

**WILLOWS UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION**

**Special Meeting – May 12, 2011**

**Special Session 7:00 p.m.**

**Willows City Council Chambers**

**201 N. Lassen Street, Willows, CA 95988**

**MINUTES OF SPECIAL MEETING**

**1. OPEN SESSION - CALL TO ORDER – 7:00 p.m.**

- 1.1 Roll Call – President Geiger called the Special Meeting to order at 7:00 p.m. Present were: Mr. Ward, Mrs. Knight, Mr. Geiger, Mr. Parisio and Mr. Munguia.
- 1.2 Announcement of Items to be Discussed in Closed Session – Mr. Geiger announced the item to be discussed in Closed Session.
- 1.3 Public Comments Regarding Closed Session Items - None

**2. CLOSED SESSION**

The Board went into Closed Session at 7:02 p.m.

- 2.1 Pursuant to Gov. Code §54957: Public Employee Appointment: Murdock Elementary School Principal

**3. RECONVENE TO OPEN SESSION – 7:30 p.m.**

- 3.1 Roll Call – President Geiger reconvened to Open Session at 7:29 p.m. with all Board members still present.
- 3.2 Welcome to Visitors
- 3.3 Flag Salute was led by Ms. McLaughlin.
- 3.4 Announcement of Action Taken in Closed Session – Mr. Geiger announced that the Board accepted Dr. Geivett's recommendation to appoint Holly McLaughlin as the new Murdock Elementary School Principal. Ms. McLaughlin addressed the Board and thanked them and Dr. Geivett for this opportunity. She gave a brief background of her professional history and said she is leaving behind some wonderful and supportive relationships but is very excited to begin building new relationships with the Willows community and the staff and families of Murdock Elementary. She looks forward to Murdock being a shining star in this county.

**4. AGENDA**

- 4.1 **(Action)** Approve Special Agenda for 5/12/11. Mr. Munguia moved, seconded by Mr. Parisio, to approve the Special Agenda for 5/12/11. The motion passed unanimously with 5 yes votes.

**5. PUBLIC COMMENTS ON SPECIAL AGENDA ITEMS ONLY** - None

**6. DISCUSSION/ACTION CALENDAR**

- 6.1 **(Action)** Approve or Deny the Walden Academy Charter Petition. Dr. Geivett paraphrased parts of the Walden Academy Charter Petition. He stated there are three parts of the Petition: Introduction, Overview of the Charter Schools Act, and the Review of the Petition. He said on March 29, 2011, the Walden Academy presented the Board of Trustees with a Petition for a new charter school. On April 7, 2011, a public hearing was held and now the Petition comes to the Board for action. Dr. Geivett stated that there are obligations of the Board for approval or denial of the Petition. He said there are five criteria listed where the Board could deny the Petition. It states the responsibilities of the Board if they should approve the Petition. The meat of this document is in Section III – Review of the Petition. The Petition was read by Dr. Geivett, Janet Perez, Betty Skala and WUSD's attorney. Dr. Geivett isolated some of the findings of the Petition for the Board
  - The description of the educational program is vague.
  - The current Petition is vague with regard to how administrative services will be accomplished.
  - The Petition's financial documents contain several areas of significant concern.
  - The budget fails to provide for staff start up costs for books and supplies or statutory costs associated with staff salaries.

- The Petition indicates several positions will be hired, for which there is no line item in the budget.
- The Petition fails to address the special education funding process in detail.
- The Petition indicates that the charter school will obtain general liability insurance, but the liability limits of such insurance are not provided and the budget does not provide sufficient allocations for insurance.
- The Petition provides that the charter school has secured facilities, which are owned by the Glenn County Office of Education. However, the facility only contains three classrooms, while the charter school intends to hire 5.0 FTE of teachers.
- The Petition indicates that it will conduct an independent study program, but does not provide details regarding such program.
- The plan to meet the needs of English Learners is inadequate.
- The plan in the Petition for special education is inadequate, contradictory, and raises serious concerns.
- The Petition raises serious concerns regarding the governance structure of the charter school.
- The Petition’s description of the qualifications for the Principal position is inadequate.
- The Petition fails to designate whether employees are “at will” or employed subject to contract.
- The budget does not contain sufficient funds for staff development.
- The Petition generally meets the requirement of the procedures by which pupils can be suspended or expelled, however, that there will be no appeal process for expulsion decisions. This may raise due process concerns.

