

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

Minutes of Special Board Meeting

January 18, 2012

Closed Session: 4:45 p.m.

Open Session: 5:45 p.m.

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

Board President Wooden called the Special Board Meeting to order at 4:48 pm

PUBLIC INPUT CONCERNING ITEMS ON THE CLOSED SESSION AGENDA

- There was no input from the public.

ADJOURN TO CLOSED SESSION

The Board adjourned to Closed Session at 4:49 p.m.

RECONVENE OPEN SESSION

The Board reconvened to Open Session at 5:48 p.m.

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

1. The Board met in Closed Session from 4:49 to 5:40 p.m. to discuss:

- 1.1 **Conference with Legal Counsel – Existing Litigation** (Government Code Section 54956.9(a); Name of Case: One case (I.D. #11001384)
- 1.2 **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
- 1.3 **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
- 1.4 **Conference with Real Property Negotiator** (G.C. 54956.8)- *Under Discussion: Lease Between the DMUSD and Andrews, Lagasse, Branch & Bell, LLP: 11232 El Camino Real, San Diego, CA, 92130* — Agency Negotiator: James Peabody, Superintendent

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REPORT OF ACTION TAKEN IN CLOSED SESSION:

Board President Wooden reported that regarding Item 1.1, the Board gave Superintendent Peabody direction to resolve case I.D. #11001384. No action was taken on Items 1.2, 1.3 or 1.4.

CALL TO ORDER

Board President Wooden called to order the Open Session of the Regular Board Meeting of the Del Mar Union School District, Board of Trustees, at 5:50 p.m.

2. PLEDGE OF ALLEGIANCE

Superintendent Jim Peabody led Board members and guests in the Pledge of Allegiance.

ROLL CALL

Members Present (5): Comischell Rodriguez, President of the Board
Scott Wooden, Clerk of the Board
Kristin Gibson
Doug Perkins
Doug Rafner

Administrators Present: James Peabody, Superintendent
Tim Asfazadour, Assistant Superintendent, Human Resources
Holly McClurg, Assistant Superintendent, Instructional Services
Cathy Birks, Assistant Superintendent, Business Services
Cara Schukoske, Director of Pupil Services
Mike Casey, Director of Technology
Julie Geisbauer, Director of Early Childhood/After School Programs
Randy Wheaton, Director of Maintenance & Operations

DMUSD Staff Present: Wendy Wardlow, Mary Zobell, Paige Rollins, Marisa Tirri, Regina Williams, Brenda Heskett, Mark Pong, Nicki Waldal, Bruce Smith, Erica Halpern, Bill Porter

Others Present: Danica Sheres, Paua Moore, Margie Smith, Jeanne Thomas, Katherine White, Liz Shopes, Jane Quinn, Molly Proul, Diane Jacobs Baizer, Paul Gaspar, Kevin Campbell, Cynthia & Stan Silbert, Robin Khoury, Tamar Gollan, Amy Gonsalves, Jennifer Emberger, DeeAnna & Curt Behle, Kate Takahashin, Yana Mohanty, Lina Waage, Kristin Montgomery, Amy Hellenkamp, Beth Davidson, Nancy Shields, Megan McLaughlin, Lisa Lutz, Marybeth Norgren, Kelley Huggett, Amy Caterina and approximately 15 other community members.

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3. APPROVAL OF AGENDA

Amendments: Item 10.6 to follow item 7.1; item 8.4 to follow 10.6; item 10.5 to follow 8.4.

Motion to Approve Agenda, as amended

Motion Perkins

Second Gibson

Unanimous

4. CORRESPONDENCE/COMMUNICATION

4.1 Correspondence

- Received 54 emails and one letter pertaining to the Spanish program at Del Mar Heights encouraging the Board to take positive action.
- Received two emails from Del Mar Hills Academy parents pertaining to a rumor alleging the parents created the current situation regarding the Spanish program at Del Mar Heights, which is not true.
- Supt. Peabody expressed his apologies for not being able to reply to all the emails he had received because he was out of town due to a death in the family.

