



Santee School District

SCHOOLS:

Cajon Park
Carlton Hills
Carlton Oaks
Chet F. Harritt
Hill Creek
Pepper Drive
PRIDE Academy
at Prospect Avenue
Rio Seco
Sycamore Canyon
Alternative
Success Program

Douglas E. Giles
Educational Resource Center
9619 Cuyamaca Street
Santee, California

**BOARD OF EDUCATION
REGULAR MEETING
AGENDA
September 1, 2009**

District Mission

Santee School District, supported by an involved community, an outstanding staff, and a shared vision, assures a quality education that supports students in achieving academic excellence and in developing life skills needed for success in a diverse and changing society.

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<i>Items listed under Consent are considered to be routine and are acted on by the Board with a single motion. There is no discussion of these items prior to the Board vote unless a member of the Board, staff, or public requests specific items be considered separately. Request to speak cards should be submitted in advance.</i>	

BOARD OF EDUCATION · Dan Bartholomew, Dustin Burns, Allen Carlisle, Dianne El-Hajj, Barbara Ryan
DISTRICT SUPERINTENDENT · Patrick Shaw, Ed.D.

9625 Cuyamaca Street · Santee, California 92071-2674 · (619) 258-2300 · www.santeeisd.net

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Superintendent	
1.1. <u>Approval of Minutes</u> It is recommended that the Board of Education approve meeting minutes with any necessary modifications.	12
Business Services	
2.1. <u>Approval/Ratification of Travel Requests</u> It is recommended that the Board of Education ratify the authorization granted to personnel requesting out-of-district travel as listed in the item.	27
2.2. <u>Approval/Ratification of Revolving Cash Report</u> It is recommended that the Board of Education approve of check #21757 on the \$15,000 Revolving Cash Account.	29
2.3. <u>Adoption of Resolution #0910-11 to Certify 2008-09 Gann Limit Appropriations Recalculation and an Estimated Limit for 2009-10.</u> It is recommended that the Board of Education adopt Resolution #0910-11 for the recalculation of appropriation limit and funds subject to the Gann Limit for the fiscal year 2008-09 and an estimate for 2009-10.	31
2.4. <u>Approval of Mandated Cost Contract with School Innovations and Advocacy</u> It is recommended that the Board of Education provide authorization to contract with School Innovations & Advocacy to coordinate, accumulate, and submit Mandated Cost claims.	34
Educational Services	
3.1 <u>Approval of 2010 Early Admittance to Kindergarten Program</u> It is recommended that the Board of Education approve the 2010 Early Admittance to Kindergarten Program.	35
3.2. <u>Adoption of Resolution #0910-09 Designating Personnel and Approval of 2009-10 Child Development Services Contract</u> It is recommended that the Board of Education adopt Res. #0910-09 designating personnel and approve the 2009-10 Child Development Services Contract.	36
Human Resources	
4.1. <u>Personnel, Regular</u> It is recommended that the Board of Education approve the listed personnel appointments, change of status, leave requests, resignations and dismissals.	41
E. DISCUSSION AND/OR ACTION ITEMS	44
<i>Members of the audience wishing to address the Board about any of the following items should submit a request to speak card in advance.</i>	
Superintendent	
1.1. <u>Learning Resource Centers/Library Media Centers: Technology Hardware and Wireless Infrastructure</u> Administration recommends the Board of Education approve the Superintendent's proposal to provide wireless infrastructure, 20 mobile (laptop) computers, a printer and a projection device, if necessary, for each school's "learning center" (LRC or Library Media Center).	45

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Business Services	
2.1. <u>Santee Site Update</u>	48
It is recommended that the Board of Education approve the extension to the Exclusive Negotiation Agreement by an additional 12 months and authorize administration to proceed with the State Board of Education waiver process.	
Educational Services	
3.1. <u>Approval of Expulsion and Rehabilitation Plan for Student # 11-08</u>	65
It is recommended that the Board of Education approve the Expulsion and Rehabilitation Plan for Student #11-08.	
F. BOARD POLICIES AND BYLAWS	
1. Second Reading:	68
1.1. <u>Board Policy 3511, Energy And Water Management</u>	
Board Policy 3511, Energy and Water Management, is presented to the Board of Education for a second reading. It is recommended that the Board of Education approve and adopt Board Policy 3511, Energy and Water Management.	
G. BOARD COMMUNICATION AND ORGANIZATIONAL BUSINESS	72
H. CLOSED SESSION	73
1. Conference with Legal Counsel – Anticipated Litigation	
<i>(Significant exposure to litigation pursuant to subdivision (b) of Gov't Code §54956.9)</i> <i>Two cases</i>	
2. Public Employee Discipline/Dismissal/Release (Govt. Code § 54957)	
3. Conference with Labor Negotiator (Govt. Code § 54956.8)	
<i>Purpose: Negotiations</i> <i>Agency Negotiator: Minnie Malin, Director of Human Resources</i> <i>Employee Organizations: Santee Administrators Association</i> <i>Santee Teachers Association</i> <i>California School Employees Association</i>	
I. RECONVENE TO PUBLIC SESSION	73
J. ADJOURNMENT	73

Please note: Per SB 343, the supporting documents for this meeting agenda are available in the lobby at the Santee School District Office, located at 9625 Cuyamaca St., Santee, CA 92071 and will be available for viewing at the meeting.

*The next regular meeting of the Board of Education is scheduled for
September 15, 2009, at 7:00 p.m.
in the Douglas E. Giles Educational Resource Center.*

Santee School District complies with the Americans with Disabilities Act. If you require reasonable accommodations including alternate formats for this meeting, contact the Superintendent's Office at (619) 258-2304 at least two (2) days before the meeting date.

Members present:

___ El-Hajj
___ Burns
___ Ryan
___ Carlisle
___ Bartholomew

Opening Procedures Item A.

OPEN SESSION 7:00 p.m.

1. Call to Order and Welcome – 7:00 p.m.

2. District Mission

Santee School District, supported by an involved community, an outstanding staff, and a shared vision, assures a quality education that supports students in achieving academic excellence and in developing life skills needed for success in a diverse and changing society.

3. Pledge of Allegiance

4. Approval of Agenda for the September 1, 2009 regular meeting

Agenda Item A.

Reports and Presentations Item B.1. Superintendent's Report
Prepared by Dr. Patrick Shaw
September 1, 2009

The following items are presented for Board information:

- 1.1. Developer Fees Collection Report
- 1.2. Schedule of Upcoming Events
- 1.3. Schedule of Back to School Nights

Agenda Item B.

DEVELOPER FEES COLLECTION REPORT

2009-10

CUMULATIVE THROUGH AUGUST 28, 2009

Residential Rate: \$3.35 per square foot over 500 - effective 4/21/09

Commercial Rate: \$.29 per square foot - effective 6/16/08

Self Storage Rate: \$.16 per square foot - effective 6/16/08

COM	RES	ADDRESS	DATE OF COLLECT.	SQUARE FEET	AMOUNT	SCHOOL OF ATTENDANCE
X		9735 HALBERNS BLVD. (CARLTON HILLS EVANGELICAL LUTHERAN CHURCH)	07/20/09	192	\$0.00	
X		1840 JOE CROSSIN DRIVE	07/24/09	2,938	\$852.02	PD
TOTAL PAGE 1					\$852.02	
TOTAL COLLECTED AS OF AUGUST 28, 2008					\$12,746.07	

*Additional square footage (total is over 500 square feet)
 **Fee Exempt - Senior / Elder Care Facility
 ***Fee Exempt - Less than 500 square feet

Schedule of Events

<i>Date</i>	<i>Event</i>
September 4	Districtwide Teacher Furlough Day
September 7	Labor Day Observance District Offices Closed
September 8	First day of school for students for the 2009-10 school year
September 15	Board Meeting 7:00 p.m.
September 17	Building Dedication and Open House at Carlton Oaks School
September 22	Building Dedication and Open House at Rio Seco School
September 24	Building Dedication and Open House at Carlton Hills School
October 6	Board Meeting 7:00 p.m.
October 20	Board Meeting 7:00 p.m.
November 3	Board Meeting 7:00 p.m.
November 11	Veterans' Day Schools and District Offices Closed
November 17	Board Meeting 7:00 p.m.
November 25-27	November 25-Holiday in Lieu of Admissions Day November 26-Thanksgiving Day November 27-Local Holiday Schools and District Offices Closed

**SANTEE SCHOOL DISTRICT
2009-10
BACK TO SCHOOL NIGHTS**

School	Date	Event	Time
Cajon Park	September 23	Grades 1-3 Back To School Night	6:00 – 7:00 p.m.
	September 24	Grades 4-6 Back To School Night	6:00 – 7:00 p.m.
	September 22	Kindergarten Back To School Night	6:00 – 7:00 p.m.
Cajon Park JH	September 16	Junior High Back To School Night	6:00 – 7:30 p.m.
Carlton Hills	September 24	Junior High Building Dediction	6:00 p.m.
		K-8 Back To School Night	6:30 - 7:30 p.m.
Carlton Oaks	September 17	Junior High Building Dediction	6:00 p.m.
		K-8 Open House	6:30 - 7:30 p.m.
Chet F. Harritt	September 24	K-5 Back to School Night	5:30 - 7:00 p.m.
	September 23	Middle School Back to School Night for Parents	5:30 - 7:00 p.m.
Hill Creek	September 30	K-6 Back to School Night	6:30 – 7:30 p.m.
	September 1	7-8 Back to School Night	6:30 – 7:30 p.m.
Pepper Drive	September 10	Middle School Open House	5:30 – 6:30 p.m.
	September 22	K-5 Back to School Night	5:30 – 6:30 p.m.
Prospect Avenue	November 12	1 st – 2 nd Grade Curriculum Night	K-6 th Grades
	November 10	3 rd & 4 th Grades Curriculum Night	6:00 – 7:00 p.m.
	November 3	5 th & 6 th Grades Curriculum Night	Junior High
	November 5	Junior High Curriculum Night	6:00 – 7:00 p.m.
Rio Seco	September 22	Junior High Building Dedication	6:00 p.m.
		K-8 Back to School Night	6:30 – 7:30 p.m.
Sycamore Canyon	TBD		

Times and dates are tentative and subject to change. Confirmed dates will be included in the Board packet on September 15th.
8/28/09

Reports and Presentations Item B.2.

Spotlight on Learning – Tammy Rees,
Extended School Year Administrative Intern

Prepared by Emily Andrade
September 1, 2009

BACKGROUND:

Tonight the Board of Education would like to acknowledge Tammy Rees for her outstanding work during the 2009 Extended Year Summer School Program where she volunteered her time to serve as an Administrative Intern and assumed the responsibilities of the principal.

Tammy was professional, sensitive, kind and welcoming and earned the respect of staff and students. She assisted in placement of students, assignment of classrooms, and the development of the daily schedule. She was on site daily, and skillfully and independently resolved instructional, disciplinary and managerial concerns that arose.

Tammy was a tremendous asset to our program. We could be assured that when she was on campus, the students would be learning in a safe, positive and meaningful environment.

It is our pleasure to honor Tammy this evening. We are truly privileged to have Tammy Rees as a teacher leader in the Santee School District.

Agenda Item B.2.

PUBLIC COMMUNICATION Item C.

During Public Communication, citizens are invited to address the Board of Education about any item not on the agenda. Request-to-speak cards should be submitted in advance. The Board may not take action on any item presented. The Board has a policy limiting any speaker to five minutes. Meetings are tape recorded.

Agenda Item C.

CONSENT ITEMS Item D.

Items listed under Consent are considered to be routine and are acted on by the Board with a single motion. There is no Board discussion of these items prior to the vote unless a member of the Board, staff, or public requests specific items be considered separately. Citizens are invited at this time to address the Board about any item listed under Consent.

Consent Item D.1.1. Approval of Minutes
Prepared by Dr. Patrick Shaw
September 1, 2009

BACKGROUND:

Presented for Board approval –

- August 18, 2009, regular meeting minutes
- June 22, 2009, special meeting minutes (1)
- June 22, 2009, special meeting minutes (2)
- June 23, 2009, special meeting minutes
- June 29, 2009, special meeting minutes
- August 4, 2009, special meeting minutes

RECOMMENDATION:

It is recommended that the Board of Education approve the attached minutes with any necessary modifications.

Motion:		Second:		Vote:		Item D.1.1.
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**SANTEE SCHOOL DISTRICT
REGULAR MEETING
OF THE BOARD OF EDUCATION**

August 18, 2009
MINUTES

Douglas E. Giles
Educational Resource Center
9619 Cuyamaca Street
Santee, California

A. OPENING PROCEDURES

1. Call to Order and Welcome

President El-Hajj called the meeting to order at 7:08 p.m. and read the District Mission Statement.

Members present:

Dianne ElHajj, President
Dustin Burns, Vice President
Barbara Ryan, Clerk
Dan Bartholomew, Member

Members absent:

Allen Carlisle, Member

Administration present:

Dr. Patrick Shaw, Superintendent and Secretary to the Board
Karl Christensen, Assistant Superintendent, Business Services
Emily Andrade, Assistant Superintendent, Educational Services
Minnie Malin, Director, Human Resources
Linda Vail, Executive Assistant and Recording Secretary

2. President El-Hajj invited Mrs. Dawn Minutelli, Vice Principal at Chet F. Harritt, to lead the members, staff and audience in the Pledge of Allegiance.

3. Approval of Agenda

It was moved and seconded to approve the agenda moving Consent Items D.4.6. and D.5.5. to Discussion and/or Action under the Superintendent's items.

