



Union High School District

**BOARD OF TRUSTEES
REGULAR BOARD MEETING**

Board of Trustees
Joyce Dalessandro
Linda Friedman
Barbara Groth
Beth Hergesheimer
Deanna Rich

Superintendent
Ken Noah

**THURSDAY, FEBRUARY 19, 2009
6:30 PM**

**DISTRICT OFFICE BOARD ROOM 101
710 ENCINITAS BLVD, ENCINITAS, CA. 92024**

Welcome to the meeting of the San Dieguito Union High School District Board of Trustees.

PUBLIC COMMENTS

If you wish to speak regarding an item on the agenda, please complete a blue slip located at the sign-in desk and present it to the Secretary to the Board prior to the start of the meeting. When the Board President invites you to the podium, please state your name, address, and organization before making your presentation.

Persons wishing to address the Board on any school-related issue not elsewhere on the agenda are invited to do so under the "Public Comments" item. If you wish to speak under Public Comments, please follow the same directions (above) for speaking to agenda items. Complaints or charges against an employee are not permitted in an open meeting of the Board of Trustees.

In the interest of time and order, presentations from the public are limited to three (3) minutes per person, per topic. The total time for agenda and non-agenda items shall not exceed twenty (20) minutes. An individual speaker's allotted time may not be increased by a donation of time from others in attendance.

In accordance with the Brown Act, unless an item has been placed on the published agenda, there shall be no action taken. The Board may 1) acknowledge receipt of the information, 2) refer to staff for further study, or 3) refer the matter to the next agenda.

PUBLIC INSPECTION OF DOCUMENTS

In compliance with Government Code 54957.5, agenda-related documents that have been distributed to the Board less than 72 hours prior to the Board Meeting will be available for review on the district website, www.sduhsd.net, and/or at the district office. Please contact the [Office of the District Superintendent](#) for more information.

CONSENT CALENDAR

All matters listed under Consent are those on which the Board has previously deliberated or which can be classified as routine items of business. An administrative recommendation on each item is contained in the agenda supplements. There will be no separate discussion of these items prior to the time the Board of Trustees votes on the motion unless members of the Board, staff, or public request specific items to be discussed or pulled from the Consent items. To address an item on the consent calendar, please follow the procedure described under *Comments on Agenda Items*.

CLOSED SESSION

The Board will meet in Closed Session to consider qualified matters of litigation, employee negotiations, student discipline, employee grievances, personnel qualifications, or real estate negotiations which are timely.

CELL PHONES/PAGERS

As a courtesy to all meeting attendees, please set cellular phones and pagers to silent mode and engage in conversations outside the meeting room.

In compliance with the Americans with Disabilities Act, if you need special assistance, disability-related modifications, or accommodations, including auxiliary aids or services, in order to participate in the public meetings of the District's Governing Board, please contact the [Office of the District Superintendent](#). Notification 72 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accommodation and accessibility to this meeting. Upon request, the District shall also make available this agenda and all other public records associated with the meeting in appropriate alternative formats for persons with a disability.

Canyon Crest Academy • Carmel Valley MS • Diegueño MS • Earl Warren MS • La Costa Canyon HS • North Coast Alternative HS
Oak Crest MS • San Dieguito Adult Education • San Dieguito Academy • Sunset HS • Torrey Pines HS

**SAN DIEGUITO UNION HIGH SCHOOL DISTRICT
BOARD OF TRUSTEES
REGULAR BOARD MEETING**

AGENDA

**FEBRUARY 19, 2009
6:30 PM**

**DISTRICT OFFICE BOARD ROOM 101
710 ENCINITAS BLVD., ENCINITAS, CA. 92024**

PRELIMINARY FUNCTIONS (ITEMS 1 - 6)

- 1. CALL TO ORDER; PUBLIC COMMENTS REGARDING CLOSED SESSION ITEMS 5:45 PM
- 2. **CLOSED SESSION** **5:46 PM**
 - A. To consider personnel issues, pursuant to Government Code Sections 11126 and 54957; limited to consideration of the appointment, employment, evaluation of performance, discipline /release, dismissal of a public employee or to hear *complaints or charges brought against such employee by another person or employee unless the employee requests a public session.*
 - B. Conference with Labor Negotiators, pursuant to Government Code Section 54957.8.
Agency Negotiators: Superintendent and Associate Superintendents (3)
Employee Organizations: San Dieguito Faculty Association / California School Employees Association
 - C. Conference with legal counsel to discuss current and/or potential litigation, pursuant to Government Code Sections 54956.9(b)(3)(A), (D), and (E).
 - D. Consideration and/or deliberation of student discipline matters. (2 cases)

3. REGULAR MEETING / OPEN SESSION 6:30 PM

- 4. PLEDGE OF ALLEGIANCE
- 5. REPORT OUT OF CLOSED SESSION
- 6. APPROVAL OF MINUTES OF THE BOARD WORKSHOP AND REGULAR BOARD MEETING OF FEBRUARY 5, 2009, AND SPECIAL BOARD MEETING OF FEBRUARY 12, 2009.

Motion by _____, second by _____, to approve the Minutes of the Board Meetings on February 5th and February 12th, as shown in the attached supplements.

NON-ACTION ITEMS (ITEMS 7 - 10)

- 7. SCHOOL REPORTS AND UPDATES STUDENT BOARD MEMBERS
- 8. BOARD REPORTS AND UPDATES BOARD OF TRUSTEES
- 9. SUPERINTENDENT’S REPORTS, BRIEFINGS AND LEGISLATIVE UPDATES KEN NOAH
- 10. SAN DIEGUITO ACADEMY UPDATE MIKE GROVE, PRINCIPAL

CONSENT AGENDA ITEMS..... (ITEMS 11 - 15)

Upon invitation by the President, anyone who wishes to discuss a Consent Item should come forward to the lectern, state his/her name and address, and the Consent Item number.

11. SUPERINTENDENT

A. ACCEPTANCE OF GIFTS AND DONATIONS

Acceptance of Gifts and Donations received, as shown in the attached supplement

B. APPROVAL OF FIELD TRIP REQUESTS

Approval of all Field Trip Requests submitted, as shown in the attached supplement

12. HUMAN RESOURCES

A. APPROVAL OF PERSONNEL REPORTS

Approve matters pertaining to employment of personnel, salaries, leaves of absence, resignations, changes in assignments, extra duty assignments, and consultant services:

1. Certificated and/or Classified Personnel Reports as shown in the attached supplement.

B. APPROVAL /RATIFICATION OF AGREEMENTS

No Agreements Submitted

13. EDUCATIONAL SERVICES

A. APPROVAL/RATIFICATION OF AGREEMENTS

No Agreements Submitted

14. PUPIL SERVICES

A. APPROVAL/RATIFICATION OF NON-PUBLIC SCHOOL / NON-PUBLIC AGENCY CONTRACTS

Approve entering into the following non-public school/non-public agency master contracts, to be funded by the General Fund/Restricted 06-00, and authorize Christina M. Bennett, Eric R. Dill or Stephen G. Ma to execute all pertinent documents pertaining to this contract, contingent upon receipt of the signed documents and verification of insurance coverage:

1. Banyan Tree Learning Center, during the period January 1, 2009 through June 30, 2009.

B. APPROVAL/RATIFICATION OF AGREEMENTS

Approve/ratify entering into the following agreements and authorize Christina M. Bennett, Eric R. Dill, Stephen G. Ma, or Ken Noah to execute the agreements:

1. Carol J. Atkins, M.A. to provide assessments and consultation for language processing disorders, during the period January 22, 2009 through June 30, 2009, at the rate of \$175.00 per hour, to be expended from the General Fund/Restricted 06-00.

C. APPROVAL/RATIFICATION OF PARENT SETTLEMENT AND RELEASE AGREEMENTS

No Agreements Submitted

15. BUSINESS

A. APPROVAL/RATIFICATION OF AGREEMENTS

Approve/ratify entering into the following agreements and authorize Christina M. Bennett, Eric R. Dill, Stephen G. Ma, or Ken Noah to execute the agreements:

1. Cathedral Catholic High School for lease of facilities for the Torrey Pines High School Swim Team practice, during the period February 23, 2009 through May 22, 2009, for an amount not to exceed \$4,704.00, to be paid for by the Torrey Pines High School Foundation.
2. The Epler Company to perform an updated GASB-45 actuarial valuation study, beginning February 20, 2009, for an amount not to exceed \$6,750.00, paid upon completion of the study, to be expended from the General Fund 03-00.
3. Coastal Christian Center for lease of facilities for San Dieguito Academy AP Testing, during the period May 5, 2009 through May 14, 2009, for an amount not to exceed \$2,250.00, to be expended from the General Fund 03-00.

B. APPROVAL/RATIFICATION OF AMENDMENT TO AGREEMENTS

No Agreements Submitted

C. RATIFICATION OF AGREEMENT

Ratify the agreement entered into with American Lighting to retrofit lighting fixtures at the La Costa Canyon High School Gymnasium, at the net cost amount of \$942.22, to be expended from the General Fund 03-00, Energy Management Fund.

D. AWARD OF CONTRACTS

No Contracts Submitted

E. ADOPTION OF RESOLUTION / COOPERATIVE BID

Adopt the attached resolution authorizing contracting pursuant to cooperative bid and award documents from Western States Contracting Alliance (WSCA) Computer Equipment, Software, Peripherals & Related Services Contract, State of Minnesota for the purchase of computer equipment, software, peripherals, & related services per the pricing structure, terms, and conditions stated in the bid documents, to be expended from the fund to which the supplies are charged, and authorize Christina M. Bennett, Eric R. Dill, or Stephen G. Ma to execute any necessary documents.

F. APPROVAL OF CHANGE ORDERS

No Change Orders Submitted

G. ACCEPTANCE OF CONSTRUCTION PROJECTS

No Constructions Projects Submitted

H. APPROVAL OF BUSINESS REPORTS

1. Purchase Orders
2. Instant Money
3. Membership Listing

ROLL CALL VOTE FOR CONSENT AGENDA..... (ITEMS 11 - 15)

- | | |
|---|--|
| <u>Board of Trustees:</u>
_____ Joyce Dalessandro
_____ Linda Friedman
_____ Barbara Groth
_____ Beth Hergesheimer
_____ Deanna Rich | <u>Student Board Members:</u>
_____ Meredith Adams, La Costa Canyon
_____ Isabelle Giap, Canyon Crest Academy
_____ Allie Jucha, San Dieguito Academy
_____ Ilana Newman, Torrey Pines
_____ Kaden Strong, Sunset |
|---|--|

DISCUSSION / ACTION ITEMS..... (ITEMS 16 - 18)

16. APPROVAL OF CSBA DELEGATE ASSEMBLY ELECTION, 2009
 Motion by _____, second by _____, to vote for no more than seven (7) candidates to serve on the CSBA Delegate Assembly, 2008, as listed on the attached ballot.
17. ADOPTION OF RESOLUTION APPROVING BEHAVIORAL INTERVENTION PLANS [HUGHES BILL] MANDATED COST CLAIM SETTLEMENT AND WAIVING RIGHTS
 Motion by _____, second by _____, to adopt the Resolution approving Behavioral Intervention Plans [Hughes Bill] Mandated Cost Claim Settlement and Waiving Rights to file any claim regarding the Hughes Bill statute and regulations in the future, as shown in the attached supplement.
18. APPROVAL OF REQUEST TO WAIVE DEADLINE / CALIFORNIA HIGH SCHOOL EXIT EXAM
- A. PUBLIC HEARING
 - B. APPROVAL OF WAIVER REQUEST
- Motion by _____, second by _____, to approve Request to the California Department of Education for a Waiver of Deadline for Filing 2008-2009 Enrollment Numbers for the California High School Exit Exam, as shown in the attached supplement.

INFORMATION ITEM..... (ITEMS 19 – 27)

19. PROPOSED NEW BOARD POLICY, #4216.4, "PLANNING FINANCE TECHNICIAN"
 This item is being submitted for first read and will be resubmitted for approval on March 5, 2009.
20. BUSINESS SERVICES UPDATESTEVE MA, ASSOCIATE SUPERINTENDENT
21. HUMAN RESOURCES UPDATE.....TERRY KING, ASSOCIATE SUPERINTENDENT
22. EDUCATIONAL SERVICES UPDATERICK SCHMITT, ASSOCIATE SUPERINTENDENT
23. PUBLIC COMMENTS
 In accordance with the Brown Act, unless an item has been placed on the published agenda, there shall be no action taken. The Board may 1) acknowledge receipt of the information, 2) refer to staff for further study, or 3) refer the matter to the next agenda. (See Board Agenda Cover Sheet)
24. FUTURE AGENDA ITEMS
25. ADJOURNMENT TO CLOSED SESSION (AS NECESSARY)

CLOSED SESSION (if required)

- A. To consider personnel issues, pursuant to Government Code Sections 11126 and 54957; limited to consideration of the appointment, employment, evaluation of performance, discipline/release, dismissal of a public employee or to hear *complaints or charges brought against such employee by another person or employee unless the employee requests a public session*.
- B. Conference with Labor Negotiators, pursuant to Government Code Section 54957.8.
Agency Negotiators: Superintendent and Associate Superintendents (3)
Employee Organizations: San Dieguito Faculty Association / California School Employees Association
- C. Conference with legal counsel to discuss current and/or potential litigation, pursuant to Government Code Sections 54956.9(b)(3)(A), (D), and (E).
- D. Consideration and/or deliberation of student discipline matters. (2 cases)

26 REPORT FROM CLOSED SESSION (AS NECESSARY)

27 ADJOURNMENT OF MEETING

*The next regularly scheduled Board Meeting will be held on **Thursday, March 5th, 2009, at 6:30 PM** in the SDUHSD District Office Board Room 101. The District Office is located at 710 Encinitas Blvd., Encinitas, CA, 92024.*

ITEM 6 Board of Trustees
Joyce Dalessandro
Linda Friedman
Barbara Groth
Beth Hergesheimer
Deanna Rich

Superintendent
Ken Noah



Union High School District

**SAN DIEGUITO UNION HIGH SCHOOL DISTRICT
BOARD OF TRUSTEES
BOARD WORKSHOP
MINUTES**

**FEBRUARY 5, 2009
5:00 PM**

**DISTRICT OFFICE BOARD ROOM 101
710 ENCINITAS BLVD., ENCINITAS, CA. 92024**

The Governing Board of the San Dieguito Union High School District held a Board Workshop on Thursday, February 5, 2009, at 5:00 PM at the above location.

CALL TO ORDER.....5:00 PM

President Dalessandro called the meeting to order at 5:00 PM. All Trustees were in attendance. Also present were:

- Ken Noah, Superintendent
- Terry King, Associate Superintendent of Human Resources
- Rick Schmitt, Associate Superintendent of Educational Services
- Becky Banning, Recording Secretary

INFORMATION ITEMS

1. FACILITIES ACTION PLAN UPDATE

Mr. Steve Ma, Associate Superintendent of Business, and Mr. John Addleman, Director of Planning and Financial Management, gave a progress report on the District's Long Range Facilities Task Force Planning Committee. Also present was Mr. Benjamin Dolinka of The Dolinka Group, Inc, who presented information regarding existing facilities capacity, future student enrollment and enrollment vs. capacity comparisons.

2. ADJOURNMENT OF MEETING - The meeting was adjourned at 5:45 PM.

Barbara Groth, Board Clerk

Date

Ken Noah, Superintendent

Date



MINUTES
OF THE
SAN DIEGUITO UNION HIGH SCHOOL DISTRICT
BOARD OF TRUSTEES
REGULAR BOARD MEETING

Board of Trustees
Joyce Dalessandro
Linda Friedman
Barbara Groth
Beth Hergesheimer
Deanna Rich

Superintendent
Ken Noah

Telephone (760) 753-6491
www.sduhsd.net

Office of the Superintendent
Fax (760) 943-3501

FEBRUARY 5, 2009

710 ENCINITAS BLVD
ENCINITAS, CA 92024

DISTRICT OFFICE
BOARD ROOM #101

PRELIMINARY FUNCTIONS..... (ITEMS 1 - 6)

1. CALL TO ORDER; PUBLIC COMMENTS REGARDING CLOSED SESSION ITEMS (ITEM 1)

President Dalessandro called the meeting to order at 5:45 PM on Thursday, February 5, 2009, to receive public comments on the Closed Session agenda items. There were no public comments presented.

2. CLOSED SESSION.....(ITEM 2)

The Board convened to Closed Session at 5:46 PM to:

- A. Consider personnel issues, pursuant to Government Code Sections 11126 and 54957; limited to consideration of the appointment, employment, evaluation of performance, discipline /release, dismissal of a public employee or to hear *complaints or charges brought against such employee by another person or employee unless the employee requests a public session.*
- B. Conference with Labor Negotiators, pursuant to Government Code Section 54957.8.
Agency Negotiators: Superintendent and Associate Superintendents (3)
Employee Organizations: San Dieguito Faculty Association / California School Employees Association
- C. Conference with legal counsel to discuss current and/or potential litigation, pursuant to Government Code Sections 54956.9(b)(3)(A), (D), and (E).

OPEN SESSION / ATTENDANCE

BOARD OF TRUSTEES

Joyce Dalessandro
Linda Friedman
Barbara Groth
Beth Hergesheimer
Deanna Rich

ADMINISTRATORS

Ken Noah, Superintendent
Steve Ma, Associate Superintendent, Business
Rick Schmitt, Associate Superintendent, Educational Srvcs
Terry King, Associate Superintendent, Human Resources
John Addleman, Director, Planning & Financial Management
Michael Taylor, Director, Finance
Becky Banning, Recording Secretary

STUDENT BOARD MEMBERS

Isabelle Giap, Canyon Crest Academy
Shakila Guevara, San Dieguito Academy, (representing Allie Jucha)

ITEM 6

- 3. CALL TO ORDER(ITEM 3)
The regular meeting of the Board of Trustees was called to order at 6:35 PM by President Dalessandro.
- 4. SALUTE TO THE FLAG(ITEM 4)
JOYCE DALESSANDRO led the salute to the flag.
- 5. REPORT OUT OF CLOSED SESSION(ITEM 5)
No action was taken by the Board during Closed Session.
- 6. APPROVAL OF MINUTES(ITEM 6)
It was moved by,Linda Friedman, seconded by Beth Hergesheimer, that the Minutes of the Board Workshop and Regular Board Meeting of January 15, 2009, be approved as written. **Motion unanimously carried.**

NON-ACTION ITEMS(ITEMS 7 - 10)

- 7. STUDENT BOARD REPRESENTATIVE REPORTS(ITEM 7)
Student Board Representatives gave updates on events and activities at their schools.
- 8. BOARD OF TRUSTEES UPDATES AND REPORTS(ITEM 8)
Ms. Dalessandro – Attended the second Long Range Facilities Task Force Committee meeting at Earl Warren Middle School; a retirement event honoring Mr. David Bevilaqua, former Executive Director of Finance; Classified Staff In-service Day on January 26th; and a meeting with an Earl Warren Library committee who’s role is to choose art work submitted for display
Ms. Friedman – Attended a Regional Legislative Action Network meeting hosted by the Solana Beach School District. Legislative Analyst Kevin Gordon was the guest speaker.
Ms. Groth – Attended the CASH Flow workshop at San Diego County Office of Education given by Lora Duzyk, Assistant Superintendent of Business Services Administration.
Ms. Hergesheimer – Participated in a California School Boards Association Webinar; the retirement party honoring David Bevilaqua; and two adult education classes; visited San Dieguito Academy; and attended a Board Workshop prior to this meeting.
Ms. Rich – Attended the first Regional Legislative Action Network meeting of the year at Solana Beach School District.
- 9. SUPERINTENDENT’S REPORTS, BRIEFINGS AND LEGISLATIVE UPDATES(ITEM 9)
Superintendent Noah – Attended a meeting with area members of the Association of California School Administrators (ACSA) committee, where each superintendent shared the state of the district. At a Principals’ meeting earlier this morning, he shared with the group that one of the things that impressed him most when he first visited this district was the manner in which these issues were being dealt with. It was straightforward, neither understated nor overstated, cautious and prudent, a practice that continues this year as the district deals with financial critical issues and challenges.
Mr. Noah also attended the Regional Legislative Action Network meeting where Mr. Kevin Gordon presented very important information. “*Democracy is messy*”, was one of Mr. Gordon’s phrases used to describe the status of the issues that the Legislature is dealing with, which will ultimately impact this school district: 1) Large tax increases are expected, 2) there are going to be reductions in revenue for school districts, and 3) flexibility in categorical spending is being

ITEM 6

considered, in spite of lobbying against this. There are also lobbyists against the state waiving textbook adoptions – something many districts are asking the state to do. Other notions include deferring payments to districts and local agencies. There is also a proposal by the governor to reduce the number of days in the school year. Meanwhile, this district has two challenges: 1) currently the district has a gap between anticipated revenue and our level of expenditures, and 2) the district is going to have a reduction of revenue in this school, beyond what was planned. Over the next 18 months, by the district’s best estimates, that number is about \$8 million dollars. If this holds, the district will see the need to make dramatic staff reductions in the next school year. More updates will follow.

10. SCHOOL / DEPT UPDATES (NONE SCHEDULED)(ITEM 10)

CONSENT AGENDA ITEMS (ITEMS 11 – 15)

It was moved by Ms. Groth, seconded by Ms. Hergesheimer, that all consent agenda items listed below be approved as written. **Motion unanimously carried.**

11. SUPERINTENDENT

A. ACCEPTANCE OF GIFTS AND DONATIONS

Acceptance of Gifts and Donations received, as shown in the attached supplements (2).

B. APPROVAL OF FIELD TRIP REQUESTS

Approval of all Field Trip Requests submitted, as shown in the attached supplements (2).

12. HUMAN RESOURCES

A. APPROVAL OF PERSONNEL REPORTS

Approve matters pertaining to employment of personnel, salaries, leaves of absence, resignations, changes in assignments, extra duty assignments, and consultant services:

- 1. Certificated and/or Classified Personnel Reports as shown in the attached supplement.

B. APPROVAL /RATIFICATION OF AGREEMENTS

No Agreements Submitted

13. EDUCATIONAL SERVICES

A. APPROVAL/RATIFICATION OF AGREEMENTS

No Agreements Submitted

14. PUPIL SERVICES

A. APPROVAL/RATIFICATION OF NON-PUBLIC SCHOOL / NON-PUBLIC AGENCY CONTRACTS

No Contracts Submitted

B. APPROVAL/RATIFICATION OF AGREEMENTS

Approve/ratify entering into the following agreements and authorize Christina M. Bennett, Eric R. Dill, Stephen G. Ma, or Ken Noah to execute the agreements:

- 1. BEST Maintenance to provide cleaning services at the Adult Transition Program - South site, starting November 4, 2008 until termination in writing by either party, at the rate of \$330.00 per month, to be expended from the General Fund/Restricted 06-00.

