

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

***Minutes of Regular Board Meeting***

September 22, 2010

Closed Session: 4:00 p.m.

Open Session: 5:45 p.m.

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

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Board President McDowell called the Regular Board Meeting to order at 4:02 p.m.

**PUBLIC INPUT CONCERNING ITEMS ON THE CLOSED SESSION AGENDA**

There was no input from the public.

Adjourn to Closed Session at 4:03 p.m.

**RECONVENE OPEN SESSION**

The Board reconvened to Open Session at 5:51 p.m.

Board President McDowell welcomed staff, parents and community members to the Regular Board Meeting of the Board of Trustees.

The Board met in Closed Session from 4:06 – 5:38 p.m. to discuss:

- 1.1 **Conference with Legal Counsel – Anticipated Litigation** (Government Code Section 54956.9(b); Name of Case: Two cases)
- 1.2 **Conference with Real Property Negotiator** (G.C. 54956.8)-  
  
*Under Discussion: Purchase of Property:* 4106 Sorrento Valley Blvd., San Diego, CA 92121; Jimmy Durante Blvd. & San Dieguito Rd., Del Mar, CA 92014; 11232 El Camino Real, San Diego, CA 92130 — Agency Negotiator: James Peabody, Superintendent; 2002 Jimmy Durante Blvd., Del Mar, CA 92014, (No longer under consideration.)  
  
*Under Discussion: Possible Lease Extension Between the City of Del Mar and the DMUSD:* 225 9<sup>th</sup> Street, Del Mar, CA, 92014 — Agency Negotiator: James Peabody, Superintendent
- 1.3 **Public Employee Appointment/Employment:** Title: Director of Pupil Services (G.C. 54957)

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- 1.4 **Consider Personnel Issues**, (Government Code Sections 11126 and 54957); limited to consideration of the appointment, employment, evaluation of performance, discipline /release, dismissal of a public employee or to hear complaints or charges brought against such employee by another person or employee unless the employee requests a public session.
- 1.5 **Conference with Labor Negotiator** G.C. 54957.6) Agency Designated Representatives: James Peabody, Superintendent and Tim Asfazadour, Assistant Superintendent, Human Resources; Employee Organization: Del Mar California Teachers Association.

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

Board President McDowell reported the Board took the following action: On Item 1.3 the Board of Trustees authorized the superintendent to offer the position of Director of Pupil Services to the candidate selected by a District panel and approved by the Board of Trustees. Once the candidate has been offered and accepts the position, the district will send out a Press Release. On Item 1.2 the Board directed Superintendent Peabody to schedule a tour of the facility located at 11232 El Camino Real, San Diego CA.

The Board will reconvene Closed Session to discuss Items 1.1, 1.4 and 1.5 following Open Session.

**CALL TO ORDER**

Board President McDowell called to order the Open Session of the Regular Board Meeting of the Del Mar Union School District, Board of Trustees, at 5:56 p.m.

**1. PLEDGE OF ALLEGIANCE**

Scott Mann, Assistant Superintendent, Business Services, led Board members and guests in the Pledge of Allegiance.

**ROLL CALL**

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

Administrators Present: James Peabody, Superintendent  
 Holly McClurg, Assistant Superintendent, Instructional Services  
 Tim Asfazadour, Assistant Superintendent, Human Resources  
 Scott Mann, Assistant Superintendent, Business Services  
 Mike Casey, Director of Technology  
 Randy Wheaton, Director of Maintenance & Operations  
 Julie Geisbauer, Director of After School Programs/Child Care

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Principals Present: Susan Paul, Torrey Hills  
Wendy Wardlow, Del Mar Heights

DMUSD Staff Present: Nancy Swanberg, Bill Porter

Other: Doug Rafner, Scott Wooden, Suzanne Hall, Drew Isaacman, Jason Maletic, Bob Nicholson, Bob Shopes

2. **STUDENT RECOGNITION** – *(Student Recognition will resume in October 2010)*

3. **APPROVAL OF AGENDA**

Amendments to the Agenda:

Pull Items \*10.2, \*10.3 and \*10.10 from the Consent Agenda

Motion to Approve Agenda, as amended.

Motion Easton

Second White

Unanimous

4. **CORRESPONDENCE/COMMUNICATION**

4.1 **Correspondence**

Superintendent Peabody reported he had received several emails and letters regarding the President's speech to students.

