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MINUTES FOR REGULAR MEETING OF MAY 26, 2009

Call to Order

The Board of Education of Palo Alto Unified School District held a Regular Meeting in the Board Room at 25 Churchill Avenue, Palo Alto, California. Barb Mitchell, President, called the meeting to order at 5:00 p.m.

Members present:

Ms. Barb Mitchell, President
 Ms. Barbara Klausner, Vice President
 Ms. Melissa Baten Caswell
 Mr. Dana Tom
 Ms. Camille Townsend
 Mr. Chirag Krishna, Paly, Student Board Representative
 Mr. Phil Park, Gunn, Student Board Representative

Staff present:

Dr. Kevin Skelly, Superintendent
 Dr. Scott Bowers, Assistant Superintendent
 Ms. Ginni Davis, Assistant Superintendent
 Mr. Scott Laurence, Assistant Superintendent
 Dr. Robert Golton, Chief Business Officer
 Ms. Cathy Mak, Chief Business Officer
 Dr. Susan Charles, Principal
 Ms. Danae Gray, Teacher on Special Assignment

Others present:

Dr. Marilyn Cook, FLAP Grant Administrator

Closed Session

The Board adjourned to closed session for Employee Evaluation pursuant to Government Code 54957 – Superintendent; Employee Appointment pursuant to Government Code 54957 – Assistant Superintendent; Conference with Labor Negotiator, Dr. Scott Bowers, regarding PAEA, CSEA, and Non-represented groups pursuant to Government Code 54957.6; Student Discipline – One Case; and Student Waiver pursuant to Government Code 54957.7a.

Reconvene in Open Session

The Board reconvened in regular session at 6:30 p.m. in the Board Room. Mitchell announced the Board took no reportable action and would return to closed session following this open session.

Approval of Agenda Order

MOTION: Townsend moved to approve the agenda order. Baten Caswell seconded. Motion carried 5-0.

Staff and Student Successes

Skelly recognized: an Escondido student for winning a writing contest; a number of Terman students for receiving recognition from the Santa Clara County Alliance of Black Educators; the Paly Concert Choir for its accomplishments at the Golden State Choral Festival; a Paly student who competed in the State Championship in debate; a number of Gunn and Paly students and staff for participating in the Foundation for a College Education program; and a Paly teacher who was recognized by the Santa Clara County Alliance of Black Educators with the Laverne Owen Community Service Award.

Information
 Student Board Representative
 Reports

Phil Park, of Gunn High School discussed the Tall Tree Festival, senior finals, yearbook distribution, the Peninsula Humane Society, and student One Acts.

Chirag Krishna, of Palo Alto High School, commented on a visit from the Marine Corp, theater, and ASB interviews.

Information
 Superintendent's Report

Skelly said the Board had a study session on policies and procedures, and this subject would come to the next regular meeting. He also attended the Adolescent Counseling Center's spring luncheon, and thanked them for their support during the aftermath of the recent student death. He noted the tremendous amount of uncertainty in the area of school finance, then said the District needed to be aggressively conservative with its resources due to the current financial situation, class size reduction, and the importance of not over-staffing. He said the state penalties for going over the class size reduction numbers had been relaxed, and staff was considering increasing some class sizes from 20 to 21 or 22 for grades K-3. This would allow more students to attend their neighborhood schools or choice schools.

Golton gave a facilities update focusing on: Measure A funded technology and facility improvements such as a purchase of 830

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computers and peripherals, Gunn pool project, and Gunn Industrial Arts building.

Action

Approval of Consent Calendar

MOTION: Baten Caswell moved to approve Certificated and Classified Personnel Actions; minutes from April 28 and May 12 2009; Adoption and Standards Alignment Certification of Spanish Language Instructional Materials – Levels I and II; Contracts for Legal Services for 2009-10: (1) Lozano Smith, (2) Fagan Friedman and Fulfrost, and (3) Miller Brown and Dannis; Authorization to Extend Awarded Contract for Unleaded & Diesel Fuel; and CAHSEE Waiver. Tom seconded. Motion carried 5-0.

Public Hearing

Initial Proposals of the Palo Alto Educators Association (PAEA) for Negotiations with the Board of Education

Mitchell opened the public hearing.

