

**Los Gatos Union School District  
MINUTES OF THE REGULAR BOARD MEETING**

**Agenda/Minutes #23 – May 15, 2012**

**Location: Daves Avenue Elementary School Cafeteria  
17770 Daves Avenue, Los Gatos, CA 95030**

***Trustees Present:** Kathleen Bays, Scott Broomfield, Doug Halbert, Chris Miller and Tina Orsi-Hartigan  
**Administration:** Diana Abbati, Leslie Paulides, Marla Rodriguez, Bitsey Stark, Maggi Reser, Jason Pedersen, Rosanne Adona, Lisa Reynolds, Lisa Fraser, Susan von Felten, David Freed, Jim LaTorre and Dana Steele*

***Staff & Guests:** Elena Alvarez, Denise Ramon Herrera, Jana Amin, Maureen O’Hara, Tami Graves, Gay Orr, Jaime Stacy, Vicki Renz, Tom Gray, Nancy Roan, Carri Williams, Carla Pescatore, Amy Torres, Victoria Fayer, Leslie Wooley, Jolynn Dariano, Lisa Pupkin, Carol Schmitt, Lauren Honda, Amy Goldsmith, Fran Mastroianni, Gary Worsham, Bob Chrisman, Mona Raby, Terry McBriarty, Alyce Green, James Green, Donna McCurrie, Cynthia James, Nancy Moss, Julia Black, Thom Linden, Aaron Cockerill, Tom Rowland, Trent Weise, Vilma Huertas, Dr. Brian Chrisman, James Patrick, Karen Brodine, Dorice Piraino, Michael Hall, Geri Markey, Heidi Lewis, Tracy Calassa, Erik Anslinger, Tyler Boswell, Ingrid-Oakley-Grivan, Kurt Anslinger, Carol Tinsley, Larry Erdosh and parents and community members in the audience.*

**1. CALL TO ORDER**

*Board President, Kathy Bay, called the meeting to order at 5:03 p.m.*

**2. REGULAR SESSION**

**2.1 Flag Salute**

*Trustee Bays led the flag salute at 5:03 p.m.*

**2.2 Approval/Amendment of Agenda**

*On a motion by Trustee Miller, seconded by Trustee Halbert, the agenda was approved by a 5/0 vote as amended, item 4.1 to follow item 2.3.*

**2.3 Recognition – Teacher of the Year and Distinguished Employees**

*Superintendent Abbati introduced the new principal for Daves Avenue Elementary School, William “Kit” Bragg. Mr. Bragg comes from the Cupertino Union where he served as Assistant Principal of Kennedy Middle School. He has two Master Degrees in administration and Interdisciplinary Education.*

*Superintendent Abbati along with Trustee Bays presented awards to the Distinguished Employees of the Year, Jana Amin, Tami Graves, Maureen O’Hara, Gay Orr, and Jaime Stacy.*

*Jim Fredette, Teacher of the Year, will be recognized at the June 5, 2012 Board meeting.*

*Trustee Bays called for a short reception at 5:20 p.m. The meeting reconvened at 5:37 p.m. with item 4.1 as an approved amendment to the agenda.*

## **2.4 Public Comment**

*Public comments commenced at 6:10 p.m. and ended at 6:17 p.m. Among the speakers were Gary Worsham, Bob Chrisman, Mona Raby, Terry McBriarty, and Alyce Green.*

## **2.5 Superintendent's Report**

*Superintendent Abbati welcomed everyone on behalf of the Los Gatos Union School District teachers, staff and administrators. She continued by thanking the parents and community members for their email correspondence and stated, “Unfortunately, I have not been able to respond due to the high volume of requests, questions, and suggestions on ways to improve District operations. I want to clarify any misconceptions about the public’s questions and requests, specifically the processing of California Public Records Act requests received by the District. The District office is processing a large amount of requests and questions. The District will respond to each individual request, as to whether or not copies are available and when they will be available for pickup. Requests are being processed in the order, timeframe in which they are received following the guidelines in the Act, which state the agency will respond within 10 business days. Unfortunately, the District has to hire additional help to process such requests. I ask for your patience as we proceed so not to disrupt the regular business operations as stated in the Act.”*

