



Trustee

**El Tejon Unified School District
BOARD OF TRUSTEES**

4337 Lebec Road; Lebec, CA 93243

PH: 248-6247 FAX: 248-6714

John Fleming, President

Anita Anderson, Trustee Steve Kiouses,

Trustee

Paula Regan, Trustee Dr. Ken Hurst,

**BOARD OF TRUSTEES
REGULAR BOARD MEETING**

Wednesday, November 9, 2011

El Tejon Unified School District Board Room

4337 Lebec Road, Lebec, CA 93243

CLOSED SESSION:

6:00 p.m.

ETUSD Board Room

OPEN SESSION:

7:30 p.m.

ETUSD Board Room

OFFICIAL MINUTES

PRELIMINARY

The November 9, 2011 Regular Board Meeting of the Board of Trustees of the El Tejon Unified School District was called to order at 6:03 p.m. by President Fleming. Trustee Anderson made the motion, seconded by Trustee Hurst in the Board Room at El Tejon Unified School District, 4337 Lebec Road, Lebec, CA 93243.

VOTE: 4 AYES, 0 NAYES, 1 ABSENT

Trustee Kiouses was absent.

HEARING OF INDIVIDUALS ON AGENDA ITEMS

President Fleming asked if any citizen was present who wished to address the Board of Trustees on any item to be considered in Closed Session. There were none.

Trustee Kiouses arrived at 6:04 p.m.

ADJOURNMENT TO CLOSED SESSION

Trustee Hurst motioned for the Board of Trustees to convene Closed Session at 6:04 p.m., seconded by Trustee Regan.

VOTE: 5 AYES, 0 NAYES, 0 ABSENT

The Board of Trustees considered the following Closed Session agenda items:

1. Personnel
 2. Employment Recommendations:
 - A. Accept resignation of SDC Aide, Frazier Mountain High School.
 - B. Reclassification of District Employee.
 3. Conference with Legal Counsel – Anticipated Litigation
Significant exposure to litigation pursuant to Government Code section 54956.9 subdivision (b): 1 potential case.
4. Settlement Agreement with former employee.

MOTION: Trustee Hurst motioned for the approval of Employment Recommendations.

SECOND: Trustee Regan

VOTE: 5 AYES, 0 NAYES, 0 ABSENT

ADJOURNMENT OF CLOSED SESSION

Trustee Anderson motioned for the adjournment of Closed Session at 7:20 p.m., seconded by Trustee Fleming.

VOTE: 5 AYES, 0 NAYES, 0 ABSENT

RECONVENING IN OPEN SESSION

The Board reconvened in Open Session at 7:37 p.m. in the Board Room at El Tejon Unified School District.

FLAG SALUTE

June Huerta, a 12th grade student at Frazier Mountain High School, led the Trustees and members of the audience with the flag salute.

APPROVAL OF MINUTES FROM REGULAR BOARD MEETING OF OCTOBER 12, 2011

MOTION: Trustee Hurst motioned for the approval of minutes from Regular Board Meeting of October 12, 2011.

SECOND: Trustee Anderson.

VOTE: 5 AYES, 0 NAYES, 0 ABSENT

REPORT FROM CLOSED SESSION

The Board of Trustees approved the following Employment Recommendations:

1. Accept resignation, Staci Watson, SDC Aide, Frazier Mountain High School.
2. Reclassification District Secretary, Audrey Weingarten, Administrative Assistant to the Superintendent, District.

SUPERINTENDENT’S REPORT

1. Enrollment – Enrollment is down 9 students from last month.
2. Field Trips – 7 approved this month
3. ASB Report – The ASB account continues to be monitored.
4. Nominations for CSBA Delegate Assembly – Any trustees interested in applying should do so.
5. District Office Hours and Holiday Schedule – The new hours for the District Office are 7:30 a.m. – 3:30 p.m. The District Office will close at 11:00 a.m. on Wednesday, November 23rd, and 11:00 a.m. on Thursday, December 15th. Also a reminder: December 23rd, 26th, and January 2, 2012 are holidays.
6. Other – The next Board Policy Committee meeting will be Wednesday, November 30, 2011 at 6:30 p.m.