Motion: **Ryan** **Second:** **Bartholomew** **Vote:** **4-0**

B. REPORTS AND PRESENTATIONS

1. **Superintendent's Report**

- 1.1. Developer Fees Collection Report
1.2. Use of Facilities Report
1.3. Schedule of Upcoming Events

2. **A Field Trip Into the Santee Community**

Dr. Shaw reported the Professional Leadership Team met for team building and went out to meet and greet the community. The team was divided into five families and each family visited eight community sites, which included two district sites. The community businesses and agencies were selected based on their partnerships with schools and with the District. Each family returned and created a video presentation about their visits. Dr. Shaw showed a compilation video of the community visits.

3. **Report on STAR 2009 Academic Achievement Results**

Emily Andrade and Kristin Baranski shared some of the data from CDE from the results of the STAR testing. They reported many increases in proficiency in Language Arts and Mathematics. Mrs. Andrade acknowledged the great work that teachers are doing and their dedication to helping students be successful.

She reminded the Board these are projections only and the actuals will be arrive in early September. In preliminary projections of APIs, it appears that seven schools may have increased their API by 10 points or greater.

Member Burns would like to consider a day of celebration for the hard work of all employees. Member Ryan agreed and was pleased to see individual classes and grades exceeding 900.

C. PUBLIC COMMUNICATION

President El-Hajj invited members of the audience to address the Board about any item not on the agenda. *There were no public comments.*

D. CONSENT ITEMS

Items listed under Consent are considered to be routine and are all acted on by the Board with one single motion. President El-Hajj invited comments from the public on any item listed under Consent.

- 1.1. **Approval of Minutes**
2.1. **Approval/Ratification of Travel Requests**
2.2. **Approval/Ratification of Expenditure Warrants**
2.3. **Approval/Ratification of Purchase Orders**
2.4. **Acceptance of Donations**

- 2.5. Approval/Ratification of Revolving Cash Report
- 2.6. Approval of On-Site Resident Agreements
- 2.7. Approval of Regional Communications System (RCS) Agreement for Radio Communication Services
- 2.8. Approval of Security Contract Agreement with Santee SD Security
- 2.9. Adoption of Resolutions Authorizing Specific Designated Agents
- 3.1. Approval/Ratification of Change Order #3 with Lightfoot Engineering Consultants for the Chet F. Harritt Ball Field Project
- 3.2. Approval of Contract Increase and Extension with School Facility Consultants
- 3.3. Approval of Services with GEM Industrial for Switchgear Enclosure at Prospect Avenue School
- 3.4. Approval/Ratification of Amendment No. 1 to Amendment #11 (Hill Creek School) Reflecting Changes to Schedule and Scope of Work
- 4.1. Acceptance of 2008-09 School Program Services Year End Report
- 4.2. Approval of Readmission of Expelled Students
- 4.3. Approval of 2009-10 Student Teaching Agreement with San Diego State University
- 4.4. *Pulled for separate consideration.*
- 4.5. Approval of Contracts for Nonpublic, Nonsectarian School/Agency Services and Individual Services Agreements for Nonpublic, Nonsectarian School/Agency Services
- 4.6. *Moved to Discussion and/or Action*
- 5.1. Personnel, Regular
- 5.2. *Pulled for separate consideration.*
- 5.3. Approval to Increase Work Year for Identified Classified Position
- 5.4. Approval of New Job Descriptions for Director II, Educational Services and Director I, Curriculum Instruction & Assessment
- 5.5. *Moved to Discussion and/or Action*

It was moved and seconded to approve Consent Items with the exception of D.4.4. and D.5.2., which were pulled for separate consideration.

Motion: Bartholomew **Second:** Burns **Vote:** 4-0

- 4.4. YMCA "Learn to Swim" Program and Approval of Memorandum of Understanding (Pulled for separate consideration by Member Ryan.)

Member Ryan reported the Board Members received a letter inquiring about the appropriateness of the third graders receiving swim lessons and suggesting children need swim lessons at an earlier age. She asked the Superintendent to investigate the age appropriateness. Dr. Shaw said working with younger students requires more teachers (adult to children ratio) and the supervision is greater. Emily Andrade said she spoke with the YMCA and their rationale for inviting the 3rd graders was they had a longer attention span and can change by themselves. Those that know how to swim can increase their skills. Member Ryan said the letter also expressed concern about resource times missed.

Motion: Ryan **Second:** Burns **Vote:** 4-0

- 5.2. Approval to Increase Salary for Director of Maintenance, Operations & Facilities Position (Pulled for separate consideration by Member Burns.)

Member Burns said he supports the salary increase but wanted to state that although we are in difficult financial times, Santee was not competitive to recruit quality persons for this positions and a savings has been realized because of the interim placement.

Motion: Burns **Second:** Ryan **Vote:** 4-0

E. DISCUSSION AND/OR ACTION ITEMS

President El-Hajj invited comments from the public on any item listed under Discussion and/or Action.

- 4.6. Educational Services Department Restructuring
- 5.4. Approval of Appointment to Director II, Educational Services and Director I, Curriculum, Instruction & Assessment Positions

Dr. Shaw reported that during the budget restraints, there should be great consideration before filling any position that becomes vacant. With Mrs. Andrade's retirement, the Superintendent is recommending not filling the Assistant Superintendent position and placing Kristin Baranski as an interim into the new position of Director II. Stephanie Pierce would then be appointed into the new Director 1 position, continuing her current responsibilities and absorbing additional responsibilities. This change in the Educational Services administrative structure will realize a savings this year of \$87,000. Administration will observe over the next year to see if it is manageable. If it is manageable, the savings could be approximately \$128,000 the following year. This is not the ideal but Dr. Shaw believes it is necessary at this time. Mrs. Andrade will be returning as a consultant and assisting with specialized projects next year.

Member Ryan said is it difficult for her to approve any reductions in the ERC. She appreciates the thoughtful analysis of Dr. Shaw and knows that it will save money that is necessary at this time. Member Ryan moved to approve Items D.4.6. and D.5.5. to restructure the Educational Services Department and approve the appointment of Kristin Baranski to the Director II, Educational Services position and Stephanie Pierce to the Director I, Curriculum, Instruction & Assessment position.

Motion: Ryan **Second:** Burns **Vote:** 4-0

1.1. Dedication of New 10-Classroom Buildings at Carlton Hills, Carlton Oaks, and Rio Seco

Dr. Shaw reported he met with the three Principals to discuss the dedication ceremonies. The Principals wanted to speak with their staffs to determine if they wanted to provide an open house and/or back to school nights on the evening of their building dedications. Dr. Shaw said Principals suggested one of their junior high students speak. Dr. Shaw asked the Board to provide direction to prepare the invitation list and the ceremony program.

Board members asked to insure Barnhart representatives are invited but in order to keep the program short, they will not be invited to speak. They suggested using the same list from the previous dedication and include the dates of all three dedications on the invitation. Guests could either attend all of the ceremonies or select their preferences. Board members would like Linda to provide a list of those that should be recognized and issue a press release.

1.2. Learning Resource Centers/Library Media Centers: Technology Hardware and Wireless Infrastructure

Dr. Shaw said even during challenging times he seeks opportunities. In the original plan for modernization, each school would receive a new Learning Resource Center (LRC). Since construction has been forced to be slowed down, we still have the opportunity to help the schools that have LRCs and schools that still have library / media centers by purchasing 20 laptops, a projector, and printers, and provide each school with wireless infrastructure. When the remaining schools are modernized, the wireless can be removed and then replaced. Mr. Yeo said the wireless is intended as a retrofit item. Dr. Shaw believes by using \$150,000 from the BAN proceeds, seeking additional donations, and collaboration with the school sites, it can be done. If the Board wishes to move forward with this opportunity, Dr. Shaw will return on September 1 with a plan of how this initiative will be funded and donations the District would be receiving.

Member Burns would like to have the student achievement impact included. Member Ryan moved to approve using \$150,000 of the BAN funds to provide wireless infrastructure, mobile computers, a printer, and a projection device (if needed) to each school's LRC or Library Media Center.

Member Bartholomew asked if these items are within the constraints of the Bond language. Karl Christensen said technology, computers, and technology hardware are mentioned in the Bond language. President El-Hajj said the information was mentioned at the ICOC meeting but not agendized or discussed. Christina Becker said \$75,000 was always in the budget for wireless at each school and for library shelving. Using these dollars for technology will still allow the District to move forward with the other initiatives as well.

Member Burns suggested looking at the technology Board Policy to make sure that our security policies are up to date.

Motion: Ryan **Second:** Bartholomew **Vote:** 4-0

2.1. State Budget Update

Karl Christensen reported on the State budget revisions, effects on the Santee School District budget, a review of the budget reductions already in place, the cash flow, and considerations of next steps. The State implemented \$24 Billion in budget "solutions". Most of their solutions were one-time savings and don't address the long term budget imbalance. The effects to Santee are, absent any Board action to reduce expenditures, there will be a projected deficit of approximately \$7M and the District would receive a qualified certification from the County. With the loss of COLAs, there is extreme pressure on the budget for the normal increases for next year, such as step and class and increased costs. He shared the ADA funding for 2009-10 will recede back to the same funding as in 2004-05,

dropping by approximately \$1,000 per student. Mr. Christensen recommends using \$450,000 from the BAN funds to pay the COPs, which will relieve the general fund.

In 2009-10 we need to make reductions to save toward the \$4.5M deficit in 2010-11 He has contacted the County about getting a County Treasury loan to cover the cash flow deficit at the end of next year. Considerations for next steps include being mindful of cash reserves, reduce expenses in 2009-10, use BAN funds for the COPs payment, freeze vacant positions whenever possible, consider retirement incentives, and create a plan addressing the shortfalls for the County Office,

Member Ryan believes that any plan is just guessing and although a plan will be in place, it could change. The Board needs to be prepared but the message tempered. Member Bartholomew asked if efficiencies, such as transportation, are being studied to reduce costs because negotiated items are uncertain. Dr. Shaw said a plan is being put into place to address transportation in conjunction with special education but must be implemented over time. Member Bartholomew said programs and efficiency gains that impact facilities and program cannot make up the entire savings because salaries are the greatest portion of our expenses. Potential is different from where we have been in the past.

Dr. Shaw said Administration is working to develop a plan to bring to the Board in September. Although it doesn't feel good, it is the reality. He stated that 85% of the District's budget is in salaries and Administration is still negotiating with the associations.

Member Burns asked if Dr. Shaw could provide the Board with the recommendations with time to allow review and consideration. Dr. Shaw said the information could be available sooner than the Board agenda or a workshop could be scheduled if needed to provide plenty of time for discussion during a meeting.

3.1. Chet F. Harritt (Library Resource Center / Multipurpose) and Pepper Drive (Library Resource Center / Administration) Design Options

Karl Christensen reported Administration is returning with two design concepts for Chet F. Harritt and Pepper Drive. Christina Becker introduced the Tritipo staff to the Board. She share the new design for Chet F. Harritt would provide a LRC in the current media center room and construction of a multipurpose building at the north east side of the campus. With the natural elevations, an open air stage could also be built into the design of the multipurpose building. Principal Andy Johnston reported that Chet F. Harrit staff plans to move the primary classes to the southeast building wing and intermediate to the north wing.

President El-Hajj asked if the multipurpose room could qualify for joint use funds. Mrs. Becker is hopeful in 2010 the State will support joint use once again and funds might become available. She would love to get direction to move forward to submit for funds in 2010 but is uncertain of the rules they will use.

The Pepper Drive design incorporates the LRC at the back of the Administration building.

There was Board consensus for the design concepts presented. The Board also directed Mrs. Becker to move forward to prepare for joint use funds when they become available. Based on this, Administration will move forward with the design concepts and return to the Board for approval of the final plans.

F. BOARD POLICIES AND BYLAWS

1. First Reading

1.1. Board Policy 3511, Energy And Water Management

Board Policy 3511, Energy and Water Management was presented to the Board of Education for a first reading. No action was taken and the new BP 3511 will return to the Board on September 1, 2009 for a second reading and request for adoption.

2. Second Reading

2.1. Revised Board Policy 5131.2, Possession of Cellular Phones and Other Personal Signaling Devices

Revised Board Policy 5131.2, Possession of Cellular Phones and Other Personal Signaling Devices, was presented to the Board for a second reading. Member Burns said he approved of the way it was rewritten but believes there will be concerns brought to the Board in the future. He requested the principals be extremely clear on where their "phone zone" is. Member Burns moved to approve revised BP 5131.2.

Motion: Burns Second: Ryan Vote: 4-0

G. BOARD COMMUNICATION

Board members requested to have the budget materials for consideration at least one week prior to the September 15th meeting.

Member Ryan said she was promoted by the readmission item to know if the Board could require drug testing be continued when a student's rehabilitation plan has been completed. Mrs. Andrade said it would have to be in the plan as part of the condition for readmission.

Board members would like to plan an official welcome and an opportunity for the community to meet and greet Dr. Shaw. President El-Hajj suggested hosting a Chamber mixer and inviting additional guests. Member Ryan will contact the Chamber to schedule a date.

Member Burns shared he was impressed with the way Professional Leadership Team meeting was put together and was also impressed with the Professional Leadership Team. The Board has high expectations for administration and appreciate the positive and energetic attitudes they bring to the opening of the school year.

Member Bartholomew said all employees are beginning to connect and get ready for the new year. He appreciates their excitement.

All Board members will plan to attend the Special Education parent meeting in September. Linda will post the meeting as a special meeting. Mrs. Andrade shared Administration will be inviting the parents who attended the initial meeting and the Special Education Advisory Committee.

Mr. Christenson reported he will bring an action item to the special meeting on August 25th that must be Board approved by August 25th.

H. **CLOSED SESSION**

President El-Hajj announced that the Board would meet in closed session for:

1. Public Employee Discipline/Dismissal/Release (Govt. Code § 54957)
2. Public Employee Performance Evaluation (Govt. Code § 54957)
Superintendent

The Board entered closed session at 9:10 p.m.

