

Fountain Valley School District
Superintendent's Office

REGULAR MEETING OF THE BOARD OF TRUSTEES

10055 Slater Avenue
Fountain Valley, CA 92708

April 23, 2009

MINUTES

President Pat Harney called the regular meeting of the Board of Trustees to order at 5:35p.m.

CALL TO ORDER

The following board members were present:

ROLL CALL

Mrs. Pat Harney	President
Mrs. Judy Edwards	Clerk
Mrs. Christine Allcorn	Member
Mr. Ian Collins	Member

Not yet arrived:

Mr. Tony McCombs	President Pro Tem
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Mrs. Harney noted the Addendum to the agenda, requesting approval for the addition of:

9-Q. SETTLEMENT AGREEMENT—NON PUBLIC SCHOOL

Superintendent's Comments: According to the Settlement Agreement between Fountain Valley School District and parents signed on April 1, 2009, it was agreed upon that the student would attend Village Glen West non-public school for the remainder of the 2008-09 school year at an estimated cost not to exceed \$9,000. Additional settlement costs include reimbursable expenses to the parents as follows: mileage not to exceed \$8,050.00 and ESY—Lindamood Bell Program—not to exceed \$11,280.00. It is recommended that the Board of Trustees approve the above mentioned expenses not to exceed \$29,000.00.

Motion: Mrs. Edwards moved to approve the board meeting agenda with addendum.

AGENDA APPROVAL

Second: Mr. Collins

Vote: 4-0

There were no requests to address the board prior to closed session.

Mrs. Harney announced that the board would retire into closed session with action anticipated. The following would be addressed:

CLOSED SESSION

- Personnel Matters: *Government Code 54957 and 54957.1*
Appointment/Assignment/Promotion of employees; employee discipline/dismissal/release; evaluation of employee performance; complaints/charges against an employee; other personnel matters
- Property Negotiations: *Government Code 54956.8*
Real property negotiator Dr. Barry Blade will speak to the board about the negotiations concerning the properties at 9191 Pioneer and 10251 Yorktown Avenue, Huntington Beach, CA
- Negotiations: *Government Code 54957.6*
Update and review of negotiations with FVEA and CSEA Bargaining Units with the board’s designated representatives, Barry Blade, Rosemary Eadie and Ross Hessler.

Note: Mr. McCombs arrived at the meeting at 5:45pm.

The public portion of the meeting resumed at 7:07pm.

The Pledge of Allegiance was led by Boy Scout Troup 567

PLEDGE OF ALLEGIANCE

SPECIAL PRESENTATIONS

It is an interest of the Board of Trustees to recognize students who display high achievement, improvement, or extraordinary effort. Jay Adams, Principal of Tamura School, and several Tamura staff members were present to honor six Tamura students for their extraordinary effort, achievement or improvement. The students recognized were: Ethan Baker (K), Bijan Hassanzadeh (1st), Noah Wilson (2nd), Nicole Boardman (3rd), Michelle Tran (4th), and Audrey Vu (5th).

STUDENT RECOGNITION:
TAMURA SCHOOL

It is an interest of the Board of Trustees to recognize outstanding parent volunteers who give generously of their time and talents to our schools. Tamura PTO President Kathie Todd was also present to honor these parents. Two parent volunteers were recognized from Tamura School for their generous volunteering of time and talent, Joan Pritchard and Liana Taylor.

PARENT RECOGNITION:
TAMURA SCHOOL

The Golden Bell Awards program promotes excellence in education by recognizing outstanding programs in school districts and county offices of education throughout California. Joan Hersh, on behalf of Newland School and the Fountain Valley Children’s Center, as the proud recipient of the 2008 Golden Bell Award, presented their award to the Board of Trustees in recognition of the Board’s ongoing support and dedication to the Fountain Valley Children’s Center and Newland School.

PRESENTATION OF GOLDEN BELL AWARD TO BOARD OF TRUSTEES BY NEWLAND SCHOOL

Following these special recognitions, Mrs. Harney called a brief recess to the meeting. The board meeting resumed at 7:55pm.

