

BOARD OF TRUSTEES
HESPERIA UNIFIED SCHOOL DISTRICT
MINUTES

Board Meeting

September 7, 2010

Hesperia Administration & Educational Support Center (Annex)

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

Mark McKinney, Superintendent

**MEMBERS PRESENT
AT TELECONFERENCE
LOCATION:** Ella "Lee" Rogers, Member
**Mariott-Ko Olina, 92-161
Waipahe Pl, Kapolei,
HI 96707**

MEMBERS ABSENT: None

**CABINET MEMBERS
PRESENT:** David McLaughlin, Asst. Supt., Business
Jovy Yankaskas, Asst. Supt., Educational Services
Dr. Matt Spencer, Asst. Supt., Personnel

**OTHERS IN
ATTENDANCE:** Dick Gary, Director, M&O
Roman Aguilar, Tech Media, D.O.
Alan Cota, AP, Maple
Mike Graham, Chief, HUSD Police Department
Janet Brawner, Teacher, JC
Elaine Harper, Parent, JC/SHS
Chris Vihnicka, Graphic Specialist, HUSD
Michelle Murphy, Principal, Mission Crest
Chris Mauger, Principal, Carmel
Sue Knuth, Principal, Cottonwood
Hal Heywood
Matt Sheffield, AP, Carmel
Gordon Williamson, Teacher, Maple
Thomas Kerman, Teacher, HJH
Larry Bird, Principal, SHS
Renee Getchel, Teacher, Mesa Grande
Cassie Bird, ASB Vice President, SHS
Virginia Gutierrez, Accountant, D.O.
Carmen Becker, Director, D.O.
Lucas Brawner, ASB President, HHS

Karla Estudillo, ASB President, SHS
James Elgan, AP, JC
Judi Cook, AP, Cottonwood
Rosanne Weathers, Parent, OHHS
Michele McClowry, SBCSS Representative
Valerie Turpen, Coordinator, AESC
Margaret Snyder, Director, AESC
Ryan Plescia, AP, Kingston
Yolette Rios, HTA Director-at-Large, Cypress
Vicki Kirk, Community Member
Tina Viayra, Teacher, HHS
Ben Skinner, AP, Krystal/Cypress
Tom Loomis, Director, D.O.
Bob Schnebeck, Principal, HHS
Karen Prestwood, Principal, Topaz
Nancy Williams, Teacher, Maple
Pam Seeger, Principal, Mesa Grande
Tom Kirk, Principal, Krystal
Siobhan Weston, AP, Eucalyptus
Cindy Costa, Principal, RMS
Cleone Black
Rebekah Swanson, Parent/Teacher, HUSD
Teri Green, Principal, Kingston
Jodi Consten, Coordinator, AESC
Paulette Croft, TOA/Literacy Coach, AESC
Deb Baker, Exec. Asst., Admin Services
Cathy Gomez, Exec. Asst., Admin Services

CALL TO ORDER: President Black called the meeting to order at 4:03 p.m. All Board members were present at this location with the exception of Board member Rogers who was present at the following teleconference location: Mariott-Ko Olina, 92-161 Waipahe Pl, Kapolei, HI 96707.

HEARING FROM THE AUDIENCE: President Black read the statement inviting the general public to address the Board on any closed session item. There were no comments from the audience.

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.

**ADJOURNED TO
CLOSED SESSION:
(Continued)**

The Board adjourned to Closed Session at 4:04 p.m. in the Personnel Conference Room to discuss and may take action on the following closed session items:

- 3.1 Conference with Legal Counsel-Anticipated Litigation*
- 3.2 Public Employee Appointment*
- 3.3 Employee Resignation/Retirement*
- 3.4 Public Employee Discipline/Dismissal/Release/Reassignment/
Transfer*
- 3.5 Conference with Labor Negotiator*
- 3.6 Pupil Personnel*

**RECONVENE IN
OPEN SESSION:**

The Board reconvened in open session at 6:14 p.m. All Board members were present.

Board member Rogers was available via conference call while vacationing in Hawaii.

INVOCATION:

Pastor Harold Hines gave an invocation.

**PLEDGE OF
ALLEGIANCE:**

The Sultana HS Junior Air Force ROTC performed the flag salute and opening ceremonies.

**REPORTING OUT OF
CLOSED SESSION
ACTION:**

Superintendent McKinney reported the following action taken in closed session:

On MSC (Kirk, Rogers) Vote: 3-2 (Ayes: Black, Kirk, Rogers; Noes: Bentley, Riley) Certificated Personnel Report 10/11-03 was approved as amended.

On MSC (Kirk, Rogers) Vote: 4-1 (Ayes: Black, Kirk, Riley, Rogers; Noes: Bentley) Classified Personnel Report 2010-11/3 was approved as amended.

On MSC (Kirk, Riley) Vote: 5-0, Pupil Personnel Report 2010/11-03 was approved as amended.

**STUDENT
REPRESENTATIVES:**

The student representatives from Hesperia HS, Oak Hills HS and Sultana HS reported on activities and sports events being held at their respective schools.

**SUPERINTENDENT'S
REPORT:**

Superintendent McKinney reported that we are now in week 5 of the school year. He commended all staff including classified support staff and transportation for a smooth start. Our enrollment is 100 students above projected enrollment.

**APPROVAL
OF AGENDA:**

Consent List Items #13.1 Ratify the Accounts Payable Warrant Register Report No. 10/11-3; #13.3 Approval of Off-Campus Activities; #13.7 Approval of Internship Contract Agreement between the University of California, Riverside and the Hesperia Unified School District; were pulled from the agenda.

Superintendent McKinney asked that Action #15.16 Approval of Resolution No. 2010/11-14 Resolution Authorizing On-going Board Approved Budget Reductions Based on the Uncertainty of the Receipt of Cost of Living Adjustment (COLA) in Years 2011-12 and 2012-13 be moved below Action #15.5 and renumbered as #15.5a. This would require a public hearing as well.

Superintendent McKinney also asked that Action Items #15.12 Approval of 2010/11 Classified Salary Schedule; #15.13 Approval of 2010/11 Classified Management Salary Schedule; and #15.15 Approval of 2010/11 Salary Schedules for Certificated Substitute, Homebound/Hospital, ROP Teacher, WIA, Workability/Adult School, Pupil Personnel Services and Certificated Management be pulled to the October meeting.

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

**APPROVAL OF
MINUTES:**

On MSC (Riley, Kirk) Roll Call Vote: 5-0, The Minutes of July 26, 2010 Special Board Meeting; August 2, 2010 Regular Board Meeting and August 12, 2010 Special Board Meeting, were approved as submitted.

**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. Ruth TerKeurst, CSEA President. Topic: #15.15 2010/11 Student Calendar

CONSENT LIST:
*(Consent Items approved
In one motion)*

Board member Riley made a motion to approve the Consent list excluding Items #13.1, 13.3, 13.7. The motion was seconded by Board member Kirk.

CONSENT LIST:
(Consent Items approved

Board member Rogers asked if Board member Riley would be willing to amend his motion to also exclude Consent #13.13.

In one motion)
(Continued)

President Black responded that the Board was asked to pull items during approval of the agenda but he would allow this to be pulled at this time. The Board will vote separately on #13.13.