4.2 **Public Comment (for items not on the Agenda)**

- There was no input from the public.

5. **REPORTS, RECOGNITIONS AND HEARINGS**

5.1 **Staff Recognition**

Superintendent Peabody recognized Jakes Del Mar for its continued support of the DMUSD Employees of the Month program by donating gift certificates for the honorees, as follows:

Ashley Falls – Kevin Cunha, 5th Grade Teacher  
Carmel Del Mar – K.D. Sievers, Speech Pathologist  
Del Mar Heights – Kelly Vietro, 5th Grade Teacher  
Del Mar Hills Academy– Nancy Swanberg, ESC Science Teacher  
Ocean Air – Lauri Carpenter, Special Education Specialist  
Sage Canyon – Dina Irwin, Speech Pathologist  
Sycamore Ridge – Raquel Dixon, Health Technician  
Torrey Hills – Beth Walsh, School Psychologist

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5.2 **DMCTA Report: David Skinner, DMCTA President, Carmel Del Mar Teacher**

There was no DMCTA report.

5.3 **DMSEF Report: Drew Isaacman, DMSEF President**

The DMSEF presented a check in the amount of \$7,000 representing the final donation from the 2009/2010 fundraising campaign. The DMSEF Annual Kickoff event honoring premier donors and the kick off of the new fundraising season is being held on Thursday, September 23, 2010 at L'Auberge. Approximately 250 are expected to attend. The DMSEF Board consists of two or three representatives from each school. Fundraising for the 2010/2011 school year is slightly ahead of this time last year.

Superintendent Peabody thanked the DMSEF for supporting the education of the whole child.

5.4 **Monthly Staff Development, Travel & Conference Update**

*Presented for information only.*

5.5 **Opening of School –Site Reports 2010**

The Board expressed appreciation to the principals for preparing a statement on the opening of the 2010/2011 school year at their school site.

5.6 **Opening of School –Enrollment Report 2010**

The Board was provided with a report on the enrollment and staffing for the 2010/2011 school year. The Board is interested in pursuing a review of current enrollment policies prior to the beginning of the 2011/2012 school year.

5.7 **Report – Board Reports/Comments**

*Member White:*

- Thanked staff for a successful Back to School Night.
- Thanked the Maintenance & Operations Department for preparing the schools for the first day of school.
- Thanked staff for the technology update.
- Thanked Assistant Superintendent, Instructional Services, Holly McClurg for her leadership in curriculum throughout the district.
- Welcomed Scott Mann, new Assistant Superintendent, Business Services.
- Served on the interview panel for the selection of a new Director of Pupil Services.
- Met with DMSEF staff and expressed appreciation for their support.

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*Member Easton:*

- Echoed Member White's expressions of appreciation.
- Welcomed Scott Mann, new Assistant Superintendent, Business Services.
- Thanked the Human Resources Department for the hard work with the hiring of staff needed for the new school year.
- Thanked the DMSEF for their support and is looking forward to the Kickoff event.

*Member Perkins:*

- Supt. Peabody and he met with neighboring districts to discuss Healthy Meals for students and will continue to be active in the group in an effort to provide healthy choices for lunch.
- Met with Drew Isaacman, DMSEF President, to discuss goals and the future of DMSEF.

*Member Rodriguez:*

- Welcomed Scott Mann, new Assistant Superintendent, Business Services.
- Expressed appreciation to the principals for the opening of school reports.
- Has been receiving positive comments on the Board's hiring of Supt. James Peabody.
- Recognized the DMUSD and its high API scores.
- Congratulated Holly McClurg, Assistant Superintendent, Instructional Services, on being accepted to participate in the Foundations of American History Grant Program.

*Member McDowell:*

- Echoed all previous expressions of appreciation.
- Welcomed Scott Mann, Assistant Superintendent, Business Services to the district.
- Recognized the teachers, staff and students on the high API scores.
- Expressed his appreciation to the DMSEF for their support of the ESC programs.
- Was accepted to hold a "table talk" at the CSBA Annual Conference on accessing data on line.
- Expressed condolences to the Severns Family.