In conclusion, Dr. Geivett stated, the Petition fails to meet a number of statutory requirements and contains deficiencies that have not be adequately addressed in the text of the document. In his opinion, the Petition does not convey adequately sound educational principles, practices, and procedures. Dr. Geivett’s recommendation to the Board, as WUSD Superintendent, is to deny the Walden Academy Charter School Petition.

Mrs. Kelly Lawler, Lead Petitioner, gave a handout to the Board and audience. She read the first paragraph of the handout that stated they wanted to provide clarifications on various assumptions and claims made by the District. For the record, she wanted it noted that they offered on three different occasions to answer questions for the Board and District staff, and the District did not come to either the petitioners or their attorney with any questions or concerns.

Michelle Ruskofsky of Middleton, Young & Minney, Petitioner’s attorney, addressed the Board.

- She gave her professional history of working with reviewing charter petitions.
- She stated that it is the District’s statutory duty to review petitions no matter the cost involved.
- She stated that the District’s findings were based on regulations adopted by the State Board of Education that apply only to the State Board of Education’s review of charter petitions. A lot of details in the review have not been adopted by the Board as its policy for the review of charter petitions.
- She stated that the charter meets all requirements and statutes that the Board must follow. She also said that the 16 required elements and statutes for a charter petition are reasonably described in the Petition.
- Ms. Ruskofsky also pointed out that the details listed in the findings are very specific and those items are usually worked out in a MOU between a district and a charter. Her findings are that this charter petition meets all the requirements of law.

Mr. Parisio stated that he must agree with the WUSD attorney’s recommendation. He made a motion to deny the Walden Academy Charter Petition. The motion was seconded by Mr. Ward. The motion to deny the Walden Academy Charter Petition passed unanimously with 5 yes votes.

- 6.2 **(Discussion/Action)** Graduation Participation related to CAHSEE Results. Dr. Geivett stated that Mrs. Linda Burnham asked to have this item agendized regarding her son, Timur, specific to the graduation ceremony. Mr. Parisio stated that this seems to come up every year with someone not meeting the requirements of the Board. He thinks the Board needs to stay firm, and with the timeline involved, there isn’t enough time to make changes to the board policy this close to graduation. Mrs. Teresa Woods, WHS English teacher, spoke on behalf of Timur. She said he is consistently in the top three of her English class. Mrs. Woods said she would volunteer to sit on a committee to revise this policy that provides flexibility on individual cases such as Timur’s. Mrs. Linda Burnham addressed the Board and read a letter written by

Timur's sister, Kristina, who is attending college out of state. The letter spoke of the struggles encountered by both Kristina and Timur as students coming from a foreign country. Dr. Geivett read the graduation requirements policy for the Board and audience which states only students who have fulfilled all Willows High School graduation requirements shall be permitted to participate in the graduation ceremony. He also read a paragraph from the Board Policy that pertains to Timur's situation. There was discussion about past practice in this area. Mr. Geiger moved to allow Timur Burnham to participate in the graduation ceremony with a verbal agreement that he retake the portion of the CAHSEE that he did not pass. Mr. Ward seconded the motion. Discussion followed. Dr. Geivett asked if this allowance was for Timur only, as he has two students at WCHS in the same situation applies. Mr. Geiger stated that it was only for Timur. Ms. Amy Steele-Stemple, CAHSEE coordinator, addressed the Board to say that Timur has already promised her that he would continue to take the test. Mr. Parisio said he is willing to look into the policy to make changes, but due to the short timeline, he has to disagree with the motion. The motion passed with 4 yes votes, 1 no vote (Mr. Parisio).