Board member Riley amended his motion to approve the Consent List excluding Items #13.1, 13.3, 13.7, 13.13. The amended motion was seconded by Board member Kirk. The motion carried on a vote of 5-0 by roll call.

- 13.2 *Approved Conference Report No. 10/11-2*
- 13.4 *Renewed the 2010-11 Elementary AVID Contract*
- 13.5 *Renewed the Agreement for Services between Family Systems Management (FSM) and the Hesperia Unified School District*
- 13.6 *Approved Additional Members to the Administrative Hearing Panel for the 2010/11 School Year*
- 13.8 *Approved the Surplus of District Property*
- 13.9 *Ratified Acceptance of Bond to Release Money Withheld on Stop Notice from ASR Constructors for Oak Hills HS (Cordero's Custom Flooring)*
- 13.10 *Ratified Acceptance of Bond to Release Money Withheld on Stop Notice from ASR Constructors for Oak Hills HS (Hawaiian Air Corp)*
- 13.11 *Ratified Acceptance of Bond to Release Money Withheld on Stop Notice from ASR Constructors for Oak Hills HS (Kamran and Company, Inc.)*
- 13.12 *Ratified Acceptance of Bond to Release Money Withheld on Stop Notice from ASR Constructors for Oak Hills HS (Saunders & McMillin, Inc.)*

13.1
RATIFY THE
ACCOUNTS
PAYABLE WARRANT
REGISTER REPORT
NO. 10/11-3:

Board member Bentley requested that this item be pulled from the agenda. Board member Bentley indicated that he pulled this because he can't vote for it citing that there were expenditures on the pay warrants that are not pre-approved by the Board. We get into grey areas, specifically with legal services. Some of these require Board action before you enter into them and he would like this looked into. There are a lot of dollars in these pay warrants and we're doing this ex post facto which is okay but he just can't vote for them.

Board member Kirk thought that the Board has talked about this before and Ms. Carevic has an explanation for this. Ms. Carevic was asked to provide an explanation. According to Ms. Carevic, by the time the warrant register report comes to the Board, the bills have already been paid. The decisions really are made from departments and school sites when we approve the budgets. As far as the legal fees, changes were made a couple of meetings ago. Board member Bentley indicated that his concern is that there has been no Board action to bring our attorney here; it's just Hardy making the call.

13.1
RATIFY THE
ACCOUNTS

**PAYABLE WARRANT
REGISTER REPORT
NO. 10/11-3:
(Continued)**

According to Superintendent McKinney, Attorney Wagner has shared that there is a legal requirement that he attend closed session. Attorney Wagner indicated that county counsel authored an opinion years ago that several school districts indicating that for the purpose of closed session is to have a conference with legal counsel. The county's opinion at that point was for a school district that has closed session; their counsel needs to be present. Whether or not you continue to have your attorney present once you leave closed session into open session is any particular district's call.

On MSC (Riley, Rogers) Roll Call Vote: 4-1 (Ayes: Black, Kirk, Riley, Rogers; Noes: Bentley) The Board ratified the Accounts Payable Warrant Register Report No. 10/11-3.

**13.3
APPROVAL OF OFF-
CAMPUS ACTIVITIES:**

Board member Bentley requested that this item be pulled from the agenda.

Board member Bentley directed his question to Ms. Yankaskas, Asst. Supt.,-Educational Services. In reference to page 115-116, Sultana says the estimated cost for the activity will be \$2700 paid by the students. Oak Hills, Cedar MS, Hesperia Jr. and Rancho MS all say paid by ASB. He questioned the discrepancy and why only one is not because he knows at a different school, he cut a check for this activity so he was just hoping for some consistency. He understands that ASB may cut an ultimate check.

Ms. Yankaskas responded that ASB has to raise the money or they have to pay for it out of their own pocket.

Board member Bentley asked whether ASB at Sultana is not paying for this activity. Ms. Yankaskas responded that she thinks overall, ASB will cut the check but the students are responsible for paying for the actual trip. The students pay into the ASB fund and then ASB will write one overall check to the company.

According to Board member Bentley, Sultana says students are paying for this activity when essentially; all students are paying for these activities. That's what he's trying to find out, are all students paying for these activities or are ASB funds paying for

**13.3
APPROVAL OF OFF-
CAMPUS ACTIVITIES:
(Continued)**

ASB leadership to go. Mrs. Yankaskas responded that Board Member Bentley is correct in that all students are paying for this activity.

On MSC (Riley, Kirk) Roll Call Vote: 5-0 (Ayes: Bentley, Black, Kirk, Riley, Rogers) The off-campus activities on September 11-12, 2010 (Overnight) – Big Bear, ASB Leadership-Sultana HS; September 11-12, 2010 (Overnight) – Big Bear, ASB Leadership-Oak Hills HS; September 17-19, 2010 (Overnight) – Big Bear, ASB Leadership-Cedar MS; September 17-19, 2010 (Overnight) – Big Bear, ASB Leadership-Hesperia Junior High School; September 17-19, 2010 (Overnight) – Big Bear, ASB Leadership-Ranchero MS; were approved as submitted.

**13.7
APPROVAL OF
INTERNSHIP CONTRACT
AGREEMENT BETWEEN
THE UNIVERSITY OF
CA, RIVERSIDE AND
THE HESPERIA UNIFIED
SCHOOL DISTRICT:**

Board member Bentley requested that this item be pulled from the agenda.

Board member Bentley read that the District is paying a \$500 stipend. He would like to get a formal breakdown on how many agreements for internship programs we have, who is being paid what by whom. Some of the universities pay the District for these stipend and in some, as this, says the District is paying the stipend. It varies depending upon which university agreements we have. Staff was asked for a listing of what universities are paying and what the District is paying in terms of the stipend.

On MSC (Riley, Kirk) Roll Call Vote: 5-0, The Internship Contract Agreement between the University of California, Riverside and the Hesperia Unified School District for the term July 1, 2010 until June 30, 2011, was approved as submitted.

**CONSENT
#13.13
APPROVAL OF
COUNTY SIGNATURE
CHANGES:**

Board member Rogers requested that this item be pulled from the agenda.

On MSC (Kirk, Riley) Roll call vote 3-2 (Ayes: Black, Kirk, Riley; Noes: Bentley, Rogers) County Form No. 2-Board Delegation-Authorize Agent Status (Dr. Matt Spencer) to be filed with the County Superintendent of Schools, was approved as submitted.

14. SPECIAL REPORTS:

14.1 STATUS REVIEW OF SUPERINTENDENT'S GROWTH PLAN: Superintendent McKinney provided a PowerPoint update on the Superintendent's Growth Plan addressing the areas of District Accountability, Student Assessment Accountability Plan, Site Based Management and Dashboard.

DEPARTURE OF BOARD MEMBER RILEY: Board member Riley left the meeting at 7:00 p.m.

14.1 STATUS REVIEW OF SUPERINTENDENT'S GROWTH PLAN: Chris Mauger, Principal, Carmel Elementary and Julie Bird, teacher reviewed the Site Based Management Model at Carmel Elementary.
(Continued)

RETURN OF BOARD MEMBER RILEY: Board member Riley returned to the meeting at 7:04 p.m.