ITEM 6

C. APPROVAL/RATIFICATION OF PARENT SETTLEMENT AND RELEASE AGREEMENTS

Approve/ratify the following Parent Settlement and Release Agreements, to be funded by the General Fund 06-00/Special Education, and authorize the Executive Director of Pupil Services to execute the agreements:

1. Student ID No. 584640, in the amount of \$30,000.00
2. Student ID No. 472948, in the amount of \$15,000.00

15. BUSINESS

A. APPROVAL/RATIFICATION OF AGREEMENTS

Approve/ratify entering into the following agreements and authorize Christina M. Bennett, Eric R. Dill, Stephen G. Ma, or Ken Noah to execute the agreements:

1. Lawrence Family Jewish Community Centers of San Diego County for lease of facilities for Canyon Crest Academy Swim Team and Water Polo programs, during the period January 1, 2009 through December 31, 2009, at the rate of \$60.00/hour from January 1, 2009 through March 31, 2009 and then at the rate of \$66.00/hour from April 1, 2009 through December 31, 2009, to be paid for by the Canyon Crest Academy Foundation.
2. Roesling Nakamura Terada Architects, Inc. to provide design, contract document preparation and construction administration support for the Convert Irrigation to Reclaimed Water at San Dieguito Academy and Oak Crest Middle School project, during the period February 6, 2009 through December 31, 2009, for an amount not to exceed \$9,500.00 plus reimbursable expenses, to be expended from the Capital Facilities Fund 25-19.
3. San Dieguito Masonic Center for lease of facilities for the San Dieguito Adult School parent participation pre-school, during the period February 1, 2009 through June 30, 2009, at the rate of \$1,100.00 (including utilities) per month, to be expended from the Adult Education Fund 11-00.
4. Carmel Valley Recreation Center for lease of facilities for the San Dieguito Adult School senior fitness class, during the period February 2, 2009 through April 3, 2009, for an amount not to exceed \$1,736.70, to be expended from the Adult Education Fund 11-00.

B. APPROVAL/RATIFICATION OF AMENDMENT TO AGREEMENTS

Approve/ratify amending the following agreements and authorize Christina M. Bennett, Eric R. Dill or Stephen G. Ma to execute the agreements:

1. 22nd District Agricultural Association/Del Mar Fairgrounds amending the maximum contract amount to be paid to the District for the 2009 term to \$130,000.00.

C. AWARD OF CONTRACTS

No Contracts Submitted

D. ACCEPTANCE OF RECOMMENDATION AND APPROVAL TO ENTER INTO CONTRACTS

Accept the recommendation of District Staff to select Keane Studios and Classic School Portraits by Gerardy Photography for district-wide Senior Portrait Photography services and Underclassmen Yearbook Photography services, respectively, and authorize Christina M. Bennett or Eric R. Dill to enter into contracts, during the period February 1, 2009 through January 31, 2010 with options to extend for four additional one-year periods.

ITEM 6

E. APPROVAL OF CHANGE ORDERS

Approve Change Orders to the following projects, and authorize Christina M. Bennett, Eric R. Dill or Stephen G. Ma to execute the change orders:

1. Change Order No. 1 – Biotech Classroom Conversion – Phase I at San Dieguito Academy project B2009-09, contract entered into with Fordyce Construction, Inc., decreasing the contract amount by \$5,819.00 and extending the contract time by 13 calendar days.
2. Change Order No. 1 - Tennis Court Resurfacing at San Dieguito Academy project B2009-12, contract entered into with Ferandell Tennis Courts, Inc., extending the contract time by 13 calendar days.
3. Change Order No. 1 – Energy Conservation Services Contract B2006-11 – Torrey Pines High School Academic Bldg. West – Phase III, contract entered into with Siemens Building Technologies, Inc., extending the contract time by 156 calendar days.

F. ACCEPTANCE OF CONSTRUCTION PROJECTS

Accept the following construction projects as complete, pending the completion of a punch list, and authorize the administration to file a Notice of Completion with the County Recorders Office:

1. Biotech Classroom Conversion – Phase I at San Dieguito Academy project B2009-09, contract entered into with Fordyce Construction, Inc.
2. Tennis Court Resurfacing at San Dieguito Academy project B2009-12, contract entered into with Ferandell Tennis Courts, Inc.
3. Energy Conservation Services Contract B2006-11 – Torrey Pines High School Academic Bldg. West – Phase III, contract entered into with Siemens Building Technologies, Inc.

G. APPROVAL OF CHECK CLEARING ACCOUNT

Approve closing the general check clearing account and reopening the check clearing account with California Bank & Trust.

H. APPROVAL OF BUSINESS REPORTS

1. Purchase Orders
2. Instant Money
3. Membership Listing

DISCUSSION / ACTION ITEMS..... (ITEMS 16 - 17)

16. PROPOSED REVISIONS TO BOARD POLICIES 5118 & 5118/AR-1, “ATTENDANCE OF NON-RESIDENTS/INTERDISTRICT ATTENDANCE”

It was moved by Ms. Friedman, seconded by Ms. Hergesheimer, to approve the proposed revisions of Board Policies 5118 & 5118/AR-1, “Attendance of Non-Residents/Interdistrict Attendance” as shown in the attached supplements. **Motion unanimously carried.**

17. DISCUSSION OF STUDENT PRESENTATION “ERGONOMICS STUDY”, PRESENTED AS A PUBLIC COMMENTS ITEM AT THE JANUARY 15TH BOARD MEETING

Public Comments:

ITEM 6

Students from Carmel Valley Middle School (Ethan, Sean, Brandon and Michael), who call themselves "The BackStraight Boys" reported results of a study they conducted on repetitive stress injuries as related to poor posture while at the computer, and how that affects students. The Board commended students for their presentation and Mr. Noah said the district would be taking responsive steps that address ergonomic concerns through facilities studies and classroom computer needs.

This item was submitted for Board discussion and no action was taken.

INFORMATION ITEMS (ITEMS 18 - 25)

18. BUSINESS SERVICES UPDATE..... STEVE MA, ASSOCIATE SUPERINTENDENT

Mr. Ma reviewed key points of the American Recovery and Reinvestment Bill of 2009 and its impact on school districts. He also handed out a Treasurer Investment Report of the County of San Diego, released by the San Diego County Treasurer Tax Collector's Office. Mr. Ma then introduced Mr. Michael Taylor and Mr. Eric Dill who gave a report on annual cash flow management from 2003 – 04 through the current school year.

19. HUMAN RESOURCES UPDATE.....TERRY KING, ASSOCIATE SUPERINTENDENT

Ms. King gave a report on the outcome of the Classified Staff In-service Day on January 26th. The in-service was well attended and the district received good feedback from participants. Ms. King also addressed current staffing needs including employees wanting to come back from part time leaves, to full time.

20. EDUCATIONAL SERVICES UPDATE.....RICK SCHMITT, ASSOCIATE SUPERINTENDENT

Mr. Schmitt reported the district has decided not to adopt the new language arts instructional materials. He also gave an update on the annual high school selection process and gave total number of applications to date to the four high schools, and said the Lottery is scheduled for February 23^d. Mr. Schmitt said 301 applicants currently enrolled in private schools have applied to our schools. He also described measures being taken to add / modify programs at various sites.

21. PUBLIC COMMENTS - (NONE PRESENTED)

22. FUTURE AGENDA ITEMS - No future agenda items were discussed.

23. ADJOURNMENT TO CLOSED SESSION - Closed Session was not required.

24. REPORT OUT OF CLOSED SESSION – Nothing more was reported.

25. ADJOURNMENT OF MEETING..... (ITEM 25)

There being no further business, the meeting was adjourned at 7:51 PM.

Barbara Groth, Board Clerk

____ / ____ / 2009
Date

Ken Noah, Superintendent

____ / ____ / 2009
Date



Union High School District

ITEM 6, MINUTES, 02-12-09

Board of Trustees
Joyce Dalessandro
Linda Friedman
Barbara Groth
Beth Hergesheimer
Deanna Rich

Superintendent
Ken Noah

**SAN DIEGUITO UNION HIGH SCHOOL DISTRICT
BOARD OF TRUSTEES
SPECIAL CLOSED SESSION
MINUTES**

**FEBRUARY 12, 2009
12:00 PM**

**DISTRICT OFFICE BOARD ROOM 101
710 ENCINITAS BLVD., ENCINITAS, CA. 92024**

The Governing Board of the San Dieguito Union High School District held a Closed Session Board Meeting on Thursday, February 12, 2009, at 12:00 noon at the above location.

PRELIMINARY FUNCTIONS

- 1. CALL TO ORDER – Board President Dalessandro called the meeting to order at 12:01 PM and adjourned to Closed Session.

CLOSED SESSION

- 2. CLOSED SESSION - SUPERINTENDENT / MID-YEAR EVALUATION
- 3. REPORT OUT OF CLOSED SESSION – The Board took no action during Closed Session and there was nothing to report.
- 4. ADJOURNMENT OF MEETING - The meeting was adjourned at 1:45 PM.

Barbara Groth, Board Clerk

_____/_____/_____
Date

Ken Noah, Superintendent

_____/_____/_____
Date

San Dieguito Union High School District

INFORMATION REGARDING BOARD AGENDA ITEM

TO: BOARD OF TRUSTEES

DATE OF REPORT: February 11, 2009

BOARD MEETING DATE: February 19, 2009

**PREPARED AND
SUBMITTED BY:** Ken Noah, Superintendent

SUBJECT: ACCEPTANCE OF GIFTS AND DONATIONS

.....

EXECUTIVE SUMMARY

The district administration is requesting acceptance of gifts and donations to the district as shown on the following reports.

RECOMMENDATION:

The administration recommends that the Board accept the gifts and donations to the district as shown on the following reports.

FUNDING SOURCE:

Not applicable

KN/bb

San Dieguito Union High School District

INFORMATION REGARDING BOARD AGENDA ITEM

TO: BOARD OF TRUSTEES

DATE OF REPORT: February 11, 2009

BOARD MEETING DATE: February 19, 2009

**PREPARED AND
SUBMITTED BY:** Ken Noah, Superintendent

SUBJECT: APPROVAL / RATIFICATION OF
FIELD TRIPS

.....

EXECUTIVE SUMMARY

The district administration is requesting approval / ratification of the out-of-state and/or overnight field trips, as shown on the following reports.

RECOMMENDATION:

The administration recommends that the Board approve / ratify the out-of-state and/or overnight field trips, as shown on the following reports.

FUNDING SOURCE:

As listed on attached reports.

KN/bb

ITEM 11B

FIELD TRIP REPORT
SDUHSD BOARD MEETING
FEBRUARY 19, 2009

Date(s) of Field Trip	Site	Sponsor, Last Name	First Name	Team / Club	Total # Students	Total # Chaperones	Purpose / Conference Name	City	State	Loss of Class Time	* \$ Cost
03/13/09-03/15/09	TP	Payne	Marinee	Theater Dept.	20	2	Theater performance competition, workshops, visual art competition & college performance	Fullerton	CA	1 day	N/A
04/19/09-04/19/09	TP	Boardman-Smith	Mia	Advanced Journalism & Yearbook	30-40	2	Journalism Ed. Assoc. & Nat'l Scholastic Press Assoc. Spring Nat'l HS Journalism Convention	Phoenix	AZ	2 days	N/A
08/03/09-08/18/09	TP	Payne	Marinee	Theater Dept.	17	1 (Parents will travel separately)	Invitation to represent American HS Theater at the Edinburgh Fringe Festival	Edinburgh	Scotland	None	N/A
03/20/09-03/21/09	TP	Harrah	Jim	Varsity Volleyball	16	4	Invited to participate in the Orange County Volleyball Championship tournament	Huntington Beach	CA	1 day	N/A
03/18/09-3/20/09	SDA	Berend & Stimson	Jason & G.	Robotics Team	26	14	Compete at a FIRST Robotics competition & try to win a slot at the championship in Atlanta, GA	Phoenix	AZ	3 days	N/A
07/08/09-07/11/09	CCA	Williams	Erica	ASB	4	1	CADA Leadership Camp for gathering ideas for '09-'10 school year.	Santa Barbara	CA	None	N/A

* Dollar amounts are listed only when district/site funds are being spent. Other activities are paid for by student fees or ASB funds.

San Dieguito Union High School District

INFORMATION REGARDING BOARD AGENDA ITEM

TO: BOARD OF TRUSTEES

DATE OF REPORT: February 10, 2009

BOARD MEETING DATE: February 19, 2009

**PREPARED AND
SUBMITTED BY:** Terry King
Associate Superintendent/Human Resources

SUBJECT: APPROVAL OF CERTIFICATED and
CLASSIFIED PERSONNEL

EXECUTIVE SUMMARY

Please find the following Personnel actions attached for Board Approval:

Certificated

Employment
Change in Assignment
Resignation

Classified

Employment
Change in Assignment

RECOMMENDATION:

It is recommended that the Board approve the attached Personnel Actions.

FUNDING SOURCE:

General Fund

PERSONNEL LIST

CERTIFICATED PERSONNEL

Employment

1. **Gillian Barkalow**, 100% Temporary Teacher (Special Ed – Mild/Moderate) for the 2009-10 school year, effective 8/25/09 through 6/18/10.
2. **Angela Ciuffo**, 100% Temporary Teacher (Special Ed – Mild/Moderate) for the 2009-10 school year, effective 8/25/09 through 6/18/10.
3. **Jennifer Dahlquist**, 100% Temporary Teacher (Special Ed – Mild/Moderate) for the 2009-10 school year, effective 8/25/09 through 6/18/10.
4. **Tyler LaSalle**, 100% Temporary Teacher (Special Ed – Mild/Moderate) for the 2009-10 school year, effective 8/25/09 through 6/18/10.
5. **Gary Lewis**, 100% Temporary Speech/Language Pathologist for the 2009-10 school year, effective 8/25/09 through 6/18/10.
6. **Sarah Osgood**, 100% Temporary Speech/Language Pathologist for the 2009-10 school year, effective 8/25/09 through 6/18/10.
7. **Mark Raines**, 100% Temporary Teacher (Multi-Media) at CCA for the 2009-10 school year, effective 8/25/09 through 6/18/10.
8. **Sarah Sakimae**, 100% Temporary Teacher (Special Ed – Mild/Moderate) for the 2009-10 school year, effective 8/25/09 through 6/18/10.
9. **Gina Tashjian**, 100% Temporary Speech/Language Pathologist for the 2009-10 school year, effective 8/25/09 through 6/18/10.

Change in Assignment

1. **Goreti DeLaParra**, Temporary Teacher (Spanish) at LCC, increase temporary contract from 60% to 100% for the remainder of the 2008-09 school year, effective 2/02/09 through 6/12/09.
2. **Mariah Weibel**, Change in Assignment from Middle School Assistant Principal to Classroom Teacher (English/Spanish) in the 2009-10 school year, effective 7/01/09.
3. **Angela Willden**, Temporary Teacher (Chemistry) at LCC, increase temporary contract from 60% to 100% (2 periods of Spanish) for the remainder of the 2008-09 school year, effective 2/02/09 through 6/12/09.

Resignation

1. **Yen-Yen Chiu**, Teacher currently on Unpaid Leave for the 2008-09 school year, resignation from employment, effective 2/06/09.
2. **R. Jill Dahl**, Teacher currently on Unpaid Leave of Absence for the 2008-09 school year, resignation from employment, effective 2/03/09.
3. **Lawrence Hilke**, Teacher at DG, resignation for retirement purposes, effective 6/12/09.

PERSONNEL LIST

CLASSIFIED PERSONNEL

Employment

1. Balderas, Rolando, School Bus Attendant, effective 2/5/09
2. Clausen, Kelene, Campus Supervisor Middle School, effective 2/9/09
3. Hinton, Lizabeth, At Will Employee, effective 2/3/09 – 2/26/09
4. LaBeau, Terri, Instructional Assistant SpEd SH, effective 2/4/09
5. Sands, Russell, Instructional Assistant SpEd Non Severe, effective 2/2/09

Change in Assignment

- 1.

Resignation

1. LaBeau, Terri, Instructional Assistant SpEd, effective 2/3/09

San Dieguito Union High School District

INFORMATION REGARDING BOARD AGENDA ITEM

TO: BOARD OF TRUSTEES

DATE OF REPORT: February 5, 2009

BOARD MEETING DATE: February 19, 2009

PREPARED BY: Bruce Cochrane, Executive Director
Pupil Services

SUBMITTED BY: Ken Noah
Superintendent

SUBJECT: Approval/Ratification of Agreement(s) for
Nonpublic School/Nonpublic Agency Services

EXECUTIVE SUMMARY

The district administration has recommended that designated special education students attend nonpublic schools and/or receive nonpublic agency services for the 2008-09 school year as listed on the attached report.

RECOMMENDATION

The district administration recommends that the Board approve the attached list of agreements for nonpublic school/nonpublic agency services and authorize Christina M. Bennett, Eric R. Dill or Stephen G. Ma to sign the agreements and forward the appropriate documents to the County Superintendent to reflect the placement of students in nonpublic school/nonpublic agencies.

FUNDING SOURCE

General Fund 06-00/Special Education Budget – Estimated \$11,495.00

KN/ddb
Attachment

SAN DIEGUITO UNION HIGH SCHOOL DISTRICT

NONPUBLIC SCHOOLS/AGENCIES 2008-2009

Date: February 19, 2009

Contract Effective Dates	NonPublic School NonPublic Agency (NPS/NPA)	Description of Services	Number of Students (Estimate)	Tuition and/or Fee
1-1-09 To 6-30-09	Banyan Tree Learning Center NPA	Behavior Intervention and Functional Behavior Analysis	1	\$63.86/hour Estimate: \$11,495.00

San Dieguito Union High School District

INFORMATION REGARDING BOARD AGENDA ITEM

TO: BOARD OF TRUSTEES

DATE OF REPORT: February 5, 2009

BOARD MEETING DATE: February 19, 2009

PREPARED BY: Bruce Cochrane, Executive Director
Pupil Services

SUBMITTED BY: Ken Noah
Superintendent

SUBJECT: Approval/Ratification of Independent
Contractor Agreements

EXECUTIVE SUMMARY

The attached Independent Contractor Agreements Report summarizes one contract that provides services for the Special Education Program and Special Education Students for the 2008-2009 school year.

RECOMMENDATION

Approve/ratify entering into Independent Contractor Agreements as shown on the attached report and authorize Christina M. Bennett, Eric R. Dill, Stephen G. Ma or Ken Noah to execute all pertinent documents pertaining to these agreements, contingent upon receipt of the signed documents and verification of insurance coverage.

FUNDING SOURCE

General Fund 06-00/Special Education Budget – Estimated \$5,000.00

KN/ddb
Attachment

SAN DIEGUITO UNION HIGH SCHOOL DISTRICT

INDEPENDENT CONTRACTOR AGREEMENTS 2008-2009

Date: February 19, 2009

Contract Effective Dates	Independent Contractor	Description of Services	Number of Students (Estimate)	Fee
1-22-09 To 6-30-09	Carol J. Atkins, MA	Assessments and consultation for language processing disorders	3	\$175.00/hr. Estimate: \$5,000.00

San Dieguito Union High School District

INFORMATION REGARDING BOARD AGENDA ITEM

TO: BOARD OF TRUSTEES

DATE OF REPORT: February 11, 2009

BOARD MEETING DATE: February 19, 2009

PREPARED BY: Christina Bennett, Director of Purchasing
Eric R. Dill, Executive Director, Business Services
Steve Ma, Associate Superintendent/Business

SUBMITTED BY: Ken Noah
Superintendent

SUBJECT: APPROVAL/RATIFICATION OF
PROFESSIONAL SERVICES CONTRACTS/
BUSINESS

EXECUTIVE SUMMARY

The attached Professional Services Report/Business summarizes two contracts totaling \$11,454.00, or as noted on the attachment.

RECOMMENDATION:

The administration recommends that the Board approve and/or ratify the contracts, as shown in the attached Professional Services Report.

FUNDING SOURCE:

As noted on attached list.

ITEM 15A

SAN DIEGUITO UNION HIGH SCHOOL DISTRICT

BUSINESS - PROFESSIONAL SERVICES REPORT

Date: 02-19-09

<u>Contract Effective Dates</u>	<u>Consultant/ Vendor</u>	<u>Description of Services</u>	<u>School/ Department Budget</u>	<u>Fee Not to Exceed</u>
02/23/09 – 05/22/09	Cathedral Catholic High School	Lease of facilities for Torrey Pines High School Swim Team practice	TPHS Foundation	\$4,704.00
02/20/09 – upon completion of the study	The Epler Company	Perform an updated GASB-45 actuarial valuation study	General Fund 03-00	\$6,750.00
05/05/09 – 05/14/09	Coastal Christian Center	Lease of facilities for San Dieguito Academy AP Testing	General Fund 03-00	\$2,250.00

San Dieguito Union High School District

INFORMATION REGARDING BOARD AGENDA ITEM

TO: BOARD OF TRUSTEES

DATE OF REPORT: February 9, 2009

BOARD MEETING DATE: February 19, 2009

PREPARED BY: Russell Thornton, Exec. Director/Operations
Steve Ma, Associate Superintendent, Business

SUBMITTED BY: Ken Noah
Superintendent

SUBJECT: RATIFICATION OF AGREEMENT FOR
LIGHTING UPGRADE AT LA COSTA CANYON
HIGH SCHOOL GYMNASIUM

EXECUTIVE SUMMARY

The attached agreement summarizes an SDG&E sponsored 36-lamp upgrade to the La Costa Canyon High School Gymnasium. Services are provided by American Lighting whose project costs will be directly rebated by SDG&E at a cost of \$8,200.00. Total District cost is \$942.22 for new energy efficient six lamp T8 High Output Fixtures with wire guards and shatterproof lamp cover. Monthly energy savings is estimated to be \$535.00.

RECOMMENDATION:

Ratify the agreement entered into with American Lighting to retrofit lighting fixtures at the La Costa Canyon High School Gymnasium, at the net cost amount of \$942.22.

FUNDING SOURCE

General Fund 03-00 / Energy Management fund

American Lighting Lighting Upgrade Agreement

ITEM 15C

This Agreement is made as of the date signed below, by and between the Customer and Contractor detailed on Page 1 of this proposal:

ENERGY AUDIT REPORT

The number of fixtures to be installed is detailed on Page 1. Additional fixtures can be added at an additional cost. The Energy Savings for the project are based upon operating hours and kilowatt costs provided by the Customer. Changes to operating hours or kilowatt costs will increase or decrease actual energy savings.

AMERICAN LIGHTING (AL) RESPONSIBILITIES

AL will retrofit the fixtures detailed on Page 1 of this proposal using the existing infrastructure and attachment points at the Customer's facility. AL will notify Customer immediately of any or all dangerous pre-existing conditions that may be present before work is performed. AL will properly dispose of old lamps, ballasts and fixtures according to applicable laws and regulations. AL will maintain worker's compensation and general liability insurance as required by law. AL provides the following warranties: 3 year manufacturer's warranty on lamps and 5 years manufacturer's warranty on ballasts. AL agrees to assign all manufacturers warranties for such products to Customer for the period of manufacturer warranty, subject to all exclusions and limitations as may be set forth herein. Replacement lamps and ballasts will be shipped to replace lamps or ballasts that go out within the warranty period.

