

BOARD OF TRUSTEES
HESPERIA UNIFIED SCHOOL DISTRICT
MINUTES

Special Board Meeting

June 3, 2010

Hesperia Administration & Educational Support Center (Annex)

MEMBERS PRESENT: Hardy Black, President
Anthony Riley, Vice President
Dr. Robert Kirk, Clerk
Chris Bentley, Member
Ella "Lee" Rogers, Member

Mark McKinney, Superintendent

MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Gordon Williamson, Teacher, Maple Elementary
Tom Kerman, Teacher, HJH
Al Vogler
Margie Cisneros, Student Body Bookkeeper, HJH
Teri McCollum, AP, Eucalyptus
Terri Truman, Teacher, HJH
Tony McGuyer, Teacher, HHS
Sarah Pifer, Teacher, Rancho MS
M. Servizio, Teacher, Eucalyptus
Rita Kitterle, Summit Leadership
LaShawn Norman, Summit Leadership
Philip Dotson, Program Director, Summit Leadership
Cynthia Pouvaranukoah, Summit Leadership
Nathan Tognetti, Asst. Director, Summit Leadership
Jeanne Triska, Teacher, Kingston
Todd O'Neal, Teacher, Kingston
Scott Ahlgren, VP, SHS
Jennifer Murillo, AP, SHS
Susana Castillo, Teacher, Mission Crest
Phoebe Gutierrez, Teacher, Eucalyptus
Derek Castillo, Teacher, Mission Crest
Christy Bottom, Teacher, HJH
Roger Beam, Teacher, Kingston
Steven Chansler, Teacher, Kingston
Karen Elgan, Principal, Maple
Evlyn Puentes, Teacher, MHS
Kelly Ford, Teacher, SRLC

OTHERS IN Shelly DeLay, Teacher, RMS

**ATTENDANCE:
(Continued)**

John Mahr, Teacher, SHS
Mary Porras, AP, CR/SR
Bill Pittsford, Principal, CR/SR
Bob Schnebeck, Principal, HHS
Larry Porras, Principal, OHHS
Roman Aguilar, Tech./Media, OHHS
Mike Graham, Police Chief
Rogena Steele, Teacher, Kingston
Jodi Consten, Coordinator, AESC
Craig Gunter, Principal, Eucalyptus
Debbie Baker, Exec. Asst., Admin Services
David McLaughlin, Asst. Supt., Business
Jovy Yankaskas, Asst. Supt., Educational Services

CALL TO ORDER:

President Black called the meeting to order at 8:06 a.m. All Board members were present.

**HEARING FROM
THE AUDIENCE:**

President Black read the statement inviting the general public to address the Board on any closed session item. The following addressed the Board:

1. E.T. Snell, Apple Valley. Topic: #3.1
2. Candace Marquez, Hesperia. Topic: Public Employee Appointment
3. Gordon Williamson, Hesperia. Topic: #2
4. Tom Kerman. Topic: #3.2 Public Employee Appointment
5. E.T. Snell, Apple Valley. Topic: #3.2

**ADJOURNED TO
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 adjourned to Closed Session at 8:25 a.m. in the Personnel Conference Room to discuss and may take action on the following closed session items:

- 3.1 Conference with Labor Negotiator
- 3.2 Public Employee Appointment

**RECONVENE IN
OPEN SESSION:**

The Board reconvened in open session at 11:30 a.m.

**PLEDGE OF
ALLEGIANCE:**

President Black led the pledge of allegiance to the flag.

**REPORTING OUT OF
CLOSED SESSION
ACTION:**

Superintendent McKinney reported the following action taken in closed session:

Conference with Labor Negotiator
4-1 (Ayes: Black, Kirk, Riley, Rogers; Noes: Bentley) The Board gave further direction regarding the mediation process with HTA

Public Employee Appointment
No appointment was made; no action was taken

**APPROVAL
OF AGENDA:**

On MSC (Kirk, Riley) Vote: 4-1 (Ayes: Black, Kirk, Riley, Rogers; Noes: Bentley), The agenda was approved as submitted.

Mr. Bentley asked a question about the setting of this agenda, specifically, who had called the meeting and set the agenda. He wanted to state that the discussion in Closed Session went far afield of the Brown Act and that he did not take part in the discussion regarding the Public Employee Appointment portion of the agenda.

**HEARING FROM THE
AUDIENCE:**

President Black again 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. Bob Nelson. Topic: Public comments
2. Al Vogler. Topic: Hearing from the Audience
3. E. T. Snell, Apple Valley. Topic: Corruption, Contracts, General Comments
4. Candace Marquez, Hesperia. Topic: Ca Gov't Code 11125.4
5. Philip Dotson, Apple Valley. Topic: Facilities for Summit Leadership Academy
6. E. T. Snell, Apple Valley. Topic: #9.1
7. Candace Marquez, Hesperia. Topic: #9.2 Board Bylaw 9323
8. Al Vogler. Topic: #9.2
9. E. T. Snell, Apple Valley. Topic: #9.2
10. Bob Nelson. Topic: #9.2
11. E. T. Snell, Apple Valley. Topic: #9.3

9. ACTION

9.1

**DISCUSSION/ACTION –
LEASE AGREEMENT
WITH SUMMIT
LEADERSHIP
ACADEMY:**

President Black requested that this be placed on the agenda. He indicated that he wanted to discuss this item because he was unfamiliar with the contents of the lease. We have two schools on the same facility. He has heard rumors about the sale of this land.