14.1 STATUS REVIEW OF SUPERINTENDENT'S GROWTH PLAN: Alan Cota, Asst. Principal, Maple Elementary and Ms. Garibay and Ms. Williams, teachers, reviewed the Site Based Management Model at Maple Elementary.
(Continued)

RECESS: The Board took a recess at 7:26 p.m.

RECONVENE: The Board reconvened to the meeting at 7:42 p.m.

15. ACTION

15.1 PUBLIC HEARING/ APPROVAL OF AB-1200 PUBLIC DISCLOSURE: SUMMARY OF President Black declared the public hearing open at 7:43 p.m. There were no comments.
PROPOSED AGREEMENT BETWEEN THE HESPERIA USD AND THE HESPERIA TEACHERS ASSN. BARGAINING UNIT: President Black declared the public hearing closed at 7:44 p.m.

Board member Rogers made a motion that the AB-1200 Public Disclosure: Summary of Proposed Agreement Between the Hesperia Unified School District and the Hesperia Teachers Association Bargaining Unit, be approved as submitted. Board member Kirk seconded the motion.

Board member Bentley stated that his first comment is a procedural in nature. In reference to Page 206, it reads "To be acted upon by the Governing Board at its meeting on 8/30/10." Also, on the certification page, there are no dates on the signatures which is a concern to him. Part of these concerns are

**15.1
PUBLIC HEARING/
APPROVAL OF AB-1200
PUBLIC DISCLOSURE:
SUMMARY OF
PROPOSED AGREE-
MENT BETWEEN THE
HESPERIA USD AND
THE HESPERIA
TEACHERS ASSN.
BARGAINING UNIT:
(Continued)**

Borne from the 2007 labor agreements that were done, the AB 1200 for those combined HTA, CSEA and Management into one and it made it extremely difficult to extrapolate the data that was actually in there. So he certainly appreciates the splitting of these kinds of things but those details do matter (i.e. dating of things and when they're being signed and by whom.)

David McLaughlin, Asst. Superintendent indicated that the signature folder contains the correct document changing 8/30 to 9/7. In addition, he and Superintendent McKinney will sign and date today as well.

Board member Bentley also recognized the 9/1/10 letter from San Bernardino County Superintendent of Schools. He certainly appreciates all the work that was done on the TA and everything else that this AB 1200 is for but there does, in his opinion, need to be recognition. The 9/1 letter is to acknowledge their review of the District's tentative agreement with the Hesperia Teachers Bargaining Unit for the fiscal years 2010/11 through 2012/13 and then it goes on to explain what the reductions are. The challenge is and we'll deal with it in the resolution but they need to be clearly highlighted every particular point in time is that the district will only have sufficient State unrestricted reserves of 3% each of these fiscal years if the State COLA estimates of 2.1% in 2011/12 and 2.4% in 2012/13 are realized. If the State COLA is not received, it will create a loss of \$2.1M in 2011/12 and \$4.7M in 2012/13 with offsetting savings of only 1% additional salary schedule costs of approximately \$605K each year and the district may not meet state reserves in 2011-12 and would not meet state reserves in 2012-13. While he appreciates the work that was done, he's a little unclear on some of the numbers on this AB-1200 itself, we can never lose sight of the shaky ground upon which we stand.

Mr. McLaughlin, Asst. Superintendent responded that the dollar amount Board member Bentley referred to, we address in the resolution which has now become 15.5a. In addition, he and Ms. Carevic will address some of that in their budget presentation.

Following discussion, a vote was taken. Board member Rogers amended her motion to approve with the date change. On MSC (Rogers, Kirk) Roll Call Vote: 5-0, The AB-1200 Public.

**15.1
PUBLIC HEARING/
APPROVAL OF AB-1200
PUBLIC DISCLOSURE:
SUMMARY OF
PROPOSED AGREE-
MENT BETWEEN THE
HESPERIA USD AND
THE HESPERIA
TEACHERS ASSN.
BARGAINING UNIT:
(Continued)**

Disclosure: Summary of Proposed Agreement Between the Hesperia Unified School District and the Hesperia Teachers Association Bargaining Unit, was approved as amended to reflect 9/7/10 as the date acted on by the Board

**15.2
DISCUSSION/ACTION –
TO RATIFY TENTATIVE
AGREEMENT BETWEEN
THE HESPERIA UNIFIED
SCHOOL DISTRICT AND
THE HESPERIA
TEACHERS ASSN:**

Board member Riley made a motion that the Tentative Agreement Between the Hesperia Unified School District and the Hesperia Teachers Association for the term three years through June 30, 2013, be ratified. The motion was seconded by Board member Rogers.

Board member Bentley understood the impacts these have on people's paychecks. Things are certainly tough all over and this is certainly not what he signed on the Board to do but he appreciates all the work that was done for both sides. Some of his frustration here is that he doesn't think that we can vote no on this particular thing for the particular reason that a special board meeting should have been called at the end of August because we've already implemented part of this and that to him is a process problem that should have been corrected and it could have been corrected if the leadership of this Board had done their due diligence and called a meeting in August once we got notification of the approval.

Board member Rogers stated that she put in writing and called for a special board meeting to be held in August, however, the responses did not come in to do.

Board member Bentley indicated that when you do the math and tie this into the AB 1200, Article 14 of the TA becomes extremely powerful and dangerous at the same. He felt a need to address that.

15.2

**DISCUSSION/ACTION –
TO RATIFY TENTATIVE
AGREEMENT BETWEEN
THE HESPERIA UNIFIED
SCHOOL DISTRICT AND
THE HESPERIA
TEACHERS ASSN:
(Continued)**

President Black stated that he was blamed for a lot of things. He was blamed for not calling a special board meeting last week. To be quite frank, we weren't quite ready for a special board meeting. Staff was scrambling to get together the AB 1200 document and to get the other things put together and we see that some of the things we have tonight are kind of imperfect as well. So, a week didn't make any difference because it was going to be approved. It's totally obvious that it was going to be approved. Its implementation was not an obstacle was well. Back in December that's when Mr. McLaughlin presented the plan that's what was needed in order for the District to survive and he had the fair share plan for all the different groups (classified, management, certificated management and certificated). Three of the groups settled quickly and he brought that plan to the Board the first of January and the Board was considering approving this plan and of course, the Governor in his January Revise took away from the Base Revenue Limit and changed our deficit from \$8M to \$13M. So, we revised this Plan and the Board unanimously approved that plan in March and that Plan was in effect until the Fact-finding Report came out and staff came back and said we found a way if we have a 3 year agreement where we can actually do it a little bit differently. They presented it to the Board, the Board accepted it and it was taken and negotiated and it worked. So, the negotiating team from the District level was in the driver's seat all the time. The plan was the one presented by the Business Office; the Board approved it both times in March and again in July. At any rate, he did not allow the Board to get in the role of being negotiators. He was pressured to call a special board meeting so the Board could consider proposals made by the opposite side and that's not the role of the Board. The negotiating team had set the parameters, the Board approved the parameters and they were free to negotiate. They never came back and changed those parameters until after the Fact-finding Report came out. The Board approved the request that staff made and the negotiation worked and the Tentative Agreement was signed.