CUSTOMER'S RESPONSIBILITIES

Customer concurs that lighting system is either 120 V or 277 V. Lighting systems on a 480 Volt system cannot be installed on this program. Customer agrees to allow Utility Company to inspect / verify fixture counts and use hours.

AGREEMENT SUMMARY & PAYMENT PLAN

Customer enters into a buy agreement for the net amount shown below, as derived from Page 1. Taxes for product are not included in the contract price. Upon project completion, AL will submit invoice for payment. Customer agrees to pay the balance of the amount due in 24 equal monthly payments. (AL reserves the right to perform a Credit Check on Customer to verify Customer qualifies for Free Financing.) The first monthly payment will be due immediately upon completion of the project. The remaining payments will be payable by the Customer on a monthly basis until balance is paid. All late payments will be assessed a charge of \$25.00 per month. Customer agrees to direct all Utility Incentive / Rebates to AL.

Total Cost Of Project	\$9,191.81
Express Efficiency Rebate	<u>(\$8,200.00)</u>
Net Amount Payable by Customer	\$991.81

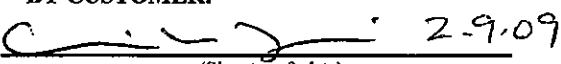
NET 30 DAY OPTION:

AL is offering a 5% discount if the Customer agrees to Net 30 Day payment terms:

5% Customer Discount \$49.59 Final Customer Cost \$942.22

I would like to participate in the following option: Net 30 Days _____ 24 Monthly Payments _____

AGREED AND ACCEPTED:

BY CUSTOMER:


(Signature & date)
Christina M. Bennett

(Printed Name)

BY AMERICAN LIGHTING

(Signature & date)
Kim Boyd

(Printed Name)

SEND INVOICE TO:

Business Name	<u>SDUHSD/Facilities Department La Costa Canyon High School</u>	Attn:	<u>James Mitroff</u>
Street Address:	<u>710 Encinitas Blvd.</u>	Phone:	<u>760 753-0179 x 5404</u>
City, State, Zip	<u>Encinitas, CA 92024</u>	Fax:	<u>760 753-0425</u>

San Dieguito Union High School District

INFORMATION REGARDING BOARD AGENDA ITEM

TO: BOARD OF TRUSTEES

DATE OF REPORT: February 11, 2009

BOARD MEETING DATE: February 19, 2009

PREPARED BY: Christina M. Bennett, Director of Purchasing
Eric Dill, Executive Director, Business Services
Steve Ma, Associate Superintendent/Business

SUBMITTED BY: Ken Noah
Superintendent

SUBJECT: ADOPTION OF RESOLUTION

EXECUTIVE SUMMARY

Western States Contracting Alliance (WSCA) is a national purchasing cooperative, comprised of western region states, of which California is a participant, established to achieve cost-effective, efficient, and legal acquisition of quality products and services. These contracting initiatives are administered by a western region state and follow a review process managed by the state directors from the western region.

Pursuant to District Board Policies 3310 and 3311, Purchasing Procedures and Bids, respectively, and to ensure these policies are being followed, District Staff is requesting the Board to adopt the attached resolution authorizing contracting pursuant to cooperative bid and award documents from Western States Contracting Alliance (WSCA) Computer Equipment, Software, Peripherals & Related Services Contract, State of Minnesota for the purchase of computer equipment, software, peripherals, & related services.

RECOMMENDATION:

Adopt the attached resolution authorizing contracting pursuant to cooperative bid and award documents from Western States Contracting Alliance (WSCA) Computer Equipment, Software, Peripherals & Related Services Contract, State of Minnesota for the purchase of computer equipment, software, peripherals, & related services per the pricing structure, terms, and conditions stated in the bid documents, to be expended from the fund to which the supplies are charged, and authorize Christina M. Bennett, Eric R. Dill, or Stephen G. Ma to execute any necessary documents.

FUNDING SOURCE:

N/A

RESOLUTION AUTHORIZING CONTRACTING
PURSUANT TO COOPERATIVE BID AND AWARD DOCUMENTS FROM THE
WESTERN STATES CONTRACTING ALLIANCE (WSCA) COMPUTER EQUIPMENT,
SOFTWARE, PERIPHERALS & RELATED SERVICES CONTRACT, STATE OF
MINNESOTA

ITEM 15E

On motion of Member _____, seconded by Member _____, the following resolution is adopted:

WHEREAS, the Western States Contracting Alliance (WSCA), based out of the State of Minnesota, conducted a cooperative bid process which allows State Agencies and local government agencies to purchase or contract under that bid at the same price and upon the same terms and conditions as WSCA, and

WHEREAS, said bids were opened and publicly read aloud at the time and place specified in Notice to Bidders, and it was determined that the low bidder for computer equipment, software, peripherals & related services were Various Bidders, such as but not limited to Dell Marketing L.P. and Hewlett-Packard Company, who were thereafter awarded the bid, and

WHEREAS, the San Dieguito Union High School District wishes to purchase computer equipment, software, peripherals, & related services, and

WHEREAS, this Board has determined it to be in the best interests of the District to purchase or contract for the above stated items from the bid awarded by WSCA, and

WHEREAS, WSAC waived its right to require other districts to draw warrants for such purchases or contracts in favor of WSCA,

NOW THEREFORE IT IS RESOLVED, ORDERED AND DECLARED that the contract for the purchase of computer equipment, software, peripherals, & related services from Various Bidders, such as but not limited to Dell Marketing L.P. and Hewlett-Packard Company, is hereby authorized and approved and is subject to all terms, conditions and documents as specified in the WSCA bid and award documents.

BE IT FURTHER RESOLVED, ORDERED AND DECLARED that San Dieguito Union High School District is hereby authorized to purchase computer equipment, software, peripherals, & related services, from Various Bidders, such as but not limited to Dell Marketing L.P. and Hewlett-Packard Company, as awarded in the WSCA contract.

PASSED AND ADOPTED by the Governing Board of the San Dieguito Union High School District of San Diego, California, this _____ day of February, 2009, by the following vote:

AYES:
ADVISORY VOTES:
NOES:
ABSENT:

San Dieguito Union High School District

INFORMATION REGARDING BOARD AGENDA ITEM

TO: BOARD OF TRUSTEES

DATE OF REPORT: February 10, 2009

BOARD MEETING DATE: February 19 2009

PREPARED BY: Stephen G. Ma
Associate Superintendent, Business

SUBMITTED BY: Ken Noah, Superintendent

SUBJECT: APPROVAL OF BUSINESS REPORTS

EXECUTIVE SUMMARY

Please find the following business reports submitted for your approval:

- a) Purchase Orders
- b) Instant Money
- c) Membership Listing

RECOMMENDATION:

It is recommended that the Board approve the following business reports: a) Purchase Orders, b) Instant Money, and c) Membership Listing.

FUNDING SOURCE:

Not applicable

js
Attachments

PO/BOARD/REPORT

SAN DIEGUITO UNION HIGH
FROM 01/27/09 THRU 02/09/09

1

ITEM 15H

PO NBR	DATE	FUND	VENDOR	LOC	DESCRIPTION	AMOUNT
292392	01/27/09	03	NATL ASSC OF SCHOOL	030	DUES AND MEMBERSHIPS	\$210.00
292393	01/27/09	03	HIGHLAND PRODUCTS GR	014	MATERIALS AND SUPPLI	\$1,092.69
292394	01/27/09	06	D AND D TOOL SUPPLY	033	MATERIALS AND SUPPLI	\$355.58
292395	01/27/09	06	STRATEGIC TRANSITIO	030	LIC/SOFTWARE	\$1,223.70
292396	01/27/09	06	SEHI-PROCOMP COMPUTE	008	MAT/SUP/EQUIP TECHNO	\$721.93
292397	01/27/09	06	J D MACHINE TOOL SER	033	REPAIRS BY VENDORS	\$675.00
292398	01/27/09	03	ONE STOP TONER AND I	010	MATERIALS AND SUPPLI	\$387.88
292399	01/27/09	06	SAN DIEGO STAGE/LIGH	012	MATERIALS AND SUPPLI	\$447.38
292400	01/27/09	06	FISHER SCIENTIFIC EM	013	MATERIALS AND SUPPLI	\$642.09
292401	01/27/09	06	SNAP ON TOOLS CORPOR	005	MATERIALS AND SUPPLI	\$130.53
292402	01/27/09	06	FOLLETT EDUCATIONAL	013	TEXTBOOKS	\$2,400.67
292403	01/27/09	06	FOLLETT EDUCATIONAL	006	TEXTBOOKS	\$400.29
292404	01/27/09	03	SETON - DEPT BW-3	025	BLDG.-REPAIR MATERIA	\$516.83
292405	01/27/09	06	COMPUSOURCE/ADB ENTE	013	MATERIALS AND SUPPLI	\$1,220.43
292406	01/27/09	03	SIMPLEX-GRINNELL LP	025	REPAIRS BY VENDORS	\$1,560.94
292407	01/27/09	06	CAROLINA BIOLOGICAL	013	MATERIALS AND SUPPLI	\$105.70
292408	01/27/09	03	GALE - A CENGAGE LEA	013	MATERIALS AND SUPPLI	\$1,468.52
292409	01/27/09	03	BLICK, DICK (DICK BL	004	MATERIALS AND SUPPLI	\$918.69
292410	01/27/09	03	DIXIELINE LUMBER COM	004	MATERIALS AND SUPPLI	\$300.00
292411	01/27/09	06	SOPRIS WEST	012	MATERIALS AND SUPPLI	\$496.77
292412	01/27/09	03	SCANTRON CORPORATION	008	MATERIALS AND SUPPLI	\$148.13
292413	01/27/09	03	COLLEGE BOARD	005	DUES AND MEMBERSHIPS	\$325.00
292414	01/27/09	03	PAXTON/PATTERSON	008	MATERIALS AND SUPPLI	\$73.57
292415	01/27/09	06	SEHI-PROCOMP COMPUTE	010	MATERIALS AND SUPPLI	\$70.89
292416	01/27/09	03	WESTERN ASSOCIATION	005	MATERIALS AND SUPPLI	\$107.75
292417	01/27/09	03	MOORE MEDICAL, LLC	030	MEDICAL SUPPLIES	\$231.19
292418	01/27/09	06	PIANO SHOWCASE	008	MATERIALS AND SUPPLI	\$199.00
292419	01/27/09	11	DELL COMPUTER CORPOR	009	MAT/SUP/EQUIP TECHNO	\$3,124.53
292420	01/28/09	03	LANE STANTON VANCE L	013	MATERIALS AND SUPPLI	\$1,800.00
292421	01/28/09	03	FLINN SCIENTIFIC INC	013	MATERIALS AND SUPPLI	\$1,597.76
292422	01/28/09	03	FRONTIER FENCE COMPA	010	MATERIALS AND SUPPLI	\$1,884.73
292423	01/28/09	06	AMERICAN LOGISTICS C	028	SPEC.ED.TRANSPORTATI	\$5,000.00
292424	01/28/09	25-19	DELL COMPUTER CORPOR	035	EQUIPMENT REPLACEMEN	\$189,194.35
292425	01/28/09	03	FILINGSUPPLIES.COM	010	REPAIRS BY VENDORS	\$660.00
292426	01/28/09	11	WAXIE SANITARY SUPPL	009	MATERIALS AND SUPPLI	\$120.00
292427	01/28/09	03	SAN DIEGO CO LIBRARY	024	PROF/CONSULT./OPER E	\$100,000.00
292428	01/29/09	03	SCANTRON CORPORATION	013	MATERIALS AND SUPPLI	\$681.17
292429	01/29/09	03	EDUCATIONAL TESTING	024	MATERIALS AND SUPPLI	\$100.00
292431	01/29/09	03	FILINGSUPPLIES.COM	030	MATERIALS AND SUPPLI	\$581.85
292432	01/29/09	06	MURASHOVA, MARINA	030	MEDIATION SETTLEMENT	\$30,000.00
292433	01/29/09	06	WILLIAMS, SAM & FLOR	030	MEDIATION SETTLEMENT	\$15,000.00
292434	01/29/09	03	ACCUVANT, INC.	035	A/V CONTRACT	\$12,318.47
292435	01/29/09	03	MONOPRICE, INC	035	MATERIALS AND SUPPLI	\$84.56
292436	01/29/09	03	TROXELL COMMUNICATIO	035	MAT/SUP/EQUIP TECHNO	\$2,108.09
292437	01/29/09	03	COMPETITIVE EDGE	035	MATERIALS AND SUPPLI	\$355.58
292438	01/29/09	03	SAN DIEGUITO TROPHY	020	MATERIALS AND SUPPLI	\$28.02
292439	01/29/09	03	SCHOOLDUDE.COM	035	A/V CONTRACT	\$10,701.00
292440	01/29/09	03	PATHWAY COMMUNICATIO	014	MAT/SUP/EQUIP TECHNO	\$8,582.52
292441	01/29/09	06	NUAIRE, INC	013	EQUIPMENT	\$22,994.94
292442	01/29/09	06	ROMAN'S TRUCK BODY &	028	REPAIRS BY VENDORS	\$10,719.85
292443	01/29/09	03	DELL ASAP SOFTWARE	035	A/V CONTRACT	\$11,991.53
292444	01/29/09	03	FILINGSUPPLIES.COM	030	REPAIRS BY VENDORS	\$475.00
292445	01/29/09	03	ACCURATE LABEL DESIG	014	MATERIALS AND SUPPLI	\$158.65
292446	01/29/09	06	SIMPLEX-GRINNELL LP	028	REPAIRS BY VENDORS	\$1,905.98
292447	01/30/09	06	NAVIANCE	024	A/V CONTRACT	\$1,780.00

PO/BOARD/REPORT

SAN DIEGUITO UNION HIGH
FROM 01/27/09 THRU 02/09/09

2

ITEM 15H

PO NBR	DATE	FUND	VENDOR	LOC	DESCRIPTION	AMOUNT
292448	01/30/09	03	TROXELL COMMUNICATIO	010	MATERIALS AND SUPPLI	\$629.93
292449	01/30/09	03	SAFARI MONTAGE	012	LIC/SOFTWARE	\$3,323.50
292450	01/30/09	03	AREY JONES EDUCATION	014	MAT/SUP/EQUIP TECHNO	\$4,901.90
292451	01/30/09	03	MONOPRICE, INC	012	MATERIALS AND SUPPLI	\$80.67
292452	01/30/09	03	MONOPRICE, INC	012	MATERIALS AND SUPPLI	\$33.68
292453	01/30/09	03	C C S PRESENTATION S	012	MATERIALS AND SUPPLI	\$939.58
292454	01/30/09	03	RASIX COMPUTER CENTE	012	MATERIALS AND SUPPLI	\$455.46
292455	02/02/09	03	C D W G.COM	012	MATERIALS AND SUPPLI	\$82.28
292456	02/02/09	03	SOUTHWEST SCHOOL/OFF	013	MATERIALS AND SUPPLI	\$166.44
292457	02/03/09	03	CORPORATE EXPRESS	013	AERIES SUPPLIES	\$57.67
292458	02/03/09	03	ONE STOP TONER AND I	013	AERIES SUPPLIES	\$387.87
292459	02/03/09	13	S N A / SCHOOL NUTRI	031	DUES AND MEMBERSHIPS	\$29.50
292460	02/03/09	06	SEASIDE HEATING AND	025	REPAIRS BY VENDORS	\$2,675.00
292461	02/03/09	03	SCOREBOARD SERVICE C	014	MATERIALS AND SUPPLI	\$320.90
292462	02/03/09	06	NEWS-2-YOU	030	A/V CONTRACT	\$91.80
292463	02/03/09	03	MOORE MEDICAL, LLC	030	MEDICAL SUPPLIES	\$122.05
292464	02/03/09	03	ROYAL BUSINESS GROUP	026	OFFICE SUPPLIES	\$33.40
292465	02/03/09	03	RASIX COMPUTER CENTE	003	MATERIALS AND SUPPLI	\$114.88
292466	02/03/09	03	INTERSTATE MUSIC	003	MATERIALS AND SUPPLI	\$47.93
292467	02/03/09	03	XEROX CORPORATION	005	DUPLICATING SUPPLIES	\$819.98
292468	02/03/09	03	PATHWAY COMMUNICATIO	012	OTHER SERV.& OPER.EX	\$1,130.06
292469	02/04/09	03	LEUCADIA PIZZERIA	026	MATERIALS AND SUPPLI	\$100.60
292470	02/04/09	03	TECHNOFIT, INC.	014	REPAIRS BY VENDORS	\$453.80
292471	02/04/09	03	HOME DEPOT	014	MATERIALS AND SUPPLI	\$353.42
292472	02/04/09	03	EXPRESS PRINT	004	PRINTING	\$533.36
292473	02/04/09	03	RASIX COMPUTER CENTE	014	MATERIALS AND SUPPLI	\$360.55
292474	02/04/09	03	MONOPRICE, INC	012	MATERIALS AND SUPPLI	\$62.04
292475	02/04/09	06	L A COUNTY OFFICE OF	013	MATERIALS AND SUPPLI	\$942.00
292476	02/05/09	25-19	DECISIONINSITE, LLC	036	PROF/CONSULT./OPER E	\$3,300.00
292477	02/05/09	03	SHIFFLER EQUIPMENT S	025	BLDG.-REPAIR MATERIA	\$61.61
292478	02/05/09	03	HOME DEPOT	010	MATERIALS AND SUPPLI	\$500.00
292479	02/05/09	03	COLLEGE BOARD	010	MATERIALS AND SUPPLI	\$130.00
292481	02/05/09	03	RAPP ENTERPRISES	010	REPAIRS BY VENDORS	\$235.00
292482	02/05/09	03	CORPORATE EXPRESS	012	MATERIALS AND SUPPLI	\$2,502.66
292483	02/05/09	06	APPLIED HUMAN FACTOR	030	LIC/SOFTWARE	\$690.25
292484	02/05/09	03	JURMAN'S EMERGENCY T	026	PROF/CONSULT./OPER E	\$805.00
292485	02/06/09	03	ONE STOP TONER AND I	008	MATERIALS AND SUPPLI	\$118.50
292486	02/06/09	11	CARMEL VALLEY POOL/R	009	RENTS & LEASES	\$1,736.70
292487	02/06/09	03	E&J METAL SUPPLY LLC	025	OTHER SERV.& OPER.EX	\$1,209.19
292488	02/06/09	03	COUNTY BURNER & MACH	025	REPAIRS BY VENDORS	\$650.00
292489	02/06/09	03	RAPHAEL'S PARTY RENT	013	RENTS & LEASES	\$2,245.60
292490	02/09/09	03	AMAZON.COM	013	MATERIALS AND SUPPLI	\$26.06
292492	02/09/09	06	GALE - A CENGAGE LEA	008	A/V CONTRACT	\$100.00
292493	02/09/09	03	HOLT MCDUGAL	013	MATERIALS AND SUPPLI	\$90.36
292494	02/09/09	06	NORTHWEST EVALUATION	013	A/V CONTRACT	\$337.50
292495	02/09/09	03	C C S PRESENTATION S	012	NON CAPITALIZED EQUI	\$650.81
292496	02/09/09	03	TROXELL COMMUNICATIO	012	NON CAPITALIZED EQUI	\$504.86
292497	02/09/09	03/06	FREDRICKS ELECTRIC I	035	MATERIALS AND SUPPLI	\$6,693.00
292498	02/09/09	03	SIMPLEX-GRINNELL LP	025	REPAIRS BY VENDORS	\$1,000.00
292499	02/09/09	03	SIMPLEX-GRINNELL LP	025	REPAIRS BY VENDORS	\$3,500.00
292500	02/09/09	03	SIMPLEX-GRINNELL LP	025	REPAIRS BY VENDORS	\$4,500.00
292501	02/09/09	03	HARLAND TECHNOLOGY S	010	REPAIRS BY VENDORS	\$428.00
292502	02/09/09	11	SAN DIEGUITO MASONIC	009	RENTS & LEASES	\$5,500.00
790063	02/09/09	03	ONE STOP TONER AND I	035	REPAIRS BY VENDORS	\$294.77
790066	02/03/09	03	ED REAMER'S REFRIGER	005	REPAIRS BY VENDORS	\$231.09

PO/BOARD/REPORT

SAN DIEGUITO UNION HIGH
FROM 01/27/09 THRU 02/09/09

3

ITEM 15H

PO NBR	DATE	FUND	VENDOR	LOC	DESCRIPTION	AMOUNT
790067	02/09/09	03	ONE STOP TONER AND I	035	REPAIRS BY VENDORS	\$221.81
890040	02/03/09	03	C A S B O	022	CONFERENCE, WORKSHOP,	\$515.00
REPORT TOTAL						\$508,407.75

ITEM 15H

INSTANT MONEY REPORT FOR THE PERIOD 01/27/09 THROUGH 02/09/09

<i>Check #</i>	<i>Vendor</i>	<i>Amount</i>
10409	VERSEY ENTERPRISES	\$150.00
10410	MICHAEL'S	\$200.00
	<i>Total</i>	<u>\$350.00</u>

ITEM 15H

Individual Membership Listings
For the Period of January 27, 2009 through February 9, 2009

<u>Staff Member Name</u>	<u>Organization Name</u>	<u>Amount</u>
Cindy Welch	School Nutrition Association	\$29.50

San Dieguito Union High School District

INFORMATION REGARDING BOARD AGENDA ITEM

TO: BOARD OF TRUSTEES

DATE OF REPORT: February 9, 2009

BOARD MEETING DATE: February 19, 2009

**PREPARED AND
SUBMITTED BY:** Ken Noah
Superintendent

SUBJECT: CSBA DELEGATE ASSEMBLY ELECTION

.....

EXECUTIVE SUMMARY

Attached is the election material for candidates running for CSBA's Delegate Assembly, 2009, for Region 17. There are seven vacancies in Region 17; therefore the Board may vote for up to seven candidates.

RECOMMENDATION:

It is recommended that the Board vote for up to seven candidates for CSBA Delegate Assembly, 2009.

FUNDING SOURCE:

Not applicable

KN/bb

**TIME SENSITIVE, REQUIRES BOARD ACTION
DEADLINE MONDAY, MARCH 16, 2009**

January 30, 2009

MEMORANDUM

TO: All Board Presidents and Superintendents
CSBA Member Boards of Education

FROM: Paula Campbell, President

SUBJECT: 2009 CSBA Delegate Assembly Election
U. S. Postmark Deadline – Monday, March 16, 2009



Enclosed is the ballot material for election of a representative to the CSBA Delegate Assembly from your region. The material consists of the ballot on red paper, required biographical sketch, and if submitted, résumé for each candidate. In addition, we are including a “copy” of the ballot on white paper so that it may be copied for inclusion in board agenda packets. However, **only the ballot on red paper is to be completed and returned.**

The board as a whole may vote for up to the number of vacancies in the region or subregion as indicated on the ballot. For example, if there are three vacancies in the region or subregion, the board may vote for up to three individuals. Regardless of the number of vacancies, each board may cast no more than one vote for any one candidate. (The ballot also contains a provision for write-in candidates; their name and district must be clearly printed in the space provided.)

