

**MINUTE RECORD of Madera Unified School District Board of Education
REGULAR BOARD MEETING HELD ON THE 15TH DAY OF NOVEMBER, 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, November 15, 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
Robert Chavez, Chief Academic Officer
Julia Reese, Chief Academic Officer
Janet Morgan, Senior Administrative Assistant

Gladys Wilson, Translator
Marcus Sosa, Director of Student Services
Marisa DiMauro, Director of Categorical Programs
Janet Grossnicklaus, Director of Curriculum, Instruction and Assessment
Paul van Loon, Director of Special Services
Brett Moglia, Security Supervisor
Lupe Rodriguez, Director of Maintenance and Operations
Rosalind Cox, Director of Facilities Construction and Management
Jeff Smith, Transportation Supervisor
Carl Garcia, Shop Supervisor
Sandra Perez, Director of Child Nutrition
Alma DeLuna, Director of English Learners
Barbara Gonzalez, Interim Director of Transportation, Director of Purchasing and Warehouse

Kathy Horn, MUTA President
Danna Petty, CSEA President

There were approximately 60 visitors/District employees in attendance.

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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

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 7:03 p.m. President Garibay welcomed the visitors and asked Trustee Seibert to lead the flag salute. President Garibay asked Pastor Eddie Gallegos of Good News Ministries to lead the invocation. President Garibay explained the rules governing the Board meeting. The meeting was recorded on Audio File No. 08-2011/12.

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. 68-2011/12

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 items 8A18 and 8A21 to be pulled for separate vote; and for Item 11A to be moved preceding Old Business.

Trustee Cogdill asked for item 8A16 to be pulled for separate discussion and vote.

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

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

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7. Communications

7A. Public Hearing

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

- Ron Montoya; 1828 Pierce Lane, Madera; talked about applying for after school program grant; said parents felt railroaded; felt parents weren't told this would be on the agenda; he invited Superintendent Balderas met with him and 40 parents regarding Club Yes; feels it is the staff that makes the program work;
- Juan Perez Lopez, 618 South D Street; spoke through interpreter about the after school program; spoke about the program helping kids with homework and the parents know where they are after school.
- Sylvia Cortez; got a letter saying the budget would be cut for Club Yes; feels it's important to help kids do their homework and keeps them from being out on the streets; feels the program has helped her son.
- Sandra Schaefer, 412 North B St., Madera; bringing an issue to the table – mental health; her son has an IEP; her concern is educating teachers more on mental health - teachers don't always follow his IEP; discussed her son's issues; concerned for other children as well; need consistency
- Chuck Ginsel; advocate for SPED throughout the valley; has sat in on many IEPs and talked about the rate of suspension for SPED students; suggested we look at the psychologists and/or the policy; SPED students are getting lost in large classrooms; talked about IDEA; wants to be part of the solution; a committee of parents has been put together and will meet again on December 15th and asked for the help of the district.
- Joey Rios; resident of madera; a parent with a son on an IEP; wants board members to step up and pay attention to what's going on; teachers are not informed; parents and students are depending the help of this board to make a change.

President Garibay thanked those who came forward to speak and asked department directors to contact these parents for a discussion.

7B. Student and Staff Recognition

- City of Madera/Allied Waste - \$1,000 donation

PIO Jake Bragonier introduced representatives from the City of Madera and Allied Waste who then presented a \$1,000 donation to Madera Unified in the name of General Builders Supply and Oldcastle Precast, Inc., in recognition of their recycling activities.

