

**DEL MAR UNION SCHOOL DISTRICT
BOARD OF TRUSTEES
Del Mar Hills Academy – Multi-Purpose Room
14085 Mango Drive
Del Mar, CA 92014**

**MINUTES OF SPECIAL BOARD MEETING
Monday, July 24, 2006
6:00 p.m.**

Members Present: Barbara Myers, President
Linda Crawford, Clerk
Annette Easton, Peggy Yamamoto
Janet Lamborghini

Staff: Tom Bishop, District Superintendent
Rodger Smith, Director of Facilities/Personnel
Dena Whittington, Director of Business
Jonathon Guertin, Student Information Data Mgmt. Coordinator

Other: Eric Dill, San Dieguito Union High School District
Steve Ma, San Dieguito Union High School District
Helen Kerrian, Retired Food Service Director
Frisco White, Westberg + White Architects
Glynna Hoekstra, Douglas E. Barnhart, Inc.
and community members: Laura DeMarco, Corinne Hackbart, Steven McDowell

BUSINESS TO BE TRANSACTED WILL BE LIMITED TO THE FOLLOWING:

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| 1. | <i>CALL TO ORDER</i> | Board President Barbara Myers called the meeting to order at 6:00 p.m. |
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| 2. | <i>Flag Salute</i> | Board Member, Peggy Yamamoto, led the audience in the Pledge of Allegiance. |
| | <i>2.1 Approval of the Agenda</i> | Board President Myers asked for approval of the Agenda. On a motion by Member <i>Lamborghini</i> seconded by Member <i>Crawford</i> the Board unanimously approved the Agenda. |
| | <i>2.2 Communications from the Public</i> | Board President Myers asked for speaker slips. |
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| 3. | <i>REPORTS,
RECOGNITIONS
AND HEARINGS</i> | There were no reports, recognitions or hearings. |
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| 4. | <i>APPROVAL OF
CONSENT ITEMS</i> | <i>Agenda items preceded by an asterisk (*) compose the Consent Agenda, and unless removed at the request of a board member, will be approved by the Board as a group.</i> |

Consent Items:

On motion by, Member *Yamamoto* seconded by Member *Lamborghini* the Board unanimously approved the Consent Item calendar as follows:

- *7.2 *Approval of a Contract Between the Del Mar Union School District and Geocon, Inc. for Geotechnical Observation and Testing Services for Ocean Air School not to exceed \$94,100.*
- *8.6 *Board Award and Approval of Agreement Between Roof Construction and the Del Mar Union School District for Roof Coating at Del Mar Heights School in the Amount of \$40,590.00*
- *8.7 *Board Approval of Lease Extension between Del Mar Union School District and Winston School*

5. CURRICULUM AND INSTRUCTION

There were no items for discussion.

6. ADMINISTRATION AND POLICY

6.1 *2nd Reading and Board Approval, 2006/2007 DMUSD Goals and Objectives*

Supt. Bishop thanked the Board for the time they spent reviewing and discussing the 2006/2007 Goals and Objectives. Supt. Bishop stated that by approving the 2006/2007 Goals and Objectives tonight, District staff will be able to communicate the 2006/2007 Goals and Objectives to the Principals, Directors, and the community in early August. Upon request by Member *Easton*, Supt. Bishop outlined the revisions as follows:

- Under Goal G, Objectives numbers 8 & 9 were added
- Under Goal F, Objective 1.2.1 was added

Member *Easton* expressed concern that Objective 7.2 under Goal B is too narrow and suggested that maybe it should be broadened. There was Board discussion and it was suggested that 7.2 come back to the Board in August as a Study Team rather than an Action Team. Member *Easton* asked to have “information” added to Objective 9 under Goal G, i.e. Public Relations/Information.

Member *Lamborghini* asked clarifying questions regarding Goal G, Objective 7, which were answered by Supt. Bishop. Supt. Bishop also stated that Board members are always welcomed to submit questions they would like considered for publication in the Parent Survey.

