

McFARLAND UNIFIED SCHOOL DISTRICT
REGULAR BOARD MEETING MINUTES
October 9, 2007

The Regular Meeting of the McFarland Unified School District Board of Trustees was held on Tuesday October 9, 2007, at the McFarland High School Multipurpose Room. Board President called the meeting to order at 5:35 p.m.

ROLL CALL

Ramon Melendez, President
Marin Ortega, Jr., Vice - President
Rey DeLeon, Clerk
David Arguello, Member

Absent

Jim Kasiner, Member

Board President asked Irene regarding Jim Kasiner and if she had heard from him and if he had received his agenda. Irene responded that she had spoken to him and that he would not be attending this meeting but would be here for next month's meeting and that he did get a copy of the agenda.

Board President stated that there would be some revisions to the agenda. Item III- Administer Oath of Office to Student Board Member was pulled. Also on Agenda item X. Action items # C. Consent Agenda #'s 7, 8, & 10 were pulled. Discussion followed.

Student Board Members

Ivan Marquez
Israel Guerrero

Staff Present:

Gabriel McCurtis	Irene Melendez
Smith Efada	Robert Matheny
Maria Salgado	Sandra Espinoza
Angelica Gonzalez	Dalia Cordero
Manuel Cantu	Lilia Vargas
Rick Sparks	Albert Melendez
Kim McManaman	Roberta Burgh
Mary Williams Smith	Eileen Isaacs
Ty Bryson	Martin Schmidt
Ruben Ozuna	Louie Gomez
Mario Torres	Javier Ruiz
Shirley Ritchey	Rita Mello
Ramon Gonzalez	Chris Breyer
Margie Perez	Veronica Mello
Maggie Gore	Corina Nunez
Sandy Hannah	Gladys Trevino
Josie Ortega	Sonia Bangi
Michelle Rubio	Flora Diaz
Numerous Others	

Public Present:

Arturo Munoz
Mr. & Mrs. Marcos Padilla
Alejandra Guerrero
Esmeralda Gonzalez
Thomas Valles
Rafael Melendez
Others

Laura Munoz
Mark Thompson
Maria Ozuna
Rosemary Rodriguez
Jose Madrigal

Invocation – Chris Breyer

Board President stated that there was an item that needed to be added before going into Closed Session. He asked attorney Mark Thompson, schools legal, to come forward and address the item.

Mark Thompson, attorney from AALRR, thanked the Board President Melendez then addressed the board and stated, "Under Closed Session item #VII A. the board is going to hear allegations of misconduct against a district employee under G.C. 54957. Also pertinent to that section Counsel recommended that the presentation of charges be done in Closed Session." He stated "My understanding is that the employee was invited to hear charges in Closed Session and the employee declined and opted to have them read in Open Session, which is her right. It is my understanding that the offer still stands. Now as a suggestion at this point, it is Counsels recommendation that the board go ahead and hear those charges in Open Session pursuant to the employees request, prior to recessing to Closed Session so that we can add it to the agenda at this point after item V. and prior to the presentation of charges. Subsequent to the reading of the charges the employee will be given the opportunity to comment just like any other member of the public as in item VI. After Public Comment the board will be allowed to recess to Closed Session to deliberate on the matter in private under Section VII A. Also the board can offer the employee one additional opportunity to have it heard in Closed Session and attend Closed Session for presentation of charges.

Mr. Thompson then recommended that the agenda be revised to include a section in Open Session for the reading of the charges with time after for the employee to speak in Public Communication. It was then motioned by Rey DeLeon, seconded by David Arguello to add a section after the Invocation section and before Public Communication as V. B. Public Employee Discipline/Dismissal/Release. Motion carried by a 4-0 vote.

Board President then asked Mr. Thompson if this would be the time the board could ask the employee. Mr. Thompson responded that the employee could be asked at this time and would be given the opportunity to speak up against it. Board President asked if her name should be stated and Mr. Thompson stated that yes she could be referred by her name and to ask her if she has any objections to the hearing be done in Open Session. Board President then asked Flora Diaz if she wished to speak and state her comments at this time or in Closed Session. Flora Diaz responded that she did indeed want to speak and comment in Open Session. Board President asked Mr. Thompson if Ms. Diaz could come forward and speak. Mr. Thompson then told the Board President that the Recommendation for Demotion and Statement of Charges would need to be presented first. Board President then directed Mr. Thompson to proceed with reading the charges. He stated that Supt. McCurtis had requested that he read the charges. He stated that a copy of the charges was in each board members packet.

