



September 28, 2011
REGULAR BOARD MEETING
ADOPTED MINUTES
CLOSED SESSION – 6:00 p.m. – 7:00 p.m.
PUBLIC SESSION – 7:00 p.m.
DISTRICT OFFICE
BOARDROOM
292 Green Valley Road
Watsonville, CA 95076

1.0 CLOSED SESSION OPENING CEREMONY IN OPEN SESSION – 6:00 P.M.

1.1 Call to Order

Acting president Keegan called the meeting of the Board to order at 6:05 pm at 292 Green Valley Road, Watsonville, CA.

1.2 Public comments on closed session agenda.

None.

2.0 CLOSED SESSION (AND AFTER REGULAR SESSION IF NECESSARY)

2.1 Public Employee Appointment/Employment, Government Code Section 54957

a. Certificated Employees

b. Classified Employees

New Hires – Probationary	
2	Health Services Assistant
1	Site Computer Support Technician
3	Instructional Assistant II
New Substitutes	
26	Substitutes
New Hires	
1	Coordinator – Child Development
2	Secondary Teachers
2	<i>Adult Education Teachers</i>
Promotions	
1	Office Assistant III
Rehires	
	None
Administrative Appointments	
	None
Transfers	
	None

Extra Pay Assignments	
12	Coaches
32	Department Chairs
3	Head Teachers
Extra Period Assignments	
3	Secondary Teachers
Leaves of Absence	
1	Account Specialist II
1	Inclusion Specialist
1	Secondary Teacher
1	Psychologist
Retirements	
	None
Resignations/Terminations	
1	<i>Adult Education Teacher</i>
Supplemental Service Agreements	
29	Language Testers
3	RTI
8	Secondary Teachers
12	Elementary Teachers
4	Technology Teacher
1	Education Services Teacher
Miscellaneous Actions	
1	Administrative Secretary II
1	Cafeteria Manager I
3	Campus Safety Coordinator
1	Community Services Liaison II
1	Cook/Baker
1	Groundskeeper II
2	Instructional Assistant I – Special Education
1	Lead Custodian II
2	Site Computer Support Technician
Separations From Service	
	None
Limited Term – Projects	
2	Behavior Technician

2	Campus Safety Coordinator
1	Data Entry Specialist
8	Enrichment Specialist
6	Health Services Assistant
7	Instructional Assistant – General Education
2	Instructional Assistant II – Special Education
1	Library Media Technician
1	Office Assistant II
8	Office Assistant III
1	Testing Specialist I
1	Testing Specialist II
Exempt	
16	Childcare
2	Crossing Guard
3	Safety Monitor
15	Student Helper
36	Yard Duty
Provisional	
1	Campus Safety Coordinator
1	Health Service Assistant
7	Instructional Assistant – General Education
1	Migrant Outreach Specialist
1	Office Assistant II
1	Office Assistant III
Limited Term - Substitute	
1	Behavior Technician
8	Cafeteria Assistant
2	Campus Safety Coordinator
4	Custodian I
1	Custodian II
1	Groundskeeper I
3	Instructional Assistant I – Special Education
4	Instructional Assistant II – Special Education
1	Instructional Assistant - Migrant Children Center

2.2 Public Employee Discipline/Dismissal/Release/Leaves

- 2.3 **Negotiations Update**
 - a. CSEA
 - b. PVFT
 - c. **Unrepresented Units: Management and Confidential**
 - d. **Substitutes – Communication Workers of America (CWA)**

2.4 **Claims for Damages**

2.5 **Pending Litigation**

2.6 **Anticipated Litigation**

2.7 **Real Property Negotiations**

2.8 **5 Expulsions**

3.0 **OPENING CEREMONY – MEETING OF THE BOARD IN PUBLIC - 7:00 P.M.**

Acting president Keegan called the meeting of the Board in public to order at 7:07 pm.

3.1 **Pledge of Allegiance**

Trustee De Serpa led the Board in the Pledge of Allegiance.

3.2 **Welcome by Board Acting President**

Trustees Leslie De Rose, Kim De Serpa, Sandra Nichols, Karen Osmundson, Jeff Ursino, and Acting President Doug Keegan were present. Trustee Yahiro was absent.