The ballot must be signed by the Superintendent or board clerk and returned in the enclosed envelope; if the envelope is misplaced, you may use your district’s stationery; please write **DELEGATE ELECTION** prominently on the envelope with the region or subregion number on the bottom left corner. **Envelopes with the ballots must be postmarked by the U.S. Post Office on or before Monday, March 16. No exceptions are allowed.**

Election results will be available no later than Tuesday, March 31. If there is a tie vote, a run-off election will be held. All re-elected and newly elected Delegates will serve two-year terms beginning April 1, 2009 – March 31, 2011. The next meeting of the Delegate Assembly is on Saturday, May 16 – Sunday, May 17 at the Hyatt Regency in Sacramento.

The names of all Delegates will be available on CSBA’s Web site no later than Monday, April 6. Please do not hesitate to contact Charlyn Tuter in the Administration department at (800) 266-3382 should you have any questions.

This complete, **ORIGINAL** Ballot must be **SIGNED** by the Superintendent or Board Clerk and returned in the enclosed envelope postmarked by the post office No Later Than **MONDAY, MARCH 16, 2009**. Only ONE Ballot per Board. Be sure to mark your vote "X" in the box.
A PARTIAL, UNSIGNED, PHOTOCOPIED, OR LATE BALLOT WILL NOT BE VALID.

OFFICIAL 2009 DELEGATE ASSEMBLY BALLOT
REGION 17
(San Diego County)

Number of vacancies: 7 (Vote for no more than 7 candidates)

Delegates will serve two-year terms beginning April 1, 2009 – March 31, 2011

**denotes incumbent*

- Katie Dexter (Lemon Grove SD)
- Twila Godley (Lakeside Union SD)*
- Penny Halgren (La Mesa-Spring Valley SD)
- Raquel Marquez-Maden (San Ysidro SD)
- Steven McDowell (Del Mar Union SD)
- Kelli Moors (Carlsbad USD)*
- Janet Mulder (Jamul-Dulzura Union SD)*
- Barbara Ryan (Santee SD)*
- Priscilla J. Schreiber (Grossmont Union HSD)*
- Carol Skiljan (Encinitas Union SD)*

Provision for Write-in Candidate Name

School District/COE

Provision for Write-in Candidate Name

School District/COE

Provision for Write-in Candidate Name

School District/COE

Signature of Superintendent or Board Clerk

TITLE

School District/COE Name

See reverse side for a current list of all Delegates in your Region.

**Region 17 – Sharon Jones, Director (San Diego COE)
23 Delegates (17 elected/6 appointed)**

Below is a list of all the current Delegates from this Region.

Blanca Brown (Lemon Grove ESD), term expires 2009
John de Beck (San Diego USD), appointed term expires 2009
Doug Dechairo (Valley Center-Pauma USD), term expires 2010
Twila Godley (Lakeside Union SD), term expires 2009
James Grier, Jr. (National SD), term expires 2010
Pamela Grosso (Escondido Union HSD), term expires 2010
Barbara Groth (San Dieguito Union HSD), term expires 2010
Sheila Jackson (San Diego USD), appointed term expires 2010
Steve Lilly (Vista USD), term expires 2010
Bertha Lopez (Sweetwater Union HSD), term expires 2010
Kelli Moors (Carlsbad USD), term expires 2009
Janet Mulder (Jamul-Dulzura Union ESD), term expires 2009
Pearl Quinones (Sweetwater Union HSD), appointed term expires 2010
Penny Ranftle (Poway USD), appointed term expires 2011
Anne Renshaw (Fallbrook Union ESD), term expires 2010
Arlie Ricasa (Sweetwater Union HSD), appointed term expires 2009
Barbara Ryan (Santee ESD), term expires 2009
Priscilla Schreiber (Grossmont Union HSD), term expires 2009
Carol Skiljan (Encinitas Union ESD), term expires 2009
Vacancy (San Diego USD), appointed term expires 2009
Vacancy, term expires 2010
Vacancy, term expires 2010

County Delegate

Susan Hartley (San Diego COE), term expires 2009

Counties

San Diego



CSBA 2009 Delegate Assembly Biographical Sketch Form

Due: Wednesday, January 7, 2009 (U.S. Postmark or fax – 916.669.3305 or 916.371.3407)

Please complete this **required**, one-page, single-sided, biographical sketch form. An optional, single-sided, one-page résumé may also be submitted, both will be copied exactly as received. Please **do not** state “See résumé” and please do not or re-type this form. Any additional page(s) exceeding this one page, single-sided biographical sketch will **not** be accepted. An electronic copy of this form is available on our web site at <http://www.csba.org/AboutCSBA.aspx>.

Katie Dexter	619-463-1395	kdexter@lgsd.k12.ca.us
Name	Contact Phone Number	E-mail Address
Lemon Grove School District	6	3980
School District or COE Name	Years on board	ADA
CSBA Region/Subregion <u>17</u> / <u> </u>	Are you a continuing Delegate? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If yes, how long have you served as a Delegate? <u> </u>

Please describe your activities/involvement or interests in your local district.

- Current Governing Board Clerk
- Previously president of the
 - Governing Board
 - PTA
 - Music Parents Association
- Committee participation includes
 - School Site Council
 - District Wellness Committee
 - Negotiations Team
 - District Budget Advisory Committee
 - City-School District Collaboration Committee
 - District Music and Arts Committee
 - Extended Day Program Committee
- Participation in Beyond Diversity training
- I supported full-day kindergarten and Preschool For All within the district

Please describe any other education-related activities/involvement.

- I have attended state and local budget workshops and California Finance and Management Conferences
- My Lemon Grove community involvement includes
 - Relay for Life
 - Little League
 - Library Committee
 - Friends of the Library
 - Lemon Grove Historical Society

Please describe your activities/involvement in CSBA and explain why you are interested in serving as a CSBA Delegate.

- Completed the Masters in Governance program
- Attended the Annual CSBA Conference for five years
- I am interested in serving as a CSBA Delegate in order to support the vision and policies of CSBA and to champion the whole child, particularly as it pertains to maximizing achievement for every student, accelerating the use of 21st century skills, and preparing students to contribute positively to society.

Your signature indicates your consent to have your name placed on the ballot and to serve as a Delegate, if elected.

Katie Dexter
Signature

12-17-08
Date



CSBA 2009 Delegate Assembly Biographical Sketch Form

Due: Wednesday, January 7, 2009 (U.S. Postmark or fax – 916.669.3305 or 916.371.3407)

Please complete this **required**, one-page, single-sided, biographical sketch form. An optional, single-sided, one-page résumé may also be submitted, both will be copied exactly as received. Please **do not** state “See résumé” and please do not re-type this form. Any additional page(s) exceeding this one page, single-sided biographical sketch will **not** be accepted. An electronic copy of this form is available on our web site at <http://www.csba.org/AboutCSBA.aspx>.

Name	Contact Phone Number	E-mail Address
Twila Godley	619 443-2680	tcgodley@cox.net
School District or COE Name Lakeside Union SD	Years on board	ADA
CSBA Region/Subregion <u>17</u> / <u> </u>	Are you a continuing Delegate? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	If yes, how long have you served as a Delegate? <u>2</u> years <u> </u>

Please describe your activities/involvement or interests in your local district.

Having served 16 years on the board of trustees, I have served as clerk, vice president and president of the board several times. I have also been involved in many committees including superintendent and principal selection, budget, wellness, visual and performing arts, family life, boundary, and schools of the future. I also served on our most recently successful GO Bond committee. I have been active in policy development particularly in the area of charter schools. Having served in PTA at the local, district and state level for 20 years, I have a deep commitment to parent involvement. I am committed to educating the whole child promoting the arts across the curriculum. I am also working to promote second language acquisition for all students by expanding our foreign language academy. In these difficult economic times, I am committed to sound fiscal management and the wise use of resources to promote energy efficiency.

Please describe any other education-related activities/involvement.

I am a founding member of East County Education Network (formally E. County Transitions) which meets monthly to provide a forum for discussion of articulation issues between county office staff, east county school districts, community colleges and universities, share programs and provide support on common issues.

I am also a member of ASCD and attend their annual conference to study current curriculum, reform programs and ideas from across the country and outside the USA.

Please describe your activities/involvement in CSBA and explain why you are interested in serving as a CSBA Delegate.

I have attended every annual conference since being elected. I have also completed the Master of Boardmanship and Master of Governance programs as well as attended workshops when offered. Since being elected to the Delegate Assembly, I have attended the May and December meetings and Legislative Conference. This year, I am serving as treasurer of Region 17 and am a member of the Honoring Our Own planning committee.

Your signature indicates your consent to have your name placed on the ballot and to serve as a Delegate, if elected.

Twila Godley
Signature

12/27/08
Date

Twila Godley, Lakeside Union School District board of trustees member
Elected in 1992
I have served as President, Vice President and clerk of the board several times

Family:
I have been married for 40 years, have 3 children and 3 grandchildren

Education: I attended San Diego State University

Employment: I currently work as a merchandising supervisor and am a certified notary signing agent

Community activities:

Rady Children's Hospital Auxiliary Mountain View Unit chairman, treasurer, Kid's News Day

PTA: Among other offices, I served as president of elementary, high school, and council; 9th District treasurer, financial secretary, leadership, chairman of council presidents. At the state level, I served on the finance commission and leadership commission.

Schools: WASC Accreditation committee for El Capitan High School, district advisory committees, school site councils, classroom volunteer

Youth Activities: I Served on the board of Bobby Sox for 10 years, soccer, girl scouts, cub scouts

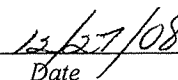
Church: I served as treasurer for 25 years, church council, choir, worship team leader, director of vacation bible school

SANDAG School Travel Advisory Committee

KPBS Guest Panelist on Dropout Prevention

Lakeside Main Street Revitalization Committee


Signature


Date



CSBA

2009 Delegate Assembly Biographical Sketch Form

Due: Wednesday, January 7, 2009 (U.S. Postmark or fax – 916.669.3305 or 916.371.3407)

Please complete this **required**, one-page, single-sided, biographical sketch form. An optional, single-sided, one-page résumé may also be submitted, both will be copied exactly as received. Please **do not** state “See résumé” and please do not or re-type this form. Any additional page(s) exceeding this one page, single-sided biographical sketch will **not** be accepted. An electronic copy of this form is available on our web site at <http://www.csba.org/AboutCSBA.aspx>.

Penny Halgren	619-668-5700	halgren@cox.net
Name	Contact Phone Number	E-mail Address
La Mesa-Spring Valley School District	14	12,737
School District or COE Name	Years on board	ADA
CSBA Region/Subregion <u>17</u> / <u> </u>	Are you a continuing Delegate? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If yes, how long have you served as a Delegate? <u> </u>

Please describe your activities/involvement or interests in your local district.

I have served as board vice president and clerk, and am serving as board president this year for the third time during my 14 years on the board.

Because my college degrees and background are in finance and strategic planning, I am very involved in understanding the budget and how our district spends its resources. During my service on the board, our district implemented a Total Quality approach which continues to serve us today as we study how to improve student learning. I was an early supporter of the implementation and led a pilot training to an AVID class so middle school children could understand the principles and experience the process.

I attended a CFEIR training, and led a Total Quality Improvement Committee with CSEA employees, served as a Total Quality Trainer in the district, have served on the Budget Committee and participated in the exit interviews with our external auditor. I have visited every school in our district multiple times in order to see first-hand what is going on in our classrooms.

As a parent, I was active in PTA in both elementary school and middle school while my children attended school, serving as PTA President, Auditor, and Parliamentarian, and receiving the Honorary Service Award. I also served on the School Site Council and our District Advisory Board.

I continue to study and ask questions about best educational practices within our district as well as discovering what is working in other educational settings that may apply to our district.

Please describe any other education-related activities/involvement.

I completed the ACSA School Finance training given at the Orange County Office of Education, and attended the SDSU School Business Official Academy.

Please describe your activities/involvement in CSBA and explain why you are interested in serving as a CSBA Delegate.

I have completed the Masters in Governance training and have attended the CSBA Annual Convention 12 of the last 14 years. In addition, I have attended several CSBA workshops, including the Board President’s Training and the New Board Member Training.

During our current economic crisis and challenges with NCLB, I believe that my expertise in school finance and understanding of good educational practices will help ensure that the high quality programs CSBA is known for continue to meet the needs of school district leaders and provide guidance and direction for improving education for all children.

Your signature indicates your consent to have your name placed on the ballot and to serve as a Delegate, if elected.

Penny Halgren
Signature

1/6/2009
Date



CSBA 2009 Delegate Assembly Biographical Sketch Form

Due: Wednesday, January 7, 2009 (U.S. Postmark or fax – 916.669.3305 or 916.371.3407)

Please complete this **required**, one-page, single-sided, biographical sketch form. An optional, single-sided, one-page résumé may also be submitted, both will be copied exactly as received. Please **do not** state “See résumé” and please do not re-type this form. Any additional page(s) exceeding this one page, single-sided biographical sketch will **not** be accepted. An electronic copy of this form is available on our web site at <http://www.csba.org/AboutCSBA.aspx>.

Name R Raquel Marquez-Maden	Contact Phone Number 619 841 4007	E-mail Address raquelmarquez@msn.com
School District or COE Name San Ysidro	Years on board 4	ADA 5,000
CSBA Region/Subregion 17	Are you a continuing Delegate? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If yes, how long have you served as a Delegate? _____

Please describe your activities/involvement or interests in your local district.

I have been an active member of our community. I am a member of our local Wellness Committee. I am also past president of the San Ysidro Women’s Club and I serve on the Scholarship and Education committees. I take an active role in school visits and in representing the board at various functions around San Diego County. We also implemented, through collaboration with Councilman Ben Hueso and the members of the San Diego Chargers, the Brighter Futures through Fitness program. This program encourages children to participate in healthy exercise programs.

Please describe any other education-related activities/involvement.

I am currently a Montgomery High School Media Institute Mentor and participate in their roundtable program. I am also a Sunday School teacher at Coronado Community Church. In my day job, I am council representative to current San Diego City Council President Ben Hueso where I am responsible for educational issues. I was proud to be asked to be a signatory on the Sweetwater School District Bond Ballot Statement to promote the construction of new and renovated schools for the district that our children feed into. I am also a member of the San Diego County office of Education Action Team on Technology.

Please describe your activities/involvement in CSBA and explain why you are interested in serving as a CSBA Delegate.

I have been a regular attendee of the conferences and have learned many important things. Our district has historically been very insular and this I feel has prevented our growth. In the last four years I have been active in reaching out to other Board members through CSBA to bring programs that have benefitted our district. Last year, our district posted the highest aggregate gains in our test scores in the 42 San Diego County districts. I give great credit to CSBA in facilitating both the seminars and workshops where we could learn about the success of others as well as informal situations where I have been able to share information with others to bring to our cabinet to implement.

I want to give back to CSBA for everything they have given my district. We pride ourselves on being a technology driven district. We have smartboards in all our classrooms, a first for California, and we also will be the first School District in the state that generates more than half (80%) of its power from Solar. I want to show other school districts how technology has helped our students, and that lower income districts, especially with high populations of English learners can see the success that a district like San Ysidro is having, despite reputations and history. CSBA’s highlighting of success has been an inspiration to me personally and to our board and, by extension, our district. I feel it is San Ysidro’s time to speak to our successes and inspire other Board Members, like me, Female, Young and Latino so they can be energized into creating learning environments that help their children succeed in life.

Your signature indicates your consent to have your name placed on the ballot and to serve as a Delegate, if elected.

Raquel Marquez-Maden
Signature

12-18-08
Date



CSBA 2009 Delegate Assembly Biographical Sketch Form

Due: Wednesday, January 7, 2009 (U.S. Postmark or fax – 916.669.3305 or 916.371.3407)

Please complete this **required**, one-page, single-sided, biographical sketch form. An optional, single-sided, one-page résumé may also be submitted, both will be copied exactly as received. Please **do not** state “See résumé” and please do not re-type this form. Any additional page(s) exceeding this one page, single-sided biographical sketch will **not** be accepted. An electronic copy of this form is available on our web site at <http://www.csba.org/AboutCSBA.aspx>.

Steven McDowell	858 354-5569	Stevenatdmusd@yahoo.com
Name	Contact Phone Number	E-mail Address
Del Mar Union School District	2 complete years	4,200
School District or COE Name	Years on board	ADA
CSBA Region/Subregion 17 San Diego County	Are you a continuing Delegate? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If yes, how long have you served as a Delegate? _____

Please describe your activities/involvement or interests in your local district.

Since my election in 2006 I have served as the Ex-Officio Representative to the Del Mar School’s Education Foundation and as the board representative to the North City West School Facilities Finance Authority (NCW/JPA). I have been involved in a Superintendent search process and have participated on a Principal selection committee and on budget committees. In 2009, I will be the Clerk to the Board and a representative to the Local Legislative Action Network (LAN). As a board member I am active in supporting our school sites by attending programs, assemblies and open houses.

Within the community the district serves I am involved or have been involved with: Little League Baseball-Continuing and for the last five years a Board member and manager of son’s teams; Recreational Soccer-board member one year, Manager or Coach for over 3 years; Del Mar City Traffic and Safety Advisory Committee-Continuing and for the last three years committee member

I do take a special interest in continually refining the means in which the District provides understandable information to the community, especially with respect to its financial information.

Please describe any other education-related activities/involvement.

I am currently participating on a San Diego County Office of Education’s Strategic Plan action team focused on eliminating the achievement gap.

I have been involved in the Parent Teacher Association, serving two terms as the Treasurer and on the PTA North Coastal Council as its Auditor. In the past, I have taught Basic Accounting Principals as an Instructor for the San Diego Community College District.

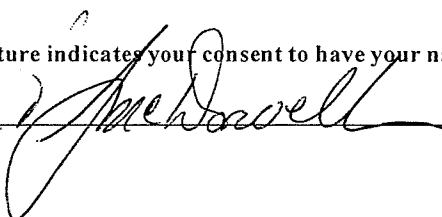
Please describe your activities/involvement in CSBA and explain why you are interested in serving as a CSBA Delegate.

I attended the new board member workshop at CSBA and have attended the CSBA conference every year since elected. I plan on participating in the Masters in Governance. I have found the conference has helped strengthen my abilities as a board member and provides a wonderful opportunity for networking with other board members. Additionally, it has given me an understanding about the role of a Delegate Assembly member.

In San Diego, we have a strong county school boards association. My district would benefit by having more active representation. Further I believe that I can benefit the school boards in our region by sharing my passion and knowledge to help make school budgets more useable and understandable to the broader communities.

I believe all children want to learn and in the importance of having public education opportunities available so that all children can learn. It would be a privilege to be one of the delegates that continue to make that vision a reality.

Your signature indicates your consent to have your name placed on the ballot and to serve as a Delegate, if elected.

Signature  Date 1/7/2009



2009 Delegate Assembly Biographical Sketch Form

Due: Wednesday, January 7, 2009 (U.S. Postmark or fax – 916.669.3305 or 916.371.3407)

Please complete this **required**, one-page, single-sided, biographical sketch form. An optional, single-sided, one-page résumé may also be submitted, both will be copied exactly as received. Please **do not** state “See résumé” and please do not re-type this form. Any additional page(s) exceeding this one page, single-sided biographical sketch will **not** be accepted. An electronic copy of this form is available on our web site at <http://www.csba.org/AboutCSBA.aspx>.

Kelli Moors	760-672-7820	Kellim57@pacbell.net
Name	Contact Phone Number	E-mail Address
Carlsbad Unified	8 yrs	10,000
School District or COE Name	Years on board	ADA
CSBA Region/Subregion 17	Are you a continuing Delegate? Yes	If yes, how long have you served as a Delegate? 6 years

Please describe your activities/involvement or interests in your local district.

Activities/Involvement:

Board President (2004, 2007); Vice President (2003, 2006); Clerk (2002, 2005)
Actively campaigned for \$198 million G.O. Bond in 2006; approved by nearly 70% of voters
Led board in successful superintendent search (2004)
Board Committees: Audit, Budget, Chamber of Commerce Education, DELAC, Staff Climate (Relations by Objectives)

Interests:

I am a consistent advocate for equal access for *all* students, for more relevant curriculum, and for greater emphasis on teaching strategies that engage *all* students. My focus is on providing students with meaningful and realistic preparation for their futures.

Please describe any other education-related activities/involvement.

I am a passionate advocate for public education, lobbying at the local, state, and federal levels:
Coordinated multiple area school districts in protest of 2008 proposed CA State Budget cuts, resulting in thousands of letters, calls, and faxes to legislators and a regional rally with demonstrations at 15 freeway overpasses.
Active member: San Diego North County Legislative Action Network, California Association of Large Suburban School Districts (CALSSD)
School Board representative to the San Diego Education Coalition

Please describe your activities/involvement in CSBA and explain why you are interested in serving as a CSBA Delegate.

CSBA has provided me with invaluable training and opportunities to develop as a school board member. I am grateful for the chance to be involved and to serve on behalf of my colleagues:
San Diego County School Boards Association: President (2008-10), V.P. (2006-08), Legislation (04-06)
Annual Conference attendee (2000-2008), New Board Member Orientation (2000), presenter (2008)
Masters in Governance Graduate (2003)
CSBA State Legislative Committee (2006-07)
CSBA Education Legal Alliance Advisory Board (2009-10)
Governmental Relations Chair (2005-present)
Federal Relations Network visit to Washington, D.C. 2005
CSBA Marketing Focus Group (2008-present)

Your signature indicates your consent to have your name placed on the ballot and to serve as a Delegate, if elected.

Kelli Moors
Signature

1-7-09
Date



CSBA 2009 Delegate Assembly Biographical Sketch Form

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Janet Mulder	619-588-5672	jmulder@sdcoe.net
Name	Contact Phone Number	E-mail Address
Jamul-Dulzura Union School District	4	1000
	Years on board	ADA
CSBA Region/Subregion <u>17</u> / <u> </u>	Are you a continuing Delegate? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	If yes, how long have you served as a Delegate? <u>2</u> yrs <u> </u>

Please describe your activities/involvement or interests in your local district.

I served a one-year term as President and a second as Vice-President on our JDUSD where I am also a member of the Government Relations and Legislative and the Policy Committees. I have served on the Negotiations and Recreation Facilities committees as well. I am actively involved in our local district through PTA-PTSA events such as the Autumn Festival, Musical programs, judge at site History Day competitions, worked with students on Freedom Walk, We the People competitions, and spoke at Middle School promotion program. In addition I have worked with our Foundation and the Technology Committee to help our small school district purchase state of the art tech equipment.

In our community, I am an elected member of our Jamul Dulzura Community Planning Group where I serve as secretary. Working with both the School Board and Planning Group gives me an additional insight and perspective into both areas of education and land use issues.

Please describe any other education-related activities/involvement.

As a former teacher for 20 plus years, I bring a strong educational background to the delegate assembly, which sometimes helps to cut through the “education-eze” that comes to us from Sacramento. I know we all want to do what is best for kids, and my years in the classroom help me to see alternative ways to bring about change effectively.