Mr. Thompson proceeded to read the Statement of Charges. He read "1. During the 2006-07 school year, you neglected to properly administer the District's Family Resource Center ("FRC") grant from the Kern County Network for Children ("KCNC"), resulting in the loss of this grant for the 2007-08 school year. Your neglect, incompetency, and inefficiency is evidenced by the following: a. On November 3, 2006, you

contacted Jayme Stuart at KCNC to inquire about the quarterly reporting requirements for the 2006-07 school year. She confirmed that the reporting requirements were the same and asked you to submit the current report as soon as possible. Despite her specific request, you failed to do so. b. On January 16, 2007, Ms. Stuart contacted you to express concern that you had not submitted any claims for instructor expenses, and very few claims for supplies. As a result of your failure to timely report FRC expenditures, KCNC denied your request for a budget revision. c. As a direct result of your neglect, incompetency and inefficiency, KCNC notified the District in May of 2007 that there was a good chance the expenses that had not been timely submitted might not be paid. KCNC also indicated that funding would not be renewed after June of 2007, since it appeared from your failure to report the expenditures that FRC did not need the money. 2. During the 2006-07 school year, you neglected to properly administer the FRC grant of Proposition 10 funds from First Five, resulting in the denial of the renewal of this grant for the 2007-08 school year. The decision not to renew the grant was only barely averted through emergency intervention and appeal by District and FRC representatives. Your neglect, incompetency, and inefficiency is evidenced by the following: a. On Nov. 27, 2006, auditor Darrell Harris issued an audit report on the District's administration of the First Five grant. The report contained a finding that the First Five files, for which you were responsible, were not properly documented, and thus there was insufficient evidence to support a proper audit. He found that the deficiencies could lead to disallowances of expenses under the terms of the grant, and could create contingent liability for the District. He found the District, and specifically your administration of the FRC/First Five grant program, to be out of compliance with the requirements of the grant. b. On April 9, 2007, Ms. Perez met with First Five representatives and was told the due to problems with prior FRC administration, they would not be recommending the renewal of the grant. Ms. Perez discussed the matter with you on April 10, 2007, and identified the problems discussed with First Five, including your failure to timely file reports and failure to properly maintain client files. Ms. Perez requested that you attend a meeting with First Five on April 18, 2007. You failed and/or refused to attend. c. On April 18, 2007, Ms. Perez along with District Supt. Gabriel McCurtis and Board President Ramon Melendez met with First Five representatives in an attempt to gain reconsideration of the recommendation not to renew the grant. First Five representatives specifically identified the areas in which you had been deficient, as noted above, and suggested the District consider replacing you with a more qualified person. Through the concerted efforts of District and FRC staff, including the Supt. and Board President, a proposal was made to First Five to reverse the decision and renew the funding. After two appearances before the First Five commission board, the grant was renewed on a probationary basis for one year." He continued, "this concludes the charges, hence, the recommendation is to continue at this point with the agenda and continue with Public Communication. At this point it is the employee's right to address the board." He then asked if the board had any questions.

Board President asked what would be the next step as far as on the employee's behalf.

Mr. Thompson replied that the employees rights had been carried through pursuant to the Brown Act and so at this point could continue with the normal meeting as agendized. In Public Communication the public is invited to comment on any matter appearing on the Closed Session agenda giving the employee the opportunity to comment as in Section XI. A.

Public Communication

Board Vice President asked if the public had any comments regarding the Closed Session agenda items. He again stated that this was the time to speak on Closed Session items.

Flora Diaz – "Good evening members of the board & community. On Friday, October 5, 2007, I received a statement of charges that the administration of McFarland Unified School District had demoted me from the position of FRC Director to the position of Program Assistant in Food Service. In a desperate attempt to validate my demotion, I feel that the administration has failed to present accurate & substantial

information. For example, my failure to attend a meeting on April 18, 2007 is presented as evidence of how I neglected to properly administer the FRC plans of Proposition 10 funds for First Five. I have with me a copy of my doctor's note that clearly states my disability date beginning January 17 to April 25, 2007. Despite the fact that I had a notice of disability from my doctor I did not attend this meeting because my child had been ill and on this date of April 18 she was seen by her doctor and was sent to get x-rays and lab work. With me I have copies of medical records for my daughter. Services in which she was seen in the five day span including four emergency room visits and ambulance services ending with her admittance to Memorial Hospital on April 23rd where she stayed for three days making that her second time being hospitalized since she was born. Had I not attended to my daughters health, my daughter may not even be here with me today. With this, is the MUSD encouraging that parents neglect their children's health? The fact that this is being used against me should raise doubts and concerns about the credibility and validity of the reasons presented by the administration to remove me from the position of Family Resource Director. That alone should raise questions. The fact that they are using this against me because I did not attend a meeting while I was still on disability, that alone should raise questions. The recommendation to demote me also raises questions about the district hiring past practices. The demotion area is not in my area of expertise. Furthermore, this is a unionized position. Shouldn't qualified union members interested in the position be given an equal opportunity to apply for this position rather than appointing a person who possesses no knowledge in the area. At this time I would like to publicly deny the charges being presented here tonight and submit my request for a hearing. Thank you for your time.