J. **RECONVENE TO PUBLIC SESSION**

The Board reconvened to public session at 10:15 p.m. No action was reported.

K. **ADJOURNMENT**

The August 18, 2009 regular meeting adjourned at 10:16 p.m.

SANTEE SCHOOL DISTRICT
SPECIAL MEETING OF THE BOARD OF EDUCATION

Douglas E. Giles Educational Resource Center
9619 Cuyamaca Street
Santee, California

MINUTES
June 22, 2009

A. CALL TO ORDER

The meeting was called to order at 6:00 p.m. by President El-Hajj.

Members present:

Dianne El-Hajj, President
Dustin Burns, Vice President
Barbara Ryan, Clerk
Dan Bartholomew, Member

B. PUBLIC COMMUNICATION

There were no comments from the public.

C. CLOSED SESSION

1. Consideration of Student Matters (Ed. Code S48918) Student #10-08

The Board entered Closed Session at 6:00 p.m. for a student discipline hearing for student #10-08. Oral and documentary evidence were received. President El-Hajj announced that the Board members would deliberate and all other persons were asked to leave the room.

D. RECONVENE TO OPEN SESSION

The Board reconvened to open session at 7:25 p.m.

1. Action on Student Hearing

It was motioned by Member Ryan to expel student #10-08 from the Santee School District from June 22, 2009 to December 4, 2009 for violations of California Education Code Sections 48900 §48900 (j) Possessed, offered, arranged, or negotiated to sell drug paraphernalia as defined in the Health and Safety Code, and §48900 (k) Disrupted school activities or otherwise willfully defied the valid authority of school personnel, and Santee School District Board Policies 5144.1: Pupil Discipline: Suspension and Expulsion 5144.4: Administrative Review, and related Administrative Regulations.

This action is based on the following Findings of Fact in accordance with California Education Code §48900.2. The specific Findings of Fact are:

- *Education Code Section 48915(b)(1) Other means of correction are not feasible or have repeatedly failed to bring about proper conduct. The facts that support this conclusion are: Student #10-08 has attended several behavioral assemblies, signed the Zero Tolerance Policy, and has received individual counseling with the vice principal.*
- *Education Code Section 48915(b)(2) Due to the nature of the act, the presence of the pupil causes a continuing danger to the physical safety of the pupil or others. The facts that support this conclusion are: Student #10-08 has violated two education codes which have significantly endangered the safety of self and others on a school campus.*

The expulsion shall be immediately suspended herewith, and the student shall complete the following elements in a Rehabilitation Plan. The student shall:

- Remain at the Santee Success Program at least through the first trimester of the 2009-2010 school year.
- Maintain 2.0 GPA for academic, effort, and citizenship performance.
- Receive no new suspensions.
- Attend school regularly with no unexcused absences or tardies.
- Adhere to a student behavior plan developed by school administration.
- Complete a counseling program by December 4, 2009, for decision-making and peer pressure, and drug and alcohol abuse prevention/treatment. If the student does not attend counseling regularly, parent shall immediately notify the school administration.
- Remain free of illegal substances and participate in a weekly drug testing program beginning July 1, 2009.
- Complete all elements of this Rehabilitation Plan by December 4, 2009, and present documentation to verify completion.

It is recommended that the student's parent(s) complete parenting classes.

The parent must meet with the Coordinator of Student Behavior by June 29, 2009, to review and sign the Rehabilitation Plan. If the parent fails to meet within the designated time and/or does not sign the Rehabilitation Plan, the student may be expelled without further Board action. Upon satisfactory completion of all activities in the Rehabilitation Plan, the Board will consider expunging the student record of this expulsion order.

Motion: Ryan

Second: Bartholomew

Vote: 4-0 (Carlisle, absent)

E. ADJOURNMENT

The June 22, 2009 special meeting adjourned 7:30 p.m.

SANTEE SCHOOL DISTRICT
SPECIAL MEETING
OF THE BOARD OF EDUCATION

MINUTES
June 22, 2009

Douglas E. Giles
Educational Resource Center
9619 Cuyamaca Street
Santee, California

A. OPENING PROCEDURES

1. Call to Order and Welcome
President El-Hajj called the meeting to order at 7:28 p.m.
Members present:
Dianne El-Hajj, President
Dustin Burns, Vice President
Barbara Ryan, Clerk
Dan Bartholomew, Member
Members absent:
Allen Carlisle, Member
Staff present:
Dr. Pat Shaw, Incoming Superintendent
Karl Christensen, Assistant Superintendent, Business Services
Emily Andrade, Assistant Superintendent, Educational Services
Linda Vail, Executive Assistant and Recording Secretary

B. APPROVAL OF AGENDA

Member Ryan moved to approve the agenda.

Motion: Ryan

Second: Burns

Vote: 4-0

C. PUBLIC COMMUNICATION

There was no public communication.

D. DISCUSSION AND/OR ACTION ITEMS

I. Capital Improvement Program

a. Adoption of Resolution #0809-57 to Suspend Construction

Karl Christensen reported that the District is eligible for over \$30M in State school construction funds and is awaiting the unfreezing of the appropriations. The State funding freeze has impeded the District's ability to move forward with Phase II construction. It is the intent of the District to continue with Phase II and III modernization work as planned as soon the State fulfills their obligation to us. The resolution being presented for adoption will authorize suspending the work until that time. The work is being temporarily suspended, not stopped.

The District anticipates receiving \$11M through Bond Anticipation Notes (BAN) and with those dollars will be able to complete Phase I. The remaining \$2M to \$2.5M could be used to begin infrastructure work at Phase II schools. Administration requested the Board adopt Resolution #0809-57 to suspend construction and requested the Board provide direction on priority order of Phase II schools for the infrastructure upgrades as funding comes available.

Member Burns said it is important to try to take full advantage of the summer window to upgrade infrastructure as dollars come available. Missing the window could create a longer delay in modernizing the schools. Member Burns asked Mr. Christensen when the District would receive the BAN funds. Mr. Christensen said once the BAN closes, the funding should arrive by the middle of July. When the dollars arrive, Barnhart is geared to begin the infrastructure right away.

President El-Hajj asked why the resolution refers to Phase 4 construction. Mr. Christensen said the work is referred to by phases in the lease lease-back document, but their references are different than the phases we have designated for our construction schedule.

Member Ryan moved to adopt Resolution #0809-57 to suspend construction and authorize the Assistant Superintendent, Business Services, to negotiate with Barnhart and modify Amendments to redefine the

scope of work, guaranteed maximum price, and develop a plan to continue the project as funds become available. An addendum to this motion is that the Board is committed to complete modernization.

Motion: Ryan

Second: Burns

Vote: 4-0 (Carlisle, absent)

The Board discussed the priority of the infrastructure projects if funds become available during the construction window and asked if administration had a recommendation. Mr. Christensen said materials have already been purchased for Prospect Avenue so it may be a consideration for first priority. Board members also mentioned that the infrastructure must be installed prior to developing the ball fields at Chet F. Harritt. Board members also wish to show the City committed progress on the ball fields to assure the grant funding will not be lost.

Member Ryan asked administration to check with the developer of the Santee School site and where we are in line for State money. Mr. Christensen said applications that are in the queue have not been approved yet. Eric Hall recently reported our applications have been moved from the July SAB hearing and will be heard at a later date. Member Ryan believes we may be able to get assistance from Assemblymember Anderson and/or Senator Hollingsworth. The District may wish to request letters from the legislators.

Member Bartholomew asked if the requirements from the City for the ball fields were clear. Installing the infrastructure could fulfill a part or all of the requirements. President El-Hajj said if we complete the infrastructure upgrade at Chet F. Harritt it would show progress. Mr. Christensen said administration recently met with the City Manager to discuss this issue and he was very concerned not to be able to show the project was completed so progress may not be enough. The Board would like administration to check with the City Manager to see if the infrastructure would show enough progress toward completing the project to keep the funding. Dr. Shaw will contact Keith Till to ask about the progress requirements and the funding.

Member Bartholomew asked if there are storage costs involved for materials while construction is suspended. Mr. Christensen is not certain and will inform the Board after investigating.

Member Burns said he would like to see the priority order be Prospect Avenue, Chet F. Harritt, and Hill Creek in that order. If the City wants the grant dollars returned, he would move Hill Creek up to the second position.

Member Bartholomew moved to set the priority order for Phase II schools to receive infrastructure upgrades as 1) Prospect Avenue and 2) Chet F. Harritt (to preserve the grant funds) as funding becomes available. Should Chet F. Harritt not be feasible to retain the City grant funds, administration must return to the Board for further direction.

Motion: Bartholomew

Second: Ryan

Vote: 4-0 (Carlisle, absent)

E. CLOSED SESSION

Closes session was cancelled.

1. Public Employee Discipline/Dismissal/Release (Govt. Code § 54957)

F. RECONVENE TO PUBLIC SESSION

G. ADJOURNMENT

The June 22, 2009 special meeting was adjourned at 8:40 p.m.

Barbara Ryan, Clerk

Dr. Patrick Shaw, Secretary

SANTEE SCHOOL DISTRICT
SPECIAL MEETING OF THE BOARD OF EDUCATION

Douglas E. Giles Educational Resource Center
9619 Cuyamaca Street
Santee, California

MINUTES
June 23, 2009

A. CALL TO ORDER

The meeting was called to order at 6:30 p.m. by President El-Hajj.

Members present:

Dianne El-Hajj, President
Dustin Burns, Vice President
Barbara Ryan, Clerk
Allen Carlisle
Dan Bartholomew, Member

B. PUBLIC COMMUNICATION

There were no comments from the public.

C. CLOSED SESSION

1. Consideration of Student Matters (Ed. Code S48918) Student #11-08, #12-08, and #13-08

The Board entered Closed Session at 6:00 p.m. for a student discipline hearing for students #12-08 and #13-08. Oral and documentary evidence were received. President El-Hajj announced that the Board members would deliberate and all other persons were asked to leave the room.

The scheduled hearing for student #11-08 was postponed.

D. RECONVENE TO OPEN SESSION

The Board reconvened to open session at 8:25 p.m.

1. Action on Student Hearings

It was motioned by Member Burns to expel student #12-08 from the Santee School District from June 23, 2009 to August 15, 2009 for violations of California Education Code Sections §48900 (c) Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind, and §48900 (k) Disrupted school activities or otherwise willfully defied the valid authority of school personnel engaged in the performance of their duties, and Santee School District Board Policies 5144.1: Pupil Discipline: Suspension and Expulsion 5144.4: Administrative Review, and related Administrative Regulations.

This action is based on the following Findings of Fact in accordance with California Education Code §48900.2. The specific Findings of Fact are:

- *Education Code Section 48915(b)(1) Other means of correction are not feasible or have repeatedly failed to bring about proper conduct. The facts that support this conclusion are: Student #12-08 has attended several behavioral assemblies, signed the Zero Tolerance Policy, had individual counseling with the vice principal, received 7 days out of school suspension, 2 days in-school suspensions, and had 2 lunch detentions for violation of education codes this year.*
- *Education Code Section 48915(b)(2) Due to the nature of the act, the presence of the pupil causes a continuing danger to the physical safety of the pupil or others. The facts that support this conclusion are: Student # 12-08 threatened to cut a student's backpack and hair, had two occasions of physical aggression, was in possession of a dangerous object on campus and most recently was in possession of marijuana at school.*

The expulsion shall be immediately suspended herewith, and the student shall complete the following elements in a Rehabilitation Plan: the student shall:

- Complete a counseling program by August 15, 2009, for decision-making and peer pressure, and drug and alcohol abuse prevention/treatment
- Remain free of illegal substances and participate in a weekly drug testing program.
- Perform 10 hours of community service by August 15, 2009.
- Complete all elements of this Rehabilitation Plan by August 15, 2009 and present documentation to verify completion.

The parent must meet with the Coordinator of Student Behavior by June 30, 2009, to review and sign the Rehabilitation Plan. If the parent fails to meet within the designated time and/or does not sign the Rehabilitation Plan, the student may be expelled without further Board action. Upon satisfactory completion of all activities in the Rehabilitation Plan, the student record will be expunged of this expulsion order.

Motion: Burns

Second: Bartholomew

Vote: 5-0

It was motioned by Member Ryan to expel student #13-08 from the Santee School District from June 23, 2009 to August 15, 2009 for violations of California Education Code Sections §48900 (c) Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind, and §48900 (h) Use of tobacco or possession of tobacco on school property, and §48900 (k) Disrupted school activities or otherwise willfully defied the valid authority of school personnel engaged in the performance of their duties, and Santee School District Board Policies 5144.1: Pupil Discipline: Suspension and Expulsion 5144.4: Administrative Review, and related Administrative Regulations.

This action is based on the following Findings of Fact in accordance with California Education Code §48900.2. The specific Findings of Fact are:

- *Education Code Section 48915(b)(1) Other means of correction are not feasible or have repeatedly failed to bring about proper conduct. The facts that support this conclusion are: Student #13-08 has attended several behavior assemblies reviewing school rules, signed the Zero Tolerance Policy, had individual counseling with the vice principal, attended Camp Clue, a character education program focused on making positive choices, and has been offered before and after school intervention programs.*
- *Education Code Section 48915(b)(2) Due to the nature of the act, the presence of the pupil causes a continuing danger to the physical safety of the pupil or others. The facts that support this conclusion are: Student #13-08 has violated two education codes which have significantly endangered the safety of self and others on a school campus.*

The expulsion shall be immediately suspended herewith, and the student shall complete the following elements in a Rehabilitation Plan. The student shall:

- Complete 10 hours of community service by August 15, 2009,
- Complete a counseling program by August 15, 2009, for decision-making and peer pressure, and drug and alcohol abuse prevention/treatment,
- Remain free of illegal substances and participate in a drug testing program, and
- Complete all elements of this Rehabilitation Plan by August 15, 2009 and present documentation to verify completion.