In the second round of discussions, Board member Bentley stated that Mr. Black was more than welcome to his revisionus history in what he's trying to put forward here especially when he says things like "the board unanimously decided things." The fourth column that was suggested and there was certainly not 5-0 votes on that. So, for Mr. Black to argue "unanimous" and change history is disingenuous but we're kind of used to that. As far as calling a meeting last week to approve this, that was already done.

15.2

**DISCUSSION/ACTION –
TO RATIFY TENTATIVE
AGREEMENT BETWEEN
THE HESPERIA UNIFIED
SCHOOL DISTRICT AND
THE HESPERIA
TEACHERS ASSN:
(Continued)**

According to Board member Bentley, it's got nothing to do with negotiating but that's a red herring that Hardy throws out there. You got to take ownership of the AB 1200 agreements that you did in 07 and you got to take ownership of these agreements here and both of them are, certainly this one, is not good for teachers; it's not good for the kids of this District and it doesn't get the District where the District needs to be. He was told by the administration that they were ready to call a special meeting and they were encouraging a special meeting.

Following considerable discussion, a vote was taken. On MSC (Riley, Rogers) Roll Call Vote: 5-0, The Tentative Agreement Between the Hesperia Unified School District and the Hesperia Teachers Association for the term three years through June 30, 2013, was ratified.

15.3

**PUBLIC HEARING/
APPROVAL OF AB-1200
PUBLIC DISCLOSURE:
SUMMARY OF
PROPOSED AGREEMENT
BETWEEN THE
HESPERIA UNIFIED
SCHOOL DISTRICT AND
THE CSEA CHAPTER
#684 BARGAINING
UNIT:**

President Black declared the public hearing open at 8:00 p.m. Superintendent McKinney stated that this was an oversight on his part. This was already agreed to; the county's looked at it and we've already built our budget. The AB 1200 piece/public hearing was an oversight on his part. That's why this is here tonight.

There were no other comments.

President Black declared the public hearing closed at 8:01 p.m.

Board member Kirk made a motion that the AB-1200 Public Disclosure: Summary of Proposed Agreement Between the Hesperia Unified School District and the CSEA Chapter #684 Bargaining Unit, be approved as submitted. Board member Rogers seconded the motion.

Board member Bentley referred to Page 228 which reads "To be acted upon by the Governing Board at its meeting on: 4/5/10. Budget Revisions to be submitted no later than 45 days after approval." Is this going to live with this date or are we backdating documents? Are we going to recognize that we didn't do what Gov't Code 3547 tells us to do which is before you enter in to a written agreement with a bargaining unit which is why we do this stuff, we do these documents to inform the public on what these things will do.

**15.3
PUBLIC HEARING/
APPROVAL OF AB-1200
PUBLIC DISCLOSURE:
SUMMARY OF
PROPOSED AGREEMENT
BETWEEN THE
HESPERIA UNIFIED
SCHOOL DISTRICT AND
THE CSEA CHAPTER
#684 BARGAINING
UNIT:
(Continued)**

Superintendent McKinney responded that the public disclosure AB1200 document was not done. It was a public agenda. The agreement with CSEA was on the agenda. All of that was public and noticed but the AB1200 document was not done as he shared earlier. You also have a letter from the SBCSS dated April 2, 2010 that they received this as well. The oversight on his part was that we didn't do the AB1200 requirement but it was a public agenda item and the public had an opportunity to speak to that but we didn't do the AB1200 document.

Mr. McLaughlin, Asst. Superintendent, Business Services indicated that the challenge with this was that the agreement this is referring to was approved by the Board at a public meeting on 4/5/10 and that's the date that's referred to here. He was with the understanding that we did not need to change the date because that's when the agreement was ratified by the Board on 4/5/10. It's much like a cure and correct.

Board member Bentley responded that that's not what he got from Mr. Fernow when he talked to him on this issue. He would vote to approve this thing but he's not going to vote to backdate documents in any way, shape or form. He didn't like the way AB1200's were handled 3 years ago and this is certainly a problem here that needs to be recognized so we don't make the same mistake again. This stuff does matter. You can say that you approved the agreement; that's the problem that this provides multi-year projections and the public is entitled to this information before you enter into the written agreement. That's why the law exists. Whether the public does anything with it or care about it, that doesn't matter. The public is entitled to know before you start doing it and that is important. There was an end around done 3 years ago and part of that problem is creating these problems. So, he can't vote for backdating anything.

Following considerable discussion, a vote was taken. On MSC (Kirk, Rogers) Roll Call Vote: 4-1 (Ayes: Black, Kirk, Riley, Rogers; Noes: Bentley) The AB-1200 Public Disclosure: Summary of Proposed Agreement Between the Hesperia Unified School District and the CSEA Chapter #684 Bargaining Unit, was approved as submitted

15.4

**PUBLIC HEARING/
ACTION – CERTIFI-
CATION OF UNAUDITED
ACTUALS FOR
FY 2009/10:**

Mr. McLaughlin introduced Ms. Michelle McClowry, Fiscal Advisor appointed to us from SBCSS because of our disapproved budget. She mentioned 4 critical elements that the Board is responsible for. This is based on FCMAT criteria for healthy districts:

- 1) Maintain adequate cash to pay bills*
- 2) Address and eliminate deficit spending*
- 3) Avoid a negative fund balance*
- 4) Maintain the minimum reserve*

Ms. McClowry stressed that this problem that the District is facing is not a Hesperia problem but a State of California problem. Her job here is to assist in any way she can to bring suggestions forward of possible cuts to make sure that the District meets the September 8th deadline and that the Board prepares a list of proposed cuts that may be needed through a Board Resolution before First Interim. By December 15th when the First Interim is approved, any budget cuts that are needed based on the unknown State Budget that we don't have yet.

Mr. McLaughlin, Asst. Superintendent, Business Services and Mrs. Laura Carevic, Director of Fiscal Services presented a PowerPoint presentation on the Budget Approval Process (Where we're at and how the Unaudited Actuals and Revised Budget work together).

Board member Bentley requested a copy of the PowerPoint presentation. While he understands that we need to point to Sacramento, we need to accept some local accountability and responsibility because it does matter.

President Black declared the public hearing open at 8:30 p.m.
There were no public comments.
President Black declared the public hearing closed at 8:31 p.m.

On MSC (Riley, Kirk) Roll Call Vote: 5-0, The Certification of Unaudited Actuals for Fiscal Year 2009/10 was approved as submitted.

**15.5
PUBLIC HEARING/
APPROVAL OF 2010/11
REVISED DISTRICT
BUDGET:**

President Black declared the public hearing open at 8:34 p.m.

There were no comments.

President Black declared the public hearing closed at 8:35 p.m.

Board member Rogers made a motion that the 2010/11 Revised District Budget, be approved as submitted. Board member Riley seconded the motion.

Board member Bentley indicated that his concerns are in the multi-years. He certainly thanks Mr. McLaughlin and Mrs. Carevic for sitting down last week and spending some time to go through this. There's a challenge when there's an element of the TA missing and he understands that we'll pick it up by First Interim but he has a hard time doing the math when an intricate part of the equation is not there. So, all due respect, he'll be voting no.