Board President thanked her.

Closed Session

The Board Adjourned to Closed Session at 5:53 p.m.

Open Session

The Board re-convened to Open Session at 7:10 p.m.

Report of Closed Session

- A. No Action Taken
- B. No action taken

Action Items

- A. Revision of Agenda of October 9, 2007.

Motion made by David Arguello, seconded by Marin Ortega Jr. to approve the agenda of October 9, 2007 with revisions. Revisions being: Item III being pulled and Consent Agenda Items 7, 8 & 10 also being pulled from the agenda. Motion carried by a 4-0 vote.

- B. Approval of Minutes of September 11, 2007 (Regular Meeting).

Motion made by Marin Ortega Jr., seconded by David Arguello to approve the Minutes of September 11, 2007 (Regular Meeting). Motion carried by a 3-1 vote.

Consent Agenda

Motion made by David Arguello, seconded by Rey DeLeon to approve the Consent Agenda items 1-6 & 9. Items 7, 8 & 10 were pulled. Motion carried by a 4-0 vote.

1. Approval of Warrant Registers
2. Approval of Travel, Conference, and Related Expenses
3. Approval of Interdistrict Transfers for the 2007-2008 school year
4. Approval of Out of State Travel and Conference – Director of Curriculum & Instruction, MHS Principal, 1 Math Teacher and 1 English Teacher.
5. Approval of Memorandum of Agreement between Economic Opportunity Commission of San Luis Obispo County, Inc. and McFarland Resource Center
6. Approval of Purchase – Cafeteria Van
7. Approval of Personal Services Agreement with Sean McGinn
8. Approval of Maintenance/Bus Driver Positions (4)
9. Approval of District Testing Coordinator (Certificated)
10. Approval of Instructional Assistant – In-House School Suspension (Classified)

Board President moved XII. 2. Presentation of School Site Councils to be introduced at this time in order that the students and parents could leave if necessary.

MMS – Roberta Burgh presented the School Site Council: Parents – Maria Elizondo, Maria Ozuna, Jose Madrigal, Victoria Gonzalez & Carmen Rizo; Students – Lorena Garcia, Cassandra Carrillo, Nayeli Gonzalez, Kathy Torres & Sylvia Zepeda; Teachers – Mr. Samaniego, Mr. Johnson, Mr. Reed & Mrs. Warren.

MHS – Martin Schmidt stated, “the School Site Council met this afternoon and were busy meeting till 5:00 p.m. this afternoon. The respectfully ask that they get home to their families & dinner and for me to convey that they are glad to be on the council working hard for the students and their school in the district.

KA – Ty Bryson introduced the School Site Council: President Jim Beltran, Susana Gomez, Cecilia Valdez, Alice Perez, Irene Lopez, Rosa Camacho, Mr. Rojo, Mrs. Cantu & Mrs. Diaz.

BRS – Mario Torres introduced his School Site Council: President Tomas Valles, Sonia Bangi, Lorena Rodriguez, Jill Sawyer, Violeta Alvarez, Sylvia Hernandez, Angel Turrubiates, Rita Mello and they have one vacant position.

MLC – Smith Efada he said, “Mr. President, it is unfortunate that I report to you that I do not have a School Site Council. Year after year the learning center has suffered from lack of participation from the parents. We have asked repeatedly to join us. We have sent letters home two times already and tomorrow another letter will be sent out to all the parents to please join us. Every year we go through this. Thank you Mr. President.

Board President asked that everyone that was present on the School Site Council to stand and be recognized. He wanted to thank them for the great job that they are doing.