PUBLIC PRESENTATIONS

One blue card was presented.

- 1). Linda MacKay, a representative of TriCounty Watchdogs, spoke regarding an Air Quality Monitor.

REPORTS

- A. Pete Carton from Schools Legal Service spoke regarding the legal status of Dependent Charter School operations at the Pine Mountain Learning Center. The charter agreement will be up for renewal in 2013. The vision and/or plans can be addressed at that time.
- B. Bidding Phase – Fernando Nieto – Call for bids began on October 10, 2011. Eighteen bids were opened on November 3, 2011. The numbers were disappointing and he recommends the ETUSD Board decline the bids next month. In December more information will be presented.
- C. El Tejon Teachers Association (ETTA) – (Christina Pennella, President) – Not present.
- D. California School Employee Association #552 – (Angela Witham, President) – No report.
- E. Trustee Reports:

Student Trustee Arreola reported an increase of Falcon Pride among the students at Frazier Mountain High School. The Falcon mural looks great. Home Coming was a success. All Agriculture students are doing a Science Fair project this year, and a Veteran’s Day Assembly will be held on Thursday, November 10, 2011. Trustee Hurst visited Frazier Mountain High School Physics classes. They are going well. He visited CSUN to speak at a Robotics Conference and hopes to have a Robotics team in place at Frazier Mountain High School next year.

Trustee Regan attended the Ribbon Cutting Ceremony at Frazier Park School. She thanked everyone for their hard work and a special thank you to Randy Poland and the drum line.

Trustee Kiouses attended the Ribbon Cutting Ceremony at Frazier Park School. He enjoyed the festivities and donated the prize he won back to the school.

Trustee Anderson attended the Fall Trustee Dinner in Bakersfield. She enjoyed hearing the president of CSBA speak. She also attended the Ribbon Cutting Ceremony and thanked everyone that helped. Trustee Anderson thanked the Board Policy Committee for updating policies.

ITEMS FOR DISCUSSION AND ACTION

A. Receive information from 2010 Census and Discussion regarding Possible Alternative Election.

Grant Herndon of Schools Legal Service gave a presentation on updated demographics for the District, including information from the 2010 Census. Copies of information sheets containing data from the 2010 Census as well as sources for voter registration and participation data were distributed to the Board and made available to the public.

Mr. Herndon noted that the Board of Trustees adopted Resolution No. 11-01 on August 11, 2010, calling for the review of 2010 Census data when it becomes available and evaluating possible alternative election systems.

Mr. Herndon noted that the total population in the District increased from 6,720 in 2000 to 8,427 in 2010. Hispanic residents were the largest minority group within the District, accounting for 12.2 percent of total population in 2000 and 16.47 percent in 2010. Non-Hispanic White residents accounted for 78.4 percent of total population in the District in 2010, and Black/African-American residents accounted for 1.0 percent of total population. Hispanic voting age population registered at 13.5 percent in 2010; Hispanic citizen voting age population registered at 6.5 - 6.6 percent, with Hispanic registration and voter turnout based upon the California Statewide Database at 6.6 percent and 5.6 percent, respectively.

Mr. Herndon noted that he is informed that no census block in the District has a Hispanic citizen voting age population exceeding 30 percent and that it would not be possible to create a majority Hispanic citizen voting age population trustee area if the District were to adopt a “by-trustee area” election system.