On motion by, Member *Lamborghini* seconded by Member *Crawford* the Board unanimously approved 2006/2007 DMUSD Goals and Objectives with the understanding that Objective 7,2 under Goal B will be amended and presented to the Board at the August 30, 2006 Board meeting.

6.2 *Board Approval, Change of Date of the September 2006 Board Meeting to Tuesday, September 26, 2006*

After Board discussion, the date of the Regular September Board meeting from Wednesday, September 27 to Tuesday, September 26, 2006 was further revised from Tuesday, September 26, 2006 to Monday, September 25, 2006.

On motion by, Member *Yamamoto* seconded by Member *Lamborghini* the Board unanimously approved to amend the September 26, 2006 date to September 25, 2006.

On motion by, Member *Yamamoto* seconded by Member *Crawford* the Board unanimously approved the change of date of the September 2006 Board meeting to Monday, September 25 2006

6.3 2nd Reading and Approval of Board Policy/Administrative Regulation 5030: Student Wellness

Supt. Bishop presented Board Policy/Administrative Regulations 5030: Student Wellness, for a 2nd reading.

The Board asked clarifying questions regarding fundraising activities that offer food items as rewards and meeting nutritional guidelines. The Board members felt our nutritional guidelines should be communicated to PTAs, staff, etc. to ensure that all events, rewards, etc. involving food items meet the nutritional requirements of the National School Lunch Program.

Member *Myers* stated that additional language regarding food items offered for rewards in fundraising events should be in the policy.

Supt. Bishop recommended that BP/AR 5030 be adopted as it stands and that language can be added at a later date which will reflect guidelines for PTA fundraising events, classroom parties, etc. Member *Easton* asked for clarification of the policy as it refers to activities during school hours.

Helen Kerrian, Retired Food Service Director/DMUSD Food Service Consultant, explained the Federal guidelines regarding food sales, parties, etc. for children. Ms. Kerrian stated that ALL food on campus should have these standards in place.

Member *Easton* proposed that under Administrative Regulations 5030; V. *Monitoring and Policy Review*; B. *Policy Review*, that “Assessments will be repeated every three years. . .” be revised to state “Assessments will be repeated every two years. . .”

On motion by, Member *Easton* seconded by Member *Lamborghini* the Board unanimously approved Board Policy/Administrative Regulation 5030: Student Wellness with assessments being amended from every three years to every two years.

7. **OPERATIONS AND FACILITIES**

7.1 *Approval of Award of Bids, Subject to Final Approval of Project Construction Plans by the Department of the State Architect, to the Lowest Responsible Bidder for Each of the Sixteen Trade*

Rodger Smith, Director of Facilities/Personnel reported that bids for sixteen different trade packages were solicited for the construction of Ocean Air School and the bids were opened on Wednesday, July 19, 2006. District staff is pleased to report that the total amount of the bids, approximately \$24 million, is within budgetary expectations for the project.

Packages for the Construction of Ocean Air School.

Rodger Smith recommended re-bidding three bid packages: Package 12, Package 14 and Package 16.

Subject to DSA approval and the re-bidding of three packages, Director of Facilities/Personnel, Rodger Smith, recommended approval of the bidding packages. Mr. Smith feels Ocean Air School can be built for \$25,000,000 and is confident that DMUSD has the funds available to build Ocean Air. Mr. Smith also stated that he feels there is sufficient time to begin construction to proceed with re-bidding Packages 12, 14 and 16.

Member *Easton* asked clarifying questions which were answered by Glynna Hoekstra of Douglas E. Barnhart, Inc. and Rodger Smith, Director of Facilities/Personnel.

