

**GOVERNING BOARD  
HESPERIA UNIFIED SCHOOL DISTRICT  
Agenda  
Board/Facilities Meeting, October 20, 2008  
Hesperia Administration and  
Educational Support Center (AESC) Annex**

*Reasonable Accommodation for any Individual with a Disability: In compliance with the Americans with Disabilities Act, any individual with a disability who requires reasonable accommodation in order to participate in the public meetings of the district's governing board may request assistance by contacting superintendent's office, (760) 244-4411 x7201.*

*Public Documents relating to Open Session Agenda Items are available for review by the public at the Hesperia Administration & Educational Support Center, Receptionist Desk, 15576 Main Street, Hesperia, California.*

- 4:15 P.M. — CALL TO ORDER**  
**1. ROLL CALL**  
**2. HEARING FROM THE AUDIENCE**

This is the time and place for the general public to address the School Board on any closed session item. State law prohibits the School Board from addressing any issue not previously included on the Agenda. The School Board may receive testimony and set the matter for a subsequent meeting. Please limit comments to five minutes per individual.

Please see the procedures under item #9.4 below.

- 3. CLOSED SESSION** — Pursuant to Government Code Section 54957, the Board may adjourn to Closed Session at any time during the meeting to discuss staff/student personnel matters, negotiations, litigation, and/or the acquisition of land or facilities. The Board will adjourn to Closed Session in the Personnel Conference Room to discuss the following closed session items:

1. CONFERENCE WITH REAL PROPERTY NEGOTIATOR  
APN#0397-161-16  
District Negotiators: David McLaughlin  
Negotiation Parties: Adams Holding Co., Ltd. LLP  
Under Negotiation: Eminent domain settlement
2. PUBLIC EMPLOYEE APPOINTMENT  
Title: Certificated, Management and Classified Employees
3. EMPLOYEE RESIGNATION/RETIREMENT
4. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE/  
REASSIGNMENT/TRANSFER
5. CONFERENCE WITH LABOR NEGOTIATOR
  - a. Agency Negotiator: Karen Kelly
  - b. Employee Organizations: Hesperia Teachers Association  
Hesperia CSEA Chapter #684
6. PUPIL PERSONNEL

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4. **6:00 P.M. - RECONVENE IN OPEN SESSION** — The tentative time to begin Open Session is 6:00 p.m.; however, this could be delayed due to the length of time necessary to discuss issues in Closed Session.
5. **PLEDGE OF ALLEGIANCE**
6. **REPORTING OUT OF CLOSED SESSION ACTION** — At this time, Superintendent McKinney will report out action taken in Closed Session and the votes of the Board.
7. **APPROVAL OF AGENDA & CONSENT LIST** — a) The Board may pull items from Item #10.5 Consent List for discussion and/or action.  
b) The Board is asked to approve the Agenda and Consent List as submitted or amended.
8. **APPROVAL OF MINUTES** — These are the minutes of the September 15, 2008 Special Facilities Meeting and September 22, 2008 Board/Facilities Meeting. **PAGE 1**
9. **SPECIAL REPORTS** **PAGE**  
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  - 9.1 Crosswalk Learning Pathways Presentation — Chala Salisbury, Founder and Steve Prince of HMC Architects, will share plans for the new facility as well as present information on Prop. 55 and Pathways to College Elementary, Prop. 1D.
  - 9.2 Proposed Spending Control Plan (Part I/Facilities) — Superintendent McKinney will present information on a proposed spending control plan for facilities.
  - 9.3 Board Member's Report — Individual Board members may wish to share information about topics not on the agenda, report on committees, school visitations or other activities.
  - 9.4 Hearing from the Audience

This is the time and place for the general public to address the School Board on any matter within the jurisdiction of the Board. State law prohibits the School Board from addressing any issue not previously included on the Agenda. The School Board may receive testimony and set the matter for a subsequent meeting. Please limit comments to five minutes per individual.

The Board respects the right of members of the public to speak to the Board regarding matters on the agenda and other matters within the jurisdiction of the Board. Derogatory comments made at a Board meeting, which are repeated outside the context of a Board meeting, may be actionable as defamation.