Mr. Herndon reviewed some potentially relevant advantages and disadvantages of the current at-large system versus a “by-trustee area” election system:

1. A trustee’s representation in an at-large system is not confined to just his/her trustee area, so that all trustees must consider the good of the entire district.
2. With a “by-trustee area” system, voters may feel more connected because their geographical area has its “own” representative that they alone elected. However, there may be a tendency to give priority to issues impacting only a trustee’s particular trustee area or the schools located within it. If Board members focus only on the constituencies who elect them, this can preclude a broader policy perspective and interfere with a willingness to cooperate to achieve common goals, which can impact student achievement. This can also impact Board cohesiveness and productivity in general.
3. An at-large system allows for a larger candidate pool, allowing voters to choose (or the Board in the case of a vacancy) from a broader base of candidates and to support candidates from outside the immediate area where they live. This may be important in a district of this relatively small size.
4. In an at-large system, each voter has an equal influence in elections and can vote for any of the candidates running. In a by-trustee area system, the influence of voters may vary depending on the number of registered

voters within a trustee area. Trustee areas with smaller numbers of registered voters will result in each voter having more influence than in areas with higher voter registration rates.

5. In a single-member by-trustee area system, voters get to vote on Board candidates only once every four years, since they only vote for candidates running in the trustee area where the voter resides. In an at-large system, voters are voting for Board candidates every two years.

6. Where minority groups are under-represented on the Board, “by-trustee area” elections MAY provide more opportunities for minorities to elect representatives of their choice. However, the system may also result in discouraging qualified candidates who might draw support from all areas of the District but who do not have a constituency within their particular trustee area.

Mr. Herndon asked whether Board members were aware of any public concerns expressed in the recent past alleging that the at-large elector system is in any way unfair. Superintendent Kleier indicated that no demand letter has been filed with her office seeking a change in the District electoral system.

The Board further discussed the pros and cons of a change in the election system.

All Board members expressed that the size of the District does not present an obstacle in running for Board seats and is quite manageable for campaigning purposes.

Board members expressed that a by-trustee area election system could result in a kind of territorialism, with trustees focusing on the schools or constituents in their election areas at the expense of a more global view of the District. Trustee Hurst noted that currently all of the District’s schools serve the entire District, so that it is important for Board members to consider the entire school district in serving on the Board. Trustee Anderson agreed, noting that a division into separate election areas could be divisive in the community, and detract from the sense of unity in the District, and that this would not serve the community or its students.

The Board discussed the fact that voters will only have the opportunity to vote every four years in a by-trustee area election system, as opposed to every two years in the current at-large system. Board President Fleming expressed that under the present system, candidates have an opportunity to file for open seats every two years. Waiting four years gives voters, as a whole, fewer opportunities to effect change in the District.

Board members were of the opinion that dividing into election areas would not help minority voters better elect their candidates of choice and in fact may be detrimental given the demographics in the District, since they could not draw on support from throughout the District. Trustee Regan noted that even where there are vacancies on the Board, the District has had few minority applicants. There was a discussion about possible kinds of outreach to improve minority participation, but that a division into separate election areas would likely not help the situation.

The Board discussed the potential for differing influence among voters in different trustee areas, where the areas are balanced in terms of total population, but the numbers of registered voters may vary widely. Trustee Kiouses was concerned that this kind of division may make it more difficult to field candidates for Board seats.

In light of the information presented, the trustees noted that it was not clear to them that a change in electoral system would be beneficial to the District at this time, or would increase the voting strength of minority voters in the District.

By consensus, the Board members expressed that their preferred approach would be to maintain the current at-large election system for now, while continuing to watch for changes in District demographics and other factors which might make a by-trustee area election system more beneficial for the District and its students. Superintendent Kleier indicated she would ask legal counsel to prepare a resolution expressing the Board's intention to hold off on changing election systems for now pending further developments and that a public hearing be set for public comment on the issue.

B. Approval of Settlement Agreement with former employee.

MOTION: Trustee Regan motioned to Approve the Settlement Agreement with a former employee.

SECOND: Trustee Anderson. **VOTE: 5 AYES, 0 NAYES, 0 ABSENT, AYE STUDENT TRUSTEE**

C. Appointment of Clerk of the Board of Trustees.

MOTION: Trustee Anderson motioned to table the Appointment of Clerk of the Board of Trustees.

