

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

Minutes of Regular Board Meeting

June 9, 2010

Closed Session: 4:00 p.m.

Del Mar Hills Academy

Open Session: 5:45 p.m.

14085 Mango Drive, Del Mar, CA 92014

Board President McDowell called the Regular Board Meeting to order at 4:00 p.m.

PUBLIC INPUT CONCERNING ITEMS ON THE CLOSED SESSION AGENDA

There was no public input.

The Board Adjourned to Closed Session at 4:05 p.m.

RECONVENE OPEN SESSION at 5:52 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 4:02 – 5:51 p.m. to discuss:

- 1.1 **Conference with Legal Counsel – Potential Litigation** (Government Code Section 54956.9(c); Name of Case: One case
- 1.2 **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
- 1.3 **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
- 1.4 **Conference With Real Property Negotiator** (GC 54956.8) - Under Discussion: Sale Terms: 11189 and 11199 Sorrento Valley Road, San Diego, CA 92121; 4106 Sorrento Valley Blvd., San Diego, CA 92122; 2002 Jimmy Durante Blvd., Del Mar, CA 92014; Corner of Jimmy Durante Blvd, and San Dieguito Rd; Lease Terms: 225 9th Street, Del Mar, CA 92014. Agency Negotiator: James Peabody Superintendent

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REPORT OF ACTION TAKEN IN CLOSED SESSION:

The Board will reconvene to Closed Session at the conclusion of Open Session. Board President McDowell reported that no action had been taken at this time.

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 5:52 p.m.

1. PLEDGE OF ALLEGIANCE

Karen Holty, Administrative Assistant at Ocean Air School, 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
Annette Easton
Comischell Rodriguez
Katherine White

Administrators Present: James Peabody, Superintendent
Dena Whittington, Assistant Superintendent, Business Services
Holly McClurg, Assistant Superintendent, Instructional Services
Tim Asfazadour, Assistant Superintendent, Human Resources
Sheila Weinberg, Director of Pupil Services
Mike Casey, Director of Technology
Randy Wheaton, Director of Maintenance & Operations
Julie Geisbauer, Director of After School Programs
Katie Shanahan, Coordinator State & Federal Projects

Principals Present: Ryan Stanley, Ocean Air

DMUSD Staff Present: Bill Porter, Gail Brinkerhoff, Karen Holty

Others Present: Approximately 10+ community members.

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

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3. **APPROVAL OF AGENDA**

Amendments to the Agenda:
Item 10.12 to follow item 8.4.

Motion to Approve Agenda, as amended.

Motion White

Second Easton

Unanimous

4. **CORRESPONDENCE/COMMUNICATION**

4.1 **Correspondence**

No correspondence was received by the Board.

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

- *Kate Takahashi*, spoke regarding the investigation into statements contained in the resignation document of the former Board president.

5. **REPORTS, RECOGNITIONS AND HEARINGS**

5.1 **Staff Recognition – Retiree, Gail Brinkerhoff, Carmel Del Mar**

James Peabody, Superintendent, recognized Gail Brinkerhoff for her 39 years in education and presented her with an engraved rosewood memory box.

5.2 **Staff Recognition – Retiree, Don Birkett, Del Mar Heights**

Mr. Birkett was not able to attend the June 9, 2010 meeting. The Board looks forward to recognizing Mr. Birkett at the June 23, 2010 Board meeting.

5.3 **Public Hearing Regarding the Flexibility Transfers of June 30, 2010 Restricted Ending Balances and 2010-2011 Categorical Funds**

The public hearing was opened at 6:06 p.m.

There was no public input.

The public hearing was closed at 6:07 p.m.

5.4 **PTA Report, Jeanette Nichols, Ashley Falls**

Ms. Nichols was unable to attend.

5.5 **Report – Board Reports/Comments**

Member Easton:

- Congratulated staff, parents and students for an excellent year and wish all a happy summer.