4.2 Public Comment (for items not on the Agenda)

- There were no comments from the public.

5. REPORTS, RECOGNITIONS AND HEARINGS

5.1 Staff Recognition

Superintendent Peabody thanked 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 – Tricia Huppert, Volunteer Coordinator

Carmel Del Mar – Jennifer Havlat, 6th grade teacher

Del Mar Heights – Greg Jordan, Plant Manager

Del Mar Hills Academy – Abby Farricker, 5th grade teacher

Ocean Air – Lillian Rutledge, Librarian

Sage Canyon – Sallie Small, RSP Aide

Sycamore Ridge – Dana Stuart, Special Ed Aide II

Torrey Hills – Nalani Grosman, Administrative Assistant

District – Shirley Bales, Curriculum Program Assistant

5.2 Report

DMSEF Report: Drew Isaacman, DMSEF President

Drew Isaacman reported that April 30, 2012 is the new deadline for the annual fund raising campaign and that the DMSEF is expecting a “rush of activity” during the period of January – April. Mr. Isaacman reported that 601 families have donated \$425,000 toward the annual campaign. Currently the DMSEF is running behind last years but feel confident the DMSEF will raise same funds as in the past. He stated

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the funds being raised under the current district-wide model far exceeds the amounts raised under the former model. The DMSEF website has been launched and ESC calendars showing dates of events highlighting ESC programs are available giving parents an opportunity witness what their contributions to the DMSEF are doing for students.

5.3 Report – Board Reports/Comments

Member Perkins:

- No report

Member Rafner:

- Enjoyed the Board's visit to Ashley Falls where he was honored to meet Joshua Cheng's twin brother and saw the area planned for a memorial for Joshua.
- Visited the preschool at Sycamore Ridge

Member Gibson:

- Most significant event was the passing of Joshua Cheng at Ashley Falls; neighborhoods are adorned in red ribbons, Joshua's favorite color. Many warm and supportive staff, family and friends.
- Visited Ashley Falls where the Board heard good comments about math professional development, and saw it in action.
- Visited preschool
- Attended two DMSEF meetings
- Met with DMCTA Political Action Committee Meeting at Ocean Air

Member Rodriguez:

- Expressed condolences to Joshua Cheng's family.
- Expressed condolences to Jim Peabody and his family for their loss.

Member Wooden:

- Expressed condolences to the Joshua Cheng family.
- Visited Ashley Falls and the preschool with other Board members.
- Listened to CSBA 2011 forecast webcast; projects funding will be down for a number of years; funding for many mandates will be rolled into one pot and distributed to schools; governor has proposed not proceeding Transitional Kindergarten

5.4 Report – Superintendent's Report

- Supt. Peabody had no report.

6. APPROVAL OF MINUTES

Motion to approve Minutes of the following Board Meetings:

- Minutes of Regular Board Meeting, December 14, 2011
- Minutes of Special Board Meeting/Visitation, January 4, 2012
- Minutes of Special Board Meeting, January 11, 2012

Motion Rodriguez

Second Rafner

Unanimous

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6.1 APPROVAL OF CONSENT ITEMS

Amendment: Pull item 10.2 off the Consent agenda

- *8.1 Board Approval, Del Mar Union School District's Uniform Complaint Quarterly Report for October 1 – December 31, 2011
- *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 Board Action to Declare District Personal Property as Obsolete and Surplus and to Dispose of or Donate per Education Code 17546(a)(b)(c)
- *10.4 Board Approval of Contracts and Contract Amendments for Special Education Services for the 2011-2012 School Year
- *11.1 Board Approval of Recommended Personnel Actions: Employment, Resignations, Retirements, Dismissals, Leaves of Absence, and Change of Status

Motion to approve Consent Items *8.1, *10.1, *10.3, *10.4 and *11.1

Motion Perkins

Second Gibson

Unanimous

7. CURRICULUM & INSTRUCTION

7.1 Board Approval, School-Sponsored Field Trip

Staff confirmed the field trip presented for approval is the overnight Star of India trip.