On motion by Member *Crawford*, seconded by Member *Myers* the Board unanimously approved award of Bids, subject to final approval of Project Construction Plans by the Department of the State Architect, to the lowest responsible bidder for each of the sixteen trade packages for the construction of Ocean Air School *except for Pkgs. 9, 12, 14 & 16.*

8. BUSINESS AND FINANCE

8.1 *Approval of 2006/2007 Annual Vended Meal Agreement between Del Mar Union School District and San Dieguito High School District.*

Director of Business, Dena Whittington, reported that over the past few months, she has been working very closely with the California Department of Education, the San Diego County Office of Education, and the Department of Environmental Health in an effort to implement a nutritious Food Service Program for the DMUSD during 2006/2007. The goal while working with the various agencies was to ensure the students in the Del Mar Union School District (DMUSD) will receive quality, nutritious meals during the 2006-2007 school year. The meals will be prepared and served in accordance with all applicable health and safety requirements. The nutritional value will meet guidelines set forth by the National School Lunch Programs.

Ms. Whittington further explained that since the DMUSD does not have food preparation facilities, Ed Code will allow us to ask a surrounding school district to provide prepared meals for our students. After surveying neighboring districts and evaluating their capacity to provide packaged meals for our students, we have initiated a new food service collaboration with the San Dieguito Union High School District (SDUHSD). SDUHSD has developed a process to prepare and package nutritional meals for DMUSD students at the Carmel Valley Middle School kitchen. A SDUHSD staff nutritionist will plan meals and menus. The nutritional value of the 2006/2007 meals will meet the United States Department of Agriculture requirements and qualify for the National School Lunch Program funding.

Dena Whittington stated that the SDUHSD developed the attached Meal Agreement between the DMUSD and the SDUHSD with significant input from Helen Kerrian, the DMUSD nutritional

consultant. DMUSD legal counsel has also reviewed the agreement. The cost per meal to the DMUSD will be \$2.65 as ordered. The cost for a student meal is \$3.00. Revenue and expenditures for 2006/2007 meals will be recorded in the Cafeteria Fund, as required by Federal and State Law.

Member *Easton* asked clarifying questions. Ms. Whittington, stated that the method for ordering lunch will be very “parent friendly” and that we will receive a limited number of alternative meals for students who may have an occasional need to buy daily. Ms. Whittington further explained that the new program offers considerable flexibility for the parents. The parent needs only to order a week in advance, whereas in the past, they had to order for a two-month period.

Supt. Bishop reported that information on the new lunch program will start going out to the parents on the DMUSD website and in the 1st day packet going home to parents on August 28th. Member *Easton* asked clarifying questions about the breakeven point to cover costs of new equipment, personnel, etc. Ms. Whittington, referred Member *Easton* to the outline in the letter from CDE. Ms. Whittington further stated that menus will be based on those food items that are selling well to both students and parents. A 4-week cycle of lunches will be studied and adjustments made as needed.

Member *Myers* stated this is a one-year program and the District will study and assess the program to determine its success. Member *Myers* requested a mid-year assessment.

Supt. Bishop stated that the participation rate in similar food programs in middle schools is 50-60%.

Public Input:

Corrine Hackbart, 2195 7th Street, Del Mar, stated it was her belief that several PTA Presidents and some parents do not want to act on the proposed lunch program at this time. Ms. Hackbart asked if the proposed program is a one-year trial period and, if so, is it necessary to purchase trucks for a one-year period. Ms. Hackbart asked if a lunch program is a required service or could the

DMUSD return to students bringing a sack lunch. Ms. Hackbart asked for clarification on how the profits from the lunch program would be spent and wondered if they would be used to improve lunch service and/or improving the lunch areas.

Director of Business, Dena Whittington, stated that the DMUSD is determining if the best option for the District is to lease or purchase the truck. The Cafeteria Fund will fund the truck. Dena Whittington also stated that the California Department of Education will be watching the DMUSD lunch program closely and the District must implement a compliant lunch service program in 2006/2007.

Member *Crawford* stated that many of the DMUSD parents prefer to purchase lunches and our lunch program actually grew from the parents' request.