*“In regards to audio taping of meetings and Public Records Act requests, the District recently purchased the equipment you see today as a pilot program for audiotaping Board meetings. The first Board meeting audiotaped was on Tuesday, March 6, 2012. The District does not have audiotapes of any meetings prior to the onset of this piloting program. The approved minutes are the public records that can be viewed on the District website. Any Public Records Request will be processed according to the guidelines previously mentioned.”*

*She stated that the District is still accepting applications for participation on the Board appointed Citizens’ Bond Oversight Committee until May 30<sup>th</sup> and are looking for five community members.*

*Upcoming Board Meetings were highlighted as follows:*

- June 5<sup>th</sup> will be a regular Board Meeting at 6:30 p.m. focused on Technology Integration/Bridge Plan for 2012-13, Cassy Report and Art and Science Mentors will present the year’s activities and accomplishments.*
- June 19<sup>th</sup> will be a regular Board Meeting at 6:30 p.m. focused on adopting the budget for the 2012-13 school year. For more Board meeting locations and times, please visit the District website.*

*She was happy to report that the District received “a \$150,000 donation from developer, Mark Robson. Similar to other gifts/bequests, this unrestricted donation is presented to the Board of Trustees for approval tonight on the Consent Agenda.” The Board of Trustees took a moment to thank Mr. Robson for his generous donation. “Jake Lavin is here tonight on behalf of Mr. Mark Robson.”*

## **3. CONSENT AGENDA**

*On a motion by Trustee Orsi-Hartigan, seconded by Trustee Broomfield, the following items on the consent agenda were approved by a 5/0 vote.*

**3.1 Minutes**

**3.1.1 Regular Board Meeting, April 24, 2012**

**3.1.2 Regular Board Meeting, May 1, 2012**

**3.1.3 Special Board Meeting, May 1, 2012**

**3.2 Warrant Register**

**Warrant Register for the month of May 2012**

**3.3 Service Contracts**

**Service Contracts, May 15, 2012**

**3.4 Personnel Report**

**Personnel Report, May 15, 2012**

**3.5 Acceptance of Bequests, Gifts of Money or Property on Behalf of the Los Gatos Union School District**

**Bequests List, May 2012**

**4. STRATEGIC INITIATIVE #1 - IMPROVING STUDENT ACHIEVEMENT (DISCUSSION/ACTION)**

**4.1 Los Gatos Goes Green (LG3) (Information)**

*Agenda was amended for item 4.1 to come after item 2.3 and began at 5:31 p.m.*

*Assistant Superintendent-Curriculum and Instruction, Dr. Bitsey Stark, along with Carol Schmitt, presented the LG3 Student Leadership team to the Governing Board. Each school gave a presentation on the efforts of their respective LG3 team. Students who received a certificate for their participation in the LG3 Student Leadership team are as follows: Sadie Miller, Avalon Ver Valen, Ashlyn Ver Valen, Naren Srinivasan, Marc Weiner, Devon Schreiner, Caroline Zepecki, Emory Johnson, Maila Nelson, Kian Khazaei, Summer Lambert, Nicolas Valentine, Sofia Sodano, Kenneth Tsunoda, Samara Stout, Annabelle Gutman, Tak Torrey, Lauren Calassa, Eric Phillips, Sydney Bannon, Rina Schreiman, Grace Marcus, Melinda Hill, Courtney Thomas, Blythe Reynolds, Coco White, Pasha Emarlou, Zach Perkel, Kate Young, Corbin Matley, Kirsten Cook, Tylyn Page, Charlotte Bony, Shannon Ross, and Celeste Wallick.*

*Superintendent Abbati along with the Trustees thanked the students and teachers for their presentations.*

*The meeting returned to item 2.4 at 6:10 p.m.*

**4.2 Curriculum, Instruction & Assessment: Transitional Kindergarten Program Update (Information)**

*Assistant Superintendent - Curriculum & Instruction, Dr. Bitsey Stark presented an update of the Transitional Kindergarten (TK) Program to the Governing Board. She stated, "Around the country, most states have established the month of September as their Kindergarten entry birth date. TK is the first of a two-year Kindergarten program. Children eligible for TK are*