Triona Gogarty, PAEA President, said this year promised to be economically tumultuous for the State of California, and the teachers were proud of PAUSD's schools in many ways. The goal was to continue to preserve or improve the programs in Palo Alto. She knew that problem-solving would occur through open dialog and thorough discussion.

Mitchell closed the public hearing.

Public Hearing

Initial Proposals of the Board of Education for Negotiations with the Palo Alto Educators Association (PAEA)

Mitchell opened the public hearing.

There were no requests to comment.

Mitchell closed the public hearing.

Public Hearing

Initial Proposals of the California School Employees Association (CSEA) for Negotiations with the Board of Education

Mitchell opened the public hearing.

There were no requests to comment.

Mitchell closed the public hearing.

Public Hearing

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There were no requests to comment.

Mitchell closed the public hearing.

Discussion

PAUSD Student Population Growth and Boundary Adjustments

Skelly noted that boundaries and capacity were always a topic of concern. He also clarified that it did not appear enrollment increases would require Garland to be opened before construction was complete.

Laurence said a large number of students were enrolling early and that by late February there were hardly any new enrollments, which was unprecedented. The lack of expected growth at the elementary level had allowed staff to wait for another enrollment cycle before discussing the movement of boundaries. As of today, kindergarten enrollment might be down by as many as 100 students. He said this year there was one empty classroom, and he projected that next year there could be as many as seven or eight empty classrooms. The staff recommendation was to wait until December 2009 to begin boundary discussions.

Board member comments included a request for further elaboration on how input from interested parties would be gathered and discussed, clarification of the two recommendations and a request for rewording, the possibility of adding a choice strand to Garland, the large number of staff meeting with the community to keep them informed, the value of the information the community shared with staff, demographics, the appearance that the elementary schools were driving the boundary issue, potential downsides to delaying the boundary decision, construction schedule delays, the plan to open Garland in Fall 2012, feasibility of increasing some classes by just one or two students, empty classrooms at the elementary level, encouraging community input, including the Police Department in traffic safety discussions, and the timeline for bidding on Garland construction in relation to the boundary discussion timeline.

Public Comment

Erin Mershon said Lapkoff & Gobalet had projected smaller kindergarten enrollment this year, so there should not be any surprise now. The current economy had not been taken into account, and enrollment tended to fluctuate in two-year cycles. The currently overenrolled schools would likely continue to be overenrolled, which denied overflowed families their neighborhood schools. She suggested Garland be opened K-5 in 2012.

Continuing Board member comments included a suggestion that the prioritization of values be discussed and understood, concern about delaying this issue, a request to add the issue of cost and the value of educational outcome resulting from the final decision, the importance of having discussions out in the open, current school size policy, a suggestion that more than one solution be discussed during Board discussions, and presentation of the new timeline at the next Board meeting.

Information

Update on Implementation of

Grace Mah introduced a number of students from Ohlone's K-1 Mandarin immersion class, who sang a song in Mandarin, then translated it.

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Mandarin Chinese Program and the Foreign Language Assistance Program (FLAP) Grant Award

Cohn-Vargas, Cook, and Charles gave a presentation focusing on:

- FLAP grant award
- High School Chinese Program at Gunn and Paly
- STARTalk Summer Institute
- Ohlone K/1 Immersion
- Plans for 2009-10
- What about middle school?
- FLAP grant – 3rd year
- End of Year Three – June 2010
- Special recognition

Board member comments included enrollment and attendance, ratio of native to non-native Mandarin speaking students, managing attrition and waiting lists, curriculum and materials, cost of the Mandarin Immersion program and funding from the FLAP grant, availability of labs at the high schools for Mandarin education, a request for more budget detail in the next report, plans for covering textbook costs after the grant money stopped coming in, K-12 California State Standards expected to be completed in 2012, lack of Mandarin versions of state-approved texts, elementary music program, use of FLAP grant funds in secondary schools, lack of available materials for the elementary Mandarin Immersion program, the successful launch of the program in the "Ohlone way," a request for exploration of possibly offering Mandarin 1A and 1B at the middle school level, use of additional aide hours (paid for with FLAP grant money) during startup of the elementary program, and the possibility of starting a middle school program with grant carryover money.

Public Comment

Nico Janik noted the positive impact of the Mandarin Immersion program on Ohlone's Spring Fling, bringing more awareness of the multicultural community.