3.3 **Superintendent Comments**

Dorma Baker said “Rosh Hashana”, which translates into Happy New Year.

4.0 **APPROVAL OF THE AGENDA**

Acting president Keegan stated that he had received requests to move #12.4 (Collaboration between Salud Para la Gente and PVUSD) following 6.0, and 12.3 (Board Member Residency Matter: Trustee Area III) after 7.0. Trustee DeRose moved to approve the agenda with the recommended changes. Trustee Ursino seconded the motion. The motion passed 6/0/1 (Yahiro absent).

5.0 **APPROVAL OF MINUTES**

a) Correction to Item # 13.6 in the Adopted Minutes of August 24, 2011

Trustee Ursino moved to approve the corrected item on the adopted minutes of August 24, 2011.

Trustee De Serpa seconded the motion. The motion passed 5/0/1/1 (Yahiro absent; DeRose abstained).

b) Minutes for September 14, 2011

Trustee DeRose moved to approve the minutes for September 14, 2011. Trustee Ursino seconded the motion. The motion passed 6/0/1 (Yahiro absent).

At this point, acting president Keegan noted that given the issue regarding the residency in Trustee Area III, the recorded votes may need to be revised to note accurate number of trustees. The decision will be made after the presentation regarding this item.

6.0 **HIGH SCHOOL STUDENTS BOARD REPRESENTATIVES REPORT**

Mayra Gonzalez, Pajaro Valley High School representative, reported on the homecoming parade, other school events, activities and sports.

12.0 **REPORT AND DISCUSSION ITEMS**

12.4 **Report and Discussion on Collaboration between Salud Para la Gente and PVUSD.**

Report by Albert Roman, Assistant Superintendent, Human Resources.

Albert Roman introduced the item and introduced Dr. Douglas Metz to speak about the program.

Dr. Metz began the report speaking about the school-based clinics, where many students benefit from dental visits, physicals, immunizations, obesity screening, routine health exams, and acute illness consultations. The sites that now have the clinic are: Cesar Chavez, Starlight, Pajaro Middle, Mintie White, MacQuiddy, Freedom, HA Hyde, Pajaro Valley High, and Watsonville High. Dr. Metz noted that with the new law regarding whooping cough vaccination for students in grades 7 through 12, Salud has been offering this service as well. In addition, Salud is working on the Starlight Project, where students are screened for Body Mass Index (BMI). Dr. Metz offered data on dental, vision and BMI screening per site for many of the elementary, middle and high schools. In an effort to improve health concerns for students, Salud offers nutrition education through health education classes and at parent meetings, in addition to other venues. Salud also offers TB testing for PVUSD employees, which results in a cost savings measure for the district.

The Board participated with comments and questions and thanked Salud for their contribution.

Board President closes regular Board meeting and opens Public Hearing.

Acting president Keegan closed the regular meeting and opened the public hearing.

7.0 PUBLIC HEARING: REVIEW OF PRELIMINARY TRUSTEE AREA ANALYSIS REPORT AND TRUSTEE AREA REALIGNMENT PROCESS

7.1 Report by Brett McFadden, CBO

Brett McFadden introduced guests Michael Smith of Lozano Smith and Dean Waldfogel of DecisionInsite. Brett commented on the requirements for the redistricting process.

Mike Smith offered a brief historical background on trustee areas, stating that the district has three options for electing their trustees: pure at-large system; a hybrid system where there are trustee areas but trustees are elected at-large; and election by trustee area. The district went from at-large election to the current election by trustee area in 1992. Districts that use the trustee area election process are required to update their trustee area maps after each census. Once the maps are approved by the district, then the County Committee on Redistricting reviews and it is then given to the Department of Justice for their approval. The process by the district has to be completed by March 1, 2012. If the board fails to updated its boundaries by this date, then the County Committee will make the boundary determination. Mr. Smith gave a timeline for the entire process.