Information and Proposals

A. Community Input

Michelle Rubio/BRS Staff – “Good evening board members and community members. Our staff decided

to come here this evening. We wanted to invite all board members as well as the community to come out to this family fun event that we are having as a project. We were approached by McDonalds to do a McTeachers night fundraiser tomorrow evening on October 10th from 4-7 p.m. We will be receiving 20% of the profit. I brought a couple of teachers tonight. Our teachers have been so enthused about doing stuff for fundraisers they've really gotten on board. I had a lot of response from staff members willing to come out to donate their time to do different things to help support our school. The students are very excited about this event coming up. They are so enthused that we decided to have t-shirts made and on them it says Browning Road Staff, McTeachers 2007. These staff members are modeling them. We wanted to come here to invite the community and board members to come out and show support. There will also be face painting. McDonald's says this is the first time they have ever had a school so enthused about doing this fundraiser event." Some of the staff present wearing t-shirts included Sonia Bangi, Jill Sawyer, Gladys Trevino, Rita Mello and Shirley Ritchey. She introduced BR teacher Gladys Trevino.

Gladys Trevino – She also wanted to invite everyone to help promote this positive event. She reminded everyone that 20% of the proceeds will go to Browning Road. She stated that they greatly appreciate all the boards help and support. She stated that the teachers will be there and will be working.

Michelle Rubio – "Bring your families out to a great dinner."

Maria Ozuna – She greeted the board and stated that she was not here for a fundraiser. She stated that she was here on a serious issue. She continued that on September 28, Friday, the principal of the McFarland Middle School which is Ms. Burgh briskly grabbed her child, picked him up and yelled in his face. This happened after the food fight, she called all the students back into the cafeteria and told them to clean up. She said, "My son was walking into the cafeteria, saw that another student had fallen on the ground, tried to pick her up and that was when Ms. Burgh went up to him and grabbed him by the elbow and picked him up and yelled in his face. She did not give him the time to explain what he was doing. All he was doing was trying to pick her up. I had a meeting with Ms. Burgh, she did not try to deny it, all she did was apologize. Her issue was she was concerned for the safety of the other student. My understanding is she thought the other student and my son were fighting. They were not fighting. She had fallen on the ground. She went over there and yelled at my son, picked up my son and did the exact same thing to the other child. The other parent is also here wanting to talk to the board. I'm here, in fact, I filed a complaint with Mr. McCurtis the Supt. and he invited me to come and talk to the board today. I talked to him at a meeting on Tuesday and his words were that she acted appropriately in the situation and was within her scope of the principal. It was her responsibility and her right as an administrator to do what she did. My understanding is that no administrator or no teacher has the right to grab children and start yelling at the m for no reason at all. I understand if it's a physical fight and you have to separate them, but my son was not doing that. All he was doing was trying to pick her up. You are here promoting school safety. Thank you

Esmeralda Gonzalez – "Good evening I have brought my daughter so that she may explain to you what happened to her at school".

Virginia Gonzalez – "On Friday, Sept. 28 there was a food fight and I was going back to clean up after lunch. So I was walking in the cafeteria and I fell and then my friend Marco was trying to help me up and then Mrs. Burgh comes up and she grabs Marco and pulls him away and starts telling him to go to the office and she comes up, she grabs me and I was still on the floor, she grabs me by the arm and I was seeing blurry and stars. She pulls me up and pulls me away from my friends and starts telling me to go pick something up, to go pick something up. I felt like I was going to slip and fall."

Esmeralda Gonzalez continued, "The only thing I want to tell you is that I am not consenting to this that happened. The only thing I want to tell you like Maria said, we went to place a complaint and what Maria said is what we said on these documents. I am very upset because she has not received any kind of positive output regarding her claim. She has witnesses and some letters from the doctor that in the fall she got hurt. And based on what my daughter has said she didn't allow my daughter to explain to her what had

happened, what the incident was. The point that I want to make is that my daughter could have been hurt and she didn't stop to think about that. She didn't take the precautions or measurements because I have the understanding that if a person falls they are not supposed to be moving them until they have asked them what is wrong. And she did not give her the opportunity to explain what had happened. She just figured what was in her mind and that they were fighting and didn't give them the opportunity and she was yelling and screaming like a crazy person and that's what my daughter said to me. I took her to the doctor because she is continually complaining that she is in pain. At the time that she fell she said she saw everything black. That the doctor explained to me that's what had happened. On the day that I went to the school to take the paperwork Linda said I had to file a complaint or report of injury for the school because on Friday when she fell there wasn't any report done and she said she had to file it because that was the procedure at the school. The principal called her to the office and was screaming at her. I don't know what she said to her. She didn't want anyone to help me or to talk to me. Then we went to the district office and nothing was done to the principal. Isn't this sufficient enough? We are looking for a solution to the problem. I have here copies of the girls, friends of my daughter who saw everything that happened and a teacher who saw the events. That's all at this time. I would like to know what it is that you are going to do about this issue.