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Member McDowell:

- Attended opening day ceremonies at Ocean Air Park and spoke with City Council Person Sheri Lightner at the event.
- Attended the 6th grade play “Oliver” at Del Mar Heights
- Attended play at Canyon Crest
- Congratulated 6th grade students on promoting to middle school
- Congratulated retiree Gail Brinkerhoff and attended one of her retirement functions
- Attended two Public Meeting of the Financial Task Force
- Thanked staff for the work being done with future Kindergarten families
- Wished everyone a great summer

Member Perkins:

- Thanked the Financial Task Force and staff for their work on the Public Meetings.
- Attended two of the Public Meetings.
- Thanked parents for all of the input given to the FTF

Member Rodriguez:

- Acknowledged staff, parents and students for a great academic year
- Attended a Public Meeting of the Strategic Plan Financial Task Force
- Expressed her objection to manipulation of draft Minutes by Board members
- Expressed concern in the lack of progress the Board has made to relocate the District Office

Member White:

- Toured potential properties for relocating the District Office
- Attended a Public Meeting of the Strategic Plan Financial Task Force
- Thanked staff and parents for a great school year

5.6 Report – Superintendent’s Report

- Reviewed the law, Education Code and Board policies to determine if any indiscretion on the part of other board members had occurred regarding accusations contained in the resignation statement of the former president of the board. The result of the investigation was that the actions of Board members did not violate any law, Ed Code or Board policy.
- Congratulated Holly McClurg on defending her dissertation.
- Attended the 6th grade play “Oliver” at Del Mar Heights
- Will attend Dads’ Club B-B-Q at Del Mar Hills on Friday evening
- Updated the Board on the status of the recommendations made by the Strategic Plan Financial Task Force.
- Performed an investigation of the statements contained in the resignation of the former Board president.

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- Will be working with Randy Wheaton and Dena Whittington on a comprehensive plan for school safety.
- Will meet with Board Member Rodriguez and Haines Management to discuss moving forward with a Strategic Plan.

6. APPROVAL OF MINUTES

Motion to approve Minutes of the following Board Meetings:

- Minutes of Special Board Meeting of May 5, 2010
- Minutes of Regular Board Meeting of May 12, 2010
- Minutes of Special Board Meeting/Visitation of May 19, 2010

Motion White

Second Easton

Carried

Ayes 4

Noes 1 (Member Rodriguez)

Abstain 0

Member Rodriguez clarified that although she voted “no” to the approval of the Minutes, her votes would have been different if the Minutes were approved individually, as follows: Minutes of May 19, 2010 – Yes; May 12, 2010 – Abstain, due to absence; May 5, 2010 – No.

6.2 APPROVAL OF CONSENT ITEMS

- *10.1 Board Approval of Purchase Orders and Ratification of Commercial Warrant Payments and Revolving Cash Disbursements
- *10.2 Board Approval of Site and Department Performance Agreements and Memorandums of Understanding
- *10.3 Board Approval and Acceptance of Donations to the Del Mar Union School District
- *10.4 Board Approval of Restricted Maintenance Contracts For Summer Work and 2010/2011 Fiscal Year Annual Inspections, Maintenance and Service
- *10.5 Board Award and Approval of Agreement Between Walters Painting Inc. and the Del Mar Union School District for Exterior Painting at Del Mar Hills, Summer 2010
- *10.6 Board Award and Approval of Agreement Between TP Acoustics, Inc. and the Del Mar Union School District for Torrey Hills School Ceiling Tile Modification, Summer 2010
- *10.7 Board Award and Approval of Agreement Between Janus Corporation and the Del Mar Union School District for Ceiling Mold Remediation at Torrey Hills School, Summer 2010

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- *10.8 Board Award and Approval of Agreement Between Environmental Builders and the Del Mar Union School District for Cabinet Repair at Torrey Hills School, Summer 2010
- *10.9 Board Rejection of all Bids for HVAC Repair and Upgrade at Del Mar Heights and Sage Canyon and Approval to Re-Advertise for Bids
- *10.10 Board Action to Declare District Property Obsolete and Surplus and to Dispose of or Donate per Education Code 17546(a)(b)(c)
- *10.11 Board Approval of Contract Between the Del Mar Union School District and J.D.L. Development, Inc
- *11.1 Board Approval of Recommended Personnel Actions: Employment, Resignations, Retirements, Dismissals, Leaves of Absence, and Change of Status

Motion to approve Consent Items *10.1 - *10.11 and *11.1

Motion Perkins

Second White

Unanimous

7. CURRICULUM & INSTRUCTION

7.1 Board Approval, 2010-2011 Consolidated Application for Funding Categorical Aid Programs, Part I

Katie Shanahan, Coordinator of State and Federal Projects, presented the application for State funding of the following programs: Economic Impact Aid, Title II: Improving Teacher Quality, and Title III: English Language Learners and Immigrant Students. The Board thanked Ms. Shanahan for her effort regarding this report.