Member *Easton* stated that she understands the need for the District to be compliant, but will not support the Meal Agreement between the DMUSD and SDUHSD at this time because the community has not had enough time to review it.

Member *Easton* also stated that she has concerns spending General Fund dollars for a program that may be in existence for only one year.

Ms. Helen Kerrian, Retired Food Service Director/DMUSD Food Service Consultant, explained the CDE has the right to go to the Attorney General if we are not in compliance with federal regulations. Ms. Kerrian stated that the vast majority of districts in California participate in the National School Lunch Program; the cost to provide only free and reduced students with lunches would come straight from education dollars; and money coming from the federal program will help cover overhead. Ms. Kerrian stated the National School Lunch Program helps provide infrastructure for the District lunch program. She stated that it makes sense to move in that direction rather than having the State mandate what we need to do.

Supt. Bishop stated that by NOT approving a program we put the district and our students at risk.

Director of Business, Dena Whittington stated that the only other choice the California Department of Education would accept would be for the District to build a cafeteria/kitchen.

Member *Easton* asked clarifying questions regarding the cost of the meal and milk. Dena Whittington stated that a student meal is \$3.00 (including milk) and milk may be purchased separately for \$.50 per day.

On motion by, Member *Lamborghini* seconded by Member *Crawford* the Board approved 2006/2007 Annual Vended Meal Agreement between Del Mar Union School District and San Dieguito High School District on a ~~4-0-1~~ **4-1-0** vote. Ayes: Members *Lamborghini, Crawford, Myers, Yamamoto*; Noes ~~0-1~~; **Member Easton**; Abstain: ~~Member Easton~~, **-0-**

8.2 *Authorization to enter into Agreement with the California Department of Education to participate in the National School Lunch Program.*

Director of Business, Dena Whittington, reported that the National School Lunch Program is a federally funded program that assists school and other agencies in providing nutritious lunches to children at reasonable prices. The United States Department of Agriculture is responsible for overseeing the program nationally. In California, the California Department of Education, Nutrition Services Division administers the Program.

For children, the National School Lunch Program provides a nutritious meal that complies with the 1995 Dietary Guidelines for Americans. For parents, the program offers a convenient method of providing a nutritionally balanced lunch at the lowest possible

price. For school, the program enhances children's learning abilities by contributing to their physical and mental well-being. Studies have shown that children whose nutritional needs are met have fewer attendance and discipline problems and are more attentive in class.

The California Department of Education (CDE) will reimburse the Del Mar Union School District for operating the National School Lunch Program. The agreement will be renewed annually once approved by the CDE

Public Input:

Steven McDowell, 1605 Forest Way, Del Mar: Mr. McDowell asked clarifying questions regarding the lunch program. He stated that he would like to see consistency in the usage of "Cafeteria Fund" or "Lunch Program" and he would like a lunch program to be self-sufficient.

Director of Business, Dena Whittington explained to Mr. McDowell that the Cafeteria Fund is a District account in which milk and/or lunch proceeds are deposited and expenditures paid. The "lunch program" is the hot lunch program offered to students and adults. Ms. Whittington stated that the District has a Cafeteria Fund and is looking at a lunch program.

Corrine Hackbart: Asked about the funds to stay in reserve for parents requesting refund.

Director of Business, Dena Whittington, stated that \$90,000 out of \$207,000 will be in the General Fund and the balance will remain in Fund 13 (Cafeteria Fund).

On motion by, Member *Lamborghini* seconded by Member *Yamamoto* the Board unanimously approved Authorization to enter into Agreement with the California Department of Education to participate in the National School Lunch Program.

8.3 *Authorization to implement "Offer versus Serve" lunch regulation under the National School Lunch Program*

Director of Business, Dena Whittington, explained that local school district food administrators have the option of implementing "Offer versus Serve" lunch regulation at elementary schools. The goal of "Offer versus Serve" program is to minimize plate waste and to encourage schools to offer more food choices.