Board President responded that someone at the district would get back to her and thanked her.

Marcos Padilla – “My name is Marcos Padilla and I am more comfortable speaking in Spanish. (Interpreter) I want to emphasize and inform the community that someone at their convenience decided to name this group. They gave us the name of a gang. It is obvious therefore, that this individual is lacking in education since they can't decipher what a gang is versus a community group. One of the things that I was listening to from the mother regarding her child or children. I believe and think that you will take the appropriate action in this case. This reminded me of an incident when one of my children was attending Kern Avenue when Ermelinda Ozuna was principal. I recall wanting to speak to her in a meeting and it was denied several times. I believe she may have enjoyed protection through the board. She mentioned that she could have easily spoken to the person that brought up the incident with my child. Upon asking why I couldn't speak with the individual that witnessed the incident she responded by saying, 'I chose not to allow you to speak with that person' and I asked again twice and she responded in the same manner, that she chose not to allow it. That's why I mentioned this because it reminded me of that incident. I believe that this board of directors will give a reasonable response to the incident the ladies brought up. One of the other reasons I am here is regarding some flyers that were circulated. This flyer mentions different expenses that were considered to be irresponsible by this current board. I believe the people that were on the board at the time recognize and know that most of these excessive expenditures were done when they were here. Their intent is to try to use force and lies. I have 60 years living in this community. The years I have, I have invested in trying to help those trying to improve the community with nothing in return. I have received in return some threats by phone. I believe those who have threatened me do not have the courage to come before me to tell me to my face. Anyone can approach me on anything I may have said that is wrong. One of the items on the recall flyer was an item which identifies the Melendez family and I don't believe Ramon Melendez has in any way done anything to support his family's promotions. Also mentioned is, not honoring employee's contracts. You have to remember that Mrs. Ozuna is getting paid more than \$100,000 dollars as a teacher.”

Board President advised Mr. Padilla about using people's names. He asked him to use titles instead of names.

Marco Padilla continued, “Now they are saying it's a lie, but ok, let's speak the truth. That's what we need to do, speak the truth and see if it's lies too. How come when it's a lie and we know when it's a lie they will defend it right away but not the truth? What about the lawsuit she has against the school district? One of the things I want to remind the public is that they are invited to come here and ask questions of the board regarding the expenses and not let themselves be deceived by these other people. The person who should

be recalled is the individual that hasn't been here for most of his time. That means that they're only intent is to harm this school district. Thank you."

) There were outbursts from the public.

Board President continued with the meeting.

There were continued outbursts from the public.

Board President asked for order.

Board President asked attorney Thompson to advise regarding situation.

Attorney Mark Thompson advised that the board has the power to clear the room of all spectators if its too much of a distraction. It is the board presidents prerogative to enforce the rules of the board concerning public outbursts and other comments.

Board President again called for order and stated that the room will need to be cleared before it gets out of hand. The outbursts continued and so board president stated that anyone not doing a presentation should leave the room and come back at the next meeting submitting the proper forms for speaking before the start of the meeting. He called for a brief recess.

Recess was called at 7:45 p.m.

Meeting was called back to order at 7:50 p.m. And again the board president stated that anyone not having a presentation is being asked to leave the room.

B. Superintendent's Report – Mr. McCurtis gave his report.

1. Attendance - Attendance is up from one year ago. Total is 3230 and one month ago we were at 3198 and one year ago we were at 3166. It looks like we've gained about 30-36 students and in the climate of declining enrollment that is a good thing.

C. Board Member Reports & Student Board Member Reports

Student Board Member Ivan Marquez gave his report. He stated that they are going on a field trip to UC Merced and Cal Poly. Hopefully later on they will have more field trips to UC Colleges.

Student Board Member Israel Guerrero gave his report. He stated that he was reporting on FFA (Future Farmers of America) and the Kern County Fair as well as the Delano Wine and Harvest Festival. He stated that this year FFA had 25 hogs; 15 sold at the KC Fair & 10 at Delano, 4 Steers; all 4 sold in Delano, 7 lambs; 2 sold at KC Fair & 5 at Delano, 1 heifer; sold at KC Fair. He continued that the students like to be in FFA. They are allowed to raise their own animals. They have to feed it and work with it for showmanship. This year they had 2 people win Champion of Beef at Delano Harvest. They also go 1 place in Horticulture in which they design their own landscape. McFarland won it this year.