The parent must meet with the Coordinator of Student Behavior by June 30, 2009, to review and sign the Rehabilitation Plan. If the parent fails to meet within the designated time and/or does not sign the Rehabilitation Plan, the student may be expelled without further Board action. Upon satisfactory completion of all activities in the Rehabilitation Plan, the student record will be expunged of this expulsion order.

Motion: Ryan

Second: Carlisle

Vote: 5-0

E. ADJOURNMENT

The June 23, 2009 special meeting adjourned 8:56 p.m.

SANTEE SCHOOL DISTRICT
SPECIAL MEETING
OF THE BOARD OF EDUCATION

June 29, 2009
MINUTES

Douglas E. Giles
Educational Resource Center
9619 Cuyamaca Street
Santee, California

A. OPENING PROCEDURES

1. Call to Order and Welcome
President El-Hajj called the meeting to order at 6:07 p.m.
Members present:
Dianne El-Hajj, President
Dustin Burns, Vice President
Barbara Ryan, Clerk
Allen Carlisle, Member
Dan Bartholomew, Member
2. District Mission
3. Pledge of Allegiance
The Pledge of Allegiance was led by Dianne El-Hajj.

B. APPROVAL OF AGENDA

Motion: Ryan Second: Carlisle Vote: 5-0

C. PUBLIC COMMUNICATION

There were no comments from the public.

D. PUBLIC HEARING

1. 2009-10 Santee School District Budget

President El-Hajj opened the public hearing for the adoption of the Santee School District Budget. Allwyn Gazi, president of STA, asked if the budget could be made available prior to the meeting in the future.

E. BUDGET WORKSHOP

1. Budget Review

- a. **Projected Budgets for 2009-10, 2010-11, and 2011-12**
- b. **Budget Reductions for 2009-10**
- c. **Budget Advisory Committee Recommendations**

Karl Christensen provided a review of the District's 3-year projected budget. Tonight was for information purposes and administration will return in a Board workshop, maybe in August, with an analysis and an action plan. He reported the County directed us to resubmit the budget for adoption with accounting changes developed from the flexibility that is now being provided in categorical funding. Last week, Mr. Christensen and the finance team spent the entire week rebuilding the budget. He thanked Faith, Tory, and Debbie for the many hours they worked last week to provide a comprehensive overview. He presented a new budget for re-adoption and provided a report to give the Board a full understanding of the changes. Mr. Christensen shared the budget reductions that have been approved by the Board and enacted. Many of the reductions are one-time reductions.

The Board asked Mr. Christensen to continue to use the presented documents as an ongoing list. Member Burns would like any updates provided to the Board in a report and not have a workshop unless it is needed.

All of reserves were incorporated into the new numbers for the budget to be accurate. On the unrestricted side, you want to avoid deficit spending because it can cause you to use your reserves. Previously it was lower, because the State required us to take all the restricted fund balances and move them to the unrestricted. He also took some 08-09 money that was not spent and moved it into the 09-10 budget. To the extent we can beef up the fund balance for 08-09 it will help in 09-10.

There is a projected deficit in the 09-10 budget of \$1.7M. The primary reason is the COPs payment, which was moved from the facilities fund into the general fund.

You achieve the multi-year projection for 2010-11 by rolling all of the expenditures from 2009-10 and add any accounting changes you are aware of. The federal stimulus money \$1.5 M in revenue will cover the additional expenses.

If you move expenditures to restricted for 2009-10, the expenditures must be moved back to the general fund in 2010-11. Another item that adds to the expenses is step and column increase (\$480,000). Also, there are natural inflationary pressures for other items, such as utilities, trash, etc.,

President El-Hajj and Member Burns asked if the projected budgets show the decrease anticipated for SDG&E through modernization. Mr. Christensen factored in last years expenses, with a 6% increase and offset it from the anticipated summer savings.

Member Burns asked Mr. Christensen to do an analysis on the power savings from modernization. Mr. Christensen said the best analysis would be kwh usage rather than dollar to dollar. He will also be logging kwh usage during the summer months to see what savings is achieved.

Mr. Christensen reminded the Board; this is a projection, not a forecast and is based on a fixed point in time. The budget is a continually moving target. He said the \$1.7M deficit in 2009-10 could be absorbed by the reserves but Administration plans to return with additional options for consideration. Mr. Christensen said reductions for the 2010-11 deficit need to be ongoing reductions to be effective. He shared a summary of the reasons for the differences between the original adopted budget on June 16 and the one presented tonight. Some of the differences included: one time budget solutions, inflationary pressures, accounting changes, and transportation funding cut by 65%. If the transportation funding is not cut, the local contribution is decreased and will add to the general fund balance.

Member Ryan is concerned if the County makes us take a reduction that may not materialize, then the Board would be asked to make cuts that may not be needed. Dr. Shaw said because of the volatility of the State finances, he urged caution and to plan for the worst. If the worst does not materialize, then it will add to the usable dollars.

Mr. Christensen provided a list of considerations to close the budget gap. Member Carlisle said when Mr. Christensen is in discussions with Padre Dam, the assessment fee could be used to provide the required connections. Mr. Christensen liked that idea and will pursue it. The list of considerations included:

- Fund the COPS payment from the BAN,
- Use \$477,530 SFSF funds to offset general fund expenses,
- Pursue custodial reorganization,
- Pursue ERC reorganization,
- Analyze clerical staffing formulas a schools,
- Pursue alternative Social Security program for part-time employees,
- Reduce general ed transportation through extended boundaries or fees.
- Starting and ending times,
- Analyze SE transportation for possible reductions,
- Analyze IMFRP funds for flexibility if textbook adoptions are deferred until 2012, (We would need to make sure we set aside the money for when textbooks need to be adopted.
- Employee furlough days,
- Salary rollback for compensation,
- Increase K-3 class sizes,
- Implement retirement incentive program for 2010-11,
- SARC preparation in-house,
- BAC recommendations,
- Solar savings,
- Uniform services,
- Central Psychologist,
- Moving Director of Facilities to fund 21, (or from the BAN)
- Office supply contract change,
- Evaluate the use of campus aides, and/or
- Discussion of budget augmentations.

Member Bartholomew asked about the amount designated for economic uncertainty and if that was considered in the cash flow assumptions. Mr. Christensen said it shows in the budget as being available to balance the budget if the Board desired.

Dr. Shaw said we can balance the budget for 2009-10 with a few reductions but we must really prepare for 2010-11. Mr. Christensen will be meeting with the County to discuss the budget and the action plan.

Emily Andrade shared information that was originally shared at the last board meeting and provided some budget reduction options for consideration. AVID schools have carryover money and can continue their programs at Carlton Hills, Rio Seco, and Cajon Park with less of an allocation. Carlton Oaks is not continuing to provide AVID next year. The District could charge the students for all or part of the transportation cost for the third grade swim program. Currently, the District pays the transportation costs and parents pay only the YMCA fee. No contract has been signed with the canine detection service so the Board could determine the need or frequency of using this service. The District could charge parents a fee of \$500 for the Spanish class.

Member Carlisle likes the suggestion for the AVID program and swim fee transportation charge. Member Ryan said the recommendation is acceptable but believes \$500 is too much to ask parents to pay. Some parents may not be able to pay. Member Burns asked why Carlton Oaks will not be continuing with AVID next year. Mrs. Andrade said because they are losing a teacher next year. Member Burns is okay with AVID but would like to keep swim and if needed, charge for the transportation. He wants to move forward with the canine detection service because he believes it is a safety issue. Member Burns supports keeping the Spanish class with no fee for parents.

Member Bartholomew said the programs being discussed impact students directly and in terms of the type of reductions we need to look at, these are not the kinds of things that will give ongoing value. He will not sacrifice them as a symbolic gesture when it has such a great impact on students. President El-Hajj said a parent asked her why we would keep things that parents can do for their kids. AVID is designed for kids who don't have the home support. She believes not funding AVID puts a great burden on teachers. Reading has already been reduced to \$15,000 per year.

Member Burns moved to modify the budget augmentations by reducing AVID support to \$10,000 (1/2) and increase the fee for third grade swim to \$55 per child to cover the cost of transporting students to the YMCA, reducing expenses by a total of \$5,000.

Motion: Burns Second: Bartholomew Vote: 5-0

F. DISCUSSION AND/OR ACTION ITEMS

1. Review, Discussion, and Re-Adoption of 2009-10 Santee School District Budget

Karl Christensen presented a 2009-10 budget for re-adoption. Member Burns said he will support adoption of the budget, however, it is more conservative than he prefers. He believes there is more flexibility than presented. Member Bartholomew approved of the conservative approach, but is concerned that it is hard to make decisions when the landscape keeps changing. Member Carlisle appreciated the efforts in consolidating the information and he also agrees with the more conservative approach, especially because of the current economic environment. Member Carlisle moved approval.

Motion: Carlisle Second: Bartholomew Vote: 4-0 (Ryan, absent)

G. CLOSED SESSION

The Board entered closed session at 8:15 p.m. to discuss the following:

1. Public Employee Discipline/Dismissal/Release (Govt. Code § 54957)

H. RECONVENE TO PUBLIC SESSION

The Board reconvened to public session. No action was reported.

I. ADJOURNMENT

The June 29, 2009 special meeting was adjourned at 9:00 p.m.

**SANTEE SCHOOL DISTRICT
SPECIAL MEETING
OF THE BOARD OF EDUCATION**

MINUTES

August 4, 2009

Douglas E. Giles
Educational Resource Center
9619 Cuyamaca Street
Santee, California

A. OPENING PROCEDURES

1. Call to Order and Welcome
President El-Hajj called the meeting to order at 6:05 p.m.
Members present:
Dianne El-Hajj, President
Dustin Burns, Vice President
Barbara Ryan, Clerk
Allen Carlisle, Member
Dan Bartholomew, Member
Staff present:
Dr. Patrick Shaw, Superintendent and Secretary to the Board

B. PUBLIC COMMUNICATION

There were no comments from citizens.

C. CLOSED SESSION

President El-Hajj announced the Board would meet in closes session for:

1. Public Employee Performance Evaluation (Govt. Code § 54957)
(Superintendent)

D. RECONVENE TO PUBLIC SESSION / REPORT OF ACTION/ADJOURNMENT

The Board reconvened to public session at 8:55 p.m. President El-Hajj reported the Board took action to unanimously accept a contract amendment from the Superintendent to reflect an adjustment for two (2) unpaid furlough days and a 2% salary roll back for the 2990-10 school year.

The August 4, 2009 special meeting was adjourned at 8:55 p.m.

Barbara Ryan, Clerk

Dr. Patrick Shaw, Secretary

Consent Item D.2.1. Approval/Ratification of Travel Requests
Prepared by Karl Christensen
September 1, 2009

BACKGROUND:

In accordance with BP 3350 of the Board of Education, an employee may attend conventions, conferences, or meetings of boards, committees, and commissions; to travel for the purpose of recruiting personnel; to visit other school districts; to appear before legislative committees; and to perform other out-of-district travel which is in the best interests of the school district and which assists employees to perform their jobs successfully.

In accordance with Sections 35044, 35172, and 35173 of the Education Code, the Board of Education shall provide for payment of travel expenses for any representative of the Board when performing services on behalf of the District. In the summer of 2008, following implementation of the Formatta Software, a network-based paperless forms travel processing solution was introduced District-wide in accordance with BP 3350 and AR 3350.

A list of travel and professional staff events is presented for the Board's review and approval/ratification. Included on the report are dates, names of meetings and locations, and either categorical, grant, or general funding sources that support such travel.

A list of requests for travel which require air travel, and/or an overnight stay and/or are out of the State will be reviewed and approved by the Executive Council or Superintendent and submitted to the Board of Education for approval prior to the travel date.

RECOMMENDATION:

It is recommended that the Board of Education approve/ratify the Travel Report for personnel requesting travel on the attached schedule.

This recommendation supports the following District goal:

- Establish a staff development program as the cornerstone of effective instructional programs and employee performance.

FISCAL IMPACT:

The estimated travel expenses are \$2,858, as disclosed on the following page.

STUDENT ACHIEVEMENT IMPACT:

This is a fiscal item. All fiscal resources impact student achievement.

Motion:		Second:		Vote:		Agenda Item D.2.1.
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Board Travel Report - September 1, 2009

Travel Dates	Attendees	Site or Dept	Conference or Workshop	Location	Sub Cost	Estimated Expenses	Budget	Purpose of Overnight, Out-of-State, Air Travel
Tues-Wed, 08/04/09 - 08/05/09	Andy Johnston Dawn Minutelli	CFH CFH	Back to School Planning	SDCOE	\$0 \$0	\$20 \$20	School/Library Improvement	This 2-day workshop focused on data analysis, inquiry, and goal setting.
Tuesday, 09/08/09	Elyse Starr Margie Mopper Stacy Bartfeld Rachael Pabis Deborah Ertle Diane Cartier Lil Baehr Andrea Larkin Marian Rashap Kim Rinehart	CO PD CFH SC PAX CP PAX HC CH RS	Communication Severity Scales	El Cajon	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$85 \$85 \$50 \$50 \$50 \$50 \$50 \$50 \$50 \$50	Ed Servs Professional Dev Ed Servs Professional Dev Ed Servs Professional Dev Ed Servs Professional Dev Ed Servs Professional Dev Ed Servs Professional Dev Ed Servs Professional Dev Ed Servs Professional Dev Ed Servs Professional Dev Ed Servs Professional Dev	This workshop will define eligibility and guidelines for service levels, determining therapy services needed, and identification of speech/language disabilities. *Ms. Starr and Ms. Mopper will attend the trainer of trainers version of the workshop in the morning in addition to joining with the other attendees for the afternoon Communication Severity Scales session.
Travel Requests (overnight, out-of-state, and/or air travel) Submitted for Board Approval								
Sun-Tues, 11/01/09 - 11/03/09	Cathy Abel	CNS	California School Nutrition Industry Seminar	Lake Tahoe	\$0	\$1,400	Child Nutrition Services	Ms. Abel will be gathering vital and current information on child nutrition rules, regulations and wellness, along with new product data.
Tues-Fri, 01/26/10 - 01/29/10	Dr. Patrick Shaw	Supr	2010 ACSA Superintendents' Symposium	Monterey	\$0	\$848	Superintendent's Office	This symposium will focus on the work of the superintendency, with sessions focusing on budget, school system reform, public engagement, diversity, and accountability. Workshops and interactive seminars will provide information about legislation, leadership, legal issues, and information on current and future issues important to superintendents and school districts.