Sara Armstrong thanked the Board and all others involved, especially Susan Charles and the Ohlone staff, for creating the Mandarin Immersion program and for welcoming the Mandarin track families into the Ohlone community. She said the Ohlone way was very uniquely suited to the immersion setting.

Lisa Steinback said the evaluation of the program was not objective, because the people doing it were in support of it from the beginning. She said 98% of elementary kids were not getting foreign language education, then asked why the District did not get a FLAP grant for Spanish. She also asked where the support was in this special "boutique" program for special needs students and Voluntary Transfer students.

Mitchell said the evaluation would be presented after the third year of the grant, and this was merely an update.

Open Forum

There were no requests to speak in open forum.

Discussion

English Learner (EL) Master Plan

Skelly said this was a discussion item. Cohn-Vargas said a number of years had gone into this plan and that an EL program was required when at least 51 students were involved. Gray described the makeup and purpose of the English Learner Advisory Committee.

Board member comments included program evaluation questions to be used in an evaluation if this plan was approved and when evaluations would occur, funding of the EL program and student support, possible discussions with the companies bringing families in who needed language tutors to help the District with funding, ease in providing primary language support to larger groups speaking the same language such as Spanish and Mandarin, increased ease of younger children in learning English as a second language, comparison of PAUSD EL support offerings with those of other public school districts, and number of ELD teachers in PAUSD.

The Board agreed this item could return on the consent calendar at the next meeting, if it included a timeline for evaluation.

Information

Report on Governor's May Revise for 2009-10 Budget and Update on Property Tax Revenue

Mak gave a presentation focusing on:

- Budget development calendar
- Governor's May Revise
- Proposed May revisions for K-12 education
- Impact to PAUSD
- Property tax revenue
- PAUSD proposed 2008-09 budget

Board member comments included clarification on lack of impact to PAUSD of revenue limit reductions and possibility of similar future cuts to basic aid districts, uncertainty of funds coming from both state and federal governments, revenue limit funding for Voluntary Transfer Program and Special Education, and foreclosures in Palo Alto.

Action

Authorization to Award Contract

Golton said this item had come to the Board twice before, then he reviewed the bidding process and results. He also noted the District had two of three approvals from the Division of the State Architect.

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for Construction of the El Camino Field at Palo Alto High School

Board member comments included: basis for awarding the bid.

MOTION: Tom moved to approve the award of a contract for Construction of El Camino Field at Palo Alto High School to McGuire and Hester Construction in the amount of \$1,841,500 with a 10% change order contingency of \$184,150, for a total award of \$2,025,650, subject to project approval being received from the Division of the State Architect. Baten Caswell seconded. Motion carried 5-0.

Action

Authorization to Award Contracts for Modular Building Installation at Ohlone Elementary and Jordan and JLS Middle Schools

Golton described the bids and how the number of buildings at each site was determined.

Board member comments included potential errors in bids submitted, history of top bidders with the District, and a concern from the JLS PTA President that one more portable was needed at JLS due to enrollment projections.

MOTION: Townsend moved to approve contracts for site infrastructure for modular buildings as follows:

1. Coulter Construction Inc. in the amount of \$27,996 for Ohlone Elementary School, with an authorization to execute change orders in the amount not to exceed \$2,800 (10%).
2. Coulter Construction Inc. in the amount of \$71,907 for Jordan Middle School, with an authorization to execute change orders in the amount not to exceed \$7,191 (10%).
3. Mark Electric in the amount of \$127,031 for JLS Middle School, with an authorization to execute change orders in the amount not to exceed \$12,703 (10%).

Mitchell seconded. Motion carried 5-0.

Discussion

Measure A Budget for the Middle School Level and Establishment of a Measure A Reserve for Contingencies

Golton noted this item included responses to all the Board member questions regarding construction posed at the March 17, 2009, Board meeting. He also said AEDIS would soon present projects to the Board for the middle schools. This item provided funding for AEDIS to move forward with conceptual designs.

Board member comments included reasoning for budget amounts at each site such as enrollment growth accommodation at Jordan and JLS, source of funding for hardscape replacement, the need to look at programs in the future as middle schools grow, reason for additional funding of new classroom buildings at Jordan, when the Board might be able to make decisions on the use of this budget money, potential staffing increases resulting from enrollment growth and facility improvements, and timing of this work with potential boundary changes due to the opening of Garland.