- 6.3 **(Action)** Approve employment of Certificated personnel for 2011/12. Mr. Geiger moved, seconded by Mr. Munguia, to approve the employment of Certificated personnel for 2011/12. The motion passed unanimously with 5 yes votes.
- 6.4 **(Action)** Approve employment of Classified and Confidential personnel for 2011/12. Mr. Munguia moved, seconded by Mr. Ward, to approve the employment of Classified and Confidential personnel for 2011/12. The motion passed unanimously with 5 yes votes.
- 6.5 **(Action)** Approve employment of Management personnel for 2011/12. Mr. Parisio moved, seconded by Mr. Munguia, to approve the employment of Management personnel for 2011/12. The motion passed unanimously with 5 yes votes.
- 6.6 **(Action)** Adopt as is, modify, and/or reject the Administrative Law Judge's Decision making it effective immediately and directing administration to notify affected employees accordingly.  
Title of case: Reductions in Force (OAH Case No. 2011031315). Mr. Parisio moved, seconded by Mr. Geiger, to adopt "as is", the Administrative Law Judge's Decision making it effective immediately. The motion passed unanimously with 5 yes votes.
- 6.7 **(Action)** Approve Resolution No. 2010-11-25, Adopting the Proposed Decision of the Administrative Law Judge regarding the Termination of Certificated Employees due to the Reduction of Particular Kinds of Services and Authorizing the Superintendent to Issue Notices to Employees whose Services are Terminated. Mrs. Knight moved, seconded by Mr. Munguia, to approve Resolution No. 2010-11-25. Roll call vote was taken. The motion passed unanimously with 5 yes votes.
- 6.8 **(Discussion/Possible Action)** Cut List. Dr. Geivett stated the Cut List was the same as they saw at the last Board meeting. He said the Board needs to make a definitive decision because layoff notices have to go out tomorrow. The changes from the last meeting were #16-Groundskeeper reduction; #26-Cafeteria Cook reduction; and #27-Elimination of 3.9 Custodian position. Mr. Parisio moved, seconded by Mr. Geiger, to approve the Cut List, including the new additions. The motion passed unanimously with 5 yes votes.
- 6.9 **(Action)** Approve Resolution No. 2010-11-26, Elimination of Classified Services. Mr. Parisio moved, seconded by Mr. Ward, to approve Resolution No. 2010-11-26. Roll call vote was taken. The motion passed unanimously with 5 yes votes.
- 6.10 **Public Information Requirement (Sunshine):** In accord with Government Code §3547, the Willows Unified School District (WUSD) is making available for review its initial proposal (see attached proposal) to the Willows Unified Teachers Association (WUTA) for 2011/2012. Public comment will be received at the Board Meeting on June 23, 2011. Information only.
- 6.11 **Public Information Requirement (Sunshine):** In accord with Government Code §, the Willows Unified Teachers Association (WUTA) is making available for review its initial proposal (see attached proposal) to the Willows Unified School District (WUSD) for 2011/2012. Public comment will be received at the Board Meeting on June 23, 2011. Information only.
- 6.12 **Public Information Requirement (Sunshine):** In accord with Government Code §3547, the Willows Unified School District (WUSD) is making available for review its initial proposal (see attached proposal) to the California School Employees Association (CSEA) Chapter 119 for 2011/2012. Public comment will be received at the Board Meeting on June 23, 2011. Information only.
- 6.13 **Public Information Requirement (Sunshine):** In accord with Government Code §3547, the California School Employees Association (CSEA) Chapter 119, is making available for review its initial proposal (see attached proposal) to the Willows Unified School District (WUSD) for 2011/2012. Public comment will be received at the Board Meeting on June 23, 2011. Information only.