In addition, the Board wishes to make clear that it is bound by the limitations set forth in Government Code Section 54957, which states that when specific complaints or charges are to be made against a District employee, such employee has the right to have such complaints heard in closed session and to be given prior notice that such complaints will be heard by the Board. Therefore,

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members of the public who wish to lodge complaints against District employees are reminded that the Board cannot properly consider such complaints without giving prior notice to the named employee.

The Board also would like to remind anyone who wishes to lodge a complaint against a District employee that there is an existing Board adopted Policy in effect specifically for this purpose. This policy contains a comprehensive procedure for reviewing and investigating public complaints, which includes a right of appeal to the Board.

This process provides a much more thorough opportunity for the complainant and the employee to be heard and the merits of the complaint to be properly investigated.

Anyone who wishes to receive a copy of this Policy may contact the Superintendent's office.

Bylaw 9323(c) states that a person wishing to be heard by the Board shall first be recognized by the President and shall then proceed to comment as briefly as the subject permits. Individual speakers shall be allowed five minutes to address the Board on each agenda or nonagenda item. The Board shall limit the total time for public input on each item to 20 minutes. With Board consent, the President may increase or decrease the time allowed for public presentation, depending on the topic and the number of persons wishing to be heard. The President may take a poll of speakers for or against a particular issue and may ask that additional persons speak only if they have something new to add. We have now incorporated the use of Speaker's Cards into our procedures for addressing the Board. If you wish to address the Board and have not completed a Speaker's Card, please obtain one from Mrs. Gomez, Recording Secretary.

**10. ACTION**

- 10.1 APPROVAL OF PERSONNEL REPORT — This deals with employment matters of Certificated, Management and Classified employees. **PAGE 21**
- 10.2 APPROVAL OF PUPIL PERSONNEL REPORT — This is the expulsion of students or students requesting admission to the District. **PAGE 22**
- 10.3 DISCUSSION/ACTION - APPROVAL OF NEGOTIATED EMINENT DOMAIN SETTLEMENT PURCHASE PRICE ON APN #0397-161-16, 4.7 ACRES FOR KRYSTAL ELEMENTARY SCHOOL — The Board will discuss and may take action to approve the negotiated eminent domain settlement purchase price of \$683,150.00 for APN #0397-161-16, 4.7 acres for Krystal Elementary School. **PAGE 23**

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- 10.4 APPROVAL OF SPENDING CONTROL PLAN – PART I/FACILITIES — The Board is asked to take action on the Spending Control Plan relating to Facilities as outlined in the presentation. **PAGE 24**
- 10.5 CONSENT LIST — It is recommended that the Board of Trustees consider approving a number of Agenda items as a Consent list. Consent items are routine in nature, and can be enacted in one motion without further discussion. **PAGE 25**
  - 10.5.1 Approval of Off-Campus Activities — These are off-campus **PAGE 26**

- activities that have been submitted by the schools that need prior approval by the Board.
- 10.5.2 Approval of Purchase Orders over \$50,000 and Public Works Contracts Exceeding \$15,000 — The Board is requested to approve the attached listing of Purchase Orders over \$50,000 and Public Works Contracts Exceeding \$15,000. **PAGE 40**
- 10.5.3 Approval of Conference Report No. 08/09-5 — These are various conferences and workshops that employees have asked to attend that need prior approval by the Board. **PAGE 41**
- 10.5.4 Approval of Internship Agreement between Chapman University and the Hesperia Unified School District — This is to approve the Internship Agreement between Chapman University and the District for the term September 2008 through September 2010. **PAGE 45**
- 10.5.5 Acceptance of Gifts to the District — Occasionally, various groups and individuals donate items to the schools and District which requires Board acceptance. **PAGE 55**
- 10.5.6 Approval of Job Descriptions for Secondary Teachers — This is to approve the job descriptions for Secondary Teachers in the field of Art, Dance, Drama/Theater Arts, Foreign Language, Mathematics, Music, Physical Education, Science, Social Science and Technical Education. **PAGE 57**
- 10.5.7 Acceptance of Budget Financial Report — This is a Financial Report from July 1, 2008 to September 30, 2008. **PAGE 81**
- 10.5.8 Surplus Property — This is to declare as surplus certain items of District property with an estimated value under \$2,500. The Board is also asked to authorize Carmen Becker, Dick Gary and/or Dennis Ebert to dispose of said items in an appropriate manner in accordance with E.C. 17545-17555. **PAGE 84**