SECOND: Trustee Regan. **VOTE: 5 AYES, 0 NAYES, 0 ABSENT, AYE STUDENT TRUSTEE**

D. Discussion and Action of Board Bylaw 9250 Remuneration, Reimbursement and Other Benefits.

MOTION: Trustee Hurst motioned to approve the Board Bylaw 9250 Remuneration, Reimbursement and Other Benefits as amended with the date change from 2011 to 2012.

SECOND: Trustee Regan. **VOTE: 3 AYES, 2 NAYES (Anderson and Fleming), 0 ABSENT, AYE STUDENT TRUSTEE**

DISCUSSION: Trustees voiced their opinions. The Board Bylaw will be changed reflect new date of 2012.

E. Discussion and Action of BP 6146.1 High School Graduation Requirements.

MOTION: Trustee Regan motioned to approve the first reading of BP 6146.1 High School Graduation Requirements.

SECOND: Trustee Anderson. **VOTE: 5 AYES, 0 NAYES, 0 ABSENT, AYE STUDENT TRUSTEE**

F. Consideration and Approval of Contract to provide Mental Health Mini-Grant Administrative Support

for the Mountain Communities Family Resource Center.

MOTION: Trustee Anderson motioned to approve the Contract to provide Mental Health Mini-Grant Administrative Support for the Mountain Communities Family Resource Center.

SECOND: Trustee Kiouses. **VOTE: 5 AYES, 0 NAYES, 0 ABSENT, AYE STUDENT TRUSTEE**

G. Approval of 1st Reading BP 1113 District and School Websites, AR 1113 District and School Websites, BP 2210 Administrative Discretion Regarding Board Policy, BP 3280 Sale or Lease of District-Owned Real Property, BP 3290 Gifts, Grants and Bequests, BP 4033 Lactation Accommodation, BP 5030 Student Wellness, BP 6111 School Calendar, E 9270(c) Designated Positions, BB 9400(a) Board Self Evaluations.

MOTION: Trustee Anderson motioned for the Approval of the 1st Reading of BP 1113 District and School Websites, AR 1113 District and School Websites, BP 2210 Administrative Discretion Regarding Board Policy, BP 3280 Sale or Lease of District-Owned Real Property, BP 3290 Gifts, Grants and Bequests, BP 4033 Lactation Accommodation, BP 5030 Student Wellness, BP 6111 School Calendar, E 9270(c) Designated Positions, BB 9400(a) Board Self Evaluations.

SECOND: Trustee Hurst. **VOTE: 5 AYES, 0 NAYES, 0 ABSENT, AYE STUDENT TRUSTEE**

DISCUSSION: Trustee Fleming Fleming suggested taking BP1113 District and School Websites, AR 1113 District and School Websites, and BP 6111 School Calendar back to the Board Policy Committee. Trustee Anderson suggested taking BB 9400 (a) Board Self Evaluations back to the Board Policy committee with the addition of “Vision and Goals.” Superintendent Kleier said the policies can be changed before the second reading and/or brought back to the Board in December.

<p style="text-align: center;">CONSENT AGENDA Items required by law and/or items in accordance With the District Administrative Code and/or Education Code</p>

H. Approval of B Warrant Batch #0012/\$131,107.70; #0013/\$184,574.91; #0014/\$535,229.84.

G. Approval of 2nd Reading AR 4157 Employee Safety.

MOTION: Trustee Regan motioned for Approval of the Consent Agenda.

SECOND: Trustee Anderson. **VOTE: 5 AYES, 0 NAYES, 0 ABSENT, AYE STUDENT TRUSTEE**

ADJOURNMENT

Trustee Regan motioned for the adjournment of the Regular Meeting of November 9, 2011 at 9:49 p.m., seconded by Trustee Anderson. **VOTE: 5 AYES, 0 NAYES, 0 ABSENT, AYE STUDENT TRUSTEE**

The minutes are an unofficial draft until reviewed, modified and approved by ETUSD Trustees approved by the Governing Board on December 14, 2011.

Clerk of the Board _____