Meals offered to students will include at least three menu items: an entrée, fluid milk and another menu item. Students must select at least two of the three menu items. One of the two menu items must be an entrée. If more than three menu items are offered as a meal unit, students may decline no more than two menu items of the meal unit. (Students may never decline the entrée.)

Student meals will be checked at the point of service to ensure student have selected components to qualify as a reimbursable meal.

On motion by, Member *Crawford* seconded by Member *Yamamoto* the Board unanimously approved authorization to implement "Offer versus Serve" lunch regulation under the National School Lunch Program

8.4 *Transportation of packaged student meals 2006/2007 lunch program*
Informational item only

Director of Business, Dena Whittington, reported that assuming the Board approves the Vended Meal Agreement at tonight's meeting, the Del Mar Union School District will become responsible for the pick up of student meals from Carmel Valley Middle School kitchen and the delivery of the student meals to our seven school sites. This new District function will require a delivery van and vehicle specs have been solicited from other districts in the county. The Maintenance Department is in the process of acquiring quotes. Financing for the vehicle will be a one-year lease term and the Cafeteria Fund will fund the lease payments. The Business Services Department expects to have lease or purchase documents available at the August 30, 2006 Board meeting.

8.5 *Board approval of pricing for meals and milk offered to students and adults for the school year 2006/2007*

Director of Business, Dena Whittington, explained that according to State and Federal regulations the DMUSD lunch program must be operated on a nonprofit basis. School Food Authorities operating a pricing program shall establish meal prices that are affordable to students, cover the cost of preparing the meal, and do not result in a profit.

Program regulations require that all reimbursable school lunches be priced as a unit. In addition, offer versus serve provision must not affect the selling price of the lunch as established by the district. Regardless of which items a student chooses, he or she must pay the established full or reduced price meal charge, as appropriate. Student eligible for free meals pay nothing. It has been past practice in the Del Mar Union School District that students identified as being eligible for reduced price meals do not pay the approved \$.40 per meal.

Federal and State reimbursements, children's payments, and other nondesignated, nonprofit food service revenues may not subsidize the cost of an adult meal. The adult charge shall, at a minimum, cover the sponsor's cost for providing the meal. Therefore, the adult meal charge should be substantially more than the price charged to the paying student. In addition, the District is required to collect and submit local sales tax on meals and milk purchased by adults.

The Business Services Department has been consulting with Helen Kerrian, Retired Food Service Director/Consultant and is recommending the following milk and meal rates for the 2006/2007 school year.

Student reimbursable meal including milk \$3.00

Student milk only \$.50

Adult reimbursable meal w/o milk \$4.00

Adult milk \$.55

*Sales price for adult meal and milk does include applicable sales tax.

Public Input:

Steven McDowell asked for an explanation of the prices. He stated that his calculations do not match up to the explanation given.

Director of Business, Dena Whittington, detailed the calculation of numbers and stated that these calculations were generated with the assistance of Helen Kerrian and the Business Services Department at SDCOD. Dena Whittington outlined all food service income and expenses and stated that income and expenses will be reviewed and if necessary, adjustments can be made.

Member *Easton* asked for clarification of income and expense figures which was answered by Dena Whittington.

On motion by, Member *Crawford* seconded by Member *Lamborghini* the Board approved the following pricing for meals and milk offered to students and adults for the school year 2006/2007 on a 4-0-1 vote. Ayes: Members *Lamborghini, Crawford, Myers, Yamamoto*; Noes 0; Abstain: Member *Easton*.

- Student reimbursable meal including milk \$3.00
- Student milk only \$.50
- Adult reimbursable meal w/o milk \$4.00
- Adult milk \$.55
- *Sales price for adult meal and milk does include applicable sales tax

9. PERSONNEL

9.1 *Approval of the New Job Description and Salary Range Placement at Range 14 for the Position of Child Nutrition Services Assistant*

Director of Personnel/Facilities, Rodger Smith, stated that in order to provide staff to serve lunches in our new lunch program, it is necessary to establish a position to perform that function.