Motion to approve the 2010/2011 Consolidated Application for Funding Categorical Aid Programs, Part 1

Motion Easton

Second Perkins

Unanimous

7.2 Board Approval, Memo of Understanding with Alpine Union School District, Warner Unified School District, and Dehesa Elementary School District for Title III – Limited English Proficient Funds

Katie Shanahan, Coordinator of State and Federal Projects, presented the MOU with Alpine Union, Dehesa and Warner Unified for approval to assist these districts by continuing as the lead of the consortium for LEP funds. The Board thanked Ms. Shanahan for working with other districts collaboratively and bringing in extra revenue.

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Motion to approve the Memo of Understanding with Alpine Union School District, Warner Unified School District, and Dehesa Elementary School District for Title III – Limited English Proficient Funds

Motion Rodriguez

Second White

Unanimous

7.3 Board Approval, Memo of Understanding with Coronado Unified School District and Dehesa Elementary School District for Title III – Immigrant Student Funds

Katie Shanahan, Coordinator of State and Federal Projects, presented the MOU with Coronado Unified and Dehesa for approval to assist these districts by continuing as the lead of the consortium for immigrant student funds.

Motion to approve the Memo of Understanding with Coronado Unified School District and Dehesa Elementary School District for Title III – Immigrant Student Funds

Motion Easton

Second Rodriguez

Unanimous

7.4 Board Approval, Resolution No. 2010-12 Flexibility Transfers of June 30, 2010 Restricted Ending Balances and 2010-2011 Categorical Funds

Katie Shanahan, Coordinator of State and Federal Projects presented the proposed funding of categorical funds with the recommendation that sites receive 50% of the allocation for the 2010/2011 school year. Ms. Shanahan fielded questions from the Board on past years practices and impacts of the recommendation.

Motion to approve Resolution No. 2010-12 Flexibility Transfers of June 30, 2010 Restricted Ending Balances and 2010-2011 Categorical Funds

Motion White

Second Easton

Unanimous

8. ADMINISTRATION AND POLICY

8.1 **Board Approval, Revised 2010 Board Meeting Schedule**

Superintendent Peabody presented the calendar be approved as drafted.

Public Input

- *Lesley Ballard*, DMUSD parent, read a letter on behalf of Martha Cox regarding Board policy and the process of revising the schedule of Board meetings.

The Board agreed to table approval of the revised schedule of Board meetings until the process can be reviewed. The Board requested By-Law 9320 be posted on the web.

8.2 **1st Reading, Board of Trustees School Site Visitation Schedule, 2010/2011**

Holly McClurg, Assistant Superintendent, Instructional Services, presented three options for scheduling the Board's visits to the sites in the 2010/2011 school year. The Board discussed the options presented and variations thereof. The Board asked to have input from the principals in the second reading.

8.3 **District Office Summer Hours**

Superintendent Peabody reminded the Board of the traditional District Office summer schedule of four 10-hour workdays. The office will be closed on Fridays.

8.4 **Update, 2010/2011 Student Enrollment, Staffing Projections and Enrollment Caps**

Tim Asfazadour, Assistant Superintendent, Human Resources, presented the first reading of the 2010/2011 site/grade level enrollment caps, updated staffing and enrollment by school, with proposed site and grade level caps for Ocean Air and Sage Canyon.

Sheila Weinberg, Director of Pupil Services, fielded clarifying questions from the Board regarding student placement, enrollment, intradistrict transfers and enrollment caps.

The Board discussed Del Mar Heights kindergarten caps and requested staff recommendation, noting this cap existed last year. The Board also requested staff weigh in on the impact of caps ranges and how that might require additional cost in teacher extra student stipends, and if having ranges at Sage Canyon and Ocean Air meant other schools would be limited and result in lotteries at other schools and extra staff at Ocean Air and Sage Canyon.

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Public Input

The following parents asked that enrollment at Del Mar Hills be a consideration when placing overflow students, and to keep kindergarten enrollment balanced at Del Mar Hills and Del Mar Heights.

- *Mara Bickett*, DMUSD parent
- *Vanessa Black*, DMUSD parent
- *MaryBeth Norgren*, DMUSD parent

The board asked for the item to come back at the next meeting taking into consideration the input from the public.

Per the amendment to the approval of the Agenda, Item 10.12 occurred at this time.

8.5 Discussion of Staff Year End Recognition Event

Superintendent Peabody reviewed the history of year-end recognition events for the Board. Based on feedback from staff, he informed the Board that staff feels their time is better spent with students and there will be no year end event this year.