Motion to approve School-Sponsored Trip

Motion Rodriguez

Second Perkins

Unanimous

8. ADMINISTRATION AND POLICY

8.2 Discussion, New District Office Open House

Superintendent Peabody recommended February 8th or 15th to hold an Open House at the new District office. The Board members agreed to hold the event on February 15, 2012.

8.3 Update, Child Nutrition Committee and Review of Lunch Program

Public Input

Yana Mohanty, former chair of Child Nutrition Committee (CNC) reported the program has improved and children are being exposed to a variety of foods and spoke in favor of the committee continuing to meet to further improve the program.

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Keith Cosby from Choicelunch was present to give an update on the lunch program and to present a review of the online ordering system. Currently the District is experiencing a 27.2% participation level. Mr. Cosby responded to clarifying questions from the Board. The Board suggests the CNC continue to meet to further improve the program.

8.4 Update, PTA and DMSEF Fundraising

The Board requested hearing public input prior to discussion on fundraising.

Motion to approve extending the length of time for public input.

Motion Perkins

Second Rodriguez

Unanimous

Board President Wooden assured the community that the Board recognizes Spanish programs, as well as other language programs, are very important to the district.

Superintendent Peabody clarified that the information provided to the Board to gives a historical perspective of fundraising in the DMUSD. Supt. Peabody also clarified that item 10.5 pertaining to a performance agreement, deals with a compliance issue of a performance agreement for a consultant who is teaching a class in Spanish.

Public Input

- *Mary Zobell*, teaches Spanish at Del Mar Heights, spoke in support of the Spanish program at Del Mar Heights.
- *Gina Williams*, DMUSD teacher and DMCTA Vice President, talked on behalf of the DMCTA endorsing site-based decision-making.
- *Danica Sheres*, Del Mar Heights parent, spoke in support of the Spanish program at Del Mar Heights.
- *Paige Rollins*, 2nd grade teacher at Del Mar Heights, spoke in support of the Spanish program at Del Mar Heights.
- *Dirk Bastsch*, Del Mar Heights parent spoke in support of the Spanish program at Del Mar Heights.
- *Jennifer Crittenden*, Del Mar Heights parent spoke in support of the Spanish program at Del Mar Heights.
- *Katherine White*, Del Mar Heights parent, spoke in favor of saving programs in the DMUSD and encouraged the Board to find a way to bring back programs that have been lost.
- *Jackie Workman* Del Mar Heights parent, spoke in support of the Spanish program at Del Mar Heights and keeping the uniqueness at our schools.
- *Bruce Smith* Del Mar Heights parent spoke in support of the Spanish program at Del Mar Heights.
- *Molly Proul*, Del Mar Heights parent spoke in support of the Spanish program at Del Mar Heights.

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- *Erica Halpern*, Del Mar Heights parent spoke in support of the Spanish program at Del Mar Heights
- *Tamar Gollan* Del Mar Heights parent spoke in support of the Spanish program at Del Mar Heights

Discussion:

Superintendent Peabody shared background and historical information relative to fundraising for programs. He also shared that three of the seven core strategies identified in Strategic Planning last June are centered on curriculum, instruction and assessment and that many of the issues talked about this evening are being discussed in the Strategic Planning Action Teams, i.e. the uniqueness of each school, financial and community outreach. Supt. Peabody understands that parity within the district has changed over the years and that a clear picture of programs is needed in order for us to communicate what the fundraising of the DMSEF and the PTAs will support. Staff is working as quickly as possible in order that each school can achieve their desired goal. Board Policies and Administrative Regulations offer clear guidance for staff in achieving the goal.

Member Rodriguez gave a historical perspective of programs in the district and how to allocate amongst the district to preserve equity. The Board shared comments on whether the policy needs to be reviewed and that fair equity does not mean all schools must be identical. The budget crisis has caused the elimination of some programs and the district needs to look at relationship between PTA and DMSEF fundraising.