President Black mentioned that as soon as he got on the Board the first budget he ever saw had the multi-year projections. He always considered the last 2 years out as a guestimate and in watching what's happening over the last 3-1/2 years, very seldom do the out years especially does the 3rd year come close to reality of what actually takes place. He hopes that since we have 3 year agreements from some of our units that reality does take place. There is contingency language. He just hopes that parameters are covered will actually be realistic.

In a second round of discussion, Board member Bentley stated that these are knowns, there is a space for it in the budget; it's blank. This is not "guess it" and forget the last 2 years. This was a problem so Mr. Black can try and explain it away through his budget expertise. This is a known and it's not in there. Expenditures are knowns; TA elements are knowns. It's a mistake that it's not in the Budget.

Following discussion, a vote was taken. On MSC (Rogers, Riley) Roll Call Vote: 4-1, (Ayes: Black, Kirk, Riley, Rogers; Noes: Bentley) The 2010/11 Revised District Budget, was approved as submitted.

15.5a

**DISCUSSION/ACTION –
PUBLIC HEARING –
APPROVAL OF RESOL.
#2010/11-14 RESOLUTION
AUTHORIZING ON-GOING
BOARD APPROVED
BUDGET REDUCTIONS
BASED ON THE
UNCERTAINTY OF THE
RECEIPT OF COST OF
LIVING ADJUSTMENT
(COLA) IN YEARS 2011-12
AND 2012-13:**

This item was originally item 15.16.

The Board is asked to conduct a public hearing and take action to approve Resolution No. 2010/11-14 Resolution to Authorize Ongoing Board Approved Budget Reductions Based on the Uncertainty of the Receipt of the COLA in Years 2011-12 and 2012-13.

Due to the uncertainty of the State's financial position, the San Bernardino County Superintendent of schools has required districts to designate a portion of the Unrestricted Fund Balance Reserves or develop a contingency fiscal action plan to recognize potential budget reductions in the amount of the COLA funding included in the multi-year projections, in the event that it does not materialize as anticipated. The Board is prepared to authorize ongoing budget reductions in the 2011-12 fiscal year in the amount of \$2.2M (Estimated COLA) and 2012-13 fiscal year in the amount of \$2.6M (Estimated COLA), if necessary, to maintain the state required minimum reserve levels in the current and two subsequent fiscal years. The Board will take action on a contingency plan to cover this potential revenue shortfall as part of the First Interim Financial Report.

President Black declared the public hearing open at 8:42 p.m.

There were no comments.

President Black declared the public hearing closed at 8:43 p.m.

Board member Kirk made a motion that Resolution No. 2010/11-14 Resolution Authorizing Ongoing Board Approved Budget Reductions Based on the Uncertainty of the Receipt of COLA in Years 2011-12 and 2012-13, be approved as submitted. Board member Riley seconded the motion.

Board member Bentley called attention to the Resolution, 2nd paragraph which reads "It is further recognized that under Education Code 42127, the county superintendent of schools has approved the district's budget pursuant to additional actions to be taken by the district Governing Board in the fiscal years 2011-12 and 2012-13." The last letter he received from the county was a disapproval letter. He understands that the county has been working on us but does this become moot if they disapprove the budget because this resolution says that they have approved the Budget with this resolution and he hasn't received notification of that.

15.5a

**DISCUSSION/ACTION –
PUBLIC HEARING –
APPROVAL OF RESOL.
#2010/11-14 RESOLUTION
AUTHORIZING ON-GOING
BOARD APPROVED
BUDGET REDUCTIONS
BASED ON THE
UNCERTAINTY OF THE
RECEIPT OF COST OF
LIVING ADJUSTMENT
(COLA) IN YEARS 2011-12
AND 2012-13:
(Continued)**

Mr. McLaughlin, Asst. Superintendent, Business Services responded that we won't get a letter for another 2-4 weeks. He reminded the Board that this budget, unlike any other even the one we worked with last year, will undergo ongoing changes as we continually refine it. As we get closer to First Interim, we'll be working on a list of additional cuts. As we understand what the State Budget does if they ever pass a budget, we will have to have within 45 days any change in our budget based on what the State actually approves. He believes that with the work that we've done, the work that Michelle McClowry has been doing on our behalf, the conversations that we've had with Cynna and with Teri of the County, we're optimistic that the County will approve this budget but we definitely have a lot of work to do and you'll be seeing that over the next several months.

Board member Bentley closed by stating there needs to be a recognition that rough waters are still ahead.

Board member Rogers asked if the paragraph Board member Bentley referred to posed a problem or is it something that is expected. Mr. McLaughlin responded that the County actually provided this document for us so we're assuming that this will be appropriate and meet their needs and that's why it's in this packet. We're optimistic that we'll get the approval that we need.

Following discussion, a vote was taken. On MSC (Kirk, Riley) Roll Call Vote: 5-0, Resolution No. 2010/11-14 Resolution Authorizing Ongoing Board Approved Budget Reductions Based on the Uncertainty of the Receipt of COLA in Years 2011-12 and 2012-13, was approved as submitted.

15.6

**DISCUSSION/ACTION –
APPROVAL OF
RESOLUTION FOR
THE 2009/10 AND 2010/11
FISCAL YEAR GANN
LIMITS:**

On MSC (Rogers, Riley) Roll Call Vote: 5-0, Resolution Adopting the "GANN" Limits for 2009/10 and 2010/11 fiscal years, was approved as submitted.

15.7

**DISCUSSION/ACTION –
FIRST READING OF
PROPOSED BOARD
POLICY, ADMIN. REG
AND EXHIBIT 3544.1 –
BUSINESS & NON-
INSTRUCTIONAL
OPERATIONS; USE OF
DISTRICT-OWNED
VEHICLES:**

Proposed Board Policy, Administrative Regulation and Exhibit 3544.1 – Business & Non-Instructional Operations; Use of District-Owned Vehicles was submitted to the Board for First Reading.

For liability reasons, this policy is being developed to put process and procedures in place to assure that all drivers of district-owned vehicles are licensed drivers, insurable, have a safe driving history and acknowledge their responsibility when driving a district vehicle.

According to Superintendent McKinney, as Board members have been involved in trainings, etc., Board members are not technically employees of the District but are they covered if they take a District vehicle? That question has come up. Our on-call personnel, we've narrowed down and limited the number of vehicles that go home with personnel who are on call. We need to make sure those things are addressed in this policy as well.

The Board reviewed the proposed revisions. According to Board member Bentley, a couple of the specifics were just mentioned. A) GAMUT CSBA's policy on line does not have this policy whatsoever. This is relatively new. There is nothing that we can piggyback off of and understand. The Board member concern is a legitimate one for future use such as Masters in Governance Workshops, Budget Workshops in Ontario. The second challenge is an enumeration of the position or employees that are specifically permitted to use district vehicles is kind of key. An example that he will use is things like exempt from overtime is a challenge that you need to specifically list who can and cannot get this thing and that would also apply to district vehicles here is who is taking them home, who's not taking them home. There are certain challenges that apply. We definitely need to list what employees are doing it.

Superintendent McKinney thanked the Board for the dialogue. He will incorporate the suggestions and bring this policy back as a First Reading in October.

No action was taken.