MOTION: Townsend moved to extend the meeting to 10:30 p.m. Baten Caswell seconded. Motion carried 5-0.

Continuing Board member comments included projected timing of schematic plans and bid documents and potential changes in planning due to updated enrollment projections.

Action

Authorization to Close Out Budget for Gunn High School AD-2 Renovation Project

MOTION: Baten Caswell moved to close out of the Gunn High School administration wing (AD-2) project and return \$3,236,931 to the Gunn High School reserve fund. Tom seconded. Motion carried 5-0.

Discussion

Initial Proposals of the Palo Alto Educators Association (PAEA) for Negotiations with the Board of Education

Bowers said discussions had not yet occurred with the negotiating teams.

It was agreed this item could return on the consent calendar at the next meeting.

Discussion

Initial Proposals of the Board of Education for Negotiations with the Palo Alto Educators Association (PAEA)

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Discussion

Initial Proposals of the California School Employees Association (CSEA) for Negotiations with the Board of Education

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Discussion

Declaration of Need: Emergency Permits and Short Term Staffing Permits for Certificated Employees

Bowers described the background for this item.

Discussion

Authorization to Accept Carl D. Perkins Vocational and Applied Technology Education Act Funds

It was agreed this item could return on the consent calendar at the next meeting.

Discussion

Renewal of the Transitional Partnership Program (TPP) Contract for 2009-10

Board member comments included amounts received in prior years.

It was agreed this item could return on the consent calendar at the next meeting.

Discussion

Board Election, November 3, 2009

Board member comments included clarification on handling of expenses listed in Item 3g.

It was agreed this item could return on the consent calendar at the next meeting.

Action

Proposed Regular and Work Session Board Meetings 2009-10 School Year

MOTION: Townsend moved to approve the proposed calendar of regular and work session Board meetings for the 2009-10 school year, with the additions of August 3 and 4, 2009, and tentative dates of August 2 and 3, 2010 for another Board retreat. Mitchell seconded. Motion carried 5-0.

Discussion

Resolution 2008-2009.18 in Support of SCA 8

Board member comments included previous discussions with Senator Simitian.

MOTION: Baten Caswell moved to extend the meeting to 10:40 p.m. Townsend seconded. Motion carried 5-0.

It was agreed this item could return on the consent calendar at the next meeting.

Information

Assignment of Board Members to Schools, Special Programs, and Parent Groups

Mitchell asked Board members to send their preferences to her by the end of the following day for publication in the Board package for the June 2, 2009 Board meeting.

Action

Student Expulsion

MOTION: Based on the Board of Education's review of the Findings of Fact and recommendations submitted by the Administrative Hearing Panel regarding Student Discipline Case Number 05-0809, Klausner moved to ratify the recommendation for expulsion for the remainder of the 2008-09 school year. In the fall of the 2009-10 school year, it is recommended that the expulsion be suspended, with the Rehabilitation Plan to remain in place through the first semester of the 2009-10 school year. Tom seconded. Motion carried 5-0.

Board Members'

Reports/Correspondence/Board Operations/Recognition

Reports

Tom reported on the CSBA Delegate Assembly, including the push for national standards and testing, possibility of shortening school years by seven days, and the need for this to be a statewide mandate to avoid legal action, slow growth of school funding with disproportionate cuts in economic downturn, and Joint CCS Taskforce discussions about reform.

MOTION: Townsend moved to extend the meeting to 10:15 p.m. Baten Caswell seconded. Motion carried 5-0.

Townsend commented on end of year festivities at the school sites, ACS auction, and School City Liaison Committee meeting which would include a presentation by the Center for Jewish Life.

Baten Caswell commented on the Housing Element meeting and draft which included multiple suggestions on how to achieve the ABAG recommendation. She also attended "Young Americans," a musical written and performed by Paly students, which would also be performed at the Scottish Fringe Festival, Science Fair at Paly,

Klausner mentioned the K-12 Art Show at the Palo Alto Arts Center.

Recess to Closed Session

The Board recessed to closed session at 10:45 p.m.

Reconvene in Open Session

The Board reconvened in open session at 11:20 p.m. Mitchell announced no action was taken.

Adjournment

The meeting was adjourned at 11:20 p.m.

Secretary to the Board