Consent Item D.2.2. Approval/Ratification of Revolving Cash Report
Prepared by Karl Christensen
September 1, 2009

BACKGROUND:

The Revolving Cash Fund of \$15,000 is used for prompt payment to vendors and saves the costs associated with processing payments of small amounts through the County Superintendent of Schools. The attached report of numerical listings by check number include the issue date, name of payee, a general description of items purchased, and the amount of the check.

RECOMMENDATION:

Administration recommends approval of check #21757 on the \$15,000 Revolving Cash Account.

This recommendation supports the following District goal:

- Pursue actively the funding and resources to fulfill our mission and maintain fiscal solvency.

FISCAL IMPACT:

The fiscal impact is \$395.89 as disclosed on the following report.

STUDENT ACHIEVEMENT IMPACT:

This is a fiscal item. All fiscal resources impact student achievement.

Motion:		Second:		Vote:		Agenda Item D.2.2.
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**SANTEE SCHOOL DISTRICT
REVOLVING CASH REPORT - \$15,000**

Date	Number	Name	Memo	Amount
08/14/09	21757	Lakeside Union School District	Postage Machine Usage	\$395.89

Total Checks Written \$395.89

Total to be Reimbursed \$395.89

Consent Item D.2.3.
Prepared by Karl Christensen
September 1, 2009

Adoption of Resolution #0910-11 to Certify 2008-09
Gann Limit Appropriations Recalculation and an
Estimated Limit for 2009-10

BACKGROUND:

In 1979, California voters approved a spending limit for State and local government agencies including school districts. California State Constitution, Article XIII B, requires that each district annually prepare a resolution for Board approval which reflects the funds subject to the Gann Limit Appropriation for fiscal year 2008-09 and an estimate for fiscal year 2009-10.

The Santee School District Gann Limit for the 2008-09 fiscal year totals \$28,829,156. All appropriations subject to the Gann spending limit total \$30,739,403. Accordingly, the District has not exceeded the Gann spending limit and has met its State constitutional requirement.

RECOMMENDATION:

It is recommended that the Board of Education adopt Resolution #0910-11 for the recalculation of appropriation limit and funds subject to the Gann Limit for the fiscal year 2008-09 and an estimate for 2009-10.

This recommendation supports the following District goal:

- Pursue actively the funding and resources to fulfill our mission and maintain fiscal solvency.

FISCAL IMPACT:

The 2008-09 appropriations subject to the Gann limitation are \$28,829,156 and the 2009-10 appropriations subject to the Gann limitation are estimated to be \$30,739,403.

STUDENT ACHIEVEMENT IMPACT:

This is a fiscal item. All fiscal resources impact student achievement.

Motion:		Second:		Vote:		Agenda Item D.2.3.
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Santee School District

RESOLUTION #0910-11

RESOLUTION OF THE)
SANTÉE SCHOOL DISTRICT)
TO CERTIFY THE 2008-09)
GANN LIMIT APPROPRIATIONS)
RECALCULATION AND AN)
ESTIMATED LIMIT FOR 2009-10)

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

WHEREAS, on November 6, 1979, the people of California passed Proposition 4, a constitutional amendment establishing appropriation limits for state and local government units; and

WHEREAS, the State of California has enacted legislation to define terms and procedures via SB 1352, Chapter 1205 of 1980; SB 1389, Chapter 516 of 1980; SB 98, Chapter 82 of 1989; and AB 198, Chapter 83 of 1989; and

WHEREAS, the District has recalculated its 2008-09 appropriations limit and appropriations subject to limitation and declares that the appropriations limit is \$28,829,156; and that the 2008-09 appropriations subject to limitation is \$30,739,403; and

WHEREAS, the District's 2008-09 proposed budget conforms with the tenets of Proposition 4 and related legislation;

NOW, THEREFORE, BE IT RESOLVED that the 2009-10 appropriations limit is estimated to be \$28,829,156; and that the 2009-10 appropriations subject to limitation is estimated to be \$30,789,403 and that this District is in compliance with the requirements of Article XIII B of the State Constitution.

PASSED AND ADOPTED by the Santee School District Board of Education on the 1st day of September, 2009, by the following vote:

AYES:

NOES:

ABSENT:

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO)

I, Barbara Ryan, Clerk of the Board of Education of the Santee School District, do hereby certify that the foregoing is a full, true, and correct copy of a resolution adopted by said Board at the regular meeting thereof at the time and place of vote stated, which resolution is on file and of record in the office of said Board.

Clerk of the Board of Education

BACKGROUND:

Although the current State Adopted Budget for 2009-10 only contains placeholders of \$1,000 for each of 38 State Mandates, eventually the State will have to pay these mandates. A recent court ruling now requires the State to either fund the claims, suspend the requirement to provide the service or support that produces the Mandate, or permanently eliminate the Mandate. For the 2009-10 budget, the State still chose to require the Mandates but not appropriate sufficient funds to pay them. This is clearly in violation of the court ruling. Given this ruling and continuation of the Mandates, it is prudent for the District to accumulate and submit claims for Mandated Costs. If claims are not submitted, no funds will be received.

In past years, the District has used Six Ten & Associates to coordinate collection of the necessary forms and data and submit claims. The cost of this service has been approximately \$30,000 and varied each year depending upon the number of claims filed. \$20,000 was budgeted for Mandated Cost Claim services for 2009-10. School Innovations & Advocacy provides this service at a considerably reduced fixed cost of \$11,000 per year.

RECOMMENDATION:

It is recommended that the Board of Education provide authorization to contract with School Innovations & Advocacy to coordinate, accumulate, and submit Mandated Cost claims for a period of three (3) years with a right to terminate the agreement at the end of each fiscal year.

This recommendation supports the following District goal:

- Pursue actively the funding and resources to fulfill our mission and maintain fiscal solvency.

FISCAL IMPACT:

\$20,000 was budgeted for Mandated Cost Claim services for 2009-10. School Innovations & Advocacy provides this service at a considerably reduced fixed cost of \$11,000 per year.

STUDENT ACHIEVEMENT IMPACT:

This is a fiscal item. All fiscal resources impact student achievement

Motion:		Second:		Vote:		Agenda Item D.2.4.
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BACKGROUND:

Administration seeks approval to provide an Early Admittance to Kindergarten Program (EAK) during the period January 11, 2010 to June 24, 2010. The program will be offered to approximately 120-140 students who will be 5 years of age between December 2, 2009 and March 1, 2010. The goals of the program are to provide appropriate developmental and academic activities to prepare students for a successful schooling experience. The instructional program will meet the kindergarten requirement of 200 minutes each day. Past programs have been well received by parents and students.

A pre-registration drive will be held in November seeking approximately 120-140 applications for the program. Class size will be 20-25 students.

EAK Location and Transportation

The District is seeking to locate available space for the EAK classes at four to five schools throughout the District by mid-November. Transportation is the responsibility of the parents. EAK students are eligible for Project SAFE if the parents desire this service.

RECOMMENDATION:

It is recommended that the Board of Education approve the Early Admittance to Kindergarten Program for the period of January 11 to June 24 2010 to serve children who are five years of age between December 2, 2009 and March 1, 2010. It is further recommended that the program total 200 minutes of instruction each day.

This recommendation supports the following District goal:

- Assure the highest level of educational achievement for all students.

FISCAL IMPACT:

The EAK program is funded by revenue limit dollars generated by the ADA of the participating students. We anticipate the EAK Program to generate enough revenue to off-set related program and have little or no impact to the general fund.

STUDENT ACHIEVEMENT IMPACT:

Early Admittance to Kindergarten (EAK) students participate in appropriate developmental and academic activities further developing their readiness for future schooling.

Motion:		Second:		Vote:		Agenda Item D.3.1.
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Consent Item D.3.2. Adoption of Resolution #0910-09 Designating Personnel and Approval of 2009-10 Child Development Services Contract
Prepared by Emily Andrade
September 1, 2009

BACKGROUND:

Presented for Board approval is the 2009-10 contract for child development services to operate the State Preschool Program with the California Department of Education and an attached resolution designating personnel to sign contract documents for fiscal year 2009-10. The maximum rate per child per day of enrollment payable pursuant to the provisions of the agreement will be \$32.66. The Maximum Reimbursable Amount (MRA) payable pursuant to the provisions of the agreement will be \$257,122.

RECOMMENDATION:

Administration recommends approval of the 2009-10 contract for child development services to operate the State Preschool Program with the California Department of Education and adoption of Resolution #0910-09 designating personnel to sign contract documents for fiscal year 2009-10 as presented.

This recommendation supports the following District goals:

- Assure the highest level of educational achievement for all students.
- Pursue actively the funding and resources to fulfill our mission and maintain fiscal solvency.

FISCAL IMPACT:

The Maximum Rate per child per day of enrollment payable pursuant to the provisions of the agreement will be \$32.66. The Maximum Reimbursable Amount (MRA) payable pursuant to the provisions of the agreement will be \$257,122. There is no impact to the general fund.

STUDENT ACHIEVEMENT IMPACT:

The State Preschool Program provides children ages 3 - 5 with an opportunity to learn necessary social and academic skills in preparation for kindergarten.

Motion:		Second:		Vote:		Agenda Item D.3.2.
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RESOLUTION

#0910-09

This resolution must be adopted in order to certify the approval of the Governing Board to enter into this transaction with the California Department of Education for the purpose of providing child care and development services and to authorize the designated personnel to sign contract documents for Fiscal Year 2009/10.

RESOLUTION

BE IT RESOLVED that the Governing Board of Santee School District

authorizes entering into local agreement number/s CSPP-9492 37-6836-00-9 and that the person/s who is/are listed below, is/are authorized to sign the transaction for the Governing Board.

<u>NAME</u>	<u>TITLE</u>	<u>SIGNATURE</u>
<u>Stephanie Pierce</u>	<u>Director</u>	

PASSED AND ADOPTED THIS 1st day of September 2009/10, by the Governing Board of Santee School District of San Diego County, California.

I, _____, Clerk of the Governing Board of Santee School District, of San Diego, County,

California, certify that the foregoing is a full, true and correct copy of a resolution adopted by the said Board at a Board meeting thereof held at a regular public place of meeting and the resolution is on file in the office of said Board.



CALIFORNIA DEPARTMENT OF EDUCATION

1430 N Street

Sacramento, CA 95814-5901

F. Y. 09 - 10

DATE: July 01, 2009

CONTRACT NUMBER: CSPP-9492

PROGRAM TYPE: CALIFORNIA STATE
PRESCHOOL PROGRAM

PROJECT NUMBER: 37-6836-00-9

LOCAL AGREEMENT FOR CHILD DEVELOPMENT SERVICES

CONTRACTOR'S NAME: SANTEE SCHOOL DISTRICT

By signing this contract and returning it to the State, you are agreeing to provide services in accordance with the FUNDING TERMS and CONDITIONS (FT&C - available online at <http://www.cde.ca.gov/fg/aa/cd/>) and the CURRENT APPLICATION which by this reference are incorporated into this contract. The FT&C and Requirements specify the contractual responsibilities of the State and the contractor. The Contractor's signature also certifies compliance with "Standard Provisions for State Contracts" (Exhibit A) which are attached hereto and by this reference incorporated herein.

Funding of this contract is contingent upon appropriation and availability of sufficient funds. This contract may be terminated immediately by the State if funds are not appropriated or available in amounts sufficient to fund the State's obligations under this contract.

This contract is effective from July 01, 2009 through June 30, 2010. For satisfactory performance of the required services, the contractor shall be reimbursed in accordance with the Determination of Reimbursable Amount Section of the FT&C, at a rate not to exceed \$32.66 per child per day of full-time enrollment and a Maximum Reimbursable Amount (MRA) of \$257,122.00.

Any provision of this contract found to be in violation of Federal or State statute or regulation shall be invalid but such a finding shall not affect the remaining provisions of this contract.

SERVICE REQUIREMENTS

Minimum Child Days of Enrollment (CDE) Requirement 7,872.7

Minimum Days of Operation (MDO) Requirement 180

Exhibit A, Standard Provisions for State Contracts attached.