**15.8
PUBLIC HEARING/
ACTION – APPROVAL
OF RESOLUTION
REGARDING THE
SUFFICIENCY OF
INSTRUCTIONAL
MATERIALS FOR
FY 2010/11:**

Pursuant to Education Code 60119 and 60422, the Governing Board shall hold a public hearing on the availability of textbooks and instructional materials in order to be eligible to receive additional funds. The Board is also asked to adopt Resolution #2010/11-3 on the sufficiency of textbooks and instructional materials for 2010/11.

President Black declared the public hearing open at 8:56 p.m. There were no comments.

President Black declared the public hearing closed at 8:57 p.m.

Board member Kirk made a motion that Resolution #2010/11-3 on the Sufficiency of Textbooks and Instructional Materials for 2010/11 be approved as submitted. The motion was seconded by Board member Rogers.

Board member Bentley indicated that the Resolution reads “WHEREAS, sufficient textbooks and instructional materials were provided to each student...” We’re doing a Resolution to that fact. He asked there is verification that every student received a textbook. Darrell Nickolaisen, Coordinator II-Curric/Lang Support Services confirmed that every student received a textbook.

Board member Kirk stated that according to the Williams Settlement, we have to verify that and its brought to the Board a couple of times a year.

Mrs. Yankaskas, Asst. Superintendent-Educational Services added that during the Williams visits, they actually count the books. The kids hold up the textbooks to make sure every book is counted in the classroom. If you assign homework, you have to make sure that the students have a textbook to take home as well.

Board member Bentley stated that we do a pretty bad job with inventorying and the resolution says every kid has a textbook. The Williams Settlement is a negative; the Resolution is a positive that we did everything. In his mind, he’s seeking verification. Textbooks are lost all the time and we don’t keep track of them and that’s a problem going forward as we’re deficit spending. Mrs. Yankaskas responded that Mr. Nickolaisen has a really nice job of coordinating our textbooks more at the District level and using the Destiny Library Textbook Program. We’re working on inventorying all of our textbooks and knowing how many we have and in light of the budget situation, if a school is

**15.8
PUBLIC HEARING/
ACTION – APPROVAL
OF RESOLUTION
REGARDING THE
SUFFICIENCY OF
INSTRUCTIONAL
MATERIALS FOR
FY 2010/11:
(Continued)**

saying they need textbooks, he can look up other schools to see if they have overages without having to purchase new books.

Following discussion, a vote was taken. On MSC (Kirk, Rogers) Roll Call Vote: 4-1 (Ayes: Black, Kirk, Riley, Rogers; Noes: Bentley) Resolution #2010/11-3 on the Sufficiency of Textbooks and Instructional Materials for 2010/11 was approved as submitted.

**15.9
DISCUSSION/ACTION –
APPROVAL OF 2010-11
WORK YEAR
CALENDARS FOR
SUPERINTENDENT AND
ASST. SUPERINTENDENTS:**

Pursuant to the current Employment Agreement, Section 3. Work Year, work calendars of the Superintendent and Assistant Superintendents shall be submitted to the Board for approval by the September Board meeting of each school year.

The Board is asked to approve the 2010-11 Work Year Calendars for Superintendent McKinney, Jovy Yankaskas, Asst. Superintendent, David McLaughlin, Asst. Superintendent and Dr. Matt Spencer, Asst. Superintendent.

Board member Kirk made a motion that the 2010/11 work year calendars for Superintendent McKinney; Jovy Yankaskas, Asst. Superintendent-Educational Services; David McLaughlin, Asst. Superintendent-Business Services and Dr. Matt Spencer, Asst. Superintendent-Personnel, be approved as submitted. Board member Riley seconded the motion.

Board member Rogers stated that because she did not vote to approve our Assistant Superintendent of Personnel Contract, she therefore, cannot agree to this calendar. It's with heavy heart that she do this, however, it's just an impossible situation this time because once again, everything has been lumped together in one scenario rather than broken apart for each individual.

Board member Bentley stated that he didn't vote for the contracts, he had no input into the contracts and he isn't touching these work schedules. It's grossly unfair to every other employee of this school district.

According to President Black, the work year of the Superintendent and Assistant Superintendents is 219 days. The non working days are spelled out to make the year round out to 219 work days for a positive work calendar. This is a result of eliminating the paid vacation days.

15.9

**DISCUSSION/ACTION –
APPROVAL OF 2010-11
WORK YEAR
CALENDARS FOR
SUPERINTENDENT AND
ASST. SUPERINTENDENTS:
(Continued)**

Following discussion, a vote was taken. The motion made by Board member Kirk, seconded by Board member Riley, that the 2010/11 work year calendars for Superintendent McKinney; Jovy Yankaskas, Asst. Superintendent-Educational Services; David McLaughlin, Asst. Superintendent-Business Services and Dr. Matt Spencer, Asst. Superintendent-Personnel, be approved as submitted. A roll call vote was taken as follows: (Ayes: Black, Kirk, Riley, Rogers).

Board member Bentley asked for a second round of discussion. He pointed out that there is ambiguity on the vacation days paid and not in the contracts themselves. The second thing is that the carryover of paid vacation days when they were on a 222 day calendar before, the vacation days never should have existed to begin with. So, you can try to rationalize that away all you want. It's a bunch of money and you guys wrote those contracts; the earlier ones and these. Board member Bentley responded that his vote is no. The motion carried on a roll call vote of 3-2 (Ayes: Black, Kirk, Riley, Rogers; Noes: Bentley).

15.10

**DISCUSSION/ACTION –
ACCEPTANCE OF
SUCCESS INDICATORS
SUPPORTIVE OF THE
BOARD GOALS &
OBJECTIVES:**

President Black stated that there has been a walk on revision.

Superintendent McKinney stated that the walk on revision is to page 269, Goal 3.3 changed from June 2011 to January 2011. He reviewed the Success Indicators Supportive of the Board Goals & Objectives.

Board member Kirk stated that he's not satisfied with the document as it was supposed to have success indicators placed in it and there's not one success indicator in it. He was always taught that success indicators were measurable. So, you set up your goals and objectives and your success indicators would be measurable to get you to your goals and objectives. He would like to see more specificity with the success indicators so we can see where people are going.

Board member Rogers stated that this didn't set well with her. She knows a lot of work has gone into it; however, it's not what she was hoping that she would get on these goals and objectives. She does think part of the problem is that this Board itself with

15.10

**DISCUSSION/ACTION –
ACCEPTANCE OF
SUCCESS INDICATORS
SUPPORTIVE OF THE
BOARD GOALS &
OBJECTIVES:
(Continued)**

the team chose not to get together and work on these together as a team which she thinks is sad. She's not pleased at all with this and she's not pleased with the Board for not getting together and doing this with the team.

Board member Bentley questioned if we had approval of the District's Accountability Plan. Superintendent McKinney responded no. The Student Assessment Accountability Plan has been approved but not the District Accountability Plan. Board member Bentley responded to Superintendent McKinney that the goals and objectives will be turned into specific measurable tools to pay him, not pay him, get your jobs taken, this, that and other things. Yes, he agrees that we should have worked harder on these things. He's certainly not happy with them.

Following discussion, Board member Kirk made a motion that we table to October and send back to staff and look at the Student Assessment and Accountability Plan and Success Indicators from last year and build on those and bring back a list of measurable smaller steps in the success indicators that will lead toward these bigger goals.

