

**7/11 DISTRICT ADVISORY COMMITTEE
PURSUANT TO EDUCATION CODE SECTION 17387**

Minutes of Regular Meeting
**Thursday, July 2, 2009
3:00 p.m.**



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

Organizational Items

Call to Order – *Time: 3:04 p.m.*

Present: All members of the 7-11 committee were present, Gayle Wayne, Facilitator, Jennifer Emberger, Janet Handzel, Wayne Harris, Susan Paul, Cinda Peck, Bob Shopes, Randy Wheaton, and Shirley Bales, administrative assistant.

Dr. Sharon McClain, Superintendent, Charlene Komosinski, Director of Child Care, Todd Boteler, DMUSD Webmaster, Sherry Forte, Executive Assistant to the Superintendent, were present, attorney Ty Dorward, as well as community members Martha Cox, Mary Farrell, and Audrey Levine.

Flag Salute - led by Shirley Bales

Approval of the Agenda

Upon motion by Bob Shopes, seconded by Susan Paul, the Agenda was unanimously approved.

Approval of the Minutes

Regular Meeting June 18, 2009

Upon motion by Bob Shopes, seconded by Wayne Harris, the Minutes were unanimously approved, as amended.

Public Comment

Martha Cox, retired school district employee, spoke to encourage the 7/11 DAC to consider the merits of a Pre-K, K-1 or K-2 for all Hills/Heights resident students at Del Mar Hills plus the location of the entire district administration center and employee child care at Del Mar Hills; and then consider all resident Grades 2-6 or Grades 3-6 students be assigned to Del Mar Heights.

Public Communication

Comments for Consideration by the 7/11 Committee--handout from Martha Cox.

Old and New Business, Presentations

Clarification from Pupil Services and Child Care on special education/typical student preschool capacity needs—Presented by Dr. Sharon McClain, Superintendent, and Charlene Komosinski, Director of Child Care

Dr. Sharon McClain clarified to the 7/11 DAC the reasoning behind the preschool proposal. DMUSD currently has special ed preschool housed at Sycamore Ridge school. Sycamore Ridge does not have facilities available to integrate special needs preschool students into regular classrooms with typical peers.

For this integrated special needs/typical peer preschool, the District desires 22 classrooms:

- 16 preschool and 2 childcare classrooms,
- 1 Occupational Therapy/Adapted PE,
- 1 Speech Room,
- 1 Meeting Room, and
- 1 Assessment Room/Office

The 16 classrooms would each hold 15 typical students plus 3 special needs students, serving children age 3 and up. Two classrooms would be used for the infant/toddler employee childcare currently housed at Shores. Employee Childcare currently closes at 4 pm, but the proposed Preschool would stay open until 6 pm.

District preschool would serve children 3 and up.

Currently, special ed impacts the DMUSD general fund for over \$3M. Those are expenses DMUSD is mandated to pay. The federal government required to pay 40%, but they have never paid over 18%. Remaining funding comes from the general fund. If we have typical peers, those students would pay a fee, which would help support program.

Dr. McClain stated that with the capital improvement money from the sale of the Shores property, this is DMUSD's one opportunity to set up this program. The \$8M from the Shores sale cannot be spent on staff; it may only be spent on capital improvements with a 5-year or longer life. This money may be used to renovate facilities for a District Office and can also be used for preschool since it is also a capital expenditure.

Gayle Wayne asked about financial implications. Dr. McClain replied that Manhattan Beach School District had a similar preschool to the one proposed which nets about \$300K to its general fund. Manhattan Beach further has 400 students on a waiting list because of its credentialed teachers and specialists. Charlene Komosinski stated that she knows students in DMUSD who go to other districts because DMUSD does not have the facilities.

Bob Shopes wondered about a phase-in to the full program, since it may not open at full capacity. Dr. McClain stated the program would phase-in, but wishes to set aside enough room at start-up to avoid bringing in portables or displacing other students in the future.

Dr. McClain can return to the Committee with specific requirements, such square footage amount, bathrooms, changing areas, etc. Preschool, especially for special needs students need a lot of space. Further Dr. McClain would not entertain two sites, she believes the program is best managed at a single site.