STATE OF CALIFORNIA		CONTRACTOR			
BY (AUTHORIZED SIGNATURE)		BY (AUTHORIZED SIGNATURE)			
PRINTED NAME OF PERSON SIGNING Margie Burke, Manager		PRINTED NAME AND TITLE OF PERSON SIGNING			
TITLE Contracts, Purchasing & Conf Svcs		ADDRESS			
AMOUNT ENCUMBERED BY THIS DOCUMENT \$ 257,122	PROGRAM/CATEGORY (CODE AND TITLE) Child Development Programs		FUND TITLE General		Department of General Services Use only
	(OPTIONAL USE) 0656 23038-6836				
	ITEM 30.10.010. 6110-196-0001	CHAPTER 1	STATUTE 2009	FISCAL YEAR 2009-2010	
PRIOR AMOUNT ENCUMBERED FOR THIS CONTRACT \$ 0	OBJECT OF EXPENDITURE (CODE AND TITLE) 702 SACS: Res-6055 Rev-8590				
TOTAL AMOUNT ENCUMBERED TO DATE \$ 257,122			T B A NO	B R NO	
I hereby certify upon my own personal knowledge that budgeted funds are available for the period and purpose of the expenditure stated above			DATE		
SIGNATURE OF ACCOUNTING OFFICER					

STANDARD PROVISIONS FOR STATE CONTRACTS

1. The Contractor agrees to indemnify, defend and save harmless the State, its officers, agents and employees from any and all claims and losses accruing or resulting to any and all contractors, subcontractors, suppliers, laborers, and any other person, firm or corporation furnishing or supplying work services, materials, or supplies in connection with the performance of this Agreement, and from any and all claims and losses accruing or resulting to any person, firm or corporation who may be injured or damaged by Contractor in the performance of this Agreement.
2. Contractor, and the agents and employees of Contractor, in the performance of this Agreement, shall act in an independent capacity and not as officers or employees or agents of the State.
3. The State may terminate this Agreement and be relieved of any payments should the Contractor fail to perform the requirements of this Agreement at the time and in the manner herein provided. In the event of such termination the State may proceed with the work in any manner deemed proper by the State. All costs to the State shall be deducted from any sum due the Contractor under this Agreement and the balance, if any, shall be paid to the Contractor upon demand.
4. This Agreement is not assignable by the Contractor, either in whole or in part, without the consent of the State in the form of a formal written amendment.
5. Time is of the essence in this Agreement.
6. No amendment or variation of the terms of this Agreement shall be valid unless made in writing, signed by the parties and approved as required. No oral understanding or Agreement not incorporated in the Agreement is binding on any of the parties.
7. The consideration to be paid Contractor, as provided herein, shall be in compensation for all of Contractor's expenses incurred in the performance hereof, including travel, per diem, and taxes, unless otherwise expressly so provided.
8. Contractors entering into a contract funded wholly or in part with funds from the United States Government agree to amendments in funding to reflect any reductions in funds if the Congress does not appropriate sufficient funds. In addition, the contract is subject to any restrictions, limitations or enactments of congress which affect the provisions, terms or funding of this agreement in any manner. The State shall have the option to terminate the contract without cost to the State in the event that Congress does not appropriate funds or a United States agency withholds or fails to allocate funds.

Contractor Certification Clauses

The authorized signer of this Contract CERTIFIES UNDER PENALTY OF PERJURY that he/she are duly authorized to legally bind the Contractor to the clause(s) listed below. This certification is made under the laws of the State of California.

1. **NON-DISCRIMINATION CLAUSE:** During the performance of this Agreement, Contractor and its subcontractors shall not unlawfully discriminate, harass, or allow harassment against any employee or applicant for employment because of sex, race, color, ancestry, religious creed, national origin, physical disability (including HIV and AIDS), mental disability, medical condition (cancer), age (over 40), marital status, and denial of family care leave. Contractor and subcontractors shall insure that the evaluation and treatment of their employees and applicants for employment are free from such discrimination and harassment. Contractor and subcontractors shall comply with the provisions of the Fair Employment and Housing Act (*Government Code* Section 12990 (a-f) et seq.) and the applicable regulations promulgated thereunder (*California Code of Regulations*, Title 2, Section 7285 et seq.). The applicable regulations of the Fair Employment and Housing Commission implementing *Government Code* Section 12990 (a-f), set forth in Chapter 5 of Division 4 of Title 2 of the *California Code of Regulations*, are incorporated into this Agreement by reference and made a part hereof as if set forth in full. Contractor and its subcontractors shall give written notice of their obligations under this clause to labor organizations with which they have a collective bargaining or other Agreement.

Contractor shall include the nondiscrimination and compliance provisions of this clause in all subcontracts to perform work under the Agreement. (Not applicable to public entities.)

2. DRUG-FREE WORKPLACE CERTIFICATION: By signing this contract, the contractor will comply with the requirements of the Drug-Free Workplace Act of 1990 and will provide a drug-free workplace by taking the following actions:
- a. Publish a statement notifying employees that unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited and specifying actions to be taken against employees for violations.
 - b. Establish a Drug-Free Awareness Program to inform employees about:
 - 1) the dangers of drug abuse in the workplace;
 - 2) the person's or organization's policy of maintaining a drug-free workplace;
 - 3) any available counseling, rehabilitation and employee assistance programs; and,
 - 4) penalties that may be imposed upon employees for drug abuse violations.
 - c. Every employee who works on the proposed contract will:
 - 1) receive a copy of the company's drug-free workplace policy statement; and,
 - 2) agree to abide by the terms of the company's statement as a condition of employment on the contract.

Failure to comply with these requirements may result in suspension of payments under this agreement or termination of this agreement or both and Contractor may be ineligible for award of any future State agreements if the department determines that any of the following has occurred: (1) the Contractor has made false certification, or (2) violated the certification by failing to carry out the requirements as noted above. (*Government Code 8350 et seq.*)

3. NATIONAL LABOR RELATIONS BOARD CERTIFICATION: Contractor certifies that no more than one (1) final unappealable finding of contempt of court by a Federal court has been issued against Contractor within the immediately preceding two-year period because of Contractor's failure to comply with an order of a Federal court, which orders Contractor to comply with an order of the National Labor Relations Board. (*Public Contract Code 10296*) (Not applicable to public entities.)
4. EXPATRIATE CORPORATIONS: Contractor hereby declares that it is not an expatriate corporation or subsidiary of an expatriate corporation within the meaning of *Public Contract Code* Section 10286 and 10286.1, and is eligible to contract with the State of California.
5. SWEATFREE CODE OF CONDUCT:
- a. All Contractors contracting for the procurement or laundering of apparel, garments or corresponding accessories, or the procurement of equipment, materials, or supplies, other than procurement related to a public works contract, declare under penalty of perjury that no apparel, garments or corresponding accessories, equipment, materials, or supplies furnished to the state pursuant to the contract have been laundered or produced in whole or in part by sweatshop labor, forced labor, convict labor, indentured labor under penal sanction, abusive forms of child labor or exploitation of children in sweatshop labor, or with the benefit of sweatshop labor, forced labor, convict labor, indentured labor under penal sanction, abusive forms of child labor or exploitation of children in sweatshop labor. The contractor further declares under penalty of perjury that they adhere to the Sweatfree Code of Conduct as set forth on the California Department of Industrial Relations website located at www.dir.ca.gov, and *Public Contract Code* Section 6108.
 - b. The contractor agrees to cooperate fully in providing reasonable access to the contractor's records, documents, agents or employees, or premises if reasonably required by authorized officials of the contracting agency, the Department of Industrial Relations, or the Department of Justice to determine the contractor's compliance with the requirements under paragraph (a).
6. DOMESTIC PARTNERS: For contracts over \$100,000 executed or amended after January 1, 2007, the contractor certifies that contractor is in compliance with *Public Contract Code* Section 10295.3.
7. PAYEE DATA RECORD FORM STD. 204: This form must be completed by all contractors that are not another state agency or other governmental entity.

DISCUSSION AND/OR ACTION ITEMS Item E.

Citizens wishing to address the Board about a Discussion and/or Action item are requested to submit a Request to Speak card in advance. The Board invites citizens at this time to address the Board about any of the items listed under Discussion and/or Action.

Discussion and/or Action Item E.1.1. Learning Resource Centers/Library Media Centers: Technology Hardware and Wireless Infrastructure

Prepared by Dr. Patrick Shaw
September 1, 2009

BACKGROUND:

At the August 18, 2009 Board meeting, the Superintendent brought a proposal to the Board to provide in each school a wireless infrastructure. A state-of-the-art wireless infrastructure provides students access to any time, any where, on-demand learning opportunities.

The proposal also listed a minimum of twenty (20) mobile (laptop) computers, a printer and a projection device if necessary, for each Library Resource Center and/or Library Media Center. This proposal would incorporate digital learning tools into each school "learning center" to become fully operational 21st century learning environments for students.

The Board fully supported Administration's request to allocate \$150,000 from the BAN, Bond Anticipation Note, toward the purchase of wireless for each of our schools, 20 mobile (laptop) computers for each school's "learning center," a printer, and a projection device if needed. The scope of the request falls within the "Bond" guidelines and provides all Santee schools the opportunity to move forward in technology with a 21st Century learning environment, especially for those schools waiting to be modernized. A wireless infrastructure can be installed, removed easily and reinstalled when a school is modernized.

In order to make this a total community effort administration will also seek donations and the financial collaboration of each school site to assist in this initiative. The cost for each school is determined by the needs for infrastructure and materials and is listed on the attached sheet. The maximum contribution a school may need to provide for this initiative does not exceed \$6,000.

Dollars used for this initiative will not impact the General Operating Budget of the District.

In addition, plans are underway to implement Instructional Media Technician positions for the "learning centers" to provide students with the technology support for a 21st Century learning environment. Training will be provided during the 2009-2010 school year for any current interested Library Media Clerk to receiving instruction in the necessary skills to demonstrate competency for the Instructional Media Technician positions.

RECOMMENDATION:

Administration recommends the Board of Education approve the Superintendent's proposal to provide wireless infrastructure, 20 mobile (laptop) computers, a printer and a projection device, if necessary, for each school's "learning center" (LRC or Library Media Center).

This recommendation supports the following District Goals:

- Provide facilities that optimize the learning environments for all students.
- Pursue actively the funding and resources to fulfill our mission and maintain fiscal solvency

FISCAL IMPACT:

The approximate cost of this initiative will be: \$225,000. There will be no direct impact to the District's general fund.

This initiative would be funded using \$150,000 from the Bond Anticipation Note (BAN), \$20,000 from the Santee School District Foundation, \$11,000 from Project Safe's 21st century grant, and school contributions not to exceed \$6000 each. Each school will have the option to use some of their categorical funds to assist with this initiative.

STUDENT ACHIEVEMENT IMPACT:

This grant will allow students the opportunity to improve research skills, critical reading skills, use of primary source information, and writing skills, which all fall under the umbrella of Informational Literacy. Student use of these improved skills will assist students' overall reading and writing ability and reflect in improved results of District reading and writing assessments and STAR ELA results.

Motion:

Second:

Vote:

Agenda E.1.1.

District Netbook and Wireless Project

	LCD				Proj. Total	Funding Source			Funding
	Netbook	Printer	Wireless	Projector	Per School	BAN	Foundation	School	Total
Cajon Park	\$15,700.00	\$290.00	\$8,534.00	\$700.00	\$25,224.00	\$16,753.00	\$2,223.00	\$4,178.00	\$23,154.00
Carlton Hills	\$15,700.00	\$290.00	\$8,534.00		\$24,524.00	\$16,753.00	\$2,222.00	\$3,478.00	\$22,453.00
Carlton Oaks	\$15,700.00	\$290.00	\$8,534.00	\$700.00	\$25,224.00	\$16,753.00	\$2,223.00	\$4,178.00	\$23,154.00
Chet F. Harritt	\$15,700.00	\$290.00	\$8,534.00		\$24,524.00	\$16,753.00	\$2,222.00	\$6,054.00	\$25,029.00
Hill Creek	\$15,700.00	\$290.00	\$8,534.00		\$24,524.00	\$16,753.00	\$2,222.00	\$4,054.00	\$23,029.00
Pepper Drive	\$15,700.00	\$290.00	\$8,534.00		\$24,524.00	\$16,753.00	\$2,222.00	\$6,054.00	\$25,029.00
Rio Seco	\$15,700.00	\$290.00	\$8,534.00		\$24,524.00	\$16,753.00	\$2,222.00	\$6,054.00	\$25,029.00
Sycamore Canyon	\$15,700.00	\$290.00	\$8,534.00		\$24,524.00	\$16,753.00	\$2,222.00	\$3,478.00	\$22,453.00
Prospect Ave	\$15,700.00	\$290.00			\$15,990.00	\$15,976.00	\$2,222.00	\$6,054.00	\$24,252.00
PA - Project SAFE			\$11,872.00		\$11,872.00	21st Century Grant --->		\$11,872.00	\$11,872.00
Total per Category	\$141,300.00	\$2,610.00	\$80,144.00	\$1,400.00	\$225,454.00	\$150,000.00	\$20,000.00	\$55,454.00	\$225,454.00

\$225,454

BACKGROUND:

On May 20, 2003, the Board of Education took action to close Santee School in response to a fiscal crisis and severe declining enrollment at the school. On December 2, 2003, a 7-11 Property Advisory Committee presented a report to the Board recommending that the Santee School Site be declared as surplus. The Board adopted a resolution declaring the property as surplus on August 17, 2004 and staff began the process of selling the land. Numerous sales efforts took place over the next few years but to no avail.

In July 2008, the District disseminated an RFQ (Request for Qualifications) to prospective developers for the purposes of eventually executing a Ground Lease Agreement for the Santee School property. On August 20, 2008, the District entered into an Exclusive Negotiation Agreement with Haagen Company, LLC to proceed with due diligence efforts for building a commercial development on the Santee School Site property. The Agreement specified a period of up to 180 days to consummate the deal. An extension of 180 days was granted on February 17, 2009.

Due to the severe National economic crisis, retail sales have plummeted and retailers are reluctant to expand at this time. Haagen Company has engaged in preliminary discussions with numerous possible retailers interested in opening anchor stores, but most are waiting for the economy to show sustained signs of recovery before committing to any expansion. Haagen Company is still committed to completing the venture but an extension of the current Exclusive Negotiation Agreement will be necessary if progress is to continue. The Exclusive Negotiation Agreement (Section 204) states,

“...The parties to this Agreement have the option to extend the negotiating period if, due to no fault of the parties to this Agreement, delays occur that are beyond the control of the District and the Developer.”