Board member Rogers would like to see the Board get together with some involvement in it too like the Board did 3 ½ years ago. Board member Kirk agreed. One of the things we've been very successful at is the financial meetings that we've had with Ms. Carevic and Mr. McLaughlin as individual board members. These are some opportunities where the Board could get together individually or in pairs and give input into this you could get a better direction of where the Board may be wanting the District to go in the next year.

Board member Kirk restated the motion to table Acceptance of the Success Indicators Supportive of the Board Goals & Objectives to the October Board meeting to allow staff to work on it. Board member Rogers seconded the motion.

Board member Bentley asked Superintendent McKinney whether the success indicators were tied into the evaluations. Is it a fair assessment that the Board is creating what he is being evaluated on. Superintendent McKinney responded yes. Board member Bentley asked whether it was still contractually obligated to have that done in September or not. Superintendent McKinney responded that the contractual obligation is that it has to come to

15.10

**DISCUSSION/ACTION –
ACCEPTANCE OF
SUCCESS INDICATORS
SUPPORTIVE OF THE
BOARD GOALS &
OBJECTIVES:
(Continued)**

the Board in September. He's done that; he's heard some of the concerns (smaller steps, measurable) and bring it back.

Following discussion, a vote was taken. On MSC (Kirk, Rogers) Roll Call Vote: 4-1 (Ayes: Black, Kirk, Riley, Rogers; Noes: Bentley) The Success Indicators supportive of the Board Goals and Objectives which were approved on August 2, 2010 was tabled to the October meeting.

15.11

**DISCUSSION/ACTION –
CREATION OF NEW
SCHOOL SECRETARY
POSITION AND
ELIMINATION OF
VACANT SCHOOL
ADMINISTRATIVE
SECRETARY POSITION
AT COMMUNITY DAY
SCHOOL:**

Dr. Matt Spencer, Asst. Superintendent, Personnel stated that there was an error on the narrative. The request should read approve the creation of a new school secretary position; not school administrative secretary.

The Board is being asked to approve the creation of a School Secretary position at Community Day School with a work year of 10.5 months/206 days per year (195 days with 11 furlough days), 7.00 hours per day, Range 13, Funding from General Funds. The Board is also asked to eliminate the vacant School Administrative position.

Board member Bentley questioned why were creating and eliminating in the same move. Dr. Spencer explained that it was basically to bring the secretarial support in line with the administrative position it serves. The school secretary is the position that supports vice principals. The school administrative secretary is the position that supports principals. We're misaligned so we're basically bringing the position in line with the administrator the position serves.

Board member Bentley stated that the campus is full of ambiguities when it comes to administrators. He asked if the staffing models were applied to this. Dr. Spencer responded that was correct.

President Black made a motion that this be approved with the one change that it be an 8 hour position instead of 7 hours the point being that its more in line with the staffing formula and it will attract those employees that want to maintain their 8 hour status and not drop to a 7 hour status plus this is the site supporting the vice principal on the back campus is also supporting the counseling. The front campus is doing the counseling on the back campus since the counseling in the back campus has been lost. Board member Kirk seconded the motion.

15.11

**DISCUSSION/ACTION –
CREATION OF NEW
SCHOOL SECRETARY
POSITION AND
ELIMINATION OF
VACANT SCHOOL
ADMINISTRATIVE
SECRETARY POSITION
AT COMMUNITY DAY
SCHOOL:
(Continued)**

Board member Bentley asked whether this was built into the budget. We seem to do a lot of tweaking and piecemeal stuff that at the end of the day adds up to real dollars. Mr. McLaughlin, Asst. Superintendent, Business Services responded that the position (as is) was budgeted. He knows that we've struggled with the implementation of ratios. The more we make changes that are different or we change the ratios on an ad hoc basis, the more difficult it is for he, Alan or Dr. Spencer to fairly or equally implement the ratio. This adds a little layer down the road in trying to work this through with our groups. He reminded the Board that every time we make a change that costs money, down the road it will add up.

Following discussion, a vote was taken. On MSC (Black, Kirk) Roll Call Vote: 4-1 (Ayes: Black, Kirk, Riley, Rogers; Noes: Bentley) The creation of a School Secretary position at Community Day School with a work year of 10.5 months/206 days per year (195 days with 11 furlough days), 7.00 hours per day, Range 13, Funding from General Funds and the elimination of the vacant School Administrative position, was approved as amended. The amendment reflects a change in 7.00 hours to 8.00 hours.

15.12

**DISCUSSION/ACTION –
APPROVAL OF 2010/11
CLASSIFIED SALARY
SCHEDULE:**

This item was pulled to the October meeting.

15.13

**DISCUSSION/ACTION –
APPROVAL OF 2010/11
CLASSIFIED MANAGE-
MENT SALARY
SCHEDULE:**

This item was pulled to the October meeting.

15.14

**DISCUSSION/ACTION –
APPROVAL OF 2010/11
CLASSIFIED
CLASSIFICATION
FAMILIES:**

According to Dr. Spencer, Asst. Superintendent, Personnel, this is something that the Board does on an annual basis. These represent the ranges paid for each position as well as family. It also communicates the classification approved for the 2010/11 school year.

15.14

**DISCUSSION/ACTION –
APPROVAL OF 2010/11
CLASSIFIED
CLASSIFICATION
FAMILIES:
(Continued)**

Board member Bentley asked what makes these families and why are they grouped the way they are. Dr. Spencer responded that they are grouped according to function. If you examine the essential functions of the job and the purposes for the job, they're grouped according to function. You're basically grouping positions that are like and similar in the functions in which they serve.

Following discussion, a motion was made. On MSC (Riley, Kirk) Roll Call Vote: 3-2 (Ayes: Black, Riley, Kirk; Noes: Bentley, Rogers) The 2010/11 Classified Classification Families for the Hesperia Unified School District Classified employees, was approved as submitted.

15.15

**DISCUSSION/ACTION –
APPROVAL OF 2010/11
SALARY SCHEDULES
FOR CERTIFICATED
SUBSTITUTE, HOMEBOUND/
HOSPITAL, ROP TEACHER,
WIA, WORKABILITY/
ADULT SCHOOL, PUPIL
PERSONNEL SERVICES AND
CERTIFICATED MGMT:**

This item was pulled to the October meeting.

15.17

**DISCUSSION/ACTION –
FIRST READING OF
PROPOSED REVISION
TO BOARD POLICY
AND ADMINISTRATIVE
REGULATION 4361 –
PERSONNEL; LEAVES –
CERTIFICATED AND
CLASSIFIED MGMT,
SUPERVISORY,
CONFIDENTIAL AND
SWORN SCHOOL
POLICE EMPLOYEES:**

The Board received for First Reading proposed revisions to Board Policy and Administrative Regulation 4361 – Personnel; Leaves-Certificated and Classified Management, Supervisory, Confidential and Sworn School Police Employees.

The policy and regulation are being revised to align policy with current practice of a positive work year for certificated management and capping vacation.