STAFF REPORTS AND PRESENTATIONS

Mrs. Eadie made a written presentation to the Board of Trustees on the mandated physical fitness testing conducted in California for students in grades 5, 7 and 9, the Fitnessgram.

STAFF REPORT ON
PHYSICAL FITNESS
(WRITTEN ONLY)

STUDY SESSION

President Harney noted that this is the Board’s opportunity to discuss the 2009-10 budget. The Board may make some decisions tonight, but they do not have to and will be meeting again on May 12th to make all final decisions. Mrs. Harney emphasized that this is not an open forum, as was held last night. She noted that at the Community Forum the previous evening there were good questions and an excellent group of people present. She noted though that this is not that type of meeting. Although, she reminded those present that there would be an opportunity for public comment after the discussion and that if speakers have not yet turned in a yellow slip to request for public comment, do so during the study session.

STUDY SESSION

In reference to the Potential Budget Reduction list, Mrs. Harney asked the Board if there were any questions or additions, or items to be investigated by staff. There were no initial comments of this nature

Mrs. Harney pulled item 12 on the Potential Budget Reduction list to be discussed in depth separately. She noted that it is an item of great concern to the community that we cannot tackle tonight.

Mrs. Edwards noted regarding items 1-13 on the Potential Budget Reduction list that there is a difference in the list that the Board received in March and the list that they received for tonight. Mrs. Edwards noted that she was not aware that we had taken the counselors off of the list.

Dr. Ecker explained that the Budget Reduction Committee met several times and were looking to see how the District would get to the goal of \$2 million in reductions with the least amount of impact. This was a deciding factor in putting together a suggested list.

Mrs. Edwards noted that she was not aware that the counselors had been dropped off of the list.

Dr. Ecker explained that when putting together the Potential Budget Reduction list, and providing something to work off of, the Committee looked at the additional impact of the loss of the middle school counselors and decided that we could avoid this reduction. Dr. Ecker noted that if the Board would like to reexamine this item, then this could be discussed.

Mrs. Harney asked if any Board member would like the counselors returned to the list?

There were no requests to do this.

Mrs. Harney asked the Board if there were any objections to items #1-13, not including #2, 11, 12, and 13, on the Potential Budget Reduction list.

Mrs. Allcorn asked whether or not the Board was to rank the items on the Potential Budget Reduction list.

Mrs. Harney noted that was her understanding if the District received more money, unless the Board could think of something different. She understood this as the Board's goal. She noted that the Board is not in the position of taking things off of the list unless something comes up that can replace something on the list.

Dr. Ecker noted that there was incredible uncertainty, yet we are looking at a budget that is already out of balance. He explained that June could bring more bad news for school districts. So with that amount of uncertainty, the District is looking at \$2.1million in cuts and there could be some swings in that. If there are some things in the budget, that if the District were to receive funding, the Board would like to see saved, it would be good to know those items. He noted that some programs can be reduced and some cannot, but it would be helpful for staff to know those programs that are the Board's first choice in saving, rather than ranking. He agreed with Mrs. Harney that the Board is in the position of coming up now \$2.1 million.

Mrs. Harney asked the Board as they are looking at items #1-13 from list, if there was something that they would like to see taken off of the list now.

Mrs. Allcorn responded that she would like to see the Literacy program taken off of the list. She noted that of all the things on the list, the importance of helping those students that are lagging in reading is critical. Getting to those students to help them would make

it her choice to remove this item from the list.

Mrs. Edwards agreed.

Mr. Collins also concurred. He explained that Fountain Valley has an outstanding academic program and he thinks that this is the reason is that we are able to address those kids with the greatest need.

Mrs. Allcorn noted that should the need arise that we continue to need to increase class sizes, she thinks that those few reading specialists will help those kids that find themselves in a bigger fish pond.

Mr. McCombs noted that this program involves 7 positions and that we may look at saving some of those.