Board Member Reports continued

David Arguello – None

Rey DeLeon – He said, "We need to start looking into building a new school. We have 30 -40 kids on average in classrooms. We need to stop putting in portables and look for new school sites for elementary or high school whatever we need."

Marin Ortega Jr. stated, "I agree with what Rey is saying about the schools, but before we even do that..... Just that little outburst we had a little while ago, it's unfortunate that we had that. I want to thank all the people that are here, all the School Site Council members that are still here. I did that for three years at Browning Road School. But the people that were here, everyone doesn't matter what side you're playing or if you're involved in politics the bottom line is that if you're still able to talk about it whether you're for this side or this side or whatever side doesn't matter as long as you still come together and communicate and fix the problem. That's the direction we need to go. And if we continue having issues like this where it's a personal issue with board members, or faculty members, community issues, the school is not the place to be doing that and I'm one, I want unity between the staff. I want open lines of communication with the staff and board members and also with students. That's what we're here for. We all live in this community. We all, most of us live here, most of the staff members live here. I'm not gone leave, but the thing is that we need to stop this and we can promote a change of attitude and be able to sit here and discuss issues. Again, whatever side of the board doesn't matter as long as we discuss it as an adult and make a decision. Sometimes the decision isn't going to please everybody but unfortunately we're not here for your personal reasons or mine. We're here for these people right here, the students and I'm going to give 100% for them, for whatever I can give to them and to all the other students here whether they're at the McFarland Learning Center or Browning Road doesn't matter. You're a student of this district and deserve the best and that's how we need to act. Conduct yourself like professionals and adults. So thank you and hopefully things will get better."

Board President continued, "I'd like to add a little bit more to what he said, besides apologizing to everyone who's still here and I'd like to thank you for bearing with us especially those of you that are going to make a presentation that are not working here or in McFarland. I do want to pass on to the administrators to let their staff know that we appreciate everything they do. We're trying to do what's best and what's right. There's been some rough years and I think that with communication that is now being done, not only between your school site and your staff but between all four or five school sites that we have. I think there's better communication now and all in all it's all for the kids and I think our student members that are here are a major factor in what we want. These students here a pretty well taught in education and it's unfortunate that these things have to happen. And it's not the kids, it's the adults but I thank you and I apologize and we'll continue with the rest of the meeting."

D. Reports

1. Business Dept. – Barbara May financial consultant gave a report on the business dept. She stated that it was a privilege to come to McFarland to assist in the closing of the books and further development of the budget. She appreciated the opportunity and she has found a lot of people in the district office to work with have been very cooperative. She stated she is here to report regarding the Unaudited Actuals and will make it very brief. She gave a synopsis about her findings as she went through to close the books and to bring it to this level. She said the district has a positive cash balance and a positive ending balance. There are adjustments to make in the current budget to bring in line some of the budget lines, but believes it can be done effectively. She is currently working on developing a tool that every site will have in front of them that they will be able to use their budget effectively and be able to discern what monies they have available and in what areas. They will also have a tool in place that will allow the district office support to help everyone to be able to accomplish the goal. "I appreciate that I have been allowed to do this. I recommend that you approve the Unaudited Actuals. I feel confidently that it has been completed in an appropriate manner and that the numbers in line there are very solid and dependable. Thank you."