**5.8 Report – Superintendent's Report**

- Met with the Little League and Soccer Commissioners to discuss the use of the DMUSD fields and he thanked Randy Wheaton, Director of Maintenance & Operations for his leadership.
- Attended a luncheon with County Superintendent of Education, Randy Ward, for new and newly appointed superintendents.
- Met with the Del Mar City Manager and the DMUSD real estate committee to discuss an extension of the DMUSD lease for 225 9<sup>th</sup> Street, Del Mar.
- Met with Laura Duzyk, SDCOE Assistant Superintendent, Business Services, who annually visits districts to discuss State finances.

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- Attended a meeting with Member Doug Perkins and neighboring districts to discuss healthy meals for students. He will continue to be involved in discussions to further healthy choices.
- Attended the Achievement Gap Task Force Superintendents/Principals Forum, on how to build districtwide educational systems to support teaching and learning. Supt. Peabody recognized and expressed appreciation to Dr. Holy McClurg, Assistant Superintendent, Instructional Services, for her hard work and leadership in this area.
- Attended a press conference to highlight a new web tool, Brokers of Expertise, a teacher portal whereby they can exchange lessons, discuss the teaching experience, and how to improve.

## 6. APPROVAL OF MINUTES

Motion to approve Minutes of the following Board Meeting:

- Minutes of Regular Board Meeting of July 21, 2010
- Minutes of Special Board Meeting/Governance Workshop of August 25, 2010
- Minutes of Regular Board Meeting of August 25, 2010
- Minutes of Special Board Meeting of September 1, 2010

Motion White

Second Easton

Unanimous

### 6.1 APPROVAL OF CONSENT ITEMS

- \*8.1 Board Approval, Resolution 2010-21 of the Board of Trustees of the Del Mar Union School District Proclamation Endorsing Red Ribbon Week, October 25-29, 2010
- \*8.2 Board Approval, Resolution 2010-20 of the Board of Trustees of the Del Mar Union School District Proclamation Supporting International Walk to School Day on October 6, 2010
- \*8.3 Board Approval, Attendance at CETPA 2010 Conference
- \*10.1 Board Approval of Purchase Orders and Ratification of Commercial Warrant Payments and Revolving Cash Disbursements
- \*10.2 *Pulled from Consent.*  
~~Board Approval and Acceptance of Donations to the Del Mar Union School District~~
- \*10.3 *Pulled from Consent.*  
~~Board Approval of Site and Department Performance Agreements and Memorandums of Understanding~~
- \*10.4 Board Approval of Agreement Between Goodall's Charter Bus/dba Coach USA and the Del Mar Union School District for Field Trip Transportation for the 2010-2011 Fiscal Year

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- \*10.5 Board Approval of Agreement Between Nexus and the Del Mar Union School District for Metro Switch at Ashley Falls School
- \*10.6 Board Approval of Agreement Between Xerox and the Del Mar Union School District for a Multifunction Printer in Technology Located at Del Mar Hills Academy
- \*10.7 Board Adoption of Resolution No. 2010-22 and Resolution No. 2010-23 Authorizing Designated Signatures for September 23, 2010 through June 30, 2011
- \*10.8 Board Ratification of Agreements Between the Del Mar Union School District and Consultants/Contractors for Due Diligence Period per Escrow Instructions for the Purchase of 2002 Jimmy Durante Blvd., Del Mar, CA 92014
- \*10.9 Board Action to Declare District Personal Property Obsolete and Surplus Property and to Dispose of or Donate per Education Code 17546(a)(b)(c)
- \*10.10 *Pulled from Consent.*  
~~Board Ratification of the Change Order for Child Care Facility at Ocean Air School~~
- \*11.1 Board Approval, Recommended Personnel Actions: Employment, Resignations, Retirements, Dismissals, Leaves of Absence, and Change of Status

Motion to approve Consent Items \*8.1, \*8.2, \*8.3, \*10.1, \*10.4-\*10.9, \*11.1

Motion Easton

Second White

Unanimous

## 7. CURRICULUM & INSTRUCTION

- 7.1 **Board Approval, Participation in Foundations of American History Grant Program**  
Holly McClurg, Assistant Superintendent, Instructional Services, reported that the DMUSD and San Marcos Unified School District jointly applied and received the Teaching American History Grant from the Department of Education, focusing on integrating American history, language arts, and technology. The grant is funded for three full years; the grant will receive further funding for the final two years based on evaluation feedback. The funds from the grant will allow the DMUSD to provide professional development for DMUSD teachers in American history, language arts, and technology.