- Recognition of MUSD bus driver safety

Mr. Bragonier introduced Transportation Interim Director, Barbara Gonzalez, along with Jeff Smith, Transportation Supervisor and Carl Garcia, Shop Supervisor to present awards to nine district bus drivers for their years of service with no at-fault accidents. Honored were Jeanette Brady, Danna Petty,

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Robert Ward, Deborah Fuller, Pam Francher, Robin Pira, Sonia Bautista and
Renee Marshall

8. Approval of Consent Agenda – Motion No. 69-72-2011/12

Document Numbers 121-2011/12 through 141-2011/12

Resolution Numbers 14-2011/12 through 27-2011/12

Commercial Warrants, Exhibit A

Staffing Changes, Exhibit B

Field Trip/Employee Conference Requests, Exhibit C

**It was moved by Trustee Salvador, seconded by Trustee Cogdill, 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 Regular Board Meeting Minutes of October 25, 2011

8A2. Adoption of Resolution No. 25-2011/12: Approval of September 30, 2011
Budget and Expense Transfer Reports **RESOLUTION NO. 25-2011/12**

8A3. Adoption of Resolution No 27-2011/12 authorizing the submittal of an
application to the San Joaquin Valley Air Pollution Control District for a grant
for five vehicles of up to \$20,000 each, for a total of \$100,000.
RESOLUTION NO. 27-2011/12

8A4. Approval to contract with Butler Amusement, Inc. to provide services
for a carnival event at Madera High School **DOCUMENT NO. 121-2011/12**

8A5. Request approval to contract with Butler Amusement, Inc. to provide services
for a carnival event at Madera High School **DOCUMENT NO. 122-2011/12**

8A6. Ratification of Memorandum of Understanding between Madera County
Superintendent of Schools and Madera Unified School District for services
provided in support of the Educating Homeless Children and Youth Grant
(EHCY) beginning July 1, 2011 thru June 30 2012.
DOCUMENT NO. 123-2011/12

8A7. Approval for Madera Unified School District to apply for the Access to
Learning through Online Education grant offered through the Outreach and
Technical Assistance Network. As an agency receiving Workforce Investment
Act Title II funds Madera Adult School is eligible to apply.

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DOCUMENT NO. 124-2011/12

- 8A8.** Ratification of Memorandum of Understanding between Madera County Workforce Investment Board and Madera Unified School District, Madera Adult School with effective dates of July 1st, 2011 to June 30, 2014.

DOCUMENT NO. 125-2011/12

- 8A9.** Ratification of Individual Services Agreement between Madera Unified School District and Creative Alternatives, Inc., Joseph Novack Academy for a Nonpublic School placement with effective dates of October 24, 2011 through May 23, 2012.

DOCUMENT NO. 126-2011/12

- 8A10.** Approval for Madera South High School grades 9-12 athletic trips

DOCUMENT NO. 127-2011/12

- 8A11.** Approval of Contract for Services between Madera Community Action Partnership of Madera County and Madera Unified School District, Madera Adult School to provide Community Education classes to participants in the Shunammite Program with effective dates of November 15, 2011 through June 30, 2012.

DOCUMENT NO. 128-2011/12

- 8A12.** Approval for Madera Unified School District to submit the 2012-2013 Continued Funding Application to Child Development Division, California Department of Education.

DOCUMENT NO. 129-2011/12

- 8A13.** Approval of Memorandum of Understanding between Encourage Tomorrow Educational Program and Madera Unified School District. The contract is from December 1st, 2011 through May 10, 2012.

DOCUMENT NO. 130-2011/12

- 8A14.** Approval of Memorandum of Understanding between Madera Unified School District and Encourage Tomorrow Educational Programs to provide the Junior Biologist Program at Alpha Elementary from January 1st, 2012 through March 30th, 2012

DOCUMENT NO. 131-2011/12

- 8A15.** Approval to accept the following donations: \$30 from Gonzalez Trucking to Pershing Elementary School; \$100 from Joan Shimamoto to Pershing Elementary School; \$2700 from Tiny Acorn Community Development of Coarsegold to Madera Unified School District.

DOCUMENT NO. 132-2011/12

- 8A16.** Approval of Consultant Service Agreement between Madera Unified School District and Mary Vaughan to prepare all state and federal program documents in accordance with California Department of Education's 2011-2012 Federal Program Monitoring review guidelines for the period of November 16, 2011 through April 30, 2012.