Dean Waldfogel of DecisionInsite commented on the demographic analysis of the trustee areas and the goal of the company to ensure that there is adequate population balance in each of the seven trustee areas; this is based on population not voting age. Mr. Waldfogel explained the process, which begins with the confirmation and the digitization of the district and trustee area boundaries. A population analysis is then conducted to ensure that there is an equitable distribution of population in each of the areas; the census of 2000 showed a population of 105,173; in 2010, the figure increased to 109,654. Data analysis is used to determine whether it's necessary for changes to be made in the trustee areas. Population in each are must be relatively equal. Mr. Waldfogel noted that the next steps would be to propose and review alternative trustee areas maps, to select the area maps, to submit the maps to the United States Department of Justice for approval, and finally to submit the maps to the Santa Cruz and Monterey Election offices.

Mr. Smith noted that the intent is for DecisionInsite to put together 2 or 3 options to bring to the board in October and to select one of the alternative maps in November.

7.2 Public comment

No public comment.

7.3 Board questions and comments

The Board participated with questions and comments.

Mr. Smith ended his remarks by noting that the entire process is transparent.

Board President closes Public Hearing and resumes Board meeting.

Acting president Keegan closed the public hearing and resumed the regular meeting of the Board.

12.0 REPORT AND DISCUSSION ITEMS (Continued)

12.3 Report and Discussion on Board Member Residency Matter: Trustee Area III.

Report by Brett McFadden, CBO.

Mr. Dean Waldfoegel of DesicionInsite presented the analysis started by noting that it was not the intent to uncover that the current residence of trustee representing TA III is outside the trustee area. The information was confirmed through various geocoding solutions. This was further confirmed by the Monterey County Assessor's office: the address of 995 San Miguel Canyon Road is outside of the trustee area boundary; this is the current address of trustee representing area III, Karen Osmundson, who has resided at that address since May of 2011. Maps of the Monterey County Voter Precinct boundaries corroborated this information: the address is outside the district trustee area.

Mr. Mike Smith said that the law regarding trustees is clear: the trustee has to be a resident of the district and live within the trustee area. Having confirmed this, the legal implication is that a vacancy is created if the trustee moves outside the boundaries of the district/trustee area. The board will then need to announce the vacancy and then the following options are available: if trustee Osmundson moves back, into the area, the Board could appoint her as the provisional trustee until the term is over; the vacancy must be opened to anyone who is interested and qualifies (lives within the trustee area and is over 18). If a provisional appointment is made, the board needs to publish another notice to ensure it is not contested. Given the information, Mr. Smith recommended that trustee Osmundson abstains from voting.

Trustee Osmundson explained the reason she had to leave her prior residence and her excitement to find a home to rent that seemed to be inside the boundaries because students at that house attend the PVUSD schools.

Public Comment

Mike and Cari Furtado, trustee Osmundson's landlords, expressed their surprise at this issue because their daughters attend the district and they confirmed that students in their home address would attend PVUSD schools.

Sylvia Previtali, community member, commented on trustee Osmundson's predecessor, whose residency issue had been brought up before. She noted that there are additional legal sources other than education law to resolve the issue. She spoke of the Attorney General's opinion in a residency problem involving a publicly elected official, which stated that acts of the individual must be taken into account as well when making the decision and that ambiguities in boundaries should be resolved in favor of elected official.

Jenn Laskin, teacher, spoke of the respect that trustee Osmundson has from the community, teachers, administrators and students. Her service to the district is very much appreciated.

Peter Nichols, teacher, spoke about trustee Osmundson's predecessor residency issue and how that was quickly resolved by the superintendent at the time.

Rhea DeHart, community member, commented that trustee Osmundson was assured she was well within the district when she moved. She said that further investigation with thought and caution is necessary.

Robin Butterworth, employee and resident in trustee Osmundson's area, stated that she has supported trustee Osmundson through her election process because Osmundson supports the district.

Board participated with comments including the presentation of attendance area maps that place the residence in question inside the trustee area boundaries.

Staff were directed to look into the process of moving the boundary line and to ensure with the tax assessor's office that no errors exist in the maps that place the residence outside of the trustee area. Mr. Mike Smith noted that, while moving a boundary line is a legal possibility, it is a very involved process.

It was recommended by Mike Smith and supported by acting president Keegan that voting for trustee in area III be provisional.

8.0 VISITOR NON-AGENDA ITEMS

Jack Carroll, teacher, asked for an explanation of the mystery money that appeared in the budget, a difference of \$20 million dollars in a 3 month period.

