

**DEL MAR UNION SCHOOL DISTRICT  
BOARD OF TRUSTEES**

***Minutes of Special Board Meeting***

March 11, 2009  
6:00 p.m.

Del Mar Hills Academy  
14085 Mango Drive, Del Mar, CA 92014

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Board President White welcomed staff, parents and community members to the Special Board Meeting of the Board of Trustees.

The Board met in Closed Session from 4:00 – 6:10 p.m. to discuss the following:

- 1.1 **PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE** pursuant to (Government Code 54957)
- 1.2 **PUBLIC EMPLOYEE PERFORMANCE EVALUATION**: Title: Superintendent (G.C. 54957)
- 1.3 **CONFERENCE WITH REAL PROPERTY NEGOTIATOR** (G.C. 54956.8)- Property: 225 9<sup>th</sup> Street, Del Mar, California 92014—Conference with Real Property Negotiator: Dr. Sharon McClain; Negotiating Parties: DMUSD and the City of Del Mar—Under Negotiation: Potential Modification of Purchase Agreement Terms
- 1.4 **CONFERENCE WITH LABOR NEGOTIATOR (G.C. 54957.6)**  
Agency Designated Representatives: Sharon McClain, Superintendent and Rodger Smith, Director of Human Resources and Facilities Planning; Employee Organization: Del Mar California Teachers Association
- 1.5 **CONFERENCE WITH REAL PROPERTY NEGOTIATOR** (G.C. 54956.8)- (G.C. 54956.8) - Property: 2002 Jimmy Durante Blvd., Del Mar, CA 92014; 2010 Jimmy Durante Blvd., Del Mar, CA 92014; 4108-4122 Sorrento Valley Blvd., San Diego, CA 92121—Agency Negotiators: Rodger Smith, Director of Human Resources/Facility Planning; Mark Kagan and Chuck Wasker, Commercial Real Estate Agents—Negotiating Parties: Board of Trustees, Del Mar Union School District—Under Negotiation: Instructions to negotiators regarding price, terms of the sale and/or lease

**2. REPORT OF ACTION TAKEN IN CLOSED SESSION:**

In Closed Session the Board took the following action:

The Board voted unanimously to non-re-elect Employee #9091.

Board President White stated the Board will reconvene to Closed Session following Open Session to discuss:

- 1.2 **PUBLIC EMPLOYEE PERFORMANCE EVALUATION**: Title: Superintendent (G.C. 54957).

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An audio recording and a detailed description of all agenda items is available at [www.dmusd.org](http://www.dmusd.org), - Board of Trustees - Board Meetings.

## CALL TO ORDER

Board President White called to order the Open Session of the Special Board Meeting of the Del Mar Union School District, Board of Trustees, at 6:20 p.m.

## PLEDGE OF ALLEGIANCE

Director of Maintenance & Operations, Randy Wheaton, led Board members and guests in the Pledge of Allegiance.

## ATTENDANCE

Members Present (5): Katherine White, President of the Board  
Steven McDowell, Clerk of the Board  
Annette Easton  
Doug Perkins  
Comischell Rodriguez

Members Absent: (0)

### 3. APPROVAL OF AGENDA

#### Amendments to the Agenda:

Item 12 to follow Item 4

Item 13 to follow Item 12

Motion to Approve Agenda as Amended

**Motion** McDowell

**Second** Perkins

**Unanimous**

### 4. PUBLIC COMMENT (FOR ITEMS NOT ON THE AGENDA)

- *Adrienne Crabtree*, DMUSD teacher, spoke as a recipient of a layoff notice, and asked the Board to consider the effects it has on the teachers.
- *David Skinner*, DMUSD Teacher and President of the DMCTA, described the atmosphere in the District since layoff notices have been received and expressed his appreciation for the professional manner in which the notices were delivered. He invited the Board, administrators and all employees to participate in statewide “Pink Friday”, March 13, 2009, by wearing pink to bring attention to the effects of State budget cuts on public education and in support of DMUSD teachers that received layoff notices.
- *Mindy Thomas*, parent, addressed the Board in an effort to gain a better understanding of how and who makes decisions for the District, as she feels there is a lack of transparency in the process of how the tough decisions are made.

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## 12. DISCUSSION, SHARED CONTRACTS

Supt. McClain reported on the extra cost of certificated shared contracts, which must be approved by March 15, 2009 with approval by April 15 of a part-time leave of absence for anyone participating in a job share. The cost of shared contracts was reported as \$170,140.