- 6.14 **(Action)** Ratify employment of Cathy Fleming, Christine Stewart, Casey Johnson, Bill Shively, Pam Steward, and Lauren Albert as the WIS After School Education and Safety Supplemental Program (ASES) Instructors. Mr. Parisio moved, seconded by Mr. Munguia, to approve the employment of the abovementioned personnel as ASES Instructors. The motion passed unanimously with 5 yes votes.
- 6.15 **(Action)** Ratify employment of Kim Welsh, Cherylle Waters, Jan Beaufait,, Susan Cameron, and Shelley Amaro, as the Murdock After School Education and Safety Supplemental Program (ASES) Instructors. Mr. Munguia moved, seconded by Mr. Parisio, to approve the employment of the abovementioned personnel as ASES Instructors. Mr. Bazan addressed the Board and shared about the program. He said he was very excited about the program and was working in conjunction with GCOE who funded them with some grant money. It's a one week summer program due to the funding. It has an island theme and will use alternative ways to reach students. Enrollment forms will be in the Murdock office. The motion passed unanimously with 5 yes votes.
- 6.16 **(Action)** Ratify employment of Cody Pastorino for Summer Help for Maintenance Dept. from 6/6/11 – 7/15/11; and Delbert Mauzey for Summer Help for Maintenance Dept. from 6/15/11 – 8/12/11 (both funded by Deferred Maintenance Fund) Mr. Parisio moved, seconded by Mr. Geiger, to approve the employment of Cody Pastorino and Delbert Mauzey for Maintenance Dept. summer help. The motion passed unanimously with 5 yes votes.
- 6.17 **(Action)** Ratify employment of Lauren Albert (social studies), Amy Steele-Stemple and Jessamin Proctor (English-job share) as Summer School Teachers. Mrs. Knight moved, seconded by Mr. Munguia, to approve the employment of the abovementioned personnel as summer school teachers. The motion passed unanimously with 5 yes votes.
- 6.18 **(Action)** Ratify Elizabeth Beck as Summer School Secretary. Mrs. Knight moved, seconded by Mr. Ward, to approve the employment of Elizabeth Beck as the summer school secretary. The motion passed 4-0 (abstained – Mr. Geiger).
- 6.19 **(Action)** Accept resignation/retirement of Barbara Berens as WHS Library Media Specialist, effective June 10, 2011. Mr. Parisio congratulated Babs. Mr. Geiger moved, seconded by Mr. Parisio, to accept Barbara Berens' retirement. Mr. Geiger thanked Babs for her 35½ years of service to Willows Unified School District and said she will be missed. The motion passed unanimously with 5 yes votes.
- 6.20 **(Action)** Approve River Jim Group overnight field trip to Stony Gorge on May 19<sup>th</sup> & 20<sup>th</sup>, 2011. Mr. Sailsbery addressed the Board and said the River Jim Group is headed by Bill Shively. It is a partnership with GCOE and is funded by the same funding as Mr. Bazan's program he spoke of earlier. The funds have strings attached to them – the program can't be offered during regular school days. They will focus on science standards. Mr. Geiger moved, seconded by Mr. Parisio to approve the overnight field trip. The motion passed unanimously with 5 yes votes.
- 6.21 **(Action)** Approve the 2010/11 End of Year Projection (Third Interim Budget Report - available at District Office for preview). Mr. Munguia moved, seconded by Mr. Geiger, to approve the 2010/11 End of Year Projection (Third Interim Budget Report). Ms. Skala addressed the Board and said this is an exercise since we certified as qualified. It's an opportunity to get closer to the end of the year with the actuals. There hasn't been significant change since we are using Second Interim data. It does reflect GASB 54, the requirement to shift and eliminate Fund 20 and Fund 17. We are down about 8 ADA which is not reflected in this report, but will be in the adopted budget – not too far off from what was projected. The motion passed unanimously with 5 yes votes.

The Regular Meeting adjourned at 8:37 p.m. with a recess before going into Closed Session. President Geiger will report out in Open Session upon the conclusion of Closed Session.

## **7. CLOSED SESSION**

Closed Session began at 8:46 p.m.

- 7.1 Pursuant to Government Code §54957: Public Employee Discipline/Dismissal/Release. Release of 2 Temporary Certificated Employees.
- 7.2 Pursuant to Government Code §54957.6: Conference with Labor Negotiator – Agency negotiator: Mort Geivett. Employee Organization: WUTA/CSEA, Non-represented: Management and Confidential.
- 7.3 Pursuant to Government Code §54956.9(a): Conference with Legal Counsel: Existing Litigation (3 cases) Tim Crews v. Willows USD, et.al, Case No. 09CV00697 and Case No. 10CV00860 ; and Muyassar Al-Rifai, on behalf of her children, v. Willows USD, et. al, Case No. 2:10-CV-02526-MCE-CMK

At 9:52 p.m., the meeting reconvened to Open Session. President Geiger reported out:

Item 7.1: The Governing Board took action in Closed Session by the following vote, 5-0, to release the services of two temporary certificated employees of the District.

Item 7.2: Update given to Board.

Item 7.3: Update given to Board

**8. ADJOURNMENT**

The meeting was adjourned at 9:53 p.m.