9.0 EMPLOYEE ORGANIZATIONS COMMENTS – PVFT, CSEA, PVAM, CWA 5 Min. Each

Francisco Rodriguez, PVFT president, expressed her support for Trustee Osmundson. He encouraged the board to give her the provisional appointment. Regarding the response to the Grand Jury report, he noted that the union was not included in the process.

Leticia Oropeza introduced Diana Martinez, Esther Morillo and Robin Butterworth who spoke of the need for support for Office Managers. Diana stated that the union had met with chief negotiator and staff felt belittled, disrespected, led to believe one thing and told another. The District's proposal did not include any of the board's recommendations. Robin Butterworth stated that while the district was budgeting for the worst case scenario it was able to save up a lot of money by reduction of classified employees.

10.0 CONSENT AGENDA

Trustee DeRose moved to approve the consent agenda. Trustee Ursino seconded the motion. The motion passed 6/0/1 (Yahiro absent).

10.1 Purchase Orders September 8 - 21, 2011.

10.2 Warrants September 8 - 21, 2011.

10.3 Approve CAHSEE Passage Waiver for Student #11-12-01, Math, Pajaro Valley High School.

10.4 Approve CAHSEE Passage Waiver for Student #11-12-02, Math, Watsonville High School.

10.5 Approve CAHSEE Passage Waiver for Student #11-12-03, English Language Arts, Pajaro Valley High School.

10.6 Approve CAHSEE Passage Waiver for Student #11-12-04, English Language Arts, Pajaro Valley High School.

10.7 Approve CAHSEE Passage Waiver for Student #11-12-05, Math, Pajaro Valley High School.

10.8 Approve CAHSEE Passage Waiver for Student #11-12-06, English Language Arts, Pajaro Valley High School.

- 10.9 Approve CAHSEE Passage Waiver for Student #11-12-07, English Language Arts, Pajaro Valley High School.
- 10.10 Approve CAHSEE Passage Waiver for Student #11-12-08, Math, Pajaro Valley High School.
- 10.11 Approve CAHSEE Passage Waiver for Student #11-12-09, English Language Arts, Pajaro Valley High School.
- 10.12 Approve CAHSEE Passage Waiver for Student #11-12-10, English Language Arts, Pajaro Valley High School.
- 10.13 Approve CAHSEE Passage Waiver for Student #11-12-11, Math, Renaissance High School.
- 10.14 Approve Migrant & Seasonal Head Start Annual Refunding Application: Goals and Objectives Update for Grant Year March 1, 2012 – February 28, 2013.
- 10.15 Approve Student Teaching Agreements for 2011-12.
- 10.16 Approve Pajaro Valley High School Spanish Travel Club trip to Spain, March/April 2012.

11.0 DEFERRED CONSENT ITEMS

None.

12.0 REPORT AND DISCUSSION ITEMS (Continued)

12.1 Report and Discussion on School Safety.

Report by Joe Trautwein, Director, Student Services.

Joe Trautwein presented on Student Services SMART goals: 1) to increase student attendance, and 2) to decrease suspension days. Regarding suspension, he noted that there has been a decline of about 2,000 days over the last three years, which means that students are spending more time in school. He explained to the Board that the suspension process is governed by Education Code 48911.

At this time, trustee DeRose moved to extend the meeting to 11:30 pm. Trustee De Serpa seconded the motion. The motion passed 6/0/1 (Yahiro absent).

Joe walked the Board through the expulsion process and discussed the alternatives for secondary school students who are expelled. Joe presented data on suspension, expulsions and suspended expulsions for all levels. In addition, Joe commented on the department's work with truancy and their efforts to reduce the number of truants. He finished his presentation stating that the charge of Student Services is to ensure students are given their due process.

Board participated with comments and questions.

Due to time restraints, item #12.5 was addressed next and action items would follow.

12.5 Report and Discussion on Announcement of Board Appointed Personnel Commissioner.

Report by Pam Shanks, Director, Classified Staff.

Albert Roman announced the name of Mary Ann Gomez as the Board's appointed Personnel Commissioner.

Trustee Osmundson left the meeting at 11:16 pm.

13.0 REPORT, DISCUSSION AND POSSIBLE ACTION ITEMS

13.1 Report, discussion and possible action to approve Resolution #11-12-06, Trustee Area Realignment Criteria for 2012.

Report by Brett McFadden, CBO.