Dr. Ecker explained that the District is looking at 5 of these positions.

Mr. Collins noted that in looking at items #2, 11, 13, item #13 was commendable in that management, confidentials and psychologist have offered to reduce their work year.

Mr. Collins asked, regarding reducing noon duty aides hours by 15%, if there is a ratio that the District needs to have per number of kids. He asked also if a reduction would affect the students' safety.

Dr. Ecker explained that in the Budget Reduction Committee there were two principals and it was discussed what effect this reduction would have on their sites. He explained that the principals felt that could schedule their noon duty aides with 15% reduction.

Mr. Collins asked regarding item #5 if this reduction would allow activities at the middle schools to continue.

Dr. Ecker explained that at the present time, the District funds activity positions through those release periods and eliminating this will definitely have an impact.

Mrs. Eadie explained that she had spoken with the middle school principals and that the assistant principals could pick up a majority of the activities as well the schools could use student council money. She explained that they did not see a loss of activity with this cut.

Mrs. Edwards noted that it looked like the committee worked very hard on the putting together of this Potential Budget Reduction list and that it is not an easy job to do.

Dr. Ecker agreed that the committee did work very hard and did

receive suggestions from outside parties and our bargaining units. Dr. Ecker commended Dr. Blade on his efforts. Dr. Ecker explained that the committee met 4 times and tried to massage a list that is doable but also would reach the District's goal.

Mr. Collins noted that a couple of items affect Maintenance, Operations and Grounds staff. He asked if they had any input.

Dr. Blade explained that initially they did not. But he also explained that there were additional meetings. He explained that this is difficult because Joe Hastie and Gary Ron take a lot of pride in what the schools look like and have crews. The District has completed modernization of our schools and that process really tears up a school. He commended them on the great job that they did. Our schools have real curb appeal and this is very difficult because Mr. Ron and Mr. Hastie take such pride in their work and what they do.

Mr. Collins asked if this item was negotiable.

Dr. Blade explained that yes, a reduction in hours would be negotiated with the bargaining units.

Mr. Collins agreed that our schools do look great.

Mrs. Allcorn asked about the special education aides, specifically regarding the particular mandates that the District must meet in this area. She asked if this savings is because of a shift in that population or a consolidation.

Dr. Ecker explained that Sonia Edwards was present at all meetings of the committee. He explained that some of shared programs in a consortium and that not all aides are needed at that time. He explained that Mrs. Edwards is anticipating the needs of her IEP meetings and that these expenses can be reduced. He did emphasize that Mrs. Allcorn is correct in that the District does not have a lot of flexibility in this area. But the District is looking ahead and considering the shift of needs, is consolidating.

Regarding the Tier III Categorical programs and our textbooks, Mrs. Edwards asked to clarify that all we have to do is purchase consumable textbooks.

Dr. Ecker explained that there are 40 Tier III programs and that the District does not participate in all. But there are programs that we have flexibility to transfer from in order to fill the gap in revenue. With this would be just be purchasing those consumables and it would provide the backfill of some of the revenue loss. He noted that others have more severe impacts.

Dr. Ecker added that with some of these programs, specifically SLIP, the impacts could affect additional personnel and staff will be meeting next week to finalize what those are, based upon the discussion of the Board.

Dr. Blade explained, at the request of Mrs. Harney, that the February 20th State budget changes the penalties that are assessed to a school district operating outside of 20:1 class size. Currently the program is for 1st and 2nd grade. Under the old rules, a district lost 100% of funding if not operating a CSR program. Now the change is that the penalty structure is far less severe. With 24:1, the District would receive 20% less of funding than it would receive if at 20:1 and only for the first 20 children. Above 25:1, the penalty assessed is 30% of funding received for classroom only for the first 20 students. Dr. Blade explained that we have 62 district-wide classrooms for 1st and 2nd grade. If the District were to go to 24:1, we would need 53 teachers to operate the program, a reduction of 9 teachers, and we also would take a penalty for state funding, (20% penalty and no funding for students above 20 in the classroom). This would be a savings \$193,000 for the District.