Janet Handzel asked if teachers were happy about this program, and Charlene Komosinski replied that parents of ECC kids would be fine with this typical peer program.

Discussion on tour of district office, maintenance, employee childcare, Del Mar Heights, Del Mar Hills, Carmel Del Mar, Ashley Falls, and Sycamore Ridge Facilities

Committee members stated they are proud and lucky to be part of this district, and the site tours were informative.

Adoption of Charter

Upon motion by Cinda Peck, seconded by Susan Paul, the Charter was unanimously approved as amended. The amended charter as approved is attached.

Appointment/Election of Chair

Jennifer Emberger nominated Bob Shopes as Chair. Bob Shopes accepted the nomination and will serve as Chair of the 7/11 DAC.

Discussion Items

"What If" Scenario

Members can opt to use either the spreadsheet version of the worksheet (Excel), or the narrative version (Word) to fully develop various proposals that would address the criteria as set forth by the committee. Use of these tools should assist members to identify strengths and weaknesses of various scenarios. Mrs. Wayne provided a sample school for the committee's review. Mrs. Wayne stated that the scenario took six hours, it was not a simple task, and she has closed 9 schools using this process.

Committee members can use this as a process to analyze information and present to group and share a similar process. The committee will post the blank template for the working document, and project each scenario onto the screen in open session as it is explained.

Conference with DMUSD legal counsel

Ty Dorward with Best, Best & Kreiger, addressed the Committee. Mr. Dorward informed the committee that technically classroom facilities are not subject to local regulations and are preempted by state regulations and state over-site. However, administration uses and other non-educational purposes would not be subject to the same type of preemption by the state. A General CEQA checklist applies to any discretionary approval--the district and the district's board. An Environmental Impact consultant would help school going through all items--biological, agricultural, public services, traffic, infrastructure, water, and any other special

services the public agency. That type of study is always subject to public review. Any Environmental Impact Report or CEQA require a public agency to make findings in the report on any environment impact. Interplay with coastal commission is needed for any development in a defined coastal zone. Traffic and beach access are typical things the coastal commission looks at, and these also tie into an EIS. Certain projects are exempt from a CEQA if they not large enough.

Mr. Dorward was asked if a CEQA would likely be required if we significantly alter the current use. At the time the Board of Trustees makes a discretionary approval, they would need then a study. This is not a quick process, permitting and environment processes may be 1 to 1 ½ years, although there is a possibility of exemptions. Technically, this is not the committee's concern, but an issue for the school board. Committees make a recommendation but are not usually responsible for EIR, etc; the governing board would look into that. In the study of school closure, Mr. Dorward suggested that the committee move forward, understanding that a review based on a set of completed and accepted recommendations would be undertaken at the close of deliberations. Until then, the issue is unclear. A consultant to review the potential action would review the outcomes and assist in determining the appropriate legal steps following intent to act.

Mrs. Wayne mentioned it might be prudent to have a consultant waiting in the wings.

Dr. McClain asked Mr. Dorward if there was any advantage to keeping regular ed children on a site as a district renovates. Mr. Dorward would have to look into that issue but doesn't think a school district could say because it kept a school operating in one portion of the building the entire project is not subject to EPA, etc., regulations. Dr. McClain stated that it is very difficult to re-open a school after it was closed to regular ed students for a time.

Information Items

Report from the Surplus Property Committee August 2005

Cinda Peck was also on the Surplus Property Committee in 2005, and she stated that this committee has a different and more complex task.

Items for July 16 Meeting:

Additional detail from Business Services on potential cost savings of closing a school.

Any previous analysis or proposal to split upper and lower grades between Del Mar Hills and Del Mar Heights.

Request for meeting change from August 6 to August 3 to finish earlier than 3:00 p.m., and request to change August 20 to August 24, prior to noon (child care using PAC at noon).

Adjournment

Upon motion by Bob Shopes, seconded by Susan Paul, it was unanimously approved to adjourn at 5:30 p.m.