Trustee Nichols moved to approve this resolution. Trustee De Serpa seconded the motion. The motion passed 5/0/2 (Yahiro, Osmundson absent).

13.2 Report, discussion and possible action on Board of Trustees Response to 2010 Grand Jury Report.

Report by Brett McFadden, CBO.

Brett McFadden noted that the report is the 90-day response on the findings and recommendations as pertained to the board. This report is due to the Grand Jury by October 1.

Trustee DeRose moved to approve this item. Trustee Nichols seconded the motion.

The board participated with comments.

The motion passed 5/0/2 (Yahiro, Osmundson absent).

13.3 Report, discussion and possible action on Salary Schedule for Associate Teacher.

Report by Albert Roman, Assistant Superintendent, Human Resources.

Albert Roman reported that the salary schedule had been approved by the union and it goes hand in hand with the current salary schedule. Approving it would allow the district to recruit for the positions.

Trustee Nichols moved to approve this item. Trustee DeRose seconded the motion. The motion passed 5/0/2 (Yahiro, Osmundson absent).

14.0 ACTION ON CLOSED SESSION

2.1 Public Employee Appointment/Employment, Government Code Section 54957

a. Certificated Employees

Trustee Nichols moved to approve the certificated employee report with the following changes: 1 Adult Education Teacher under Resignations and 2 Adult Education teachers under New Hires. Trustee DeRose seconded the motion. The motion passed 5/0/2 (Yahiro, Osmundson absent).

b. Classified Employees

Trustee Nichols moved to approve the classified employee report as presented. Trustee DeRose seconded the motion. The motion passed 5/0/2 (Yahiro, Osmundson absent).

2.8 5 Expulsions

Action on Expulsions

The following two expulsion cases were tabled for further clarification:

11-12-007

11-12-010

Trustee DeRose moved to approve the District Administration's recommendation for the following expulsion case:

11-12-011

Trustee Ursino seconded the motion. The motion passed 5/0/2 (Yahiro, Osmundson absent).

Trustee DeRose moved to approve the District Administration's recommendation for the following expulsion case:

11-12-014

Trustee Nichols seconded the motion. The motion passed 5/0/2 (Yahiro, Osmundson absent).

Trustee DeRose moved to approve the District Administration's recommendation for the following expulsion case:

11-12-015

Trustee Nichols seconded the motion. The motion passed 5/0/2 (Yahiro, Osmundson absent).

12.0 REPORT AND DISCUSSION ITEMS (Continued)

12.2 Report and Discussion on RFP Process for Selection on Health Benefits Consultant Update.

Report by Brett McFadden, CBO.

Brett McFadden reported on the status: the district initiated RFP process for health benefits consultant as the current contract expires November 1. Nine proposals were sent out and four were submitted; the district interviewed those four companies. Brett noted that PVFT and CSEA, as well as management, were represented through the interview process and they served in an advisory role. Currently, the district is in the process of checking references for the four companies. The committee will meet again to finalize details and present to the Board a recommendation in October. He noted that it is possible that due to other items that the district is currently working on the selection may be a little late but assured the board that if that were to be the case, the current consultant would continue to work with the district until a new contract is awarded.

15.0 GOVERNING BOARD COMMENTS/REPORTS

None

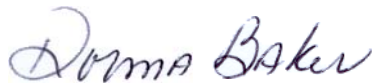
16.0 UPCOMING BOARD MEETINGS/REMAINING BOARD MEETINGS FOR 2011

All meetings, unless otherwise noted, take place at the District Office Boardroom, 292 Green Valley Road, Watsonville, CA. Closed Session begins at 6:00 pm; Open Session begins at 7:00 pm.

		Comment
October	<ul style="list-style-type: none">▪ 12▪ 26	
November	<ul style="list-style-type: none">▪ 16	<ul style="list-style-type: none">▪
December	<ul style="list-style-type: none">▪ 7 Annual Organization Mtg.	<ul style="list-style-type: none">▪ Approve 1st Interim Report

17.0 ADJOURNMENT

There being no further business to discuss, the meeting of the Board was adjourned at 11:26 pm.



Dorma Baker, Superintendent