderas also thanked the Maintenance and Operations staff for helping to get schools up and running for the new year and complimented Educational Services for their hard work in presenting the District Charge, a 2-day in- service for principals and vice-principals prior to the start of the school year.

**12. Announcements**

Trustee Arredondo commented that he spoke with the Rod Diridon, Executive Director of Mineta Transportation Institute at San Jose State University until recently was a board member on the High Speed Rail Authority. Trustee Arredondo asked how we as a school district can prepare our student population for the HSR. The response was to promote STEM (Science/Technology/Engineering/Mathematics). Trustee Arredondo wondered if our district has taken advantage of any grants that would be available to help promote STEM. Associate Superintendent Deborah Wood indicated that we can share that information with the Board at a later date. It was also recommended to Trustee Arredondo that we as a district should become involved in mitigation to offset the cost of the environmental impact of the HSR project. Mr. Porterfield commented we might need to seek the advice of professional planners regarding mitigation.

**MINUTE RECORD of Madera Unified School District Board of Education  
REGULAR BOARD MEETING HELD ON THE 23<sup>RD</sup> DAY OF AUGUST, 2011**

**13. Miscellaneous**

Trustee Salvador advised that he will be out of the district for several days.

**14. Advanced Planning**

President Garibay made the following announcement:

**Next Regular Board Meeting**

**Tuesday, September 13, 2011 at 7:00 p.m.**

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

**15. Suggested Future Agenda Items**

Trustee Cogdill commented that the unions have been asking for 5 minutes at the podium equal to the two high schools and he would like to bring that up for a vote next week.

Trustee Cogdill also stated that he knows school teachers spend their own money on school supplies and wants a report on the reimbursement process for these teachers.

**16. Adjournment – Motion No. 31-2011/12**

President Garibay adjourned the Public Session at 9:50 p.m.



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

Dated: August 23, 2011