### **PUBLIC COMMENT**

- *Stephanie Cluxton*, DMUSD Teacher, shares a contract and feel the benefits are vast and that “job shares just make cents.”
- *Leandra Kalt*, DMUSD Teacher, addressed the Board on the cost of two fulltime classroom teachers and the cost of two part-time teachers in a shared contract, as well as other benefits and that “job shares just make cents.”
- *Catherine Gilbert*, DMUSD Teacher, shared with the Board the costs of job shares and the savings to the District and that “job shares just make cents.”
- *Marnie White*, DMUSD Teacher, spoke in support of job shares and the benefits to the District one of which is that it allows the District to retain teachers of outstanding capabilities (BP 4128) and that “job shares just make cents.”
- *Laurel Zitko*, DMUSD Teacher, shared how proud she is to be a teacher in a progressive, forward thinking District, that in addition to all the outstanding programs for students, also offers job shares for staff and that “job shares just make cents.”
- *Dianna Holmes and Kristin Soderberg*, DMUSD Teachers, spoke in support of shared contracts and the benefits of job shares to the District one of which is continuity and stability for students due to fewer (or no) substitutes and a savings to the District and that “job shares just make cents.”
- *Amy Doyle*, DMUSD Teacher, shared a quote that referred to “job shares as a positive outcome” and “they provide more bang for your buck” and that “job shares just make cents.”
- *Susan Brubaker*, DMUSD Teacher, spoke in support of the benefits of jobs shares due two highly qualified teachers working with students, performing assessments, designing programs, sharing with the team and administrators and that “job shares just make cents.”
- *Jeri Sipe*, DMUSD Teacher, spoke in support of maintaining the wonderful reputation and programs of the DMUSD, in addition to attracting outstanding teachers that develop the whole child which job shares offer and that “job shares just make cents.”

### **BOARD DISCUSSION**

The Board discussion on the benefits and detriments of Shared Contracts in the DMUSD included the following:

- Shared contracts are beneficial to students and staff
- Paying for common days is an added expense to the District
- Common days are a benefit to students and support consistency and good communication for teachers

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The Board directed staff to approve job share proposals for 2009/2010 and begin a conversation with the DMCTA regarding the ten common days in a shared contract with a goal of eliminating the added cost of a shared contract for the District in 2010/2011 and beyond.

Supt. McClain announced that job share approvals for 2009/2010 would be sent tomorrow, Thursday, March 12, 2009.

**13. CLARIFICATION OF BOARD VOTE, OPTION 2 – EXTENDED STUDIES CURRICULUM PROGRAM**

Board members discussed their understanding of “Music/Art” contained in Option 2 of the Extended Studies Curriculum Program approved at the February 25, 2009 Regular Board Meeting. Board Member Perkins stated Music/Art meant the site option of Music and or Art. Board Members Easton and McDowell stated they voted Music and Art but were comfortable with Music or Art. Board Member White stated she voted Music and Art. Board Member Rodriguez stated she voted for only Music.

After Board discussion it was clarified for staff that “Music/Art” in Option 2 is meant to give principals a choice of offering music AND/OR art at their school site. To clarify, the school sites may offer music, they may offer art or they may offer music and art.

Supt. McClain thanked the Board for allowing staff the opportunity to provide as many subject areas as possible in their daily schedule. Principals will address preliminary staffing and produce schedules after the April 15th deadline for site-specific fundraising.

**5. ACTUAL COST OF 2008/2009 COLLECTIVE BARGAINING AGREEMENT**

Assistant Superintendent, Business Services, Dena Whittington, informed the Board that the actual cost of the 3% salary increase effective December 1, 2008 and the retroactive pay to December 1, 2008 was \$775,702.00.

**6. UPDATE, STATE BUDGET**

Assistant Superintendent, Business Services, Dena Whittington, informed the Board that updates on the State Budget are still being received. Due to the uncertainty of the State Budget, Ms. Whittington recommended freezing the categorical programs that may be available for flexibility transfers or ending balance sweeps.

Ms. Whittington stated that there is not enough information available to know if the DMUSD will be able to use current or prior year balances in categorical funds to offset the deficit spending in the Unrestricted General Fund and that a hold on spending in the categorical programs would increase the DMUSD’s level of flexibility DMUSD.

**7. UPDATE, FEDERAL STIMULUS PACKAGE**

Assistant Superintendent, Business Services, Dena Whittington, shared that the current concern is whether our Special Ed funding (\$400,000 est.) will be funded at one time or if it will be funded over a period of five years. Due to the possibility that one-half of the funds may be distributed in late April, and, because the funds may have a spending window, she recommended that a plan be in place to spend the funds within that window. She also informed the Board that these are “one-time funds” and, therefore, cannot be spent on salaries, but must be used to purchase things i.e. desk, chairs, etc.

**8. BOARD APPROVAL, 2008/2009 2<sup>ND</sup> INTERIM FINANCIAL REPORT, CASH FLOW REPORT, AND MULTIYEAR PROJECTION REPORT**

Assistant Superintendent, Business Services, Dena Whittington, presented the interim reports of DMUSD annual budget as of October 31 and January 31, respectively. Ms. Whittington reviewed the reports with the Board and answered clarifying questions.

Motion to approve the 2008/2009 2<sup>nd</sup> Interim Financial Report, Cash Flow Report, and Multiyear Projection Report

**Motion** McDowell  
**Second** Easton  
**Unanimous**

**9. 2<sup>ND</sup> READING AND APPROVAL, ADMINISTRATIVE REGULATIONS 3290: GIFTS, GRANTS AND BEQUESTS**

Supt. McClain presented the revised Administrative Regulations 3290: Gifts, Grants and Bequests, which offer further clarification on the acceptance of funds in Board Policy 3290. At the direction of the Board, Supt. McClain met with the DMSEF to discuss how the District’s Administrative Regulations could be structured to support the DMSEF in their fundraising efforts and eventual donations to the DMUSD. The revisions in AR 3290 presented were a reflection of those discussions.