Superintendent McKinney stated that the only thing that needed to be added to the policy was the non-work days in trying to match policy with our practice. On the certificated side we addressed the positive work year. On the classified management, confidential, etc., the old policy had a cap but there was flexibility that allowed it to grow. Because of the liability, we tried to eliminate that cap. Language talks about a cap of 44 days and no more. The goal is to bring vacation down. The intent is to make sure there is no greater than 44 days. Classified is governed by Ed Code in terms of earning vacation.

15.17

**DISCUSSION/ACTION –
FIRST READING OF
PROPOSED REVISION
TO BOARD POLICY
AND ADMIN REG 4361 –
PERSONNEL; LEAVES –
CERTIFICATED AND
CLASSIFIED MGMT,
SUPERVISORY,
CONFIDENTIAL AND
SWORN SCHOOL
POLICE EMPLOYEES:
(Continued)**

President Black asked if the Board had any comments or suggestions. Board member Rogers asked if Superintendent McKinney was satisfied with this. Superintendent McKinney responded that the one piece and to clarify even further is that 6/30 is the end of the fiscal year; making sure that folks have no more than and he's not sure quite how to word this. He thinks there needs to be that trigger date. Board member Rogers agreed.

**DEPARTURE OF
BOARD MEMBER KIRK:**

Board member Kirk left the meeting at 9:50 p.m.

15.17

**DISCUSSION/ACTION –
FIRST READING OF
PROPOSED REVISION
TO BOARD POLICY
AND ADMIN. REG 4361 –
PERSONNEL; LEAVES –
CERTIFICATED AND
CLASSIFIED MGMT,
SUPERVISORY,
CONFIDENTIAL AND
SWORN SCHOOL
POLICE EMPLOYEES:
(Continued)**

Board member Bentley stated that this was a good start but it doesn't get us where we need to be. One of the challenges is 3 non-paid administrative leave days just disappeared and there's kind of no explanation and that was an issue with some tabled items that we were at earlier and they need to be addressed and accounted for at some particular time. The second thing is even Ed Code defines, this is talking about one type of leave. There are other types of leave that we need to clearly define.

**RETURN OF
BOARD MEMBER KIRK:**

Board member Kirk returned to the meeting at 9:51 p.m.

15.17

**DISCUSSION/ACTION –
FIRST READING OF
PROPOSED REVISION
TO BOARD POLICY
AND ADMIN REG 4361 –
PERSONNEL; LEAVES –
CERTIFICATED AND
CLASSIFIED MGMT,
SUPERVISORY,
CONFIDENTIAL AND
SWORN SCHOOL
POLICE EMPLOYEES:
(Continued)**

Board member Bentley (Continued)
We need to take a look at these specific things whether we're granting more than Ed Code permit. There's also sick leave. There's bereavement necessity leave which in our policy points to a collective bargaining agreement for management and that's a bad practice in the policy in his mind. There's sick leave that needs to be addressed, there's vacation leave that needs to be addressed, personal necessity leave that needs to be addressed and holidays that need to be addressed in written form within our policy rather than just referring back to Ed Code because there are some substantial differences there. He would simply argue

15.17

**DISCUSSION/ACTION –
FIRST READING OF
PROPOSED REVISION
TO BOARD POLICY
AND ADMIN REG 4361 –
PERSONNEL; LEAVES –
CERTIFICATED AND
CLASSIFIED MGMT,
SUPERVISORY,
CONFIDENTIAL AND
SWORN SCHOOL
POLICE EMPLOYEES:
(Continued)**

that this is a good start and we need to build on it and take all of these other things into consideration. He would like to address that we need to be very careful here in the way we are grouping groups here because those too are challenges not only in salary schedules but in the way we treat compensation time and overtime and exempt status. When we group things all together here, we run into some challenges. These are unfunded liabilities and we need to change the way we're doing business. We need to get tighter with the dollars that are spent and this is one way to do it.

This item will come back to the Board for first reading with the suggested changes.

No action was taken.

15.18

**DISCUSSION/ACTION –
APPROVAL OF JOB
DESCRIPTION FOR
DIRECTOR-FOOD
SERVICES:**

The Board is being asked to approve the job description for the Director of Food Services.

According to Dr. Spencer, Asst. Superintendent of Personnel, he's worked with Mr. McLaughlin, Asst. Superintendent, Business Services to create the job description.

Board member Riley made a motion that the job description for the Director-Food Services, be approved as submitted. Board member Kirk seconded the motion.

Board member Bentley asked who's ultimate responsibility is it in developing job descriptions. Dr. Spencer responded that it was two-fold. The ultimate responsibility would reside with the Personnel Division. It was very important for him to spend time with Mr. McLaughlin and to ask a lot of questions as to what this person does because we had to capture those essential functions and we have to get into the qualifications, knowledge skills, etc. to do that work.

Mr. McLaughlin added that in developing the job description, this was a combination of 4-5 districts and input from Ms. Clesceri as well.

On MSC (Riley, Kirk) Roll Call Vote: 5-0 The job description for the Director-Food Services, was approved as submitted.

**16. INFORMATION
ITEMS**

16.1

ENROLLMENT:

The Board received a Revised Projection Compared to Actual Enrollment as of September 7, 2010.

16.2

**ASB INCOME &
EXPENSE REPORTS ~
MAY-JULY 2010:**

The Board received the ASB Income and Expense Reports for the months of May-July 2010 for Canyon Ridge HS, Cedar MS, Hesperia HS, Hesperia JHS, Mojave HS, Oak Hills HS, Ranchero MS and Sultana HS.

**BOARD MEMBER'S
REPORTS:**

Individual Board members shared information.

**ITEMS FOR FUTURE
BOARD MEETINGS:**

The Board requested the following item(s) for future Board meetings:

- REQUEST THAT A FORMALIZED PLAN BE BROUGHT BACK TO THE BOARD ON A GENERIC PLAN THAT ALL SECONDARY SITES COULD USE IN DEALING WITH OFF CAMPUS ACTIVITIES TO KEEP THE INSTRUCTIONAL TIME SACRED AND IF STUDENTS ARE ASKED TO MISS CLASS, WE MAKE SURE THAT THE TEACHERS GIVE THEIR APPROVAL SO THEIR ACADEMIC PROGRESS ISN'T HAMPERED. (BOARD MEMBER KIRK)
- ASB ~ THERE ARE PROBLEMS WITH PROCESS AND PROCEDURES. HE WOULD LIKE TO SEE SOMETHING BEING ADDRESSED. (BOARD MEMBER BENTLEY)
- PARENT VOLUNTEER FORMS ~ HE WOULD LIKE TO SEE WHAT IS BEING DONE WITH THEM. HE WOULD LIKE THIS ADDRESSED WITH SOME PROPER PROCESSES (BOARD MEMBER BENTLEY)
- ASB BOOKKEEPER ~ AS THE PLAN IS DEVELOPED THAT IT BE BROUGHT BACK TO THE BOARD. WE NEED TO GET THE TRAINING, MANUAL AND PROCEDURES DOWN. (PRESIDENT BLACK)

**NEXT MEETING
DATE:**

The next meeting of the Hesperia Unified School District Board of Trustees will be held on October 4, 2010 at the Hesperia Administration & Educational Support Center (AESC) Annex, 15576 Main Street, Hesperia.

ADJOURNMENT:

The Board adjourned at 10:11 p.m.

APPROVED AS AMENDED: October 4, 2010