I am the 52nd Congressional District Coordinator for the We the People programs, which affords me an opportunity to visit many schools in different districts at all grade levels and work with teachers and students to promote the teaching of civic literacy. In addition we put on the annual Middle School and High School Simulated Congressional Hearing competitions, and soon to add an Elementary competition. As the San Diego County History Day Coordinator, I work with schools in grades 4-12 in conjunction with the California State History Day and National History Day, giving students an opportunity to present their historical research projects to judges.

My association with the San Diego Council for the Social Studies and the California Council for the Social Studies gives me further avenues to effectively bring our CSBA ideas to an audience.

Please describe your activities/involvement in CSBA and explain why you are interested in serving as a CSBA Delegate.

I have served the last two years as your delegate working on the HOO (Honoring Our Own) Committee and co-chairing the Governmental Relations Legislative actions for our region this year with Susan Hartley. The last two years, I attended the Legislative Action Days in Sacramento where I visited many of our San Diego legislators, communicating our educational concerns to them, as well as made several visits to the legislators’ offices here at home. I have attended all of the CSBA Annual Conferences since I was elected, and presented a session last year. In addition, I have been a Golden Bell reviewer of projects nominated from our region, and attended most of the SDCSBA meetings. As a Board member from a small school district, I feel I can better help to represent the smaller school districts in our region on the delegate assembly.

Your signature indicates your consent to have your name placed on the ballot and to serve as a Delegate, if elected.

Janet Mulder
Signature

12/20/08
Date

JANET W. MULDER
3394 Beaver Hollow Road
Jamul, California 91935
(619) 588-5672
jmulder@sdcoe.net

EDUCATION:

- **M.I.G.** Masters in Governance - California School Boards Association - 2005
- **M.A.** Education (Curriculum & Instruction) - San Diego State University - 1980
- **Life Credential** - Multiple Subject (K-12 - Adult) - San Diego State University - 1977
- **B.S.** Business (Marketing) with Honors - San Diego State University - 1958
- **Other post-baccalaureate education includes:**
 - Univ. of Pennsylvania 1988, Stanford University 1988, UCLA 1987, SDSU 1987, UCLA 1986, UCSD 1982.
- **Other educational training includes:**
 - Josten's Yearbook Training Workshop – USD, BTSA training – Cajon Valley School District, California Council of Social Studies Conferences (CCSS), California League of Middle Schools Conferences (CLMS), California History Social Science Project Fellows Academies, Institutes (CHSSP), California Teachers of English Conferences (CATE), California Learning Assessment System (CLAS) History Assessment Training, San Diego County Mentor Workshops, Partnership School's Network Conferences & Symposiums, Cognitive Coaching Training (Advanced) Art Costa & Robert Garmson, Cooperative Learning Workshops - Dee Dishon & Pat Wilson O'Leary, Problem Solving & Critical Thinking Workshops - Rita King, San Diego Area Mathematics Project Fellow, Program Quality Review Lead Reviewer Training.

CONSULTING & TEACHING EXPERIENCE:

EDUCATIONAL CONSULTANT 2000 – PRESENT

Jamul Dulzura Union School District Board of Trustees member

- Re-Elected November, 2008 (second four-year term) – President (2007-8)
- Earned Masters in Governance Certificate from CSBA, 2005

California School Boards Association Region 17 Delegate (elected 2006) Gov. Rel Co-chair Holt, Rinehart & Winston, Publishers, Editorial Consultant

**Center for Civic Education – Writer Scope & Sequence of Civics Education
- We the People Congressional District 52 Coordinator 2005-2009**

San Diego County Department of Education

- History Day Coordinator 2002 - 2009
- CA State History Day Museum Experience Coordinator, 2005
- Big Ideas Standards Project Writer & Standards in Action Project Consultant

Oak Grove Middle School - Jamul, California

Yearbook Advisor & PowerPoint Presentation Creator 2002-2007

California History-Social Science Project Policy Board

McDougal Littell Publishing, Editorial Consultant

JAMUL-DULZURA UNION SCHOOL DISTRICT

Oak Grove Middle School - September 1986 – 2002

Mentor Teacher - History Social Science, Award-winning Journalism, Speech, Academic Teams Coach, Constitutional Competition, County, State, National History Day, East County Academic Bowl Coach, School Site Council Member, Student Council Advisor, Leadership Team, District History Resource Teacher

Jamul Elementary School - May 1977 to Sept. 1986

Fifth grade, District Math Resource Teacher, Student Council Advisor

AWARDS & RECOGNITION RECEIVED:

37 Awards received including “Civic Education Leadership Award”, “Educator of Merit – History Day in California”, "Teacher of the Year" (2 times), "CLMS Educator of the Year", DAR "California's Outstanding Teacher of American History", Kiwanis "Citizen of the Year", Proclamations from SD County Board of Supervisors, PTA Awards including Golden Oak Service Award & Lifetime Achievement Award.

PRESENTATIONS & WORKSHOPS GIVEN:

**120 given from 1985 to present at the local, state, and national level at conferences, schools, districts, Boards of Education meetings, community groups, colleges and universities on a variety of topics.
(Complete list available upon request)**



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Barbara Ryan	(619) 258-2304	bryan@santee.k12.ca.us
Name	Contact Phone Number	E-mail Address
Santee School District	29	6,320
School District or COE Name	Years on board	ADA
CSBA Region/Subregion <u>17</u> / <u> </u>	Are you a continuing Delegate? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	If yes, how long have you served as a Delegate? <u>26 years</u>

Please describe your activities/involvement or interests in your local district.

SANTEE BOARD OF EDUCATION-First elected in 1979. Re-elected in 1981, 1986, 1990, 1994, 1998, 2002, and 2006. Have served as President, Vice President, Clerk, and Legislative Representative. Currently serve as the Legislative Representative.

Santee Community Fund Advisory Board
Boys Club Soccer and Basketball
Little League Baseball
School Site Council
PTA Executive Board

Please describe any other education-related activities/involvement.

SAN DIEGO COUNTY SCHOOL BOARDS ASSOCIATION-Have served as President, Treasurer, Vice President, and Legislative Representative.
Children’s Mental Health System of Care Steering Committee
San Diego Commission on Children, Youth and Families
Children’s Initiative Board of Directors
YMCA Board of Directors
Foster Grandparents Board of Directors
Member, First Five Commission of San Diego
PTA Continuing Service Award and Honorary Service Award
Phi Delta Kappa-Citizen of the Year

Please describe your activities/involvement in CSBA and explain why you are interested in serving as a CSBA Delegate.

CALIFORNIA SCHOOL BOARDS ASSOCIATION
Member, Delegate Assembly; Member, Legislative Network; Chair, Legislative Relations-State and Federal;
Member, Legislative Committee; Member, Coordinated Children’s Services Task Force; Member, School Facilities Task Force; Member, Welfare Reform Committee

I wish to continue serving as a member of the CSBA Delegate Assembly in order to support CSBA in its role of speaking loudly and clearly on behalf of California’s children.

Your signature indicates your consent to have your name placed on the ballot and to serve as a Delegate, if elected.

Barbara Ryan
Signature

1/06/09
Date

Barbara Ryan

School Board Service

SANTEE BOARD OF EDUCATION - First elected in 1979. Re-elected in 1981, 1986, 1990, 1994, 1998, 2002 and 2006. Have served as President, Vice President, Clerk, and Legislative Representative. Currently serve as the Legislative Representative.

SAN DIEGO COUNTY SCHOOL BOARDS ASSOCIATION - Have served as President, Treasurer, Vice President, and Legislative Representative.

CALIFORNIA SCHOOL BOARDS ASSOCIATION

Member, Delegate Assembly
Member, Legislative Network
Legislative Relations Chair, State and Federal
Member, Legislative Committee
Member, Coordinated Children's Services Task Force
Member, School Facilities Task Force
Member, Welfare Reform Committee

Community Service (Past and Present)

Children's Mental Health System of Care Steering Committee
San Diego Commission on Children, Youth and Families
Children's Initiative Board of Directors
YMCA Board of Directors
Foster Grandparents Board of Directors
Member, First Five Commission of San Diego
Transportation Management Association Board of Directors
Serra Mesa Planning Group Executive Board
Kearny Mesa Planning Group Executive Board
Santee Community Fund Advisory Board
Boys Club Soccer and Basketball
Little League Baseball
School Site Council
PTA Executive Board
United Way

Awards and Accomplishments

Champion for Children Award, Voices for Children
YWCA Tribute to Women in Business Award
President's Award, Santee Chamber of Commerce
California Assembly Woman of the Year
PTA Continuing Service Award
PTA Honorary Service Award
Citizen of the Year, Phi Delta Kappa
Citizen of the Year, Santee Kiwanis Club

As Legislative Representative for the Santee Board of Education, was actively involved in formulating and securing passage of AB 2926 in 1986 (school facilities/developer fees).

Professional

Vice President, Government Affairs – Children's Hospital and Health Center



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Name Priscilla J. Schreiber	Contact Phone Number 619-571-6386	E-mail Address Priscilla2004@cox.net
School District or COE Name Grossmont Union High School District	Years on board 8	ADA 24,000
CSBA Region/Subregion <u>17</u> / <u> </u>	Are you a continuing Delegate? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	If yes, how long have you served as a Delegate? <u>1 term</u>

Please describe your activities/involvement or interests in your local district.

School Board Trustee Priscilla Schreiber is highly effective in representing the values of those who reside in the Grossmont District. Mrs. Schreiber is in her eighth year as Board trustee and was recently re-elected to a third term. She has served as Clerk, Vice President, and was Board President in 2007. Mrs. Schreiber and her husband, Charley, are active in local charities and organizations that support after-school programs and outreach ministries to families in the East and Imperial Counties. Mrs. Schreiber is currently Education Representative and 1st Vice President for the Women Volunteers in Politics (VIP's), and serves as Legislation Representative for the Cajon Valley Business Republican Women Federated group.

Mrs. Schreiber is a strong advocate of the Mount Miguel High School JROTC program, and helped to send them to their first National Competition in the history of the District. Mrs. Schreiber's most cherished recognition was receiving the honor of "Woman of the Year" in her community, the 77th Assembly District, by Assemblyman Jay La Suer in 2004.

Please describe any other education-related activities/involvement.

Mrs. Schreiber is the Board representative to the Cal-pass/K-16 Collaborative and SEED (Supporting Education & Economic Development) Committee. She is Assistant Chair to the Child Nutrition & Physical Activity Advisory Committee and serves as President of the JPA/ROP Commission. As a Board member she seeks to be part of the many activities that directly support the mission and strategic plan of the District. Mrs. Schreiber also supports and attends the Career Tech planning sessions.

Mrs. Schreiber was the Board representative to the Bond Executive Committee for the passage of Prop. H, the high schools facilities bond initiative, and was actively involved with the second facilities bond which passed this past November. She has served on the Curriculum Master Plan, Finance Audit, and the Race and Human Relations Committees. Mrs. Schreiber also participates as a judge for the "We the People" (Center for Civic Education) competitions for middle school students.

Please describe your activities/involvement in CSBA and explain why you are interested in serving as a CSBA Delegate.

As a newly elected Board member, Mrs. Schreiber saw the value in pursuing the "Masters in Governance" program and received her certificate of completion within her first two years. She was later recognized by her peers at the "Honoring Our Own" Awards Ceremony as *Rookie School Board Member for 2003-2004*. Mrs. Schreiber was a co-presenter at a workshop on ethics at the 2006 CSBA Convention. Mrs. Schreiber is grateful for the chance to serve in this capacity, and if re-elected, will continue to advocate for students and teachers statewide, work with other school board members and legislators, and hopefully make a real difference in how our communities see education, for all students, now and in the future.

Your signature indicates your consent to have your name placed on the ballot and to serve as a Delegate, if elected.

Signature

1-7-09

Date



About Priscilla

Priscilla is a San Diego native. She moved to East County in the mid 70s. Priscilla acquired certification in construction accounting and business administration. She is married to Charley who is also in the construction industry. Charley and his brothers are graduates of El Capitan High School. Priscilla and Charley have one daughter, Deven, a graduate of SDSU. Deven is a federal law enforcement officer, an ICE agent, part of the Homeland Security Department. Deven is married to an El Capitan graduate who is in law enforcement, as well, as a Harbor Police Officer.

In her first term, Priscilla completed her California School Board Association's (CSBA) "Masters in Governance." This program is designed to support school board members and superintendents in their respective roles as a governing team. Priscilla is proud to have been recognized by her peers at CSBA "Honoring Our Own" annual dinner as "Rookie School Board Member of the Year" in her first term. She was honored by Assemblyman Jay La Suer as "2004 Woman of the Year."

In 2007, Priscilla was recognized for her commitment to excellence in education when local school board members elected her to the CSBA Delegate Assembly for a two year term. This delegation represents local school board members in Sacramento on educational policy issues.

As Board President in 2007, along with Vice-President Larry Urdahl, she convened the Bond Advisory Commission. Priscilla requested a third party review of the Citizens Bond Oversight Committee (CBOC) and the Bond (Proposition H) program. She was also instrumental in the expansion of the CBOC. This was done to better guarantee the sound implementation of the bond and to facilitate the important work of the CBOC. It is with great pride that the Grossmont community and East County residents are recognized for supporting the need to ensure safe and modernized learning environments for all students, teachers, and staff.

Priscilla has always encouraged governance standards for the board by requesting workshops to set goals, direction, and community planning for the district. Under her leadership, all agenda items must be supported by a goal or objective of the strategic plan so as to maintain focus and to stay on task. Competitive programs, high academic standards, career technical education, and a strong work ethic along with character education are top priorities of her vision for the district.

Additional boards that Priscilla serves on are: the Legislative Representative on the Cajon Valley Republican Business Women Federated. Also, she is First Vice-President (Program Chair) and Education Representative for Women Volunteers in Politics (VIPs).

Priscilla, as mentioned, was President of the GUHSD Board in 2007. Currently, she is Clerk of the Board. She is the most senior board member serving in her second term and eighth year. Priscilla is seeking her third four year term this November. In 2004 she received the highest number of votes in the history of this school district as she returned for a second term.

Priscilla works diligently with East County organizations and businesses to improve opportunities for all students. She is very proud of her work with many of our elected local representatives. These officials support our students in many of the high-quality programs offered in the Grossmont Union High School District.



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Carol Skiljan	760-942-2168	cskiljan@eusd.net
Name	Contact Phone Number	E-mail Address
Encinitas Union School District	16 years	5600
School District or COE Name	Years on board	ADA
CSBA Region/Subregion <u>17</u> / <u> </u>	Are you a continuing Delegate? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	If yes, how long have you served as a Delegate? <u>14</u> years

Please describe your activities/involvement or interests in your local district.

Re-elected (2008) to 5th term and served as Board President ('94,'97,'02,'07); Vice President ('95,'98,'03,'08); Clerk ('99); served as Board representative to Encinitas Union School District Strategic Planning and Legislative Action Committees, San Dieguito Transportation Co-op (all through '02); Steering Committee for Encinitas Union School District Prop O campaign ('96); City of Encinitas School Liaison Committee ('93-present); currently a Board representative to Encinitas Sports Council, EUSD Wellness Council and attend Encinitas PTA Presidents' Meetings and Site Council Chairs' Meetings with Cabinet.

Please describe any other education-related activities/involvement.

Executive Director for Yellow Ribbon Suicide Prevention Program®, a youth and adult education program providing school-based (and other) prevention presentations and workshops including at CSBA and NSBA Conferences ('97-present); Appointed by San Diego County Board of Supervisors as Commissioner to First 5 Commission of San Diego County ('06-present). Presently chairing the First 5 of San Diego County Technical Planning Advisory Committee (TPAC) and serving on First 5 Commission of San Diego Preschool for All (PFA) Leadership Team. More than 20 years of service on local and county level PTA boards and other parent/education foundation boards providing leadership in many capacities including providing workshops for both CA State PTA Conferences and 9th District PTA Mini-Conventions and Critical Issues Conferences Presenter ('98-present).

Please describe your activities/involvement in CSBA and explain why you are interested in serving as a CSBA Delegate.

Chair of 2006 CSBA Annual Education Conference Planning Committee and served on committee ('98-'99 and '05); CSBA Annual Conference Presenter ('98, '99, & '01); completed CSBA Masters of Boardmanship ('94) and Masters of Governance ('00); attended all CSBA Annual Conferences and Legislative Networks ('93-present); co-chaired San Diego County School Boards Association Board Member/Superintendent Refresher Workshop (Fall, '97); chaired SDCSBA *Data, Dialogue and Inquiry to Close the Achievement Gap* workshop for Board Members and Superintendents (Spring '04); SDCSBA Annual Dinner Committee Member ('98-present); CSBA Golden Bell Site Validator ('95-'98,'06); SDCSBA representative to Children's Initiative Safety and Violence Task Force ('98-04). Elected San Diego County School Boards Association Legislative Chair ('99-00), Secretary ('01-02), V-P ('02), President ('02-04). SDCSBA representative to San Diego County Superintendents' Task Force to Close the Achievement Gap ('02-present); SDCSBA alternate representative to San Diego County Children's Mental Health System of Care Council ('02-present) and SDCSBA representative to SD County Mental Health Services Act Children's Workgroup ('04-05). I would be honored to continue representing our region at Delegate Assembly. I am involved in some facet of PreK-12 issues practically on a daily basis, either as an elected or appointed official or in my employment capacity. The collaboration among our school districts and the San Diego County Office of Education has made our San Diego region an exemplary model of local control and regional dialogue/solutions. I pledge to continue representing the leadership role our San Diego region plays in implementing the public education mission.

Your signature indicates your consent to have your name placed on the ballot and to serve as a Delegate, if elected.

Carol Skiljan
Signature

12-18-08
Date

Carol Skiljan
150 Beechtree Drive
Encinitas, CA 92024

Carol Skiljan and her husband, married for 36 years, have resided in Encinitas for over 30 years. Their two daughters are the successful recipients of California's public education system, K-16. Carol is the Executive Director and one of the founding members (1997) of the non-profit Light for Life Foundation of Southern California. She administers the youth outreach program: Yellow Ribbon Suicide Prevention Program® (YRSPP®). Carol is a certified YRSPP® trainer and presenter. Locally and nationally, YRSPP® works to save and enrich lives through suicide prevention efforts using education, advocacy and support strategies. These efforts encompass the entire community, is organized by the community, for the community with our technical assistance. High risk populations are addressed and sustainability for programming is built.

Carol is the co-chair of the CHIP (Community Health Improvement Partners) Suicide and Violence and Injury Prevention Committee. YRSPP® has played a major role in the projects of this committee. Among them are developing PSAs for a suicide and depression awareness media campaign, college-age signs of depression refrigerator magnet project with CSUSM and four "sold-out" conferences (East County, 2001, North Inland 2005, USD 2007 and SDCOE 2008)) on a variety of suicide issues including youth suicide and the school community, In 2004, Carol and YRSPP® provided technical assistance to the San Diego Children's Initiative project, Results for Kids: Youth Suicide Prevention Toolkit. In April, 2006, she received a San Diego County Public Health Regional Champion Award representing north coastal San Diego County.

Carol has been active volunteer and advocate of public education and the needs of children and youth for more than 22 years. She's served on local and county level PTA boards and other parent/education foundation boards providing leadership in many capacities. She has received the PTA's *Honorary Service Award* on three separate occasions, most recently from 9th District PTA in 2007. Carol was elected to the Encinitas Union School District Board of Trustees in 1992 and re-elected to her fifth term in 2008. She has served as Board President, Vice-President and Clerk numerous times and represents EUSD on City of Encinitas School Liaison Committee.

Carol is a graduate of the California School Boards Association's (CSBA) two year governance training programs: Master in Boardmanship-1994 and Master in Governance-2000. She is a Past President of San Diego County School Boards Association (SDCSBA). Since 1994 Carol has served as a Delegate to both CSBA and SDCSBA. She represents SDCSBA on the San Diego County Superintendents' *Closing the Achievement Gap Task Force*, San Diego Health and Human Services Agency's Children's System of Care Council and the Mental Health Services Act Children's Workgroup. In 2007, Carol was awarded "School Board Member of the Year" by the San Diego County School Boards Association at the annual school boards/school administrators *Honoring Our Own Awards Dinner*.

Carol was appointed by the San Diego County Board of Supervisors to as a Commissioner on First Five Commission of San Diego County (2006-07) and reappointed in Dec. 2007. She serves as Chair of the First 5 Technical and Professional Advisory Committee and on the Preschool for All leadership Team. Carol appreciates the opportunity to expand her advocacy for children and youth via the First 5 Commission and embraces their vision: *that all children will enter school prepared to succeed, thrive and reach their highest potential.*

San Dieguito Union High School District

INFORMATION REGARDING BOARD AGENDA ITEM

TO: BOARD OF TRUSTEES

DATE OF REPORT: February 9, 2009

BOARD MEETING DATE: February 19, 2009

PREPARED AND SUBMITTED BY: Ken Noah, Superintendent

SUBJECT: RESOLUTION, BEHAVIORAL INTERVENTION PLANS [HUGHES BILL] MANDATED COST CLAIM SETTLEMENT

.....

EXECUTIVE SUMMARY

The district administration is requesting consideration and adoption of the attached Resolution approving Behavioral Intervention Plans [Hughes Bill] Mandated Cost Claim Settlement and waiving rights to file any claim regarding the Hughes Bill statute and regulations in the future.

The Behavioral Intervention Plans [Hughes Bill] Mandated Cost Claim Settlement settles the test claim CSM-4464 initiated by San Diego Unified School District, Butte County Office of Education, and San Joaquin County Office of Education, and the related Sacramento Superior Court case, case No. 03CS01432, regarding reimbursement for costs associated with behavioral intervention plans required by the Hughes Bill statute and regulations under state law. If approved, it ends a fourteen-year dispute with the State of California regarding funding for state behavioral intervention plan requirements that are in excess of federal law. The settlement provides \$520 million in reimbursement for past costs associated with behavioral intervention plans and \$65 million annually for ongoing costs. The Legislature’s obligation to fund the settlement is contingent on 85% of all districts, county offices of education, and special education local plan areas constituting 92% of statewide ADA waiving their rights to file additional mandated cost claims on the current Hughes Bill statute and regulations.

In the Resolution, the Board:

- (1) approves the settlement which will bring San Dieguito Union High School District approximately \$10.92 per ADA annually for the six-year period

ITEM 17

beginning 2011-12 through 2016 -17, and approximately \$8.85 per ADA for the Special Education Local Planning Area (SELPA) as part of the AB 602 funding formula, beginning in 2009-2010, and increasing by COLA and growth in subsequent years;

- 2) agrees to waive its ability to file future mandated cost claims on the Hughes Bill statute and regulations as currently worded; and
- 3) directs the District's authorized representative to sign the Waiver to implement this action.

RECOMMENDATION:

It is recommended the Board adopt attached Resolution approving Behavioral Intervention Plans [Hughes Bill] Mandated Cost Claim Settlement and waiving rights to file any claim regarding the Hughes Bill statute and regulations in the future.