It is requested that the Board of Education consider extending the period of negotiation of the Exclusive Negotiation Agreement by an additional 12 months.

State Waiver Status

At the same time, the District has been pursuing a waiver from the State Board of Education (SBE) relating to Education Code sections 17455 – 17475. These code sections govern the process for selling or leasing surplus school district property. A waiver of these sections would be needed in order to allow exclusive negotiation of a lease rather than a strict competitive bidding process. On May 5, 2009, SBE staff generated a letter to the District indicating reluctance to waive the entire competitive process but leaving open the possibility of waiving the requirement to select the highest bidder. Education Code section 33051(a) specifies that “the State board shall approve any and all requests for waivers except in those cases where the board specifically finds any of the following:

- 1) The educational needs of the pupils are not adequately addressed.
- 2) The waiver affects a program that requires the existence of a school site council and the school site council did not approve the request.
- 3) The appropriate councils or advisory committees, including bilingual advisory committees, did not have an adequate opportunity to review the request and the request did not include a written summary of any objections to the request by the councils or advisory committees.
- 4) Pupil or school personnel protections are jeopardized.
- 5) Guarantees of parental involvement are jeopardized.
- 6) The request would substantially increase state costs.
- 7) The exclusive representative of employees, if any, as provided in Chapter 10.7 commencing with section 3540 of Division 4 of Title 1 of the Government Code, was not a participant in the development of the waiver.”

Legal counsel believes that none of these criteria apply in this case, unless the State contends that the District’s approach would somehow increase State costs, an argument that appears to be indefensible. Therefore, we are in the process of drafting a letter back to SBE staff stating that the District would like to proceed with putting the item forward to SBE for consideration.

RECOMMENDATION:

It is recommended that the Board of Education approve the extension to the Exclusive Negotiation Agreement which extends the term of the Period of Negotiation of the Agreement by an additional 12 months. Additionally, it is recommended that the Board of Education authorize administration to respond and proceed with next steps in the State Board of Education waiver process relating to the District surplus real property.

This recommendation supports the following District goal:

- Pursue actively the funding and resources to fulfill our mission and maintain fiscal solvency.

FISCAL IMPACT:

The fiscal impact could be \$12 - \$14 million in revenue from lease payments.

STUDENT ACHIEVEMENT IMPACT:

This is a fiscal item. All fiscal resources impact student achievement.

Motion:		Second:		Vote:		Agenda Item E.2.1.
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**EXCLUSIVE NEGOTIATION AGREEMENT
BETWEEN THE
SANTEE SCHOOL DISTRICT
AND
HAAGEN COMPANY, LLC.**

THIS EXCLUSIVE NEGOTIATION AGREEMENT (the "Agreement") is entered into this 20th day of August 2008, by and between the Santee School District (the "District"), and the Haagen Company LLC (the "Developer"), regarding the development of the Santee School Property, 10335 Mission Gorge Road, Santee, California (generally bounded by Mission Gorge Road to the north, Cottonwood Avenue to the west, and Railroad Avenue to the east), (the "Site") on the terms and provisions set forth below.

RECITALS

WHEREAS, the District desires to pursue the redevelopment of the Site in a comprehensive manner; and

WHEREAS, the Developer has responded to the District's Request for Qualifications to redevelop the Site; and

WHEREAS, the District and the Developer desire to enter into this Agreement to: (i) initiate exclusive negotiations for up to one hundred eighty (180) days, (ii) pursue the preparation of a conceptual plan to redevelop the Site, (iii) formulate acquisition and development pro formas, (iv) investigate the entitlement and environmental documentation requirements (v) enable the Developer to perform further due diligence investigations, obtain anchor tenant and financing commitments, and prepare site development documents, and (vi) prepare a Ground Lease Agreement ("Ground Lease") if both parties achieve accord on the Plan (as described in Section 201 of this Agreement).

CF

NOW, THEREFORE, in consideration of the recitals and mutual covenants and conditions contained herein, the parties hereto agree as follows:

1. (Section 100) The Site

A. (Section 101) Site Description

The Site constitutes approximately thirteen and 2/10ths (13.2) acres of real property that is the subject of this Agreement. The District and Developer desire to achieve the comprehensive redevelopment of the Site with a retail use development.

The Site is shown on Exhibit A, and is comprised of certain real property currently owned or controlled by the District and proposed to be conveyed to the Developer pursuant to the terms of the Ground Lease.

2. (Section 200) Negotiation

A. (Section 201) Good Faith Negotiations

Commencing on August 19, 2008 (the "Commencement Date") the parties agree to negotiate in good faith to formulate a plan for Site development (the "Plan"). Negotiations regarding the Plan shall include and delineate, without limitation, the following elements:

- (1) The type and scope of development;
- (2) The schedule for, and phasing of, development activities;
- (3) An itemization of development needs and costs, property acquisition costs (if applicable), demolition and utility relocation costs, hazardous material abatement costs, on and off-site

CF

improvement needs and costs, and any state and local regulatory requirements and associated costs;

- (4) The improvements to be made by the Developer and the District (if any) to the Site, the surrounding area and support infrastructure in connection with site development;
- (5) The entitlements necessary to facilitate site development;
- (6) The funding responsibilities, projected amounts, timing, and sources to facilitate site development; and
- (7) District and Developer responsibilities, for implementing site development activities.

Following the completion and District acceptance of the Plan, the parties agree, for the period set forth below, to further negotiate diligently and in good faith, to prepare a Ground Lease that implements the Plan.

B. (Section 202) Deposit

Within 5 days of execution of this Agreement by the District, the Developer shall submit to the District a good faith deposit (the "Deposit") in the amount of twenty five thousand dollars (\$25,000) in the form of either a cashier's check or an irrevocable letter of credit which will satisfy the District's legal counsel to ensure that the Developer will proceed diligently and in good faith to negotiate and perform all of the Developer's obligations under this Agreement. If the Deposit is in the form of an irrevocable letter of credit, the Developer shall maintain such letter of credit in full force and effect for the entire Negotiation Period hereunder, and shall extend the letter of credit to the extent this Agreement or various time periods hereunder are

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extended.

In the event the Developer has not continued to negotiate diligently and in good faith, the District shall give written notice thereof to the Developer who shall then have ten (10) working days to commence negotiating in good faith. Following the receipt of such notice and the failure of the Developer to thereafter commence negotiation in good faith within the ten (10) working days, the District may terminate this Agreement. Said termination shall be treated as a breach of the Agreement, with consequential damages in an amount equal to the District's out-of-pocket costs (i.e outside consultants, legal counsel, engineers) associated with the District's negotiations under this Agreement. Said costs shall be taken from the Deposit.

In the event the District has not continued to negotiate diligently and in good faith, the Developer shall give written notice thereof to the District, which shall then have ten (10) working days to commence negotiating in good faith. Following the receipt of such notice and the failure of the District to thereafter commence negotiating in good faith within the ten (10) working days, the Developer may terminate this Agreement, and the Deposit shall be returned to the Developer.

Upon automatic termination of this Agreement at the expiration of the Negotiation Period or such extension thereof, or upon execution by the District and the Developer of a Ground Lease, then concurrently therewith, the Deposit hereunder shall be returned to the Developer and neither party shall have any further rights against or liability to the other under this Agreement. If a Ground Lease has been executed by the District and the Developer, the Ground Lease shall thereafter govern the rights and obligations of the parties with respect to the development of the Site.

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C. (Section 203) District and Developer Obligations

During the Period of Negotiation, as set forth in Section 203 of this Agreement, District and Developer obligations shall include, but not be limited to, the following:

1. District Obligations

- (a) Agree not to convey, negotiate for, or enter into any agreement regarding the Site with any other entity;
- (b) Negotiate in good faith with the Developer to define the scope, terms, and conditions for Site development activities;
- (c) Provide the Developer with documents in District's possession that would assist the Developer with Site due diligence activities;
- (d) Cooperate with the Developer and the City in processing the environmental and land use entitlement applications, as necessary;
- (e) Upon approval of the Plan and verification of Developer financial commitments to develop the Site, prepare or cause to be prepared, a Ground Lease.

2. Developer Obligations

- (a) Agree to use its best efforts to investigate the Site, including the terms and conditions of site development, preparing alternative uses and development plans, and evaluating the financial feasibility of the individual and overall development plans;
- (b) Negotiate in good faith with the District to define the terms and

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conditions for the Ground Lease and development activities, and the District's involvement herein;

(c) Submit site plans, elevations, and any other documents reasonably necessary for District approval;

(d) Submit proof of lender funding or letter(s) of intent that demonstrate sufficient capital to fund Site development activities;

(e) Submit proof of Developer cash equity necessary to fund Site development costs not funded by commercial loans or partnership funds; and

(f) Submit, if an entity is formed to develop the Site, the following information pertaining to the entity;

(1) a description of the entity's structure;

(2) a listing of all members who will be part of the entity;

(3) financial statements for the entity's managing member; and

(4) documentation satisfactory to the District as evidence of sources of capital sufficient to demonstrate that the entity has adequate funds to underwrite all costs associated with Developer responsibilities pertaining to Site development.

D. (Section 204) Period of Negotiation

The District agrees to exclusively negotiate with the Developer as follows:

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(1) During a ninety (90) day period following the Commencement Date, the District and Developer shall formulate the Plan.

(2) Following formulation of the Plan, the District agrees to further negotiate exclusively with the Developer for an additional ninety (90) days to:

(a) prepare and finalize a Ground Lease;

(b) prepare and process the required environmental and other land use applications as necessary for Site development.

If one hundred eighty (180) days following the Commencement Date, the Developer and District have not reached agreement on a Ground Lease then any party to this Agreement may terminate this Agreement by delivery of written notice to the other party. Until receipt of such written notice, this Agreement shall remain in full force and effect and the parties shall continue to negotiate in good faith. The parties to this Agreement have the option to extend the negotiating period if, due to no fault of the parties to this Agreement, delays occur that are beyond the control of the District and the Developer.

Upon submittal of a form of Ground Lease acceptable to the District and the Developer, and provided that all studies and documents required for project environmental and land use applications have been identified and accepted by the District, if necessary, this Agreement shall be extended for up to two (2) one hundred and twenty (120) day periods from the date of the expiration of the initial Negotiation Period to enable the District and Developer to:

(1) Finalize the land use and environmental approvals

(2) Determine whether it desires to enter into the Ground Lease;

(3) Take the actions necessary to authorize the District to execute the Ground Lease if the District desires to do so; and

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(4) Execute the Ground Lease.

The obligation to negotiate in good faith requires the respective parties to communicate with each other with respect to those issues for which agreement has not been reached, and in such communication to follow reasonable negotiation procedures, including meetings, telephone conversations, and correspondence. It is understood by the parties that final accord on all issues may not be reached. It is also understood that neither party is under any obligation to reach agreement on the Ground Lease, and the District has no authority to make any commitments regarding the Ground Lease until after the required public hearing concerning the Ground Lease.

III. (Section 300) Ground Lease Provisions

The parties hereto acknowledge that the financial feasibility of the activity to be proposed by the Developer and the terms of the Ground Lease are yet to be determined; each party assumes the risk that, notwithstanding this Agreement, there is no assurance that the parties will enter into a Ground Lease.

IV. (Section 400) Miscellaneous

A. (Section 401) Developer's Findings, Determinations, Studies and Reports

On a monthly basis, the Developer agrees to make written and/or oral progress reports advising the District of all material matters and studies being conducted by the Developer with respect to the Plan. No reports or studies by the Developer submitted to the District shall imply any warranty of any kind on the part of the Developer as to the accuracy or completeness thereof, and the District agrees to hold the Developer harmless with respect to any use by the District of any such information.

B. (Section 402) Ground Lease Payment and Other Consideration

The price and/or other consideration to be paid by the Developer for the Site under the Ground Lease shall be established by agreement among the District and the Developer. The price and other consideration shall be based upon such factors as market conditions, density of development, tenant type and use, cost of development, risks incurred, conditions placed by the City of Santee and other governmental agencies, estimated or actual Developer profit, estimated or actual sales and/or rental prices of the facilities to be developed, financial requirements of the District, public purpose and other criteria relevant to the establishment of the fair reuse value for the use permitted to be developed.

C. (Section 403) Assignment

Any significant change in the principals, associates, partners, joint venturers, negotiators, project manager, professional and directly-involved managerial employees of the Developer, during the period of negotiation, is subject to the approval of the District, which shall not be unreasonably withheld.

Any assignment provisions to be applicable to the Ground Lease shall be established by further agreement between Developer and District and shall be set forth in the Ground Lease.

V. (Section 500) The Developer

A. (Section 501) Nature of the Developer

Concurrent with the submission of the executed Ground Lease, Developer shall submit documentation required by the District to clarify and document the nature and business structure of the developer.

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B. (Section 502) Offices of the Developer

The principal office of Developer is located at:

898 North Sepulveda Boulevard, Suite 400

El Segundo, California 90245

(310) 648-7900/Fax (310) 648-7950

C. (Section 503) Project Manager and Employees of the Developer

The Project Manager for the Developer is:

James Whalen for J. Whalen Associates Inc. and

Andrew J. Natker for Haagen Company LLC

Other Developer employees or representatives who will be directly involved in this project will be determined by the Developer.

D. (Section 504) Full Disclosure

The Developer is required to make and maintain full disclosure to the District of its principals, officers, stockholders, partners, joint venturers, and all other pertinent information concerning the Developer.