The Board and staff discussed:

- what determines a consultant versus a teacher.
- practices and procedures to align with policies.
- develop creative programs to be funded properly
- avenues that might allow PTA to fund an employee
- pilot for a Spanish program.
- Spanish program at some schools may draw students to the schools.
- not discouraging fundraising
- policy states the DMSEF is source for funding people
- PTA is a source for funding programs
- site specific versus district wide DMSEF fundraising
- PTA fundraising

The Board would like to discuss district wide versus site based fundraising at a future Board meeting.

8.5 Update, Enrollment Option/Facility Optimization

Superintendent Jim Peabody introduced Chuck Forte, architect, who has been working with the District on facility optimization. Mr. Forte is also surveying all sites to determine a location for child care/preschool program. Mr. Forte's

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presentation included the history and recommendation by staff, his research findings and financing the program at each of the viable sites. In addition, Julie Geisbauer, Director of Early Childhood/After School Programs; Cara Schukoske, Director of Pupil Services; Marisa Tirri, Coordinator Assistant Director of Early Childhood Services; and Randy Wheaton, Director of Maintenance & Operations, presented their analysis of where the preschool program could be placed together with a brief overview of past and current locations.

Tim Asfazadour, Assistant Superintendent, Human Resources, gave information on the Enrollment Options/Facility Optimization Action Team meetings in examining methods for optimum usage of District facilities and to also provide clarity for parents of new enrollees regarding their child(ren)'s school placement.

Mr. Asfazadour discussed Option Areas: Designated areas where families will have the option of attending their choice between two schools based on capacity available at each facility. Option areas would exist between Ocean Air/Sage Canyon; Sage Canyon/Ashley Falls; Del Mar Hills Academy/Carmel Del Mar; Ocean Air/Torrey Hills; Sycamore Ridge/Ashley Falls.

Mr. Asfazadour discussed Overflow Schools: Schools with boundaries adjacent to impacted schools that will provide space for families who are not able to attend the impacted home school.

The Board directed staff to move forward with the development of option areas and overflow schools.

8.6 Reminder of Upcoming Events

(Presented for information only.)

9. OPERATIONS AND FACILITIES

9.1 Facilities Report, January

Randy Wheaton, Director of Maintenance & Operations, reported on updating the contents of the disaster sheds at school sites, playground equipment at Del Mar Hills Academy, work performed by maintenance staff during the Winter Break and tile projects at Torrey Hills and Sycamore Ridge.

9.2 Board Approval to Advertise for Bids, Ocean Air Portable Classrooms

Randy Wheaton, Director of Maintenance & Operations, requested permission to advertise for bids to install portables at Ocean Air School in order to meet the timeline for completion once the Board approves the installation.

Motion to approve Advertise for Bids, Ocean Air Portable Classrooms

Motion Perkins

Second Gibson

Unanimous

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10. BUSINESS AND FINANCE

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

Motion to approve and accept donations to the Del Mar Union School District

Motion Rodriguez

Second Gibson

Unanimous

10.5 Board Approval/Ratification of Site and Department Performance Agreements and Service Agreements

Motion to approve Ratification of Site and Department Performance Agreements and Service Agreements for Advanced Toolware, LLC; Christine Maines-Fecko; Greenleaf Inc.; Eric Hall & Associates; and, Consulting and Inspection Services (CIS)

Motion Rafner

Second Rodriguez

Unanimous

The Board discussed if other options were available within the constraints of IRS code that might permit approval of the Performance Agreement with Mary Zobell. The Board expressed concern over stopping the Spanish program mid-year, which is taught by Ms. Zobell at Del Mar Heights. Tim Asfazadour, Assistant Superintendent, Human Resources, stated the Board could consider offering a temporary contract for the remainder of the year thereby meeting the legal requirements. The Board brainstormed thoughts on how to allow the Spanish program to continue at Del Mar Heights.

Motion to deny approving the Performance Agreement for Mary Zobell, as it is currently written.

Motion Rodriguez

Second Gibson

Carried

Ayes 4 Members Gibson, Rafner, Rodriguez, Wooden

Noes 1 Member Perkins

Abstain 0

Board would like the Spanish program to return to the Board in a revised fashion to meet the legal requirements as soon as possible.