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- 10.5.9 Approval of Agreement for Professional Consulting Services with Ammermon Henderson, LLP for Financial Fraud Hot-Line & Internet Reporting Service — This service will provide a confidential, external and independent fraud reporting mechanism for the Hesperia Unified School District. **PAGE 87**
- 10.5.10 Notice of Completion of Work – Cedar Middle School, ASR Constructors — This is to approve and file a Notice of Completion for the construction of Cedar Middle School. **PAGE 93**
- 10.5.11 Approval of County Signature Listing Changes for Summit Leadership Academy-High Desert — This is to approve the 2007 filing of County form No. 1 Board Delegation-Certify/Attest Board Action adding William K. Postmus Program Director, Beth Donnan, Board Secretary and Robert W. Smith, Board of Trustee President; adding Frank Harris, Jr., Board Member, Lance Clark, Board Member, Pat Dennen, Board Member for Summit Leadership Academy (chartered under Hesperia Unified School District); the 2008 filing of County Form No. 1 Board Delegation-Certify/Attest Board Action adding Philip Dotson, Program Director; deleting William Postmus, Program Director for Summit Leadership Academy (chartered under Hesperia Unified School District; the filing of County Form No. 2 Board Delegation-Authorized Agent Status for Philip Dotson, Program Director; County form No. 4 Board Delegation-Termination Thereof for William Postmus to be filed with the County Superintendent of Schools, School Claims Division. **PAGE 98**
- 10.5.12 Approval of Use of Legal Services of Fagen, Friedman & Fulfrost — This is to approve the continued use of legal services of Fagen, Friedman & Fulfrost, LLP until a current open student discipline case is completed. **PAGE 105**
- 10.5.13 Second Reading and Adoption of Proposed Administrative Regulation 4161.5/4261.5/4361.5 – Personnel; Military Leave — This is a proposed Administrative Regulation regarding military leave. **PAGE 110**
- 10.5.14 Second Reading and Adoption of Proposed Administrative Regulation 4161.8/4261.8/4361.8 – Personnel; Family Care & Medical Leave — This is a proposed Administrative Regulation regarding family care and medical leave. **PAGE 117**

**\*END OF CONSENT LIST\***

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11. **INFORMATION ITEMS** **PAGE 126**
- 11.1 First Reading of Proposed Revision to Board Bylaw 9110 Regular Members; Terms of Office — This has been revised to bring us up to date with current practice from odd-year elections to even-year elections.
- 11.2 First Reading of Proposed Revision to Board Bylaw Exhibit 9270 – Designated Positions/Disclosure Categories (Conflict of Interest) — This has been revised to eliminate Associate & Deputy Superintendent (Category 1) and Project Specialist (Category 2) as these positions do not exist.
12. **ITEMS FOR FUTURE BOARD MEETINGS** — Board members may request items to be placed on future Board meetings for a report or information. **PAGE 131**
13. **NEXT MEETING DATE** — November 3, 2008 (Regular Meeting) @ Hesperia Administration & Educational Support Center (AESC Annex), 15576 Main Street, Hesperia.
14. **CLOSED SESSION** — (IF NECESSARY) - Pursuant to Government Code Section 54957, the Board may adjourn to Closed Session at any time during the meeting to discuss staff/student personnel matters, negotiations, litigation, and/or the acquisition of land or facilities.
15. **RECONVENE IN OPEN SESSION**
16. **REPORTING OUT OF CLOSED SESSION ACTION**
17. **ADJOURNMENT**

DATE POSTED: OCTOBER 13, 2008