2. NKVTC – Gloria Santillan gave the report for the North Kern Vocational Training Center. Each year as mandated a presentation is made to the board of trustees. Enrollment is up and there are 51 students from McFarland. They are traveling to Wasco and Delano each day. Her presentation consisted of written material that included an ADA Computation Report for 2006-07, a student placement Follow-up Survey report for 2005-06, and a current schedule of programs for the 2007-08 school year. Also included were possible programs for 2007-08, NKVTC special activities, including Kern County Vocational Olympics and 612 Certificated of Completion that were presented at the annual awards ceremonies. She also gave a power point presentation of the program.
3. Kern Avenue School – Ty Bryson gave the report for Kern Avenue. He stated that their attendance is up 60 from last year at this time with 966 students. The average daily attendance is 937 each day. Enrollment is up from last year with Kindergarten – 178, 1st – 179, 2nd – 155, 3rd – 159, 4th – 134 and 5th – 152. Kern Avenue has a staff of 52 Teachers, 21 Instructional aides, 7 Safety Patrol Supervisors. They also have 1 Reading Coach, ½ Counselor, 1 Vice Principal, and 1 Principal. They are hoping to get another Reading Coach through high priority. The first quarter awards assembly is approaching soon and invitations will be sent to the board members. Reading counts social is also to be held rewarding the kids for all the effort that they put into that. He was asked by Supt. to provide a list of accomplishments and a large part of that list was professional development. He marked the goals also that are being met in professional development. The district had set some district goals that they are striving for and all the professional development this year will be related to those goals. They are staying focused and they know what they need to do they have to raise the API and AYP scores and keep their school safe. Those are their priorities for this year. They will be all business. He thanked the board for their support.
4. McFarland Middle School - Roberta Burgh gave a brief report regarding DataQuest and the information that can be retrieved through DataQuest. She gave a handout on the School Report – Base API, Ranks and Targets and the School Report – AYP. The Middle School did not make the AYP or API. Test scores can also be downloaded. They have a lot of work to do at McFarland Middle School and they have identified that. The reason she is here tonight is to get permission to take her leadership team to some of the schools who have pulled themselves out of P.I. and really made some growth. She also mentioned Lee Mathison Middle School as one of the schools that made significant growth and gave examples of what they did to pull themselves out of P.I. status. She is asking for permission to take her leadership team to visit this school to see what can be done at McFarland Middle School to get out of P.I. status. It will be hard work but it is doable.
Supt. McCurtis added that there will be sanctions if we don't get out of P.I. status. The district could possibly become a charter school, the state could come in and a trustee would run the district. What he asked the principal to do is give you the data and take her staff to a school with similar demographics basically similar student population and see within two years the school has turned around and it is a high achieving school and maybe we can make the same marks. That is the reason for some of these requests for going to other counties and sometimes other states so that they can see the right model, talk to the people, begin to get the common vision to move our middle school and our district out of P.I. status. He mentioned a small school district, Lost Hills, they pulled their school out of P.I. and they got congratulated by the County Supt. and different things and he believes that we can do the same thing. That is the reason he asked Ms. Burgh to come and make the presentation to the board. She is asking for a chance to be able to do what needs to be done.
5. MTA – Rick Sparks stated, “good evening. Along the lines of what is going on with MTA and the school district, when Mr. Bryson and the other principals went to the QEIA Training we sent three teachers as well and I am hoping that the district will send the entire School Site Councils; teachers,

administrators, and parents alike to the QEIA SSC Training at the KCSOS on the 18th. The most important reason is that it gets done with everybody there because QEIA is regulated by SSC. It's a new thing. I assure you and this is not a threat it's a promise, especially because I get pressured from the union as a representative of MTA and CTA to monitor what goes on with QEIA. If teachers don't have the complete involvement that they are supposed to have you will hear from him. He said that because his experience with School Site Councils other than the high school has not been so good. Back in the day when he first started it was what the principal wanted and it's still like that in a lot of districts. It's gonna take a lot of work from both sides. He's got to get the teachers going to where they'll get involved and understand what their role is and that's a positive note. He continued with, "What I witnessed tonight in my opinion and being the person I am and what I believe in, it was just horrible. Most people know where I stand on all these issues, but to limit dialog and conversation for each side is oppressing and it is not justice. I realize it was getting out of hand and it bothers me that we have to turn to the attorney to find us a legal loophole so we can handle our situation. Now I don't know that at the end you had any reproach to be honest with you. What I do know, we had reports to be done and I'm going to say it out. The minute a person's name was mentioned it should have been stopped because I remember from the old days when one of the people from the other side mentioned somebody's name and they were allowed to bash someone like that. That's not right. I'm angry too because I don't believe laws and lawyers and people who administrate should be allowed to oppress the people at a public hearing and I think you get that. What I was coming here to speak about was, I wanted to say that we had a situation where there was an accusation, a parent and children about an administrator and things that happened at school and that needs to be dealt with for what it is a accusation of something that happened at school and it was just kind of felt, in the back, that one side was using those people for political reasons and then the other side came up and started using it for political reasons and we allowed that to happen and what gets lost in the end is the needs of those kids and those parents. Their right to just and fair investigation of the situation. Ramon I don't envy you your position and I know it's difficult but I believe in you. Those on the other side know what side I'm on and I'm still here but 1st and foremost I'm a spokesman for the people and the teachers and the children and I'm not going to stop doing that. How many of you have ever come to me and asked me what's going on. You quit talking to me. And Rey and I never really talked. I'm your supporter. Mr. McCurtis I believe in you too. You gotta take into consideration how the people are feeling. You can't make them all happy but you gotta take that into consideration. I would appreciate it if you would consider that. Work hard to better understand the big job that you have. I grew up with a board member for 13 years, my dad was one of those. I hope you were listening. Thank you.

