

BOARD OF TRUSTEES
HESPERIA UNIFIED SCHOOL DISTRICT
MINUTES

Special Board Meeting

March 31, 2010

Hesperia Administration & Educational Support Center (Annex)

MEMBERS PRESENT: Hardy Black, President
Dr. Robert Kirk, Clerk
Chris Bentley, Member

Mark McKinney, Superintendent

MEMBERS ABSENT: Anthony Riley, Vice President

**MEMBERS PRESENT
AT TELECONFERENCE
LOCATION:**

Ella "Lee" Rogers, Member

(11760 CENTRAL AVE., SUITE #202, CHINO)

**OTHERS IN
ATTENDANCE:**

Jean Campbell, DSA, I.T.
Ruth TerKeurst, CSEA President, D.O.
Carmen Becker, Director, D.O.
Diane Jorgenson, CSEA Ins. Committee, Cottonwood
Vicki Kirk, Community Member
Kathy Everhart, AESC
Laura Carevic, Director, AESC
Susan Cortum, Supervisor III, AESC
Kimberly Giacalone, Accounts Payable, D.O.
Jamie Estrada, Accounts Specialist, AESC
Lori Mente, DSA, I.T.
Roman Aguilar, Tech Media, OHHS
Debbie Baker, Exec. Asst., Admin Services
Cathy Gomez, Exec. Asst., Admin Services

David McLaughlin, Asst. Supt., Business
Jovy Yankaskas, Asst. Supt., Educational Services

CALL TO ORDER: President Black called the Special meeting of the Hesperia Unified School District to order at 11:00 a.m.

**CALL TO ORDER:
(Continued)**

President Black announced that this meeting was also being teleconferenced via audio at 11760 Central Avenue, Suite #202, Chino. Board Member Rogers is at the teleconference location. Pursuant to Board Bylaw 9320, the agenda has been posted at the teleconference location and said location was posted here as well. All votes taken during a teleconference meeting shall be by roll call (Gov't Code 54953).

Board Members Bentley, Black and Kirk were present. Board Member Rogers was present at the teleconference location. Board member Riley was absent.

**PLEDGE OF
ALLEGIANCE:**

President Black led the pledge of allegiance to the flag.

**APPROVAL
OF AGENDA:**

Board member Kirk made a motion to approve the agenda as presented. Board Member Rogers seconded the motion. The motion carried 4-0 with the following roll call vote: Bentley (Y); Rogers (Y); Kirk (Y); Black (Y).

**HEARING FROM THE
AUDIENCE:**

President Black read the statement inviting the general public to address the School Board regarding matters on the agenda and other matters within the jurisdiction of the Board. The following addressed the Board:

1. Lori Mente, Hesperia. Topic: SCSEBA vote
2. Jean Campbell, Victorville. Topic:#5.1 CSEA election
3. Jamie Estrada, Hesperia. Topic: SCSEBA withdrawal
4. Kimberly Giacalone, Apple Valley. Topic: Insurance voting
5. Diane Jorgenson, Wrightwood. Topic: CSEA Insurance
6. Ruth TerKeurst. Topic: #5.1

**5. ACTION (BUSINESS
SERVICES)**

**5.1
DISCUSSION/ACTION –
APPROVAL OF
RESOLUTION NO.
2009/10-30 CSEA
CHAPTER #684 FINAL
NOTICE OF WITHDRAWAL
FROM SOUTHERN
CALIFORNIA SCHOOL
EMPLOYEE BENEFITS
ASSOCIATION (SCSEBA)
MEDICAL PROGRAMS:**

The Board was asked to consider adopting Resolution #2009/10-30 as per CSEA's request to allow CSEA Chapter #684 to withdraw from the medical plan of SCSEBA effective at the end of the current plan year, June 30, 2010.

Pursuant to SCSEBA Bylaws, Article IX, "A resolution must be adopted by the Governing Board giving final notice of withdrawal not later than ninety (90) days prior to the end of the current plan year." The current plan year ends June 30, 2010; therefore, final withdrawal must be submitted no later than April 1, 2010.

5.1

**DISCUSSION/ACTION –
APPROVAL OF
RESOLUTION NO.
2009/10-30 CSEA
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EMPLOYEE BENEFITS
ASSOCIATION (SCSEBA)
MEDICAL PROGRAMS:
(Continued)**

Kathy Everhart, Supervisor III, Risk Management, explained that CSEA is in SCSEBA for medical, dental, vision and life. CSEA has requested to withdraw from SCSEBA for their medical plan only. She has had discussions with JPA staff if there was time to make further discussion even before this was put on the agenda to have a decision made on April 5th. That decision would have to be made by the Executive Committee. Because the JPA is run by representatives from member districts and not JPA staff, they could not make that decision. Additionally, in talking with Dr. Rhay of SCSEBA, knowing that there was a concern with the CSEA vote, if the resolution was put through to withdraw from SCSEBA and at a later date CSEA came and said that the vote was null and void, at that point CSEA could ask SCSEBA for permission (special circumstances) to come back into SCSEBA, however, that would fall onto the Executive Committee as to whether they would approve the request.

Board member Bentley referenced the SCSEBA Agreement highlighting the fact that this is a final and binding action that is being considered tonight.

Board member Rogers stated that it was her position as a board member that we have to follow suite with what's going on as far as the unions are concerned and this is a procedure that we must follow, therefore, she had no questions at this time.

Board member Kirk asked staff whether an MOU needed to be written and agreed upon by the District negotiators before the Board makes a decision. Mr. McLaughlin, Asst. Supt., Business cited CSEA's Collective Bargaining Agreement, Article 10 - Health and Welfare which reads *"The parties agree that should the Association consider changing providers (example: moving from a Joint Powers of Authority to an Employee Trust) they shall meet and negotiate that matter.* According to Mr. McLaughlin, that process began this morning; however, there is no solid negotiated MOU at this point.

Superintendent McKinney indicated that the Board's action today is not necessarily endorsing CSEA's intention to withdraw but a requirement of SCSEBA Article IX. He indicated that risks were associated with this but the resolution is based on CSEA's request.

5.1

**DISCUSSION/ACTION –
APPROVAL OF
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EMPLOYEE BENEFITS
ASSOCIATION (SCSEBA)
MEDICAL PROGRAMS:
(Continued)**

President Black stated that he had just become aware of this last week. He is all for the associations to internally cover themselves and do what they want to do, but he does not have enough information on this. He asked for staff's recommendation on this.

Board Member Rogers felt that this was a procedural matter in nature.

According to Mr. McLaughlin, his concern is that there are nuances in these packages that relate to potential costs to the district. Ultimately, his role is to protect costs especially during this time where we're not only asking for bargaining units to contribute but we're looking at various other aspects of the decisions to try to balance our budget and at the same time the limited information he has from the health insurance company.

Following considerable discussion, a motion was made.

Board Member Rogers made a motion to approve Resolution No. 2009/10-30 as per CSEA's request to allow CSEA Chapter #684 to withdraw from the medical plan of SCSEBA effective at the end of the current plan year, June 30, 2010. The motion was seconded by Board member Bentley.

The motion failed 1-3 with the following roll call vote:
Bentley (N); Rogers (N); Kirk (N); Black (Y).

**NEXT MEETING
DATE:**

The next meeting of the Hesperia Unified School District Board of Trustees will be held on April 5, 2010 at the Hesperia Administration & Educational Support Center (AESC) Annex, 15576 Main Street, Hesperia.

ADJOURNMENT:

The Board adjourned at 12:20 p.m.

APPROVED AS SUBMITTED: 5/3/10