FUNDING SOURCE:

N/A

KN/bb

ITEM 17

RESOLUTION FOR ADOPTION BY THE
SAN DIEGUITO UNION HIGH SCHOOL DISTRICT
BOARD OF TRUSTEES

APPROVAL OF BEHAVIORAL INTERVENTION PLANS [HUGHES BILL]
MANDATED COST CLAIM SETTLEMENT AND AGREEMENT
TO WAIVE FUTURE CLAIMS

WHEREAS, the Commission on State Mandates (“the Commission”), in a test claim known as the Behavioral Intervention Plans [Hughes Bill] Mandated Cost Claim, has determined that, since 1993, there are unfunded state mandates exceeding the federal requirements in the following seven (7) components of the Hughes Bill Statute and Regulations (California Education Code section 56523 and California Code of Regulations, title 5, sections 3001, subdivisions (c), (d), (e), (f), and (aa), and 3052): special education local plan area (“SELPA”) plan requirements, development and implementation of behavioral intervention plans, functional analysis assessments, modifications and contingent behavioral intervention plans, development and implementation of emergency interventions, prohibited behavioral intervention plans, and due process hearings;

WHEREAS, these state mandates remain required components of the Hughes Bill Statute and Regulations;

WHEREAS, final claiming instructions for the Behavioral Intervention Plans Mandated Cost Claim were never adopted by the Commission due to various disputes that arose with the State;

WHEREAS, the State’s Department of Finance disputes that any of the identified Behavioral Intervention Plans Mandated Cost Claim mandates qualify for state reimbursement because it contends they are required by federal law, and therefore the State has filed a lawsuit with the Sacramento Superior Court, case No. 03CS01432, to contest the Commission’s decision in the Behavioral Intervention Plans Mandated Cost Claim;

WHEREAS, the Test Claimants believe that the identified mandates require new programs and increased levels of service in excess of federal law, and are therefore unfunded state mandates, and therefore the Test Claimants oppose the court action filed by the State challenging the Commission’s decision;

WHEREAS, this litigation could thwart resolution of these matters for a number of years;

WHEREAS, to avoid the cost and uncertainty of further litigation, to alleviate the uncertainty regarding the Hughes Bill Statute and Regulations funding, and to expedite the resolution of this long-pending mandate claim, the State and the Test Claimants (“Parties”) have determined to compromise and settle the claims set forth in the Behavioral Intervention Plans Mandated Cost Claim;

ITEM 17

WHEREAS, the Parties have negotiated a settlement agreement (“Agreement”), which provides \$520 million as general fund reimbursement for past costs associated with the Hughes Bill Statute and Regulations, allocated as follows:

- \$510 million to school districts based on 2007-08 P-2 average daily attendance (“ADA”) (about \$14.85 per ADA annually for six years, beginning in 2011-12, or for a lesser period at the State’s discretion should the State choose to accelerate payment of such reimbursement);
- \$1.5 million to county offices of education in 2009-10 based on December 2007 county special education pupil count, about \$35.06 per pupil, with no county office of education receiving less than \$5,000;
- \$6 million to SELPAs in 2009-10 based on December 2007 special education pupil count, about \$8.85 per pupil, with no SELPA receiving less than \$10,000; and
- \$2.5 million in 2009-10 for administrative costs incurred in pursuing the Claim;

WHEREAS, the settlement further provides \$65 million as a permanent increase to the AB 602 funding base for special education programs and services beginning in 2009-10, resulting in each SELPA’s funding rate increasing by about \$10.92 per ADA, with this amount increasing by the cost of living adjustment and ADA growth in subsequent years;

WHEREAS, by approving this settlement the San Dieguito Union High School District will receive approximately \$178,672.29 in discretionary funding for retroactive reimbursement, payable over six-years in equal installments unless the State, in its discretion, accelerates payment of such reimbursement;

WHEREAS, the San Dieguito Union High School District, in exchange for the foregoing financial settlement, must waive its right to file any further mandate claims arising from the Hughes Bill Statute and Regulations, or to benefit from any new Hughes Bill Statute and Regulations claims filed, unless the Hughes Bill Statute and Regulations change;

WHEREAS, if for some reason the settlement process is not completed, the Waiver will not take effect;

WHEREAS, the Governing Board of the San Dieguito Union High School District has reviewed the Notice to LEAs Re: Pending Settlement of the Behavioral Intervention Plans [Hughes Bill] Mandated Cost Claim and the required Waiver; and

WHEREAS, the District administrative staff, having reviewed the terms of the pending settlement, recommends that the Governing Board approve the settlement and agree to waive its rights to file mandated cost claims arising from the Hughes Bill Statute and

ITEM 17

Regulations in the future or to benefit from such claims unless the Hughes Bill Statute and Regulations change;

NOW THEREFORE, BE IT RESOLVED, the Governing Board of the San Dieguito Union High School District approves the terms of the pending settlement of the Behavioral Intervention Plans Mandated Cost Claim, agrees to waive its rights regarding claims as set forth in the attached Waiver, and authorizes the Superintendent to sign the required Waiver and to deliver it as requested by no later than February 28, 2009, and to complete any other administrative task necessary to effectuate this decision.

Passed and adopted by the Governing Board of the San Dieguito Union High School District on _____ (date) _____, by the following vote:

Ayes: _____ Noes: _____ Abstain: _____ Absent: _____

Joyce Dalessandro, Board President

Date

Linda Friedman, Board Clerk

Date

Barbara Groth, Trustee

Date

Beth Hergesheimer, Trustee

Date

Deanna Rich, Trustee

Date

San Dieguito Union High School District
San Diego County

Attested by: _____
Ken Noah, Superintendent /
Secretary to the Board

Date

ITEM 17

December 19, 2008

To: All School District Superintendents, County
Superintendents of Schools, and SELPA Directors

From: Richard Hamilton, Associate General Counsel and Director,
Education Legal Alliance, California School Boards Association

**Re: Approval of Special Education Behavioral Intervention Plans
[Hughes Bill] Mandated Cost Claim Settlement**

We are pleased to announce that the State and school test claimants San Diego USD, Butte COE and San Joaquin COE have agreed on a settlement for the Behavioral Intervention Plans [Hughes Bill] Mandated Cost Claim. The legislation which is the source of the claim requires school agencies to develop behavioral intervention plans for special education students with serious behavioral problems.

We believe this is a fair settlement and look forward to your participation. We are requesting that you place approval of this settlement on your school board, county board, or SELPA board agenda in January or February. Enclosed are the following documents related to your approval of the settlement.

- Notice to LEAs with original and copy of a Waiver plus a self-addressed return envelope
- Sample board agenda item language
- Draft resolution
- Settlement Agreement with waiver and draft legislation attached

In order to trigger the obligation by the Legislature to enact the funding, at least 85% of all school districts, county offices of education (COEs) and SELPAs, constituting 92% of statewide ADA, must approve the waiver, sign it, and return it to me by February 27, 2009.

In approving the resolution, school boards will be enabling their districts to share in ongoing increased AB 602 funding for each SELPA of about \$10.924857 per ADA starting 2009-10 and receive an additional estimated \$ 14.851782 per ADA for the general fund each year for six years commencing 2011-12 through 2016-17. In exchange for the state funding, your board must waive its right to file mandated cost claims on the Hughes Bill mandate, thus, in effect, conceding that this mandate is fully funded by virtue of this legislation. Thus, districts will be reimbursed for the costs of this mandate without filing annual mandate claims, which are subject to audits and other procedural hurdles.

Similar detail regarding per ADA funding for SELPAs and COEs is available on the next page under "Settlement Terms".

This settlement is modeled on the Special Education Mandated Cost Settlement which 100% of LEAs approved in January 2001. We hope to achieve a similar result here.

CSBA's Education Legal Alliance was proud to support the efforts leading to the settlement, funding the services of Fagen Friedman & Fulfroost, Diana McDonough, Of Counsel, to reach this agreement. We are also grateful for the efforts of 29 SELPAs throughout the State who volunteered to collect extensive data on this mandate. Their information was key to the resolution.



ITEM 17

The Settlement Terms

This settlement provides a permanent increase in special education funds to cover Hughes Bill costs in the future, allocated as follows:

- \$65 million as a permanent increase to the AB 602 funding base effective 2009-10. Each SELPA's funding rate will increase by about \$10.924857 per 2008-09 P-2 ADA. COLA and growth will be added in 2010-11 and thereafter, to the extent it is added to AB 602 generally.

This settlement also provides \$520 million in general fund reimbursement for past special education Hughes Bill costs and is allocated as follows:

- \$510 million to school districts at \$85 million per year over 6 years commencing 2011-12 through 2016-17 based on 2007-08 P-2 ADA. This amount translates to about \$14.851782 per unit of 2007-08 P-2 ADA for each of the 6 years;
- \$1.5 million to COEs in 2009-10 based on December, 2007 special education pupil count, with no COE receiving less than \$5,000. This amount translates to about \$35.056558 per county special education pupil according to the December 2007 pupil count;
- \$6 million to SELPAs in 2009-10 based on December, 2007 special education pupil count, with no SELPA receiving less than \$10,000. This amount translates to about \$8.850014 per special education pupil according to the December 2007 pupil count; and
- \$2.5 million for administrative and legal costs incurred by the test claimants since 1994, including reimbursement to CSBA's Education Legal Alliance for legal fees and to the 29 SELPAs for the costs of completing the surveys.

Steps Required for Implementation

The above will be implemented contingent on the following:

1. 85% of all LEAs (school districts, COEs and SELPAs), representing 92% of statewide ADA sign a waiver agreeing to waive their rights to contest the settlement and to file any claim regarding Hughes Bill legislation and regulations and
2. The parties (test claimants and the State) will seek a superior court ruling that the settlement is final and binding on all LEAs and
3. Legislation is enacted appropriating the necessary funds for 2009-10 and placing ongoing funding in statute.

Please Note: you are only responsible for # 1.

ITEM 17

Action To Be Taken By Your District, County Office or SELPA:

The following is an outline of action required:

1. Read the "Notice to LEAs" and "Waiver"; consult your attorneys as needed.
2. Place the matter on your school board, county board or SELPA board's agenda in January or February. Include the "Resolution" and "Notice to LEAs" in the board packet. (You may include the entire settlement document if you wish.) Conform the Agenda item and Resolution to your district, COE or SELPA. To do so, the documents are available on CSBA's website at <http://www.csba.org/LegislationAndLegal/Legal/ELAUUpdates.aspx> under "Legal Resources." To insert the estimated dollar amounts your district, COE or SELPA will receive into the Agenda item and Resolution go to the School Services of California website at <http://www.sscal.com/> where the amounts have been calculated for your use.
3. Adopt the Board resolution.
4. Sign and date the original waiver and return it to me in the enclosed self-addressed envelope.

Richard Hamilton
 California School Boards Association
 3100 Beacon Blvd.
 West Sacramento, CA 95691

Please send the documents to me no later than **Friday, February 27, 2009**. Thank you, in advance, for attending to this in an expeditious manner.

Should you have questions regarding the above information, please email Carol Cox at ccox@csba.org and me at rhamilton@csba.org.

Below is a list of those SELPAs who provided the data. We are grateful to them for their willingness to join us in this important endeavor.

Butte County	Modoc County	Stanislaus County
Calaveras County	Mono County	Tehama County
Clovis Unified School District	North Region	Tri-City
El Dorado County	Poway Unified School District	Tuolumne County
Fresno County	Sacramento City Unified School District	Ventura
Fresno Unified School District	San Diego South	West End
Glenn County	San Diego Unified	West Orange
Greater Anaheim	San Joaquin County	Yolo County
Inyo County	Solano County	
Lodi Area	Sonoma County	
Marin County		

ITEM 17

Enclosures:

- 1) Notice to LEAs w/waivers and self-addressed envelope
- 2) Agenda item
- 3) Draft resolution
- 4) Settlement Agreement

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ITEM 17

NOTICE TO LEAS

Re: Pending Settlement of the Behavioral Intervention Plans
[Hughes Bill] Mandated Cost Claim

This Notice is intended to inform all local educational agencies (“LEAs”) in California about their rights regarding the Behavioral Intervention Plans Mandated Cost Test Claim, claim CSM-4464, initiated September 28, 1994 by San Diego Unified School District, Butte County Office of Education, and San Joaquin County Office of Education (“Claimants”), and the subsequent Sacramento Superior Court case, case No. 03CS01432, regarding this same test claim (“the Claim”). For purposes of this Notice, LEAs include all school districts, county offices of education, special education local plan areas (“SELPAs”), and joint agencies composed of such organizations in the State of California. The Claim has significant fiscal implications for LEAs. For this reason, LEAs are advised to review this Notice and the attached Waiver with legal counsel before deciding whether to sign the Waiver.

In reviewing this Notice, please be aware of the following items:

1. This Notice and the attached Waiver apply only to the Behavioral Intervention Plans Mandated Cost Claim and claims arising from California Education Code section 56523 and California Code of Regulations, title 5, sections 3001, subdivisions (c), (d), (e), (f), and (aa), and 3052, as those sections read on or before July 1, 2008, (collectively “the Hughes Bill Statute and Regulations”).
2. This Notice and the attached Waiver do not affect any rights any LEAs may have to file test claims with the Commission on State Mandates (“the Commission”) on any mandates created as a result of changes to state or federal statutes or regulations that occur after July 1, 2008.

A. What is the Behavioral Intervention Plans Mandated Cost Claim?

The Behavioral Intervention Plans Mandated Cost Claim is a fourteen-year effort by local school districts, county offices of education, and SELPAs to obtain reimbursement for costs associated with behavioral intervention plans required by the Hughes Bill Statute and Regulations under state law.

The California Constitution requires that whenever the Legislature mandates a new program or a higher level of service, the State must provide funds to reimburse local government for the actual costs of implementation, with certain exceptions. State law requires that the State shall reimburse each local agency for all unfunded costs mandated by the State. The Commission has the authority to hear and decide tests claims that local agencies file as a result of new laws passed by the Legislature and signed into law by the Governor. The legal framework and authority for the mandated claims reimbursement process is found at article XIII B, section 6, of the California Constitution, sections 17500 through 17630 of the California Government Code, and sections 1181 through 1189.11 of title 2 of the California Code of Regulations.

The Behavioral Intervention Plans Mandated Cost Claim was initiated in 1994 when San Diego Unified School District, Butte County Office of Education, and San Joaquin County Office of Education filed test claim CSM-4464 asking the State to reimburse LEAs for the unfunded costs associated with behavioral intervention plans, as required by state law under the Hughes Bill



Education Legal Alliance



Butte County SELPA
Butte County Special Education Local Plan Area



ITEM 17

Statute and Regulations. Under the Commission's rules, test claims are treated like class actions, and therefore the Claim is applicable to all LEAs statewide.

B. What is the Outcome of the Behavioral Intervention Plans Mandated Cost Claim?

On September 28, 2000, after years of filings and hearings, the Commission adopted a Statement of Decision regarding CSM-4464 finding that the Hughes Bill Statute and Regulations imposed a reimburseable state mandate on school districts by requiring the following seven activities in excess of federal law: SELPA plan requirements, development and implementation of behavioral intervention plans, functional analysis assessments, modifications and contingent behavioral intervention plans, development and implementation of emergency interventions, prohibited behavioral intervention plans, and due process hearings. The settlement of the Special Education Mandated Cost Claim in 2000-01 explicitly omitted the Behavioral Intervention Plans Mandated Cost Claim. (Ed. Code § 56836.156(g).)

Subsequently, Claimants proposed parameters and guidelines for the CSM-4464 claiming process, but various disputes arose with the State and a final draft of the claiming parameters and guidelines was never adopted by the Commission. The parties attempted to settle without success and the matter reached a stalemate.

On September 26, 2003, the State's Department of Finance filed a lawsuit in the Sacramento Superior Court (Department of Finance v. Commission on State Mandates, Case No. 03CS01432) challenging the Commission's decision in CSM-4464. The State and the Claimants ("Parties") agreed to delay the proceedings before the Court in order to attempt to negotiate a settlement. The initial settlement negotiations were unsuccessful.

On October 4, 2007, pending reforms in the mandate process prompted the Parties to continue negotiations. The Parties began meeting to work on a mutually agreeable resolution.

A chief task in the settlement process was developing a statewide cost estimate for the claim. Claimants surveyed more than 20 SELPAs representing more than 10% of the public school students statewide. The State's Department of Finance staff reviewed copies of all survey returns and verified that the cumulative cost totals accurately reflected the SELPA data.

In May 2008, the Sacramento Superior Court notified the State that it must bring its case to trial by September 26, 2008, or be subject to dismissal under the state law which requires all matters to be brought to trial within five years. The Parties filed a stipulation with the Sacramento Superior Court agreeing to extend the five-year period pending this resolution.

C. What is the Outcome of the Settlement Negotiations?

The State and Claimants have negotiated a settlement agreement ("Agreement") which is contingent upon the following three events occurring:

1. On or before February 28, 2009, no less than 85% of all K-12 school districts, county offices of education (COEs), and SELPAs shall sign the Waiver, attached hereto as Exhibit A. In addition, the school districts and county offices of education signing Exhibit A must have served student populations accounting for no less than 92% of the second principal apportionment ("P-2") average daily attendance ("ADA") in the 2007-08 fiscal year.

ITEM 17

2. The parties shall seek a superior court ruling that the settlement is final and binding on all LEAs, assuming implementing legislation is enacted. In the absence of such a ruling, the parties shall seek an alternative, mutually agreeable final and formal resolution of the dispute.
3. Legislation must be enacted appropriating the following funds for the settlement:
 - a. \$65 million as a permanent increase to the AB 602 base, commencing 2009-10, subject to COLA and ADA growth in subsequent years.
 - b. \$510 million retroactive payment in total for general fund use payable to school districts in \$85 million installments over six years, commencing 2011-12 and ending 2016-17, all payments to be based on 2007-08 P-2 ADA. The State may enlarge these installments, discharging the obligation more quickly if it so decides. These payments may be suspended in a year in which Test 3 of Proposition 98 is operative. If the payment is suspended in any year or years, it must be made in the year or years immediately following the designated six-year period or lesser period if the State has discharged its obligation prior to the end of the six years.
 - c. \$10 million lump sum retroactive payment for general fund use payable in 2009-10, divided as follows:
 - \$1.5 million to COEs based on December, 2007 county special education pupil count, with no county office of education receiving less than \$5000;
 - \$6.0 million to SELPAs based on December, 2007 special education pupil count, with no SELPA receiving less than \$10,000; and
 - \$2.5 million to San Joaquin County Office of Education for administrative costs incurred in pursuing the Claim.

By separate agreement among the Claimants, the \$2.5 million allocation to the San Joaquin County Office of Education will be used to pay for the administrative costs incurred to pursue the Claim from 1994 to the present.

The Parties intend that the legislation will be requested in early 2009 and enacted on an urgency basis prior to or concurrent with the Budget Act for the 2009-10 fiscal year. It is possible that non-substantive changes to the proposed legislation described above may occur with the consent of the parties.

D. What Rights Are Waived by LEAs Who Elect to Sign the Waiver?

Under article XIII B, section 6, of the California Constitution, sections 17500 through 17630 of the California Government Code, and sections 1181 through 1189.11 of title 2 of the California Code of Regulations, LEAs have the right to file mandated cost claims with the Commission on State Mandates. Further, under section 1542 of the Civil Code, a waiver does not extend to unknown claims. However, LEAs who sign this Waiver agree to give up certain of these rights as follows:

1. **Known Claims:** LEAs electing to sign the attached Waiver agree to waive their right to file or to otherwise pursue reimbursement claims for the mandated programs and services contained in the Behavioral Intervention Plans Mandated Cost Claim or any other known claim arising from California Education Code section 56523 and California Code of Regulations, title 5, sections 3001, subdivisions (c), (d), (e), (f), and (aa), and

ITEM 17

3052, as those sections read on or before July 1, 2008. Further, LEAs signing the Waiver acknowledge that the amount needed to satisfy the State's minimum funding obligation under Proposition 98 shall not be increased by the retrospective payments required by the settlement and forever give up their right to contend otherwise.

2. **Unknown Claims:** LEAs electing to sign the attached Waiver also agree to waive their right to pursue any unknown mandated cost claim arising from California Education Code section 56523 and California Code of Regulations, title 5, sections 3001, subdivisions (c), (d), (e), (f), and (aa), and 3052, as those sections read on or before July 1, 2008.
3. **Exemptions:** The Waiver does not prohibit LEAs from filing mandated cost claims to the extent that state or federal statutes or regulations are amended or added or changed in any way after July 1, 2008.

Of course, unless the three events take place which are set out in Section C above, the Waiver is not binding.

E. Where is More Detailed Information on the Settlement Available?

With the mailing of this notice all LEAs have been sent a copy of the Settlement and Release Agreement in this matter and a copy of the Proposed Draft Legislation. A review of these documents provides additional information. For more information or additional copies of these documents go to CSBA's website at:

<http://www.csba.org/LegislationAndLegal/Legal/ELAUpdates.aspx> under "Legal Resources"

or email Carol Cox at ccox@csba.org and Dick Hamilton at (916) 669-3270, e-mail rhamilton@csba.org.

PLEASE NOTE:

A copy of the Waiver is attached to this notice. The original Waiver (separately enclosed) should be signed and mailed, using the enclosed self-addressed envelope to:

Dick Hamilton, Associate General Counsel and Director
Education Legal Alliance
California School Boards Association
3100 Beacon Blvd.
West Sacramento, CA 95691

The signed Waiver must reach Mr. Hamilton on or before **February 28, 2009**.

In doing so you are indicating support for the Settlement and approval of the Waiver.

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California School Boards Association

Education Legal Alliance

We fight better when we stand together.

The Education Legal Alliance takes on legal issues that impact schools.

Major victory

Thanks to the efforts of the Education Legal Alliance, on behalf of San Diego USD and Butte and San Joaquin COEs, there has been a settlement in the long-standing behavioral intervention plan (BIP) mandate with the state. As a result, **ALL** school districts, county offices and SELPAs (LEAs) will receive additional money in 2009–10.

What is this settlement about?

In response to legislation (AB 2586, the Hughes Bill), the State Board of Education in 1993 adopted regulations requiring LEAs to develop BIPs for special education students who exhibit serious behavioral problems. The regulations imposed detailed and costly requirements that exceed federal law. This claim has been tied up in the mandate reimbursement process and in the courts for over 14 years.

How much will LEAs receive?

Starting in 2009–10, LEAs will see increased AB 602 funding (the special education funding mechanism) in the amount of **\$65 MILLION**. Commencing in 2010–11, that amount will be subject to cost-of-living adjustments. In addition, in settlement of the BIP costs going back to 1993–94, school districts will receive **\$510 MILLION** payable in **\$85 MILLION** annual installments over six years starting in 2011–12 and ending in 2016–17. **All payments will be made into school districts' general funds based on 2007–08 P2 ADA.** Also, in 2009–10 an additional **\$7.5 MILLION** will be paid to COEs and SELPAs.

What are the next steps?

CSBA and the Education Legal Alliance have the responsibility for securing approval of the proposed settlement. Before the end of the year, LEAs will receive materials from CSBA asking for approval of the terms of the settlement. Each LEA must act on the approval and return the signed document to CSBA before the end of February. In order for the settlement to take effect, 85 percent of the LEAs representing 92 percent of the statewide ADA must approve it.