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10.6 **Board Review and Acceptance of the Annual Audit Report for the 2010-2011 Fiscal Year Prepared by Wilkinson, Hadley, King & Co. Certified Public Accountants**

Brian Hadley of Wilkinson, Hadley, King & Co. presented an overview of the 2010/2011 Audit Report. Mr. Hadley brought attention to the most important part of an audit, the Opinion Report. For the year ending June 2011 the auditors gave an unqualified opinion meaning that without reservation the audited financial statements correctly reflect the financial condition of the district as of June 2011. Mr. Hadley reported there were no findings for the year ending June 30, 2011, either for the compliance portion or the financial portion of the audit. It was also reported that the finding from the previous year had been corrected.

Motion to Accept the Annual Audit Report for the 2010-2011 Fiscal Year Prepared by Wilkinson, Hadley, King & Co. Certified Public Accountants

Motion Rafner
Second Perkins
Unanimous

10.7 **Proposed 2012/2013 Budget Reductions**

Superintendent Jim Peabody presented a brief overview of the budget challenges facing the district together with the list of proposed budget reductions some of which are subject to negotiation with the DMCTA. Supt. Peabody explained the most unpleasant area of the budget to cut is for people, and that eighty-seven percent of the budget covers salaries.

The Board asked clarifying questions on the status of Transitional Kindergarten, which may not occur for the 2012/2013 school year, however, the state has not made a final decision.

Staff also reported that an insurance opt-out option would be revisited.

10.8 **2011/2012 Monthly Budget Update**

Cathy Birks, Assistant Superintendent, Business Services presented the First Interim Report showing actual revenues and expenditures as of December 31, 2011. The Second Interim will be presented for approval at the February Board meeting.

11. PERSONNEL

11.2 **Preliminary Staffing and Enrollment Projections 2012-2013**

Tim Asfazadour, Assistant Superintendent, Human Resources, presented updates as useful information for the Board as the District discusses budget cuts. This is an early projection that shows staffing to be the same as the current year. Current projections indicate enrollment may be down 40 students for the 2012/2013 school year.

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11.3 2011-12 Certificated Personnel Count

Tim Asfazadour, Assistant Superintendent, Human Resources, presented this update as useful information to have when discussing possible reductions for next year. Staffing information is just the certificated staff that is broken down into permanent, probationary and temporary employees.

12. ITEMS FOR FEBRUARY 2012 BOARD MEETING

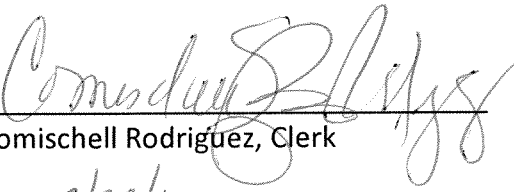
- Minutes of Regular Board Meeting of January 18, 2012
- Minutes of Special Board Meeting/Visitation of February 1, 2012
- Approval of moving forward with option areas
- DMSEF and PTA fundraising (sometime in the future)

There being no further business to come before the Board, there was a Motion to Adjourn at 1:33 p.m.

Motion Rafner

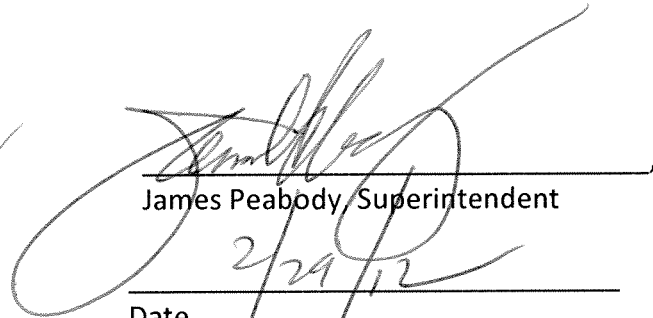
Second Perkins

Unanimous



Comischell Rodriguez, Clerk
2/29/12

Date



James Peabody, Superintendent
2/29/12

Date