6. CSEA – None

Presentations (no action)

1. **Eminence Counseling Service** – Christina Howland and Alphonso Bigelow from the Eminence Counseling Service gave an overview of their program and all the positive aspects of it. Eminence Healthcare, Inc. is an outpatient substance abuse and mental health clinic designed to provide intensive interventions and therapy based on cognitive behavioral, motivational enhancement, and social learning philosophies that will reduce the resistance to behavioral change. Their mission is to reduce community and individual problems related to mental illness and alcohol and drug use. They offer an array of alcohol and drug prevention, intervention, treatment and recovery services. Eminence healthcare works actively with individuals, business, government, education, law enforcement, social services, youth, and other advocacy groups to provide services and address relevant issues to reduce the impact of substance abuse in our community. They are committed to

providing the highest quality, client-centered, family-focused, culturally competent and community-coordinated recovery based services to children, adolescents and young adults.

Action Items (cont'd)

Old Business

A. Approval of New/Revised Board Policies – Second Reading

Motion made by Rey DeLeon, seconded by David Arguello to approve the Second reading. Motion carried by a 4-0 vote.

New Business

A. Approval of Personnel Register

Motion made by David Arguello, seconded by Marin Ortega Jr. to approve the Personnel register as presented. Motion carried by a 3-1 vote.

B. Approval of Unaudited Actuals for 2006-2007 School Year

Motion made by Rey DeLeon, seconded by David Arguello to approve the Unaudited Actuals for 2006-2007 School Year. Motion carried by a 4-0 vote.

C. Approval of CAFE Para-Educator/Parent Conference Thursday, October 18, 2007, Fresno, CA.

Motion made by Rey DeLeon, seconded by David Arguello to approve the CAFE para-Educator/Parent Conference Thursday, October 18, 2007, Fresno, CA. Motion carried by a 4-0 vote.

D. Approval of MOU – Truancy Prevention Services Agreement

Motion made by Rey DeLeon, seconded by Jim Kasiner to approve the MOU – Truancy Prevention Services Agreement. Motion carried by a 4-0 vote.

Public Hearing – Disclosure of Sufficiency of Instructional Materials

The public hearing was opened at 9:15 p.m. for comments from the public. There were no comments and the public hearing was closed at 9:17 p.m.

E. Approval of Resolution #0708-03 Regarding the Sufficiency of Instructional Materials (Ed. Code 60119)

Motion made by Rey DeLeon, seconded by David Arguello to approve Resolution #0708-03 Regarding the sufficiency of instructional materials. Roll call vote: David Arguello-Aye, Rey DeLeon – Aye, Marin Ortega Jr. – Aye & Ramon Melendez – Aye. Motion carried by a 4 – 0 vote.

F. Approval of AB430 Administrator Training Program Agreement

Motion made by Rey DeLeon, seconded by Marin Ortega to approve the AB430 Administrator Training Program Agreement. Motion carried by a 4-0 vote.

The Board adjourned to continue with Closed Session at 9:20 p.m.

VII. Closed Session

The Board re-convened to Open Session at 10:00 p.m.

Report of Closed Session

- C. Student #0708-06 MMS – Motion made by Rey DeLeon, seconded by David Arguello to Expel for one semester to Community School with a Behavior Contract upon returning to MUSD. Motion carried by a 4-0 vote
- D. Student # 0708-07 – Motion made by Rey DeLeon, seconded by David Arguello for a Suspended Expulsion with a Behavior Contract for the remainder of the year. Motion carried by a 4-0 vote.

Advance Planning

A. Future Meeting Dates

Motion made by Rey DeLeon, seconded by Marin Ortega Jr. to approve the next regular meeting date of November 13, 2007 at 5:30 p.m. Motion carried by a 4-0 vote.


Motion made by David Arguello, seconded by Marin Ortega Jr. to approve the next Study Session date of October 18, 2007 at 4:30 p.m.. Motion carried by a 4-0 vote.

Adjournment

Motion made by David Arguello, seconded by Rey DeLeon, to adjourn meeting. Motion carried by a 4-0 vote.

Board Vice - President adjourned meeting at 10:03 p.m.

Respectfully Submitted:



Gabriel McCurtis, Interim Superintendent



Ramon Melendez, Board President



Martin Ortega, Jr., Vice President



Rey DeLeon, Clerk



David Arguello, Member

ABSENT

Jim Kasiner, Member