California School Boards Association
Education Legal Alliance

3100 Beacon Boulevard, West Sacramento, CA 95691 | 800.266.3382 | Fax: 916.371.3407 | legal@csba.org

ITEM 17

SETTLEMENT AND RELEASE AGREEMENT
BEHAVIORAL INTERVENTION PLANS [HUGHES BILL] MANDATED COST CLAIM

This settlement and release agreement ("Agreement") is entered into this ____ day of 2008 by and between the State of California ("the STATE") on the one hand, and San Diego Unified School District, Butte County Office of Education, and San Joaquin County Office of Education (collectively "CLAIMANTS") on the other, who, in consideration of the promises made herein, agree as follows:

I. Nature and Status of the Dispute

Effective January 1, 1991, Education Code section 56523 was added to the Education Code. That section required the development and adoption of regulations governing positive behavioral interventions for special education students by the State Board of Education ("the SBE"). In 1993, the SBE promulgated California Code of Regulations, title 5, sections 3001, subdivisions (c), (d), (e), (f), and (aa), and 3052 to implement Education Code section 56523. The Education Code section and its implementing regulations are referred to cumulatively as "the Hughes Bill."

The Behavioral Intervention Plans Mandated Cost Claim was initiated on September 28, 1994, when San Diego Unified School District, Butte County Office of Education, and San Joaquin County Office of Education filed test claim CSM-4464 with the Commission on State Mandates ("the Commission"). The Behavioral Intervention Plans Mandated Cost Claim asked the STATE to reimburse local educational agencies ("LEAs"), including school districts, county offices of education, special education local plan areas ("SELPAs"), and joint agencies composed of such organizations for the costs of implementing the Hughes Bill.

On September 28, 2000, the Commission adopted a Statement of Decision on CSM-4464 finding that the Hughes Bill imposed a reimbursable state mandate on school districts by requiring the following seven activities: SELPA plan requirements, development and implementation of behavioral intervention plans, functional analysis assessments, modifications and contingent behavioral intervention plans, development and implementation of emergency interventions, prohibited behavioral intervention plans, and due process hearings. The settlement of the Special Education Mandated Cost Claim in 2000-2001 explicitly omitted the Behavioral Intervention Plans Mandated Cost Claim (Ed. Code § 56836.156(g)).

Subsequently CLAIMANTS proposed parameters and guidelines for the CSM-4464 claiming process but various disputes arose with the STATE and a final draft was never adopted by the Commission. The parties attempted settlement without success and the matter reached a stalemate.

On September 26, 2003, the STATE's Department of Finance filed a Petition for Administrative Mandamus in the Sacramento Superior Court challenging the Commission's decision in CSM-4464. It named the Commission as Respondent, and CLAIMANTS as Real Parties in Interest (*Department of Finance v. Commission on State Mandates*, Sacramento Superior Court Case No. 03CS01432). The Petition maintained that the Hughes Bill was not a reimbursable state mandate because 1) it was required by federal law, 2) it merely implemented federal requirements, and

ITEM 17

3) it did not exceed those requirements. The matter is still pending. CLAIMANTS have filed no responsive pleadings as yet.

On October 4, 2007, the Deputy Attorney General representing the STATE's Department of Finance in the above case wrote to CLAIMANTS stating that pending reforms in the mandate process could present a timely opportunity to continue negotiations. The Deputy Attorney General noted that the mandate reform legislation, AB 1222, included the option of the joint development of a reasonable reimbursement methodology and cost estimate. The Deputy Attorney General suggested a meeting if CLAIMANTS were interested in resolving the matter and noted that, absent successful settlement, she planned to schedule a hearing in Sacramento Superior Court in April 2008. In response, CLAIMANTS contacted the Deputy Attorney General and the parties began meeting to work on a mutually agreeable resolution.

A chief task in the settlement process was developing a statewide cost estimate for the claim. Ultimately CLAIMANTS completed surveys of more than 20 SELPAs representing more than 10% of public school students statewide. The STATE's Department of Finance staff reviewed copies of all survey returns and verified that the cumulative cost totals accurately reflected the SELPA data.

In May 2008, the Sacramento Superior Court notified the STATE that it must bring its case to trial by September 26, 2008, or be subject to dismissal under the state law which requires all matters to be brought to trial within five years ("the five-year rule"). Ultimately, the parties filed a stipulation with the court agreeing to extend the five-year period to March 27, 2009, in the hopes that agreement could be reached.

The STATE's Department of Finance continues to dispute the Commission's decision in CSM-4464 that the Hughes Bill is a reimbursable mandate. CLAIMANTS believe the Commission's decision was correct and that the Hughes Bill imposes requirements on school districts that are not mandated by federal law.

To avoid the costs and uncertainty of further litigation, to alleviate the uncertainty regarding the Hughes Bill funding, and to expedite the resolution of this long-pending mandate claim in the spirit of AB 1222, the parties have determined to compromise and settle the claims raised in Sacramento Superior Court Case No. 03CS01432 and the underlying administrative decision of the Commission on State Mandates in CSM-4464 on the terms and conditions set forth below.

II. Actions to Resolve Dispute

- A. The mutual obligations and duties of the parties set forth herein are contingent upon all of the following events occurring:
 - 1. On or before February 28, 2009, no less than 85% of all K-12 school districts, county offices of education, and SELPAs shall sign the Waiver, attached hereto as Exhibit A. In addition, the school districts and county offices signing Exhibit A must have served student populations accounting

ITEM 17

for no less than 92% of the second principal apportionment (P-2) average daily attendance in the 2007-08 fiscal year.

2. The parties shall seek a superior court ruling that the settlement is final and binding on all LEAs, assuming implementing legislation is enacted. In the absence of such a ruling, the parties shall seek an alternative, mutually agreeable final and formal resolution of the dispute.
 3. Prior to or concurrent with the enactment of the Budget Act for the 2009-10 fiscal year, legislation is enacted that contains provisions identical to or substantially similar to the language contained in Exhibit B. It is the intent of the parties that, on or before January 10, 2009, the Legislature shall be requested to enact such legislation on an urgency basis. Any modifications to the proposed legislation shall be made only with agreement of all the signatories to this settlement document.
 - a. The proposed legislation shall appropriate the amount of ten million dollars (\$10,000,000) payable upon enactment and allocated in accord with Section II.B. of this Agreement.
 - b. The proposed legislation shall require additional funding of five-hundred and ten million dollars (\$510,000,000) in total payable over a six-year period, or lesser period at the STATE's discretion, commencing July 1, 2011, and allocated in accord with Section II.B. of this Agreement.
 - c. The proposed legislation shall include statutory language to revise the existing special education funding model established by Assembly Bill 602 (Chapter 854, Statutes of 1997) to provide an ongoing increase of sixty-five million dollars (\$65,000,000) annually to special education programs. The proposed legislation shall appropriate the first year of funding.
 - d. The combination of the above appropriations is to be considered in full satisfaction of, and is in lieu of, any reimbursable mandate claims that would have been filed as a result of CSM-4464. By providing this funding for CSM-4464, the STATE in no way concedes the existence of an unfunded reimbursable mandate for that claim.
- B. For the purposes of this settlement only, to resolve any and all retrospective mandated cost claims from 1993-94 to 2008-09 arising from CSM-4464 and the Statement of Decision adopted by the Commission on State Mandates on September 28, 2000, the STATE agrees that:

ITEM 17

1. Upon enactment of legislation prior to or concurrent with the 2009-10 Budget Act, payment in the amount of ten million dollars (\$10,000,000) will be allocated to LEAs as follows:
 - a. One million five hundred thousand dollars (\$1,500,000) shall be allocated to county offices of education on an equal per-pupil basis. The amount of each agency's allocation shall be determined by dividing one million five hundred thousand dollars (\$1,500,000) by the total statewide county special education pupil count only, as reported by county offices of education as of December 2007. The allotment for each county office of education shall be the per-pupil amount times the county's special education pupil count reported as of December 2007. The State Superintendent of Public Instruction ("the Superintendent") shall adjust the computations in such a manner as to ensure that the allotment to each county office of education is at least five thousand dollars (\$5,000).
 - b. Six million dollars (\$6,000,000) shall be allocated to SELPAs that existed for the 2007-08 fiscal year. The amount of each agency's allocation shall be determined by dividing six million dollars (\$6,000,000) by the total statewide special education pupil count as of December 2007. The allotment for each agency shall be the statewide per-pupil amount times the SELPA's special education pupil count reported as of December 2007. The State Superintendent of Public Instruction ("the Superintendent") shall adjust the computations in such a manner as to ensure that the allotment to each SELPA is at least ten thousand dollars (\$10,000).
 - c. Two million five hundred thousand dollars (\$2,500,000) shall be paid to San Joaquin County Office of Education.
2. In accord with legislation enacted prior to or concurrent with the 2009-10 Budget Act, the State will pay an additional five hundred and ten million dollars (\$510,000,000) to school districts. This amount shall be allocated in installment payments of eighty-five million dollars (\$85,000,000) commencing July 1, 2011, and annually thereafter for a period of six years unless the STATE in its discretion enlarges the installment amount from time to time, thereby discharging the obligation in advance of the six year period. These payments shall be allocated to school districts on a per-pupil basis as follows:
 - a. The appropriation shall be divided by the total average daily attendance, excluding attendance for regional occupation centers and programs, adult education, and programs operated by the county superintendents of schools, for all pupils in kindergarten through grade twelve in all school districts as used by the Superintendent for the second principal apportionment for the

ITEM 17

2007-08 fiscal year. Each school district shall receive an allocation equal to the per-pupil amount times the district's reported average daily attendance for the second principal apportionment for the 2007-08 fiscal year, excluding attendance for regional occupation centers and programs, adult education, and programs operated by the county superintendents of schools. The amount allocated to each school district shall be the same in all subsequent fiscal years as it is in the first fiscal year unless the State enlarges the appropriation as specified in II.B.2. above.

- b. In any fiscal year after 2011-12 in which the provisions of paragraph (b)(3) of Section 8 of Article XVI of the California Constitution are operative, the annual appropriation shall not be required to be made. If an appropriation is not made for a specific fiscal year or years, it shall instead be made in the fiscal year or years immediately succeeding the final payment pursuant to Section II.B.2 of this Agreement.
- C. To effectuate a stay of the five-year rule and to seek court approval of the settlement which makes it final and binding on LEAs, the parties agree to the following:
1. Within ten court days after execution of this Agreement, CLAIMANTS will file a response to the Petition for Administrative Mandamus, Sacramento Superior Court Case No. 03CS01432. Concurrently or as soon thereafter as the parties deem appropriate, the STATE and CLAIMANTS shall jointly stipulate to a stay of the five-year rule, and shall file such stipulation with the court. The stipulation shall provide for and ask the court to order the following:
 - a. A stay of the five-year rule for the purposes of this settlement, with the understanding that the five-year rule shall be in effect within ninety (90) days if the settlement terms cannot be effectuated.
 - b. Notice of the stay and of the settlement terms to all LEAs.
 - c. A court hearing, if necessary, to consider any objections to the settlement made by LEAs or other parties of standing.
 - d. Entry of judgment that the settlement is the final resolution of CSM-4464 assuming implementing legislation is enacted, and that after appropriate consideration of objections, if any, it is final and binding on all LEAs.

ITEM 17

- D. In the absence of any entry of judgment as specified in Section II.C.1.d. of this Agreement, the parties shall seek an alternative mutually agreeable final and formal resolution of the dispute.
- E. If the events listed in Section II.A. as preconditions to the parties' obligations do not take place, the STATE or the CLAIMANTS may request the Superior Court to lift the stay issued pursuant to Section II.C.1.a., above, and to order that the five-year rule shall take effect in ninety (90) days.

III. Known Claims

With respect to section 56523 of the California Education Code and California Code of Regulations, title 5, sections 3001, subdivisions (c), (d), (e), (f), and (aa), and 3052 as those sections read on or before July 1, 2008, ("the Hughes Bill Statute and Regulations"), CLAIMANTS hereby knowingly and voluntarily waive the rights set forth under article XIII B, section 6, of the California Constitution, sections 17500 through 17630 of the California Government Code, and sections 1181 through 1189.11 of Title 2 of the California Code of Regulations. By signing this Agreement, CLAIMANTS hereby acknowledge that CLAIMANTS forever relinquish their right to file any mandated cost claim regarding the Hughes Bill Statute and Regulations, and further forever relinquish their right to receive any benefit(s) from any claim(s) so filed. CLAIMANTS may file mandated cost claims concerning such statutes and regulations only to the extent that state or federal statutes or regulations are amended or added or changed in any other way after July 1, 2008. CLAIMANTS further acknowledge and concede that the amount that is required to be appropriated for the purpose of satisfying the STATE's minimum funding obligation to school districts pursuant to article XVI, section 8, of the California Constitution shall not be required to be increased, to any extent, by payment of the amounts set forth in Sections II.B.1 and II.B.2 of this agreement.

IV. Unknown Claims

- A. CLAIMANTS expressly waive the application of California Civil Code section 1542 regarding mandated cost claims based on Education Code section 56523 and California Code of Regulations, title 5, sections 3001, subdivisions (c), (d), (e), (f), and (aa), and 3052 as those sections read on or before July 1, 2008.

ITEM 17

- B. CLAIMANTS certify that they have read the following provisions of California Civil Code section 1542:

"A general release does not extend to claims which the creditor does not know or suspect to exist in his favor at the time of executing the release, which if known by him must have materially affected his settlement with the debtor."

- C. CLAIMANTS understand and acknowledge that the significance and consequence of the waiver of California Civil Code section 1542 is that:
1. They may have additional claims arising or occurring up to the date of this Agreement of which they are not now aware;
 2. They may not make a further demand for any such claims;
 3. They may not receive any benefit(s) from any such claims; and
 4. They extend their waiver to include now unknown or later discovered claims.

V. Advice of Attorney

CLAIMANTS warrant and represent that they have been advised to seek legal advice from the attorney of their choice regarding the risks, complications, and costs of the Agreement. CLAIMANTS acknowledge and represent either that they relied upon legal advice from their attorney in executing this Agreement or that they chose not to rely upon legal advice from their attorney in executing this Agreement. They further acknowledge and represent that, in executing this Agreement, they have not relied on any inducements, promises, or representations other than those stated in this Agreement.

VI. Conditions of Execution

Each party acknowledges and warrants that the party's execution of this Agreement is free and voluntary.

VII. Execution of Other Documents

Each party to this Agreement shall cooperate fully in the execution of any and all other documents and the completion of any additional actions that may be necessary or appropriate to give full force and effect to the terms and intent of this Agreement.

ITEM 17

VIII. Nonadmission

Nothing contained in the Agreement constitutes an admission or concession, by any party, as to any matter of fact or law at issue in Sacramento Superior Court Case No. 03CS01432 and/or CSM-4464, and no party hereto shall deem or construe this Agreement, or any part thereof, to be any such admission or concession. Further, nothing in this Agreement may be deemed or construed to be, by any entity or person not a party hereto, as against any party hereto, or any agency thereof, any admission or concession as to any matter of fact or law at issue in Sacramento Superior Court Case No. 03CS01432 and/or CSM-4464.

IX. Entire Agreement

This Agreement and Exhibits A and B attached hereto contain the entire Agreement between the parties. A breach of any portion of this Agreement shall be considered a breach of the whole Agreement.

X. Effective Date

This Agreement shall be effective immediately upon execution by the parties. This Agreement has retroactive effect to the extent specified herein.

XII. Governing Law

This Agreement is entered into, and shall be construed and interpreted, in accordance with the laws of the State of California and the United States.

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XIII. Counterparts

This Agreement may be signed in counterparts, such that signatures appear on separate pages. A copy or original of this document with all signature pages appended together shall be deemed a fully executed Agreement.

For the State of California:

Michael C. Genest
Director, Department of Finance

Dated: _____

Stephen P. Acquisto
Supervising Deputy Attorney General

Dated: _____

ITEM 17

San Diego Unified School District

By _____
Terry Grier, Superintendent

Dated: _____

Butte County Office of Education

By _____
Roy L. Applegate, Ed.D., SELPA Director

Dated: _____

San Joaquin County Office of Education

By _____
Santee Kludt, Ed.D., Assistant Superintendent of
Special Education/SELPA Director

Dated: _____

Approved as to form:

Fagen Friedman & Fulfrost

Diana McDonough, Of Counsel
Attorneys for San Diego Unified School District,
Butte County Office of Education, San Joaquin County
Office of Education and Interested Party
CSBA's Education Legal Alliance

Dated: _____

00334.00100/105941

Exhibit A to Settlement Agreement
Behavioral Intervention Plans Mandated Cost Claim

WAIVER

This Waiver is entered into on _____[DATE] by
_____[NAME OF LEA], hereinafter "LEA,"
to fulfill one of the terms of the Settlement and Release Agreement for the Behavioral
Intervention Plans Mandated Cost Claim ("Agreement").

A. Known Claims

With respect to section 56523 of the California Education Code and the California Code of Regulations, title 5, sections 3001, subdivisions (c), (d), (e), (f), and (aa), and section 3052 as those sections read on or before July 1, 2008, (collectively "the Hughes Bill Statute and Regulations"), LEA hereby knowingly and voluntarily waives the rights set forth under article XIII B, section 6, of the California Constitution, sections 17500 through 17630 of the California Government Code, and sections 1181 through 1189.11 of Title 2 of the California Code of Regulations. By signing this Waiver, LEA hereby acknowledges that LEA forever gives up its right to file any mandated cost claim regarding the Hughes Bill Statute and Regulations, and/or to pursue any filed claim regarding that statute and regulations, and/or to benefit from such a claim, including any claim regarding the following programs and services:

1. Special education local plan area plan requirements pursuant to California Code of Regulations, title 2, sections 3001, subdivision (c), and 3052, subdivision (j), as these sections read on July 1, 2008;
2. Development and implementation of behavioral intervention plans pursuant to California Code of Regulations, title 2, sections 3001, subdivisions (c), (d), (e), and (f), and 3052, subdivisions (a), (c), (d), (e), and (f), as these sections read on July 1, 2008;
3. Functional analysis assessments pursuant to California Code of Regulations, title 2, sections 3001, subdivisions (d) and (f), and 3052, subdivisions (b), (c), and (f), as these sections read on July 1, 2008;
4. Modifications and contingent behavioral intervention plans pursuant to California Code of Regulations, title 2, section 3052, subdivisions (g) and (h), as these sections read on July 1, 2008;
5. Development and implementation of emergency interventions pursuant to California Code of Regulations, title 2, sections 3001, subdivisions (c) and (d), and 3052, subdivision (i), as these sections read on July 1, 2008;

ITEM 17

6. Prohibited behavioral intervention plans pursuant to California Code of Regulations, title 2, sections 3001, subdivision (d), and 3052, subdivision (l), as these sections read on July 1, 2008; and
7. Due process hearings pursuant to California Code of Regulations, title 2, section 3052, subdivision (m), as this section read on July 1, 2008.

LEA further acknowledges and concedes that the amount that is required to be appropriated for the purpose of satisfying the STATE's minimum funding obligation to LEAs pursuant to article XVI, section 8, of the California Constitution shall not be required to be increased, to any extent, by payment of the retrospective amounts described in Paragraph II.B. of the Agreement, and by signing this Waiver LEA forever gives up its right to contend otherwise.

B. Unknown Claims

1. LEA expressly waives the application of California Civil Code section 1542 regarding mandated cost claims under California Education Code section 56523 and California Code of Regulations, title 5, sections 3001, subdivisions (c), (d), (e), (f), and (aa), and 3052 as those sections read on or before July 1, 2008.
2. LEA certifies that it has read the following provisions of California Civil Code Section 1542:

"A general release does not extend to claims which the creditor does not know or suspect to exist in his favor at the time of executing the release, which if known by him must have materially affected his settlement with the debtor."

3. LEA understands that it is agreeing that California Civil Code section 1542 does not apply to this Waiver. LEA understands and acknowledges that the significance and consequence of this waiver of California Civil Code section 1542 is:
 - a. LEA may have additional claims arising or occurring up to the date of this Waiver of which it is not now aware;
 - b. LEA may not make a further demand for any such claims;
 - c. LEA may not receive any benefit(s) from any such claims that may be filed by other claimants; and
 - d. LEA extends its waiver to include now unknown and/or later discovered claims.

ITEM 17

C. Exemptions

LEA signs this Waiver with the understanding that it does not prohibit LEAs from filing mandated cost claims to the extent that the Hughes Bill Statute and Regulations are amended or added or changed in any way after July 1, 2008.

D. Advice of Attorney

LEA warrants and represents that it has reviewed and understands the Notice to LEAs Re: Pending Settlement of the Behavioral Intervention Plans Mandated Cost Claim ("the Notice") and this Waiver, and that it has been advised to seek legal advice from the attorney of its choice regarding the Notice and this Waiver. LEA acknowledges and represents either that it relied upon legal advice from its attorney in executing this Waiver or that it chose not to rely upon legal advice from its attorney in executing this Waiver. LEA further acknowledges and represents that, in executing this Waiver, it has not relied on any inducements, promises, or representations other than those stated in the Notice and Waiver.

E. Contingency of Waiver

LEA understands that this Waiver is binding only if the preconditions to the full implementation of the Settlement Agreement are satisfied. Those preconditions are set out in Section C of the Notice and Section II.A. of the Agreement, and are, in brief: (1) at least 85% of all LEAs sign this Waiver, including school districts and county offices of education who served student populations accounting for 92% of the P-2 2007-08 ADA; (2) the parties seek a superior court ruling that the settlement is final and binding on all LEAs; and (3) legislation is enacted appropriating the necessary funding and placing ongoing funding in statute.

Dated: _____

Signed: _____

Print or Type Name Above

Authorized Agent for: _____
Name of LEA

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ITEM 17

Exhibit B to Settlement Agreement
Behavioral Intervention Plans Mandated Cost Claim

DRAFT LEGISLATION

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. The Legislature finds and declares that it is in the State's interest that legislation be enacted immediately to provide funding for positive behavioral intervention plans for special education students (Hughes Bill) and resolve a contested state mandate issue of fourteen-year standing. The Legislature anticipates that the Governor will request the enactment of the legislation prior to the enactment of the 2009-10 Budget Act.

SECTION 2. Section _____ is added to the Education Code to read:

[section number]

- (a) The Superintendent of Public Instruction shall determine the statewide total average daily attendance used for the purposes of section 56836.08 for the 2008-09 fiscal year. For the purposes of this calculation, the 2008-09 second principal average daily attendance for the court, community school, and special education programs served by the Los Angeles County Juvenile Court and Community School/Division of Alternative Education Special Education Local Plan Area shall be used in lieu of the average daily attendance used for that agency for the purposes of section 56836.08.
- (b) The Superintendent shall divide sixty-five million dollars (\$65,000,000), by the amount determined pursuant to subdivision (a).
- (c) For each special education local plan area, the Superintendent shall permanently increase the amount per unit of average daily attendance determined pursuant to subdivision (b) of section 56836.08 for the 2009-10 fiscal year by the quotient determined pursuant to subdivision (b). This increase shall be effective, beginning in the 2009-10 fiscal year.
- (d) Notwithstanding subdivision (c), for the Los Angeles County Juvenile Court and Community School/Division of Alternative Education Special Education Local Plan Area, the superintendent shall permanently increase the amount per unit of average daily attendance determined pursuant to subdivision (b) of section 56836.08 by the ratio of the amount determined pursuant to subdivision (b) to the statewide target per unit of average daily attendance determined pursuant to section 56836.11 for the 2008-09 fiscal year. This increase shall be effective beginning in the 2009-10 fiscal year.