Motion to approve Participation in Foundations of American History Grant Program.

Motion Rodriguez

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Second Easton  
Unanimous

**8. ADMINISTRATION AND POLICY**

**8.4 Status Report on the Relocation of the District Office**

Superintendent Peabody presented an overview of the various properties explored and considered as possible locations for the District Office. Supt. Peabody fielded clarifying questions from the Board.

**8.5 Board Approval, North City West Joint Powers Authority (NCW JPA)**

Superintendent Peabody recommended Scott Mann, Assistant Superintendent, Business Services, and Katherine White, Board Member, to serve on the Board of the North City West Joint Powers Authority as the representative and alternate representative, respectively. Both positions are effective through the end of the 2010 calendar year.

Motion to approve North City West Joint Powers Authority (NCW JPA) Representatives

Motion Easton  
Second Perkins  
Unanimous

**8.6 Board Approval of Professional Service Agreements for the Del Mar Union School District After School Enrichment Program**

Julie Geisbauer, Director of After School Programs/Child Care, presented Professional Services Agreements for the Fall 2010 after school program for approval. The vendors provide after school enrichment opportunities to the 1,992 students currently enrolled in the program.

Motion to approve Professional Service Agreements for the Del Mar Union School District After School Enrichment Program

Motion White  
Second Rodriguez  
Carried  
Ayes 4  
Noes 0  
Abstain 1 (Member Perkins due to conflict of interest.)

**8.7 Board Approval, Interdistrict Transfer Agreement Between the Solana Beach School District and the Del Mar Union School District for the Pell Place Project**

Superintendent Peabody presented for approval a renewal of the five-year agreement with the Solana Beach School District allowing an interdistrict transfer for students residing in the Pell Place Project.

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**Motion to approve Interdistrict Transfer Agreement Between the Solana Beach School District and the Del Mar Union School District for the Pell Place Project**

**Motion Rodriguez**

**Second Perkins**

**Unanimous**

**8.8 Discussion of Strategic Plan Financial Task Force Recommendations and Staff Follow-Up to Those Recommendations**

The FTF recommendations were brought before the Board for discussion. The recommendation from staff, at this time, is to use the information as a guide. The Board directed staff to revisit the "state of emergency" definition from a fiscal standpoint, as well as the percentage for reserve.

**8.9 Board Approval, Resolution No. 2010-12 of the Board of Trustees of the Del Mar Union School District Adopting an Amended Appendix of the Conflict of Interest Code Pursuant to the Political Reform Act of 1974**

Superintendent Peabody presented Resolution 2010-12 for approval. The Board requested staff research and confirm that the position of Assistant Principal is not required to be a designated position in the code.

There was no input from the public.

**Motion to approve Resolution No. 2010-12 of the Board of Trustees of the Del Mar Union School District Adopting an Amended Appendix of the Conflict of Interest Code Pursuant to the Political Reform Act of 1974**

**Motion Easton**

**Second Perkins**

**Unanimous**

**8.10 Reminder of Upcoming Events**

*Presented for information only.*

**9. OPERATIONS AND FACILITIES**

**9.1. Facilities Report for September**

Randy Wheaton, Director of Maintenance & Operations, reported on the smooth transition to the new school year. Mr. Wheaton recognized and expressed appreciation to all the Maintenance & Operations staff, Plant Managers and principals for their hard work and cooperation.

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**9.2. Update, Project Close-Out, Department of State Architect (DSA)**

Randy Wheaton, Director of Maintenance & Operations presented an update of the closeout status on various projects in the district. Staff is in the process of compiling the required documents and is moving forward with the assistance of Eric Hall & Associates.

The Board recognized Mr. Wheaton for his leadership in following-up on the closeout for both past and present projects.

**10. BUSINESS AND FINANCE**

**10.2 Board Approval and Acceptance of Donations to the Del Mar Union School District**

Member White requested Item 10.2 be pulled from the Consent Agenda to ask clarifying questions on 1) PTA's funding a program, i.e. individuals for Playground Partners vs funding staff for art, music, science, physical education; and 2) to ask about parameters that may be in place regarding PTA donations being accepted by the Board. Staff will present information at a future Board meeting.