Board member Bentley fully supports SLA. He added that their scores are sound/solid. Nothing is known about leases for any of our charter schools. He had requested charter school financials for some time. One of the strengths of the SLA program is their financials. Their reserves are not in good shape. SLA has a reserve of \$1.3 – 1.5M at the end of the year. Revenue projections for next year are reasonable. What we have is a Charter facility use agreement and MOU. There is no actual lease agreement. SLA is doing what it is supposed to be doing. That is what is wrong with a piecemeal approach to charter school oversight. SLA runs their payroll through us and we get 1% oversight fees.

Board member Rogers said she was not aware of this lease, but her grandson graduated from SLA, and she likes the program. We need to keep the facility that we have. She has heard that Mr. Dotson has been approached about the facility. She asked if he had been offered the opportunity to purchase or lease the facility next door. She does not want some back door deals. She is not interested in back door deals. She just wants us to keep our facility.

Board member Kirk appreciated that this was put on the agenda. He, too, has heard several rumors. He views both programs at that site as being very successful. SLA has had phenomenal success. The same is true of CRHS. Maybe that is the problem. There are conflicting rumors about facility needs. His interest is that a long-term plan be put in place, for both CRHS and SLA, that would be beneficial for both sites. There is a lot of property to the north. He doesn't know if there are drainage issues. How

9.1

**DISCUSSION/ACTION –
LEASE AGREEMENT**

can we deal with the needs so that the needs of both schools can be enhanced? A plan needs to be brought to the Board and

**WITH SUMMIT
LEADERSHIP
ACADEMY:
(Continued)**

reasonable decisions need to be made. He would like to see both schools work together and put together some plans.

Board member Riley spoke about the enrollment at both sites and asked for numbers. The Board also asked Mr. Dotson about the number of classrooms he currently has at the facility. He responded that there were eight.

President Black said he saw this collision coming. He asked that it be put on the agenda to come up with a solution. CRHS would like to increase the Shadow Ridge part of their program.

Mr. Phil Dotson, Program Director, Summit Leadership Academy, asked that before the Board did anything, that it give them an opportunity to do something with the HUSD management team. There are several solutions to work it out, but they have not been given the opportunity to do that. The school has never missed a payment in 4-5 years. Their numbers are open for anyone to look at anytime. He would like to be given an opportunity before it is shot down.

Superintendent McKinney indicated that staff would be more than happy to bring back a recommendation on how to deal with this. There have been discussions and he is more than happy to continue.

Following considerable discussion, no action was taken on this item.

**9.2
DISCUSSION/ACTION –
FIRST READING OF
TWO PROPOSED
REVISIONS TO BOARD
BYLAW 9323 – BOARD
CONDUCT:**

Superintendent McKinney indicated that he was trying to meet the interest of getting business completed while honoring the right of the public to speak. The intent was to separate the two different types of issues.

**DEPARTURE OF
BOARD MEMBER
ROGERS:**

At approximately 12:45 p.m., Board member Riley noted that Board member Rogers had to leave the meeting due to her injury. Board member Riley would like to pull item 9.2 and delay it to Monday's Board meeting.

9.2

**DISCUSSION/ACTION –
FIRST READING OF
TWO PROPOSED
REVISIONS TO BOARD
BYLAW 9323 – BOARD
CONDUCT:
(Continued)**

Board member Riley made a motion to pull item 9.2 and delay it until the Monday, June 7 Board meeting. Board member Kirk seconded the motion. The motion carried on a vote of 3-1 (Ayes: Black, Kirk, Riley; Noes: Bentley).

Board member Kirk asked that staff send both versions of the proposed revisions to legal to ensure that proper codes are followed. Superintendent McKinney stated that he would get something in writing from legal.

9.3

**DISCUSSION/ACTION –
FIRST READING OF
PROPOSED ADMINI-
STRATIVE
REGULATION &
EXHIBIT 1270 –
COMMUNITY
RELATIONS;
INVOCATIONS:**

In reviewing the proposed Administrative Regulation, Board member Riley noted that on page 45, section “D”, the word “her” should be struck out for consistency. Other parts of the document refer to “his.”

Board member Kirk asked if this would be the first reading and then it would be brought back Monday night for a second reading. Superintendent McKinney responded that this provides an opportunity for the Board to discuss this today. Board member Riley reiterated, and then for second reading in July? Board member Kirk felt that this should be brought to July meeting for second reading and possible adoption.

Board member Bentley stated that this was inconsistent with our usual procedure. Usually, the first reading comes as an information item. He doesn't understand why one is held off until Board member Rogers is back. Legal has advised us that this is not a good way to go. The Palo Verde ruling includes words that advance the faith. He wanted to note that members of the Board are always free to pray privately as they choose but if they put a prayer as part of our official agenda, it violates the constitution of the United States. He already has a stack of settlement contracts at home. This is an extremely risky thing to do

9.3

**DISCUSSION/ACTION –
FIRST READING OF
PROPOSED ADMINI-**

and legal has told us not to do it. He prays before he comes to the meeting. This is just dangerous to us fiscally.

**STRATIVE
REGULATION &
EXHIBIT 1270 –
COMMUNITY
RELATIONS;
INVOCATIONS:
(Continued)**

President Black indicated that this policy is already in effect; it was adopted June 22nd, 2009.

Board member Riley said that it was just a matter of how to put it into effect. We cannot favor one religion over another. This has been on numerous agendas.

Superintendent McKinney suggested that the Board move some of these items forward.

Following considerable discussion, Board member Kirk made a motion to bring this item back in July for second reading and possible adoption. Board member Riley seconded the motion. The motion carried on a vote of 3-1 (Ayes: Black, Kirk, Riley; Noes: Bentley).

ADJOURNMENT:

The Board adjourned at 1:15 p.m.

APPROVED AS SUBMITTED: July 12, 2010