Mrs. Harney noted that this is not something that the Board wants to do; none of it is. She explained that you do not become a school board member if you want to cut programs.

Dr. Ecker explained that there are a number of different ways to look at class size reduction. If the District were to go to 30:1, the savings would be \$630,000. The new flexibility allows different ratios in different grade levels. He noted that the Board can also choose not to do anything, leaving it as is and come up with additional money elsewhere to cut. He explained that this is a \$2.5 billion program state-wide which was initiated 13 years ago. Clearly, the state does not have enough money to fund this program, although it is popular with parents and teachers. He noted that the State has chosen not to take a position on CSR and has left it up to the local education agencies to make the decision. He explained that the Board is trying to determine what the town is going to look like after the budget tornado, when everyone then comes out to survey the landscape. He noted that this is just a suggestion and that many of superintendents that he has spoken to have begun their discussions on this as well. A lot of districts around this area may end their discussion around a compromise between 20 and 30. He noted that a lot depends on the news that comes our way regarding the stimulus money. He noted that there are several options and we do have more flexibility than was had in the past.

Mr. Collins noted that these are some of the hard decisions. He noted that we all had the concern about the literacy program and that there

has to be some balance somewhere. We are going to have to reach our goal and trust our conscience about what is best for our kids and it is tradeoff. Mr. Collins explained that his son is a teacher and he believes that that 20:1 is the reason these kids are so successful. Mr. Collins noted that on the other hand, we have to look at literacy program that covers many grades in our district. He noted that this is something to think long and hard on.

Mrs. Harney asked if this was an either/or situation.

Mr. Collins explained that he does not think it is an either/or situation and that there are options. He asked if the Board allowed 24:1 in 1st grade and then 30:1 in 2nd, how would this reflect on money saved.

Dr. Ecker replied that we can calculate this combination for the Board to review in May or earlier.

Mr. Collins noted that not speaking for Board, but as an educator all of his life, he believes that the start in school is critical and it would be better if we can keep it at the lower numbers.

Mrs. Edwards agreed that she would like to see numbers on it too.

Dr. Ecker noted that at 30:1, the savings would be about \$629,000 to \$630,000. By doing something like that, the District could save the whole literacy program, as a comparison.

Mrs. Allcorn asked if with the SLIP money we are losing spotlight teachers.

Mrs. Eadie explained that yes, we are very definitely running the risk of losing spotlight teachers with the categorical money transfer.

Mrs. Edwards also requested to see what savings could be had with 20:1 in 1st grade and 24:1 in 2nd grade.

Dr. Ecker summarized the study session. He stated that regarding the Potential Budget Reduction list and items #1-13, the Board indicated that regarding items #2, 11, and 13 there is consensus and staff can begin to build these items into the budget. Also, that there was some consensus on item #3, since the savings will not affect the safety of the students and therefore, the Board is comfortable moving ahead on this as well. Regarding item #5, based on information from Mrs. Eadie there was also consensus. And regarding items #9 and 10, staff could move ahead with these based on what Mrs. Edwards said.

Dr. Ecker explained that other than those, the other items will come back to the Board for discussion on May 12th. He further explained

that the Board does not want to make any final decisions until May.

He noted the additional requests for data from Dr. Blade regarding item #12 and stated that this would be provided to the Board and for continued discussion on May 12th.

Regarding the Tier III Transfers, items #1-6, Dr. Ecker explained that we will work on the specifics as far as the number of staff affected. But, he explained that staff should take advantage the flexibility provided by the State budget. There will also be final decisions on these items on May 12th.

The Board agreed with this summary and there were not any questions or objections.