Trustee Cogdill asked if this contract was for Mrs. Vaughan to work on the after school grant. Associate Superintendent Woods responded that it was not and explained the work on the 2011-12 state and federal program documents that would be done by Mrs. Vaughan. Trustees Seibert and Salvador asked additional clarifying questions prior to President Garibay calling for a motion.

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It was moved by Trustee Salvador, seconded by Trustee Velarde-Garcia, and unanimously carried to approve the Consultant Service Agreement between Madera Unified School District and Mary Vaughan.

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

**MOTION NO. 70-2011/12
DOCUMENT NO. 133-2011/12**

8A17. Approval of an Agreement for Legal Services between Kronick, Moskovitz, Tiedemann & Girard, A Professional Corporation ("KMTG") and Madera Unified School District ("Client") **DOCUMENT NO. 134-2011/12**

8A18. 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: 301979, 302532, 995945, 16011, 201725, 401375, 203111, 402492, 16294, 6966, 202744, 401512, 401511, 603816, 17463, 997603, 402817, 303003, 5766, 301706, 15483, 202824, 200355, 301301, B-2011/12, 997588 and 17228

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

Trustee Cogdill said that he learned at a meeting yesterday that 20% of the expulsions are African-American students and 12.7% are SPED students. Mr. Cogdill stated he would like a report on this.

It was moved by Trustee Salvador, seconded by Trustee Rodriguez, and carried by majority to accept 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. 71-2011/12
CONFIDENTIAL DOCUMENT NO. 135-2011/12**

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8A19. Approval of the September 30, 2011 Student Body Statement of Club Trust Accounts. **DOCUMENT NO. 136-2011/12**

8A20. Approval of the September 30, 2011 Financial Report **DOCUMENT NO. 137-2011/12**

8A21. 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.

Trustee Cogdill asked that since there were no charter bus expenses over the last 3 meetings if that means we have eliminated the use of charter busses. Mr. Porterfield explained this only means there were none charged during that period.

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, Velarde-Garcia, and Clerk Arredondo
Noes: None
Absent: None
Abstained: Trustee Seibert
Recused: President Garibay

**MOTION NO. 72-2011/12
DOCUMENT NO. 138-2011/12**

8B. Human Resources Items

8B1. Adoption of Resolution Nos. 14-24 2011/12 of Assignment of Teachers to Departmentalized Classes for the 2011/12 School Year **RESOLUTION NOS. 14-24-2011/12**

8B2. Adoption of Resolution No. 26-2011/12 of Assignment of Staff Developers to Specific Subject Areas for the 2011/12 School Year **RESOLUTION NO. 26-2011/12**

8B3. Approval of Staffing Changes and Coaches **DOCUMENT NO. 139-2011/12**

8B4. Approval of Classified Job Description: Paraprofessional Aide - Special Needs – Preschool **DOCUMENT NO. 140-2011/12**

8C. Approval of Field Trip/Employee Conference Requests **DOCUMENT NO. 141-2011/12**

ITEM 11 A WAS DISCUSSED HERE

9. Old Business

9A. Request Approval of Revised Agenda Item cover document

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Superintendent Balderas presented a recap of the reasons for revising the Agenda Item cover document and Trustee Salvador explained why he asked this to be brought forward.

It was moved by Trustee Velarde-Garcia, seconded by Trustee Salvador, and unanimously carried to approve the Revised Agenda Item cover document.