VI. (Section 600) Developer's Financial Capacity

A. (Section 601) Financial Statement

Financial statements for the Developer shall be submitted to the District, as requested, for the purpose of the Ground Lease.

B. (Section 602) Equity

Developer equity capital will be specified in the Ground Lease.

C. (Section 603) Construction Financing

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Developer construction financing will be specified in the Ground Lease.

VII. (Section 700) Developer's Experience

Additional details or descriptions of the development experience of the Developer and its principals, associates, employees, partners, and joint venturers will be submitted to the District prior to the execution of the Agreement if required.

VIII. (Section 800) District and City Responsibilities

A. (Section 801) Environmental Requirements

The Developer and District shall, cooperate with the City of Santee (the "City"), to prepare all necessary environmental documents as required by the California Environmental Quality Act (Public Resources Code Section 21,000 et. Seq.) and local regulations, for certification by the City. The Developer agrees to take the lead in communicating with the City to help determine the environmental impact of the proposed development and to prepare any other additional documents as may be needed to complete environmental review for the development of the Site; provided, however, that the District, the City and the Developer shall incur no cost or expense in connection therewith unless otherwise agreed in writing.

C. (Section 802) District Assistance and Cooperation

The District shall cooperate fully in providing the Developer with appropriate information and assistance as requested.

IX. (Section 900) Real Estate Commission

The District and the Developer each represent to each other that neither has engaged any broker, agent, or finder in connection with this transaction and each agrees to defend, indemnify, and protect and hold the other harmless from any claims by any broker, agent, or finder retained by such indemnifying party.

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X. (Section 1000) Commitment of District

By its execution of this agreement, the District is not committing itself to or agreeing to undertake: (a) any disposition of land to the Developer; or (b) any other acts or activities requiring a subsequent independent exercise of discretion by the District, the City or any agency or department thereof. This Agreement does not constitute a disposition of property or exercise of control over property by the District or the City and does not require a public hearing. Execution of this Agreement by the District is merely an agreement to enter into a period of exclusive negotiations according to the terms hereof, reserving final discretion and approval by the District as to any disposition of the Site and all proceedings and decisions in connection therewith.

IN WITNESS WHEREOF, the District and the Developer have signed this Agreement on the respective dates set forth below.

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Santee School District

Biller, 2008 By: 8/20/08

ATTEST:

Evonni Aila
District Secretary

APPROVED AS TO FORM:

Not Required
District Counsel

HAAGEN COMPANY, LLC

8/20/08, 2008 BY: [Signature]
Its: Manager

BACKGROUND:

At its August 19, 2008 meeting, the Board of Education selected Haagen Company LLC (“Haagen”) as the District’s property development partner. Haagen Company, LLC is eager to begin the process of negotiating between the Board and their company. The Board subsequently authorized the District to enter into a 180-day exclusive negotiated agreement.

During the 180 days, Haagen planned to meet with all key stakeholders and create a development proposal suitable to the Board. Detailed negotiation can proceed in the development of this proposal with a District administrator(s) and City representatives. Haagen plans to update the Board tonight on the status of their development activities. Mr. Haagen has requested to be a part of this presentation to update the Board.

RECOMMENDATION:

It is recommended that the Board of Education discuss the development activities presented this evening and provide direction to administration regarding the status and progress of the Santee School Site exclusive agreement with Haagen Company LLC.

This recommendation supports the following District goal:

- Pursue actively the funding and resources to fulfill our mission and maintain fiscal solvency.

FISCAL IMPACT:

The development of the former Santee School Site provides revenues for the enhancement of the Santee Capital Improvement Program and depending on the economic market, the proceeds for the District could be approximately \$12 - \$14 million.

STUDENT ACHIEVEMENT IMPACT:

This is a fiscal item. All fiscal resources impact student achievement.

February 17, 2009 Board Action

F. DISCUSSION AND/OR ACTION ITEMS

President El-Hajj invited comments from the public on any item listed under Discussion and/or Action. There were no public comments.

1.1. Santee School Site – Exclusive Agreement

Dr. Johnson introduced Mr. Chris Fahey, president of the Haagan Company. Mr. Fahey shared that the District entered into an exclusive 180 day negotiating agreement with the Haagan Company for development of the Santee School site. Over the past several months the Haagan Company has been working to develop site plans and regularly provided reports to administration on the status. The economic events over the past six months have greatly impacted the retail business. Discussions with retailers have indicated the retail business has slowed down. The projection is that 2010 will be a slow year and then begin to improve. Without any firm commitment at this time from retailers, a financial plan has not been able to be developed. He requested the Board approve a 180 day extension to the agreement to allow them to continue their work to develop the site as retailers begin to formulate their plans for moving forward with new projects and locations. The hope is that in 2 to 3 months retailers will begin to get serious about making future plans.

Members Bartholomew and Burns support the extension of the agreement. Member Ryan is concerned that the delay to develop the property will impact the financing plan for modernization. Bill Clark said the funds from the property development are not crucial at this time but are part of the long range funding.

Member Burns moved to approve a 180 day extension of the Santee School site exclusive agreement with Haagen Company LLC.

Motion: Burns

Second Ryan

Vote: 5-0

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Discussion and/or Action Item E.3.1. Approval of Expulsion and Rehabilitation Plan for Student # 11-08

Prepared by Emily Andrade
September 1, 2009

BACKGROUND

On August 25, 2009, the Santee School District Board of Education expelled Student #11-08 from the Santee School District for violation of Education Code Sections §48900 (c) and §48900 (k). Violation of these Education Codes significantly endangered the safety of Student #11-08 and others on a school campus.

When a student is expelled from a School District the Board must set a readmission review date, California Ed. Code 48916(a); recommend a plan of rehabilitation, California Ed. Code 48916(b); and ensure that an alternative educational program is provided during the student’s expulsion, California Ed. Code 48916.1.

RECOMMENDATION

Administration recommends that the Board of Education approve the student’s readmission date of June 24, 2010, the attached rehabilitation plan and the placement of Student #11-08 in an East Region Juvenile Court and Community School for the 2009-10 school year.

This recommendation supports the following District goal:

- Assure the highest level of educational achievement for all students.

FISCAL IMPACT

There is no fiscal impact to the District.

STUDENT ACHIEVEMENT

A safe and structured instructional environment has a direct impact on student learning.

Motion:		Second:		Vote:		Agenda Item E.3.1.
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**EXPULSION REHABILITATION PLAN FOR STUDENT #11-08
FOR THE
2009-2010 SCHOOL YEAR**

Student #11-08 will:

- Attend an East Region Juvenile Court and Community School regularly with no unexcused absences or tardies;
- Complete a counseling program for drug/alcohol abuse prevention and decision-making;
- Remain free of illegal substances and participate in drug testing program; and
- Complete 20 hours of community service.

It is recommended that Student # 11-08 and her father meet with the family/parent liaison offered through the East Region Juvenile Court and Community School.

At the conclusion of the term of expulsion, June 24, 2010, Student #11-08 will provide documentation to the Santee School District that all elements of this Rehabilitation Plan have been completed and may apply for readmission. The documentation is to be presented to the Coordinator of Pupil Services and Student Behavior. The Board of Education will take action to readmit or deny the request for readmission.

BOARD POLICIES AND BYLAWS Item F.

Citizens wishing to address the Board about a Board Policies and Bylaws item are requested to submit a Request to Speak card in advance. The Board invites citizens at this time to address the Board about any of the items listed under Board Policies and Bylaw.

BACKGROUND:

The Board of Education recognizes the importance of minimizing the District's use of natural resources, providing a high-quality environment that promotes health and productivity, and effectively managing the District's fiscal resources. To that end, Adoption of BP 3511 supports the District's efforts to develop and maintain a resource management program which includes strategies for implementing effective and sustainable resource practices. On March 3, 2009, the Board of Education adopted several Business and Facilities policies. BP 3511 was not included at that time and is based on the recommended CSBA policy.

On August 18, 2009 administration presented Board Policy 3511, Energy and Water Management for a first reading. This evening, BP 3511 is presented to the Board for a second reading.

RECOMMENDATION:

Board Policy 3511, Energy and Water Management, is presented to the Board of Education for a second reading. It is recommended that the Board of Education approve and adopt Board Policy 3511, Energy and Water Management.

This policy supports the following District goals:

- Provide facilities that optimize the learning environment for all students.
- Pursue actively the funding and resources to fulfill our mission and maintain fiscal solvency

FISCAL IMPACT:

There is no fiscal impact to adopt BP 3511. Adoption of BP 3511 recognizes the importance of minimizing the District's use of natural resources, providing a high-quality environment that promotes health and productivity, and effectively manages the District's fiscal resources.

STUDENT ACHIEVEMENT IMPACT:

All Board Policies have an impact on student achievement and updating current thought and legalities is critical to this impact.

Motion:		Second:		Vote:		Agenda Item F.1.1.
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SANTEE SCHOOL DISTRICT
9625 CUYAMACA STREET
SANTEE, CA 92071
(619) 258-2300

ENERGY AND WATER MANAGEMENT

The Governing Board recognizes the importance of minimizing the district's use of natural resources, providing a high-quality environment that promotes health and productivity, and effectively managing the district's fiscal resources. To that end, the Superintendent or designee shall develop a resource management program which includes strategies for implementing effective and sustainable resource practices, exploring renewable and clean energy technologies, reducing energy and water consumption, minimizing utility costs, reducing the amount of waste of consumable materials, encouraging recycling and green procurement practices, and promoting conservation principles.

The Superintendent or designee shall regularly inspect district facilities and operations and make recommendations for maintenance and capital expenditures which may help the district reach its conservation and management goals.

The Superintendent or designee shall make every effort to identify funding opportunities and cost-reducing incentive programs to help the district achieve its conservation and management goals.

The Superintendent or designee shall periodically report to the Board on the district's progress in meeting its conservation and management goals.

Storm Water Management

The Board desires to ensure that, to the maximum extent practicable, the district reduce the discharge of pollutants into the water system in order to minimize the threat to water quality from storm water runoff. When the district has been designated by the State Water Resources Control Board or a regional water quality control board, the Superintendent or designee shall ensure that the district complies with applicable General Permit requirements.

The Superintendent or designee shall develop a storm water management plan and shall submit the plan and a resolution authorizing the implementation of the plan to the Board for approval. The district's plan shall describe best management practices, measurable goals, and timetables for implementation in the following areas:

1. Public education and outreach on storm water impacts
2. Public participation, such as participation in adoption and implementation of the plan

3. Illicit discharge detection and elimination, such as maps and programs to detect and eliminate illicit non-storm water discharges
4. Construction site storm water runoff control, such as reviewing construction plans, inspecting sites, and tracking construction site runoff, as well as erosion and sediment controls
5. Post-construction storm water management, such as developing design standards for preventing runoff and verifying proper maintenance and operation of control procedures
6. Pollution prevention and good housekeeping, such as evaluating waste disposal, material storage, and equipment-cleaning procedures and spill prevention, including at bus maintenance facilities

The Superintendent or designee shall regularly report to the Board on the status of the district's implementation efforts.

Legal Reference:

EDUCATION CODE

41422 School term or session length, failure to comply due to disaster

46392 Emergency conditions; ADA estimate

PUBLIC RESOURCES CODE

25410-25421 Energy conservation assistance

WATER CODE

13383.5 Storm water discharge monitoring requirements

CODE OF REGULATIONS, TITLE 23

2200 Discharge permit fees

UNITED STATES CODE, TITLE 33

1342 National pollutant discharge elimination system

CODE OF FEDERAL REGULATIONS, TITLE 40

122.1-122.64 National pollutant discharge elimination system

Administrative Regulations: 3511

Adopted:

Amended:

SANTEE SCHOOL DISTRICT
 9625 CUYAMACA STREET
 SANTEE, CA 92071
 (619) 258-2300

ENERGY AND WATER MANAGEMENT

Resource Management Program

In the development of the district's resource management program, the Superintendent or designee shall analyze and review the lighting; heating, ventilation, and air conditioning systems; water heaters; electrical equipment and appliances; water use and irrigation; and solid waste and recycling systems. The following district operations shall be incorporated into the district's resource management program:

1. Educational programs
2. Classroom and building management and maintenance
3. Food services and equipment maintenance
4. Landscaping
5. Transportation services and maintenance
6. New construction
7. Administrative operations
8. Use of facilities by outside groups

The Superintendent or designee may solicit input from staff, students, and parents/guardians about the district's program. The Superintendent or designee shall provide staff and students with training and guidance on best practices to achieve the district's goals, such as a reward program to recognize outstanding accomplishments.

Emergency Interruption of Services

The Superintendent or designee shall develop a plan to address actions to be taken in the event of power outages or other emergency interruption of utility services, both during and after school operations. The plan shall address procedures to help ensure student and staff safety, administrative control of operations, protection of equipment, effective communications, and coordination with local fire, police, and utility service providers.

Legal Reference:

EDUCATION CODE

41422 School term or session length, failure to comply due to disaster
 46392 Emergency conditions; ADA estimate

Board Policy: 3511

Adopted:

Amended:

BOARD COMMUNICATION AND ORGANIZATIONAL BUSINESS Item G.

CLOSED SESSION Item H.

Citizens wishing to address the Board about a Closed Session item are requested to submit a Request to Speak card in advance. The Board invites citizens at this time to address the Board about any of the items listed under Closed Session

The Board will go into Closed Session to discuss:

1. **Public Employee Discipline/Dismissal/Release (Govt. Code § 54957)**
2. **Conference with Labor Negotiator (Govt. Code § 54956.8)**
Purpose: Negotiations
Agency Negotiator: Minnie Malin, Director of Human Resources
Employee Organizations: Santee Administrators Association
Santee Teachers Association
California School Employees Association

RECONVENE TO PUBLIC SESSION Item I.

ADJOURNMENT Item J.