**PUBLIC COMMENT**

- *Beth Westburg*, parent and DMSEF Vice-President, suggested to the Board that the definition of “parity” be left as vague as possible and trust that common sense will prevail.

Motion to approve Administrative Regulations 3290: Gifts, Grants and Bequests.

**Motion** Easton  
**Second** Perkins  
**Unanimous**

**10. WITHDRAWAL FROM THE DISTINGUISHED TEACHER IN RESIDENCE (DTiR) PROGRAM CALIFORNIA STATE UNIVERSITY, SAN MARCOS, FOR THE 2009-2010 SCHOOL YEAR**

Supt. McClain was saddened to recommend that the DMUSD withdraw from the DTiR program for 2009/2010 school year, but in light of the District's current budget deficit she suggested it be taken under consideration. The program is voluntary and the District is reimbursed for a portion of the expense of hiring a temporary teacher to replace the distinguished teacher on loan, however, there is still some expense to the District.

Motion to withdraw from the Distinguished Teacher in Residence (DTiR) Program California State University, San Marcos, for the 2009-2010 School Year

**Motion** Easton  
**Second** Perkins  
**Unanimous**

**11. DISCUSSION/ACTION, ELIMINATION OF PROGRAMS IN 2008/2009**

Supt. McClain outlined the savings that may be generated by the elimination of identified programs as follows: Combination Classroom Aides, Extended Studies Curriculum Aides, a hold on spending for workshops/conferences for staff and freezing spending on Categorical Programs.

Board members expressed concern over eliminating these programs in 2008/2009 school and requested information on the financial impact of Combination Classroom Aides and Curriculum Aides on the 2009/2010 budget.

Motion to place a freeze on spending for workshops/conferences and Categorical Programs, with the Superintendent given the authority to review and approve requests for these expenditures, as the Superintendent deems appropriate.

**Motion** Easton  
**Second** Perkins  
**Unanimous**

**14. DATES FOR BOARD WORKSHOP – DEVELOPMENT OF BOARD WORKING NORM**

Supt. McClain asked the Board to identify some dates and times for a Board/Superintendent Workshop on building working norms, which will be facilitated by The Cosca Group as no expense to the District. The Board directed Supt. McClain to work with The Cosca Group to determine dates at a time that allows staff to attend.

**15. UPDATE, BROADCASTING/PODCASTING REGULAR MONTHLY BOARD MEETINGS**

Director of Technology, Mike Casey, reported that the current district environment will allow for podcasting on a limited basis and that broadcasting will require a minimum of

three cameras. He reported that the San Diego County Office of Education broadcast meetings for the District for a charge approximately \$3,200-\$3,500 per Board meeting. An outlay of approximately \$20,000 would be required for the District to broadcast in-house.

**16. NATIONAL SCHOOLS BOARDS ASSOCIATION 2009 ANNUAL CONFERENCE**

Supt. McClain informed the Board that the National School Boards Association Annual Conference is being held in San Diego and that it offers a good opportunity for Board members. Board was encouraged to review the information on line to determine if they are interested in attending.

**17. DISCUSSION/ACTION, BOARD POLICY 9323, MEETING CONDUCT**

Supt. McClain presented a revision to Board Policy 9323, Meeting Conduct, which would allow Board meetings to be extended twice for a maximum of 60 minutes. Board members suggested that this topic could be discussed further at the working norms workshop.

**18. APPROVAL OF MINUTES**

Amendment to Minutes

Include President of the Board after Katherine White's name in the Minutes of the Regular Board Meeting of January 21, 2009.

Motion to approve Minutes of:

- o Special Board Meeting/Board Workshop of January 14, 2009
- o Regular Board Meeting of January 21, 2009, as amended
- o Special School Visitation Board Meeting of January 21, 2009
- o Special School Visitation Board Meeting of February 4, 2009
- o Special Board Meeting of February 4, 2009

**Motion** Easton

**Second** McDowell

**Unanimous**

**RETURN TO CLOSED SESSION @ 9:30 P.M.**

The Board returned to Closed Session to discuss

PUBLIC EMPLOYEE PERFORMANCE EVALUATION: Title: Superintendent (G.C. 54957)

**ADJOURNMENT OF CLOSED SESSION/RETURN TO OPEN SESSION**

Motion to Adjourn Closed Session at 10:21 p.m.

**Motion** Rodriguez

**Second** Perkins

**Unanimous**

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**REPORT OF ACTION TAKEN IN CLOSED SESSION:**

There was no action in Closed Session

**13. ADJOURNMENT**

There being no further business to come before the Board, there was a Motion to Adjourn at 10:22 p.m.

**Motion** Rodriguez

**Second** Perkins

**Unanimous**

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Steven McDowell, Clerk

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Sharon McClain, Superintendent

\_\_\_\_\_  
Date

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Date