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

**MOTION NO. 73-2011/12
DOCUMENT NO. 142-2011/12**

10. New Business

- 10A.** Approval to proceed with Global Adoption of Madera Unified School District Board Policy and Administrative Regulations through the services of California School Boards Association (CSBA)

Superintendent Balderas explained the need to update Madera Unified's current Board Policy/Administrative Regulations and requested approval to utilize the Services of CSBA for this purpose. Our current contract with CSBA will cover the cost of this undertaking. Mr. Balderas further explained that the updated policies would be brought back to the December meeting requesting Global Adoption. Each Board member was provided a disk containing current BP/AR along with a second disk containing the proposed revised BP/AR for their review prior to the request for adoption.

**MOTION NO. 74-2011/12
DOCUMENT NO. 143-2011/12**

- 10B.** Discussion and board direction of energy retrofit savings project with Indoor Environmental Services (IES)

Kelly Porterfield and Chris Bristow of IES presented a PowerPoint overview of the three funding options for the Board to consider.

Following questions and discussion, the consensus of the Board was to recommend moving forward with Option #1.

Public Comment:

Sylvia Mulherin asked about the cost of disposing of LED vs fluorescent. Mr. Bristow responded that LED was not yet a viable option due to cost of the lighting and low performance of the available product.

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Kathy Horn asked about using some of the money we have on hand to do repairs on some of our older schools. Mr. Porterfield responded that we have hired School Facilities Consultants to find out which of our schools are available for modernization funds. This will be tied into our long range facilities master plan.

11. Information and Reports

11A. 2011 Williams Annual Report

Dianna Young Marsh, Director of Regional Leadership Services for the Madera County Office of Education was on hand to provide this report to the Board. Mrs. Marsh gave background on the Williams Settlement and explained how the visits were conducted within Madera Unified.

11B. Educational Services Report

Student Services, Security and Gang Intervention Report

Kelly Porterfield introduced Marcus Sosa, Director of Student Services along with Gang Intervention Specialist, Lawrence Fernandez and Security Supervisor, Brett Moglia who presented their report in tandem to the Board.

Members of the Board asked clarifying questions and discussed various aspects of this report.

11C. Business and Operations Update

Trigger Tracker

Due to the late hour, Kelly Porterfield commented that the Board has previously received a copy of the Trigger Tracker and asked that they contact him if they have questions.

Budget Committee Composition

Mr. Porterfield provided a list of committee members and asked each Board member to appoint a community member to this committee from their area of representation. We will delay this until after the realignment.

Mr. Porterfield announced that we have three community meetings scheduled to discuss realignment – one at each middle school. Trustee Cogdill asked for a 4th meeting at Parkwood. Mr. Porterfield will contact Doug Johnson of National Demographics and set up the 4th meeting.

11D. Superintendent's Time

Superintendent Balderas wished everyone a safe and happy Thanksgiving.

12. Announcements

President Garibay made the following announcements:

- On Friday, November 18th, the Trustees Essay Contest award winners and family members will enjoy dinner and a show at Roger Rocka's in Fresno.

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- There will be a Special Board Workshop on Thursday, December 8th here in the Board Room covering the Brown Act. It was noted that the Board will convene a closed session following a one-hour open meeting.
- We will hold community meetings to discuss redistricting on Monday, December 5th at 6:00 pm in the Thomas Jefferson gym; on Friday, December 9th at 6:00 pm in the Desmond Cafeteria; and on Monday, December 12th at 6:00 pm in the MLK cafeteria.

Reporter Bill Coate noted that the Madera Tribune is on the verge of publishing the student essays from the aforementioned contest.

13. Miscellaneous

Trustee Cogdill asked how a board member becomes a liaison to another group and stated that he wants to be assigned to the SPED committee as a board member. President Garibay asked Trustee Cogdill to provide the Board with details about the committee that is being formed.

14. Advanced Planning

President Garibay made the following announcement:

Next Regular Board Meeting and Annual Organizational Meeting

Tuesday, December 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 feels an important issue is nursing issues in our schools in regards to medications, first aid and CPR.

16. Adjournment – Motion No. 75-2011/12

President Garibay adjourned the Public Session at 10:37 p.m.



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

Dated: November 15, 2011