8.6 Board Approval, Revised Administrative Regulation 5117: Interdistrict Agreements

Sheila Weinberg, Director of Pupil Services, presented the revised Administrative Regulation 5117: Interdistrict Agreements for approval.

Motion to approve the Revised Administrative Regulation 5117: Interdistrict Agreements.

Motion Easton

Second White

Unanimous

8.7 Discussion, Board Recognition of Student Accomplishments

The Board discussed options on how to recognize students and recommended the superintendent bring back his recommendation for how to incorporate this into Board meetings.

8.8 Reminder of Upcoming Events

(For information only.)

9. OPERATIONS AND FACILITIES

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10. BUSINESS AND FINANCE

10.12 Board Approval of Construction Agreement, Lease and Sub-Lease for Child Care Facility at Ocean Air School

Randy Wheaton, Director of Maintenance & Operations, summarized the steps taken, to date, in moving forward with the planning and construction of the child care facility at Ocean Air School. Mr. Tim Berry, Vice President of Construction Management, Field Operations for Barnhart Balfour Beatty discussed the bidding process, pricing, next steps and the timeline for construction of the child care facility. Mr. Berry also fielded clarifying questions from the board. Construction is proposed to begin June 18, 2010 with a projected completion date of August 17, 2010.

Board Member Perkins pointed out the proposed use of a sub contractor used at Torrey Hills which resulted in litigation due to performance and was assured the project would move forward with the alternate. The Board was also informed that the subcontractors selected were all local.

Dena Whittington, Assistant Superintendent, Business Services, confirmed the cost of the project would be \$989,632.

Public Input

The following DMUSD parents spoke in favor of moving forward with the construction of the child care facility at Ocean Air School.

- *Britton Bliss*
- *Darang Tech*
- *Karen Holty*
- *Guy Rovad*
- *Suzanne Hall*, also inquired as to what funds will cover the expense.

Dena Whittington, Assistant Superintendent, Business Services, confirmed that currently the project will be funded by the Enterprise Fund. The Board approved the recommendation of \$1,239,124.

Motion to approve the Construction Agreement, Lease and Sub-Lease for Child Care Facility at Ocean Air School, with the understanding that Commercial & Industrial Roofing will be awarded the contract for sheet metal, flashing, metal roofing.

Motion Rodriguez

Second Easton

Unanimous

11. PERSONNEL

See Consent Item *11.1

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12. ARTICLES OF INTEREST

None.

13. ITEMS FOR JUNE 23, 2010 BOARD MEETING

- Minutes of Regular Board Meeting of May 26, 2010
- Minutes of Regular Board Meeting of June 9, 2010
- Public Hearing Regarding the 2010/2011 DMUSD Budget
- Board Adoption, 2010/2011 Proposed Budget
- 2nd Reading, Board of Trustees School Site Visitation Schedule, 2010/2011
- Recognition: Del Mar Schools Education Foundation
- Recognition: Retiree, Don Birkett
- Proposed School Site Classified Staffing Allocation
- Discussion, Governance Workshop
- DecisionInsite
- 2nd reading Student Enrollment, Staffing Projections and Enrollment Caps
- Revised schedule of Board meetings including BB 9320
- Discussion, Minutes
- Approval of revised BP 3580: District records
- Intradistrict transfers
- Enrollment report

The Board reconvened to Closed Session at 8:30 p.m. to conclude discussion on the Closed Session Agenda items.

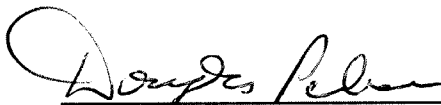
The Board reconvened to Open Session at 9:28 p.m.

REPORT OF ACTION TAKEN IN CLOSED SESSION:

Board President McDowell reported that no action was taken in Closed Session.

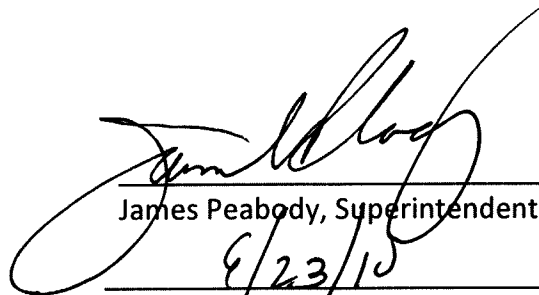
There being no further business to come before the Board, there was a Motion to Adjourn at 9:29 p.m.

Motion Easton
Second Perkins
Unanimous



Douglas Perkins, Clerk
6/23/10

Date



James Peabody, Superintendent
6/23/10

Date

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