**Motion** Easton  
**Second** White  
**Unanimous**

**10.3 Board Approval of Site and Department Performance Agreements and Memorandums of Understanding**

Item 10.3 was pulled from the Consent Agenda to gain a better understanding of the difference between sites being allowed to hire individuals through consulting organizations, i.e. Playground Partners, and not being allowed to hire individuals, for art, music, PE.

**Motion to Site and Department Performance Agreements and Memorandums of Understanding.**

**Motion** White  
**Second** Easton  
**Unanimous**

**10.10 Board Ratification of the Change Order for Child Care Facility at Ocean Air School**

Member White requested Item 10.10 be pulled from the Consent Agenda to ask staff to clarify what funds were used to construct the Ocean Air Child Care Facility. Supt. Peabody reported that \$1.3 million was moved from Restricted Reserves into the General Fund to ensure coverage of the expenditures for Ocean Air Child Care Facility and cash flow through the summer months. Supt. Peabody clarified the change order is a credit.

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Motion to Ratify of the Change Order for Child Care Facility at Ocean Air School  
Motion White  
Second Easton  
Unanimous

10.11 **Education Jobs Fund and Medicaid Assistance Act of 2010**

Scott Mann, Assistant Superintendent, Business Services, reported on the Education Jobs Fund (Ed Jobs) Program which will provide California schools \$1.2 billion to be used to save or create an estimated 16,500 kindergarten through grade twelve (K-12) job. The DMUSD will receive one-time revenue in the amount of \$767,852. Local Education Agencies must use Ed Jobs funds at the school site level for compensation and benefits and other expenses.

10.12 **Board Acceptance of the Del Mar Schools Education Foundation Donation for the 2010-2011 School Year**

The DMSEF presented the DMUSD with a donation check in the amount of \$7,000.

Motion to accept the Del Mar Schools Education Foundation donation for the 2010-2011 School Year.

Motion Perkins  
Second White  
Unanimous

10.13 **2010-2011 Monthly Budget Update, Legal Fees and Cash Balance Report**

*Presented for information only.*

**11. PERSONNEL**

**12. ITEMS FOR OCTOBER 2010 BOARD MEETING**

- Minutes of Regular Board Meeting of September 22, 2010
- Board Approval, Resolution 2010-18, Initiating a Study of the District Election System to Address Alternatives to Comply with the California and Federal Voting Rights Acts
- Board Approval, Del Mar Union School District's Uniform Complaint Quarterly Report for July 1 – September 30, 2010
- Results of Spring 2010 Standardized Testing and Accountability Progress Report: Preliminary Academic Performance Index (API) Report • Adequate Yearly Progress (AYP), Holly McClurg, Assistant Superintendent, Instructional Services
- Board Approval, North Coastal Consortium for Special Education (NCCSE) Community Advisory Committee Representatives
- Update, Illuminate
- Policy on classroom placement appeal

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**RECONVENE CLOSED SESSION**

The Board reconvened to Closed Session at 7:44 p.m.

**RECONVENE OPEN SESSION**

The Board reconvened to Open Session at 8:54 p.m.

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

Board President McDowell reported that the Board directed Superintendent Peabody to settle case number 2010060606 in the amount of \$14,150.

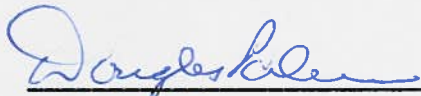
There being no further business to come before the Board, there was a

Motion to Adjourn at 8:56

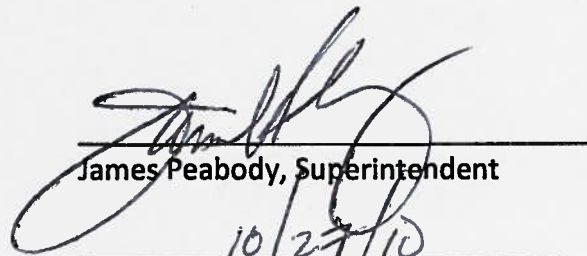
Motion Easton

Second White

Unanimous

  
\_\_\_\_\_  
Douglas Perkins, Clerk

10/27/10  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
James Peabody, Superintendent

10/27/10  
\_\_\_\_\_  
Date