ITEM 17

- (e) The Superintendent shall increase the statewide target per unit of average daily attendance determined pursuant to section 56836.11 for the 2009-10 fiscal year by the amount determined pursuant to subdivision (b).
- (f) The funds provided in subdivisions (a)-(e) above are to be considered in full satisfaction of, and are in lieu of, any reimbursable mandate claims for the Behavioral Intervention Plans Mandated Cost Claim. By providing this funding, the State in no way concedes the existence of any unfunded reimbursable mandate with regard to Section 56523 and its regulations in California Code of Regulations, title 5, sections 3001, subdivisions (c), (d), (e), (f), and (aa), and 3052 as those sections and subdivisions read on July 1, 2008. These funds shall be used exclusively for programs operated under this part and, as a first priority, for the programs and services required under Section 56523 and its regulations, California Code of Regulations, title 5, sections 3001, subdivisions (c), (d), (e), (f), and (aa), and 3052 as those sections and subdivisions read on July 1, 2008. By virtue of these funds, Section 56523 and its regulations, California Code of Regulations, title 5, sections 3001, subdivisions (c), (d), (e), (f), and (aa), and 3052 as those sections and subdivisions read on July 1, 2008 shall be deemed to be fully funded within the meaning of Government Code Section 17556(e).
- (g) Within the meaning of Government Code section 17556(e), the funds appropriated for purposes of this section are not specifically intended to fund any state-mandated special education programs and services resulting from amendments enacted after July 1, 2008, to any of the following statutes and regulations:
 - (1) The Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.), if such amendments result in circumstances where state law exceeds federal law;
 - (2) Federal regulations implementing the Individuals with Disabilities Education Act (34 C.F.R. Parts 300 and 303), if such amendments result in circumstances where state law exceeds federal law;
 - (3) Part 30 (commencing with section 56000); and
 - (4) Sections 3000 through 4671, inclusive, of Title 5 of the California Code of Regulations.
- (h) State funds otherwise allocated to each special education local plan area pursuant to Chapter 7.2 (commencing with section 56836) of Part 30 and appropriated through the annual Budget Act shall supplement and not supplant these funds. These funds shall be in addition to the level of COLA provided for this program in the annual Budget Act.

ITEM 17

SECTION 3. Section **XXXXXX** is added to the Education Code, to read:

(a) Commencing with the 2011-12 fiscal year and each fiscal year through the 2016-17 fiscal year, the amount of eighty-five million dollars (\$85,000,000), shall be appropriated, on a one-time basis each fiscal year, from the General Fund for allocation to school districts on a per-pupil basis. The Superintendent of Public Instruction shall compute the amount per pupil by dividing eighty-five million dollars (\$85,000,000), by the total average daily attendance, excluding attendance for regional occupation centers and programs, adult education, and programs operated by the county superintendents of schools, for all pupils in kindergarten through grade twelve in all school districts as used by the Superintendent of Public Instruction for the second principal apportionment for the 2007-08 fiscal year. Each school district's allocation shall equal the per-pupil amount times the district's average daily attendance as reported to the Superintendent of Public Instruction for the second principal apportionment for the 2007-08 fiscal year. The amount allocated to each school district shall be the same in all subsequent fiscal years as it is in the first fiscal year.

(1) Notwithstanding the provisions of subdivision (a) above, the State, in its discretion, may cause to be appropriated and allocated amounts in excess of eighty-five million dollars (\$85,000,000) annually in the period 2011-12 through 2016-17 for the purpose of discharging the obligation in advance of the six year period, so long as the total amount appropriated and allocated under this section is five hundred ten million dollars (\$510,000,000).

(2) In any fiscal year after 2011-12 in which the provisions of Article XVI, section 8, paragraph (b)(3), of the California constitution are operative, the annual appropriation shall not be required to be made.

(3) The Director of Finance shall notify, in writing, the fiscal committees of both Houses of the Legislature, the Controller, and the Superintendent of Public Instruction no later than May 14, that the appropriation for the following fiscal year is not required, pursuant to paragraph (c). If any appropriation is not made for a specific fiscal year, or years, it shall instead be made in the fiscal year, or years, immediately succeeding the final payment pursuant to paragraph (a).

(4) These funds shall be in addition to the level of COLA provided to school districts in the annual Budget Act.

ITEM 17

- (b) From the funds appropriated for purposes of this section in subdivision (b) of Section 4 of the act adding this section, the Superintendent of Public Instruction shall allocate the following:
- (1) From the appropriation provided by subdivision (b) of Section 4 of the act adding this section, the amount of one million five hundred thousand dollars (\$1,500,000) shall be allocated by the Superintendent to county offices of education on an equal per-pupil amount. The Superintendent shall determine the per-pupil amount by dividing one million five hundred thousand dollars (\$1,500,000) by the total statewide county special education pupil count only, reported by county offices of education as of December 2007. The allotment for each county office of education shall be the per-pupil amount times the county's special education pupil count reported as of December 2007. The Superintendent shall adjust the computations in such a manner as to ensure that the minimum allotment to each county office of education is at least five thousand dollars (\$5,000).
- (2) From the appropriation provided by subdivision (b) of Section 4 of the act adding this section, the amount of six million dollars (\$6,000,000) shall be allocated by the Superintendent to SELPAs that existed for the 2007-08 fiscal year. The Superintendent shall determine the amount of each agency's allotment by dividing the six million dollars (\$6,000,000) by the statewide special education pupil count reported as of December 2007. The allotment for each agency shall be the statewide per-pupil amount times the SELPA's special education pupil count reported as of December 2007. The Superintendent shall adjust the computations in such a manner as to ensure that the minimum allotment to each SELPA is at least ten thousand dollars (\$10,000).
- (3) From the appropriation provided by subdivision (b) of Section 4 of the act adding this section, the amount of two million five hundred thousand dollars (\$2,500,000) shall be allocated by the Superintendent to the San Joaquin County Office of Education.
- (c) The amounts appropriated by subdivisions (a), (b), and (c) of Section 4 of the act adding this section are in full satisfaction and in lieu of mandate claims resulting from the Commission on State Mandates' Statement of Decision CSM 4464, "Behavioral Intervention Plans."

SECTION 4.

- (a) The amount of sixty-five million dollars (\$65,000,000), is hereby appropriated from the General Fund in augmentation of Item 6110-161-0001 of 2009-10 Budget Act to the Superintendent of Public Instruction

ITEM 17

for the purposes of Section 56836.08 of the Education Code. It is the intent of the Legislature that such funding be included in the annual budget act in subsequent fiscal years.

(b)

(1) The amount of ten million dollars (\$10,000,000), is hereby appropriated from the General Fund to the Superintendent of Public Instruction for allocation on a one-time basis to county offices of education, and special education local plan areas (SELPA's), as specified in subdivision (b) of section _____ of the Education Code. These funds shall be in addition to the level of COLA provided for county offices of education and special education local plan areas in the annual Budget Act.

(2) For the purposes of making the computations required by article XVI, section 8, of the California Constitution, this appropriation shall be deemed to be "General Fund revenues appropriated for school districts," as defined in subdivision (a) of section 41202 of the Education Code, for the 2007-08 fiscal year, and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B," as defined in subdivision (e) of section 41202 of the Education Code, for the 2007-08 fiscal year.

SECTION 5. This Act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety with the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting this necessity are: In order to alleviate the fiscal hardship to local educational agencies caused by the persistent shortfalls in federal funding for special education; to increase state funding for the special education program, thereby reducing encroachment; to facilitate the settlement of current litigation regarding those programs and the funding thereof; to obviate new litigation; and to resolve related school finance issues, it is necessary for this Act to take effect immediately.

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ITEM 17

C. Exemptions

LEA signs this Waiver with the understanding that it does not prohibit LEAs from filing mandated cost claims to the extent that the Hughes Bill Statute and Regulations are amended or added or changed in any way after July 1, 2008.

D. Advice of Attorney

LEA warrants and represents that it has reviewed and understands the Notice to LEAs Re: Pending Settlement of the Behavioral Intervention Plans Mandated Cost Claim ("the Notice") and this Waiver, and that it has been advised to seek legal advice from the attorney of its choice regarding the Notice and this Waiver. LEA acknowledges and represents either that it relied upon legal advice from its attorney in executing this Waiver or that it chose not to rely upon legal advice from its attorney in executing this Waiver. LEA further acknowledges and represents that, in executing this Waiver, it has not relied on any inducements, promises, or representations other than those stated in the Notice and Waiver.

E. Contingency of Waiver

LEA understands that this Waiver is binding only if the preconditions to the full implementation of the Settlement Agreement are satisfied. Those preconditions are set out in Section C of the Notice and Section II.A. of the Agreement, and are, in brief: (1) at least 85% of all LEAs sign this Waiver, including school districts and county offices of education who served student populations accounting for 92% of the P-2 2007-08 ADA; (2) the parties seek a superior court ruling that the settlement is final and binding on all LEAs; and (3) legislation is enacted appropriating the necessary funding and placing ongoing funding in statute.

Dated: _____

Signed: _____

Print or Type Name Above

Authorized Agent for: _____
Name of LEA

00334.00100/107130.1

San Dieguito Union High School District

INFORMATION FOR BOARD OF TRUSTEES

TO: BOARD OF TRUSTEES

DATE OF REPORT: February 10, 2009

BOARD MEETING DATE: February 19, 2009

PREPARED BY: David Jaffe, Executive Director, Curriculum and Assessment

SUBMITTED BY: Ken Noah
Superintendent

SUBJECT: PUBLIC NOTICE – REQUEST TO THE CALIFORNIA DEPARTMENT OF EDUCATION FOR A WAIVER OF THE DEADLINE FOR FILING 2008-2009 ENROLLMENT NUMBERS FOR THE CALIFORNIA HIGH SCHOOL EXIT EXAM

EXECUTIVE SUMMARY

The California Department of Education (CDE) reimburses districts for costs associated with administering the California High School Exit Exam (CAHSEE) above and beyond the CDE's statewide contract with test contractors. The apportionment for SDUHSD is approximately \$8300. Districts are required to submit requests for reimbursements based on the number of students who are projected to take the CAHSEE during the school year. Requests for reimbursements were due on December 31, 2008. With Board approval our district will apply for a waiver from CDE on the date we were required to submit the number of students projected to take the CAHSEE. In order to submit a waiver a public hearing addressing the waiver request must be held. If CDE accepts the waiver, SDUHSD will receive approximately \$8300 to reimburse costs associated with the 2008-2009 CAHSEE administration.

RECOMMENDATION:

It is recommended that the Board give approval to the District to pursue submitting a waiver to the California Department of Education requesting an extension of the filing date thereby allowing the District to receive approximately \$8,300 in reimbursement for the 2008-2009 CAHSEE administration.

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST

AIRW (3/19/07) <http://www.cde.ca.gov/re/lr/wr/>
Page 1 of 1

STATE TESTING ITEM 18
APPORTIONMENT INFORMATION
REPORT WAIVER

Send original plus one copy to:
Waiver Office, California Department of Education
1430 N Street, Suite 5602
Sacramento, CA 95814

Faxes will not be accepted!

CD CODE					
3	7	6	8	3	4

Local educational agency:		Contact name and recipient of approval/denial notice:	Contact person's e-mail address:
Address:	(City)	(ZIP)	Phone (and extension, if necessary): - x
		CA	Fax number: -
Period of request:	Local board approval date: (Required)	Date of public hearing: (Required)	
From	to		

LEGAL CRITERIA

1. Under the general waiver authority of *Education Code* 33050-33053, the *California Code of Regulations (CCR)* section(s) to be waived (check one):
 STAR – CCR, Title 5, Section 862(c)(2)(A) ...postmarked by December 31...
 CAHSEE – CCR, Title 5, Section 1225(b)(2)(A) ...postmarked by December 31...
 CELDT – CCR, Title 5, Section 11517.5(b)(1)(A) ...postmarked by December 31...

2. Collective bargaining unit information. Does the district have any employee bargaining units? No Yes If yes, please complete required information below. This requirement can be achieved with a telephone call. It is vital to complete this section as not consulting the bargaining units is a reason for denial of a general waiver request.

Bargaining unit(s) consulted on date(s):
 Name of bargaining unit and representative(s) consulted:
 The position(s) of the bargaining unit(s): Neutral Support Oppose (*Please specify why*)

3. Public hearing requirement: A public hearing is not simply a board meeting, but a properly noticed public hearing held during a board meeting at which time the public may testify on the waiver proposal. Distribution of local board agenda does not constitute notice of a public hearing. Acceptable ways to advertise include: (1) print a notice that includes the time, date, location, and subject of the hearing in a newspaper of general circulation; or (2) in small school districts, post a formal notice at each school and three public places in the district.

How was the required public hearing advertised?
 Notice in a newspaper Notice posted at each school Other: (*Please specify*)

4. Describe briefly the circumstances that caused you to miss the apportionment deadline(s). (If more space is needed, please attach additional pages.)

5. Describe guidelines that have been put into place for staff so that this deadline will not be missed in the future.

District or County Certification – I hereby certify that the information provided on this application is correct and complete.

Signature of Superintendent or Designee:	Title:	Date:
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FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY

Staff Name (<i>type or print</i>):	Staff Signature:	Date:
Unit Manager (<i>type or print</i>):	Unit Manager Signature:	Date:
Deputy (<i>type or print</i>):	Deputy Signature:	Date:

San Dieguito Union High School District

INFORMATION REGARDING BOARD AGENDA ITEM

TO: BOARD OF TRUSTEES

DATE OF REPORT: February 11, 2009

BOARD MEETING DATE: February 19, 2009

PREPARED BY: Frederick Labib-Wood
Director of Classified Personnel

SUBMITTED BY: Ken Noah, Superintendent

**Introduction of Policy 4216.3-66.4
Planning Finance Technician SR 45 and
Reclassification of One Position and
Incumbent**

EXECUTIVE SUMMARY

Proposed Board Policy 4216.3-66.4 Planning Finance Technician is presented for information and first reading. This policy is scheduled for second reading and adoption at the Board's regular meeting on March 5, 2009.

The one Accounting Technician in the Planning and Financial Management Department has experienced an accretion of duties over the past several years including the impact of recent reorganizations in Business Services. Based on a review of these changes, the Personnel Commission at its meeting of February 10, 2009 approved the class description for Planning Finance Technician (copy attached as Board Policy 4216.3-66.4) and allocated this class at SR 45 on the bargaining unit salary schedule. The Commission also took action to reclassify the incumbent with the position.

The District and CSEA have negotiated and agreed that in this instance the effective date of implementation is to be retroactive to July 1, 2008.

RECOMMENDATION:

It is recommended that the Board review the draft policy 4216.3-66.4 Planning Finance Technician SR 45 and the proposed reclassification action for approval and adoption at the Board's regular meeting of March 5, 2009.

FUNDING SOURCE:

District General Fund, Capital Facility Fund and Mello-Roos Fund.

Attachment

ITEM 19

CLASSIFIED PERSONNEL

4216.3-66.4

PLANNING FINANCE TECHNICIAN

DRAFT 2/19/2009 Board Meeting

OVERALL JOB PURPOSE STATEMENT

Under the supervision of the Director of Planning and Financial Management, the job of Planning Finance Technician is done for the purpose of providing financial and technical program support to the District's facilities planning/construction financing programs and internal auditing function including ensuring the maintenance of budgeting and accounting systems for CFD/Mello-Roos programs and facility maintenance/construction projects, and processing financial information in accordance with established accounting requirements.

DISTINGUISHING CHARACTERISTICS

This job is distinguished from similar jobs by the following characteristics: positions in the fiscal series ensure proper processing of accounting and budgeting data and provide necessary financial information to management. They provide for timely delivery of checks, payroll, billing invoices and other accounting-related records, reports and materials and provide audit trails and assist in resolving accounting-related issues and disputes. The Planning Finance Technician is a specialized, advanced-level classification that performs accounting and program support activities requiring in-depth knowledge concerning technical application of accounting and accounting control principles for a program that supports facility construction and maintenance. This single-position class operates with more freedom to act and is typically assigned complete responsibility for specific accounting functions within the department. This class differs from the Accounting Assistant class which performs accounting and related clerical work of above average difficulty requiring independent judgment over an established function such as accounts payable. This class differs from the Accounting Technician in that the Planning Finance Technician has more public contact and customer problem-solving responsibility. This class differs from the Accounting Specialist which has complete responsibility for specific accounting functions, oversees and coordinates the assignments and work of Accounting Assistants, and serves as a technical advisor to the Finance department on financial systems development and implementation.

ITEM 19

CLASSIFIED PERSONNEL

4216.3-66.4

PLANNING FINANCE TECHNICIAN

DRAFT 2/19/2009 Board Meeting

ESSENTIAL FUNCTIONS

- * Monitors construction contracts, agreements and related project documents for the purpose of maintaining the integrity of the contract and ensuring availability of appropriate funds.
- * Assists the Director of Planning and Financial Management with managing Community Facilities Districts for the purpose of establishing accounts, collecting assessments, and maintaining official files and records.
- * Performs record keeping and general clerical functions (e.g. scheduling, copying, faxing, etc.) for the purpose of supporting departmental/program operations.
- * Collaborates with property owners, developers, municipalities, district consultants and others on real estate transactions for the purpose of assisting them with deeds, title insurance, and other documents (e.g. secured agreements, demand letters, reconveyances, etc.).
- * Meets with developers, city planning agencies, and property owners for the purpose of assisting them with Mello-Roos annexation processes.
- * Assists individuals, school districts, departments, city, county, state and other agencies for the purpose of providing information, interpreting and applying accounting rules and regulations, resolving disputes, and facilitating accounting operations.
- * Prepares and processes documents, data and payments for the purpose of completing financial transactions in accordance with financial and legal requirements and providing written reference and/or conveying information.
- * Processes a variety of fiscal information (e.g. warrants, deposits, accounts receivables, refunds, fees, purchase orders, requisitions, invoices, etc.) for the purpose of updating information, completing financial transactions, ensuring timely and accurate submissions, and/or ensuring compliance with accounting requirements.

ITEM 19

CLASSIFIED PERSONNEL

4216.3-66.4

PLANNING FINANCE TECHNICIAN

DRAFT 2/19/2009 Board Meeting

- * Reconciles cash and/or account balances (e.g. bank statements, expenditures to budget, various funds, etc.) for the purpose of balancing and adjusting accounts in compliance with accounting practices.
- * Responds to inquires, including phone, mail and walk-ins (e.g. district staff, vendors, district and site personnel, contractors, community representatives, local, state and/or federal agency personnel, etc.) for the purpose of interpreting and applying rules and regulations, resolving issues, providing requested information and/or referring to appropriate department personnel.
- * Develops/monitors/maintains a variety of fiscal information, files and records (e.g. invoices, requisitions, accounts payable, purchase orders, applications, etc.) for the purpose of ensuring proper processing of data and providing necessary information on assigned accounts, programs and projects.
- * Maintains files, accounts, and controls for the purpose of ensuring comprehensive and accurate accounting of data and transactions for assigned accounts.
- * Analyzes data of a statistical and/or financial nature (e.g. projections, financial statistics, etc.) for the purpose of preparing recommendations and/or reports for administrative review and action.
- * Compiles and maintains office reference manual for policies and procedures for executing developer fees, Mello-Roos and related real estate transactions (e.g. conveyances, demand letters, substitution of transfers, and subordinations).
- * Oversees various work activities as assigned (e.g. purchasing, reporting requirements, etc.) for the purpose of ensuring timely and accurate submission of information with appropriate District departments, customers, vendors, public agencies, etc.

OTHER FUNCTIONS

- * Performs other related duties as assigned.

ITEM 19

CLASSIFIED PERSONNEL

4216.3-66.4

PLANNING FINANCE TECHNICIAN

DRAFT 2/19/2009 Board Meeting

- * Attends meetings as required for the purpose of receiving and/or conveying information.

JOB REQUIREMENTS: Minimum Qualifications

Knowledge, Skills and Abilities

KNOWLEDGE is required to perform algebra and/or geometry; read technical information, compose a variety of documents and/or facilitate group discussions; and, analyze situations to define issues and draw conclusions. Specific knowledge required to satisfactorily perform the functions of the job includes: accounting/bookkeeping principles.

SKILLS are required to perform multiple technical tasks with a potential need to upgrade skills in order to meet changing job conditions. Specific skills required to satisfactorily perform the functions of the job include: operating standard office equipment; performing accounting procedures; preparing and maintaining accurate records; and, using pertinent software applications.

ABILITY is required to schedule activities; routinely gather, collate, and/or classify data; and, use basic job related equipment. Flexibility is required to work with others under a variety of circumstances; analyze data utilizing defined but different processes; and, operate equipment using standard methods of operation. Ability is also required to work with a diversity of individuals; work with data of different types and/or purposes; and, utilize job related equipment. In working with others, problem solving is required to analyze issues, create plans of action and reach solutions; with data it is moderate to significant; and, with equipment it is limited to moderate. Specific abilities required to satisfactorily perform the functions of the job include: adapting to changing work priorities; communicating with diverse groups; meeting deadlines and schedules; setting priorities; working as part of a team; working with minimal supervision; working with constant interruptions; and, working with detailed information/data.

CLASSIFIED PERSONNEL

4216.3-66.4

PLANNING FINANCE TECHNICIAN

DRAFT 2/19/2009 Board Meeting

Responsibility

Responsibilities include: working under limited supervision; directing other persons within a department, large work unit and/or across several small work units; and, operating within a defined budget and/or financial guidelines. Utilization of resources from other work units is sometimes required to perform the job's functions. There is a continual opportunity to impact the Organization's services.

Working Conditions

The usual and customary methods of performing the job's functions requires the following physical demands: some lifting, carrying, pushing and/or pulling; some climbing and balancing; some stooping, kneeling, crouching and/or crawling; significant reaching, handling, fingering and/or feeling. Generally the job requires 85% sitting, 10% walking and 5% standing. The job is performed under minimal temperature variations, in a generally hazard free environment, and in a clean atmosphere.

Education

High School Diploma or equivalent supplemented by college-level courses in bookkeeping and accounting.

Experience

Three years of increasingly responsible experience in financial or statistical recordkeeping. Experience with construction project accounting and/or Mello-Roos or other public sector accounting systems is preferred but is not required.

Required Testing

None Specified

Certificates and Licenses

None Specified

Continuing Education/Training

None Specified

Other Requirements

Criminal Justice/Fingerprint Clearance; TB Clearance