Following a review of comparable positions in neighboring districts, the recommended salary range for this position is Range 14 on the Regular Classified Salary Schedule. This range begins at \$12.41 per hour at Step 1 and increases to \$17.47 per hour at Step 8. The highest allowable step placement for individuals with similar, prior experience is Step 3, which is \$13.69 per hour. Anticipating the positions will be difficult to fill the DMUSD is offering a slightly higher salary to make it more attractive.

Member *Easton* asked how the program will operate if the positions couldn't be filled.

Director of Facilities/Personnel, Rodger Smith explained the District is hoping that some of our existing part time employees will want to fill the position.

Public Input:

Steven McDowell: Mr. McDowell asked how only two people would be able to support seven sites.

Director of Personnel/Facilities, Rodger Smith, explained that the District is hiring two per site and one District driver.

On motion by, Member *Crawford* seconded by Member *Lamborghini* the Board approved by a 4-0-1 vote the New Job Description and Salary Range Placement at Range 14 for the Position of Child Nutrition Services Assistant. Ayes: Members *Lamborghini, Crawford, Myers, Yamamoto*; Noes 0; Abstain: Member *Easton*.

9.2 *Approval of the New Job Description and Salary Range Placement at Range 19 for the Position of Child Nutrition Delivery Driver*

Director of Personnel/Facilities, Rodger Smith, explained that in order to provide lunches to school sites in our new lunch program, it is necessary to establish a position for a delivery driver who will transport the lunches from a central kitchen to the school sites

Following a review of comparable positions in neighboring districts, the recommended salary range for this position is Range 19 on the Regular Classified Salary Schedule. This range begins at \$14.05 per hour at Step 1 and increases to \$19.76 per hour at Step 8. The highest allowable step placement for individuals with similar, prior experience is Step 3, which is \$15.49 per hour.

On motion by, Member *Lamborghini* seconded by Member *Crawford* the Board approved by a 4-0-1 vote the new job description and salary range placement at Range 19 for the position of Child Nutrition Delivery Driver. . Ayes: Members *Lamborghini, Crawford, Myers, Yamamoto*; Noes 0; Abstain: Member *Easton*.

10. On motion by Member *Yamamoto* seconded by Member *Lamborghini* the Board unanimously adjourned to Closed Session at 7:44 p.m. to discuss:

- *Conference with Real Property Negotiator (G.C. 54956.8) – Property: 225 9th Street, Del Mar, Ca 92014 – Agency Negotiators: Thomas F. Bishop, Superintendent/Rodger Smith, Director of Facilities/Personnel – Negotiating Parties: DMUSD and the City of Del Mar – Under Negotiation: Sale/Lease Terms Between the City of Del Mar and DMUSD*
- *Conference with Real Property Negotiator (G.C. 54956.8) – Property: 225 9th Street, Del Mar, Ca 92014 – Agency Negotiators: Thomas F. Bishop, Superintendent/Rodger Smith, Director of Facilities/Personnel – Negotiating Parties: DMUSD and the California Trust for Public Schools – Under Negotiation: Sale/Lease Terms Between the California Trust for Public Schools and DMUSD*
- *Public Employment: Position: Assistant Principal (G.C. 54957)*

11 At the conclusion of the Closed Session, the Board reconvened in open session at 8:37 p.m.

Board President Myers announced that on motion by Member *Easton* and seconded by Member *Yamamoto* the Board unanimously approved the appointment of Julie Lerner, Ashley Falls teacher, as the new 2006/2007 Assistant Principal at Sage Canyon School.

Board President Myers reported that no further action was taken.

12 On a motion by Member *Lamborghini* seconded by Member *Crawford* the Board unanimously approved adjournment of the meeting at 8:44 p.m.

Linda Crawford, Clerk of the Board

Thomas F. Bishop, Secretary to the Board

Date

Date