BOARD REPORTS AND COMMUNICATIONS

Mr. Collins went to Sacramento to lobby for public education. He noted that 90 from Orange County went and 90,000 kids were represented. Mr. Collins noted, to applause from the present audience, that the government in CA is in trouble and stated that he thought the state should do away with term limits and the 2/3 vote in order to do anything with CA. He noted that our groups that lobby on behalf of education are plugging away. He enjoyed getting to meet certain people and was pleased with the professionalism of those attending, especially in the face of legislators that were not. He also attended the Masuda instrumental program. He also attended the ACE committee meeting to debrief on the Sacramento Safari. He noted that the Fountain Valley Education Foundation is looking for participants. Mr. Collins participated in the nominating committee meeting of the Foundation. Lastly, Mr. Collins participated in the grant review committee regarding the awarding of teacher grants for 2009-10 school year and commended the teachers great work in putting together their grant requests.

BOARD REPORTS

Mrs. Edwards attended the Open House at Fulton and noted that she is always amazed to see the student work there. She also attended the Festival of the Arts and enjoyed the 2nd graders' performance of some 13 plus songs. She also attended the Legislative Reception and the SPC meeting. She commended Courreges on their raising of \$60,000 at their Jog-a-Thon. She was very impressed with their very successful event.

Mrs. Allcorn also attended the Legislative Reception. She attended Open House at Talbert and enjoyed the fantastic performing talents of the Talbert students. She also attended the budget meeting at Plavan

as well as 6th Grade Orientation for her son at Fulton. She was pleased to see all of the teachers, staff and PTA present at Fulton that night showing support. She also attended the ACE meeting and noted that we have quite a feather in our cap with the folks that attended the Sacramento Safari. She commended their efforts in Sacramento.

Mrs. Harney attended the Legislative Reception as well as Fulton's Open House, which she noted was very enjoyable. She enjoyed the 2nd grader performance at the Festival of the Arts. Mrs. Harney also participated in the selection committee of the Outstanding Service Award honorees. She attended both Community Forums and commended Dr. Ecker and Dr. Blade on their work. She noted that Dr. Blade's slide show was very easy to understand. She also visited South Carolina to see her new grandson, number 12 for the Harneys, and noted that her 13th will be here in December.

PUBLIC COMMENTS

Five people were present to address the Board.

Four members of the community addressed the Board regarding the leasing of space in the Star Plaza (District Office) to the Institute on Religion and Civic Values (IRCV). One member of the community referenced materials given to the Board by a public speaker at the March 12, 2009 Board meeting and encouraged the Board to review this material if they had not already done so, in addition to recommending a book entitled, *The Trouble with Textbooks*. The three members of the community expressed concern that the leasing of space to IRCV presented a conflict of interest for the Board and the District.

A parent addressed the Board of Trustees requesting the addition of a policy on asthma. She explained the recent adoption of policies at Newland school and provided information verbally to the Board regarding the severity of asthma in relation to school-aged children. She also expressed her appreciation for Nurse Sandy Monlon and her efforts to educate staff on the proper procedures for looking after students with asthma.

LEGISLATIVE SESSION

Motion: Mr. McCombs moved to approve the agreement between the Fountain Valley Education Association and Fountain Valley School District.

PUBLIC COMMENTS

**AGREEMENT BETWEEN
FVEA AND FVSD**

Second: Mrs. Edwards

Vote: Unanimously approved

Motion: Mrs. Edwards moved to approve Board Policy 5131(c) BOARD POLICY 5131(c)
Conduct for first reading. CONDUCT

Second: Mrs. Allcorn

Vote: Unanimously approved

Motion: Mr. Collins moved to approve the second amendment SECOND AMENDMENT
to the purchase and sale agreement and joint escrow TO PURCHASE AND
instructions between the District and Ranco SALE AGREEMENT AND
Huntington Investments, LLC. JOINT ESCROW
INSTRUCTIONS BETWEEN
THE DISTRICT AND
RANCO HUNTINGTON
INVESTMENTS, LLC.

Second: Mrs. Edwards

Vote: Unanimously approved

Mrs. Edwards pulled item 9A, Minutes from the March 12, 2009 Board meeting for a separate vote. CONSENT
CALENDAR/ROUTINE
ITEMS OF BUSINESS

Motion: Mrs. Edwards moved to approve the Consent Calendar, with the exception of 9A and the addition of 9Q.

Second: Mrs. Allcorn

Vote: Unanimously approved

The Consent Calendar included:

- Board minutes from the board meeting on March 12, 2009
- Personnel Items
- Donations
- Warrant Registers
- Purchase Order listing
- Budget Transfers
- Approval of Williams Quarterly Report for the Third Quarter 2008-09
- Approval of reimbursement for special education services: Eye Care Center at Southern CA School of Optometry
- Approval of reimbursement for special education services: mileage
- Resolution 2009-23: Appreciation to our School Nurses on National School Nurse Day (May 6, 2009)

- Resolution 2009-24: Celebration of Day of the Teacher, May 13, 2009 and Teacher Recognition Week, May 11-15, 2009
- Settlement agreement with Troxell Communications, Inc.
- Resolution 2009-27: Notice of Completion of and Resolution of Acceptance with GTA Construction Co., Inc.
- Resolution 2009-28: Authorize the execution of Grant Deed from SAM to Fountain Valley School District
- Recommendation of Award of Bid #09-02
- Non-Public Agency Contracts

<u>Non-Public School/Agency</u>	<u>100% Contract Cost</u>	<u>Effective Dates</u>
Cornerstone Therapies	\$610.00	5/9/2009 to 6/30/2009
Cornerstone Therapies	\$1120.00	5/9/2009 to 6/30/2009
Cornerstone Therapies	\$950.00	5/14/2009 to 6/30/2009
Cornerstone Therapies	\$1400.00	4/30/2009 to 6/30/2009
Cornerstone Therapies	\$780.00	5/21/2009 to 6/30/2009
Children's Learning Connection, Inc.	\$1060.00	12/1/2008 to 1/4/2009
Autism Spectrum Therapies, Inc.	\$1600.00	2/9/2009 to 2/20/2009
Footprints Behavioral Interventions	\$18075.00	2/1/2009 to 6/30/2009
Cornerstone Therapies	\$1800.00	2/1/2009 to 6/30/2009
Therapeutic Education Centers	\$20640.00	1/29/2009 to 6/30/2009

Motion: Mr. Collins moved to approve item 9A, Minutes from the March 12, 2009 Board meeting.

Second: Mr. McCombs

Vote: Yes: 4
No: 0
Abstain: 1 (Mrs. Edwards)

PUBLIC COMMENTS

There were no requests to address the board.

NEW ITEMS OF BUSINESS

Dr. Ecker On behalf of the staff and the community, Dr. Ecker thanked the Board for beginning to engage the discussion on the budget during the study session. He recognized that this is a difficult process and staff and the community appreciate their discussion.

NEW ITEMS OF BUSINESS

Dr. Ecker Thanked ACE committee. He noted that we are fortunate to have so many dedicated members active for us. We have to fight to preserve what we have and improvement will surely go on.

Dr. Ecker Thanked the Board and the staff for the Community/Parent Forums. We want to be transparent in what we do. The list of budget reductions have been public for quite some time and it is also on the web. Dr. Ecker noted that we will continue that transparency policy.

Dr. Ecker Noted that he thought we would have comments on the budget, not the topics our speakers spoke on tonight. He noted that it is sad. He assured the Board that he would have the information that Shabbir Mansuri provided to them in the Tuesday mailout. He stated that it is important to share what IRCV does and the organizations that it works with, especially in light of unfounded accusations.

Dr. Ecker Congratulated Mrs. Eadie on her upcoming recognition by ACSA as Assistant Superintendent of Instruction of the Year.

Dr. Ecker Complimented Mrs. Harney on her leading of the study session.

ADJOURNMENT

Motion: Mrs. Allcorn moved to adjourn the meeting at 9:27pm.

Second: Mrs. Edwards

Vote: Unanimously approved

/rh