*4-year olds born between September 2 and December 2. TK uses a modified kindergarten curriculum that is age and developmentally appropriate. A TK class may be combined with a regular Kindergarten class when there are not enough students to fill two separate classes in order to reduce costs and address staffing challenges. Instructional minutes will be the same as Kindergarten.”*

*Board comments and clarifying questions began at 6:29 p.m. and ended at 6:30 p.m.*

## **5. STRATEGIC INITIATIVE #5 - IMPROVING DISTRICT OPERATIONS (DISCUSSION/ACTION)**

### **5.1 Declaration of Need for Fully Qualified Educators (Discussion/Action)**

*Assistant Superintendent-Administrative Services/Labor Relations stated, “The Los Gatos Union School District employs only qualified teachers who hold a valid California teaching credential. There are special circumstances where there is a need to employ teachers who hold emergency credentials, limited assignment permits, or who are enrolled in the Pre-Intern Program authorized through the California State Department of Education and the California Commission on Teacher Credentialing (CCTC). These circumstances include: (1) Teachers from other states who are authorized to teach and need to take the California Basic Educational Skills Test (CBEST), or provide proof of completion of an equivalent alternative verification of basic education competencies recognized by the CCTC, may be employed but must pass the test within one year; (2) Teachers who are completing the requirements for an additional credential or require a supplementary authorization to teach a subject other than the one(s) authorized on their credential. Supplementary authorizations are often needed in order to staff an extensive elective program such as the one offered at R. J. Fisher Middle School; (3) Authorization for a teacher to work with an English Language Learner in a classroom setting. The district’s submission of a Declaration of Need for Fully Qualified Educators is a prerequisite to the issuance of any limited assignment permit by the California Commission on Teacher Credentialing. The Declaration of Need for Fully Qualified Educators is valid for no more than twelve months and will expire on June 30, 2012. The District staff use multiple strategies to recruit fully qualified staff; however, in the event that we may not find a “fully qualified” teacher for a particular position, we are required to submit the Declaration of Need for Fully Qualified Educators for the 2012-2013 school year.”*

*On a motion by Trustee Miller, seconded by Trustee Broomfield, the Declaration of Need for Fully Qualified Educators was approved by a 5/0 vote.*

#### **5.1.1 Declaration of Need for Fully Qualified Educators, May 15, 2012**

### **5.2 Imagine LGUSD 2022 Update (Information)**

*Assistant Superintendent-Business Services/CBO, Leslie Paulides introduced Brent McClure from Cody, Anderson, Wasney who gave an in-depth update to the Governing Board on the launch of the Imagine LGUSD 2022 Long-Term Facilities Master Planning efforts. Topics discussed were the series of policy changes in the State of California, how communities are always changing and evolving, sustainability, technology, facilities, long-term capacity, and gathering input from all the constituents. The Imagine LGUSD 2022 updates are made available to the public on the LGUSD website.*

*Board comments and clarifying questions began at 6:41 p.m. and ended at 6:52 p.m.*

*Public comments commenced at 6:52 p.m. and ended at 6:55 p.m. Among the speakers were Gary Worsham, and James Green.*

### **5.2.1 Imagine LGUSD 2022, May 15, 2012**

## **5.3 Fiscal Year 2012-13 Budget Planning Update (Information)**

*Assistant Superintendent-Business Services/CBO, Leslie Paulides presented a Budget Planning Update to the Governing Board for discussion. The proposed Adopted Budget 2012-13 will be presented at the June 19, 2012 Board meeting for approval and action. Among the topics discussed were tax measures and proposals and how they affect education if passed, categorical funding, strategic plan, parcel tax, property taxes, national ranking of per pupil funding, utility savings, and developer fees. She stated there will provide an update on the inventory, policies and practices and the June 19, 2012 Board meeting.*

*Board comments and clarifying questions began at 7:31p.m. and ended at 7:39 p.m.*

*Public comments commenced at 7:39 p.m. and ended at 7:40 p.m. The speaker was Donna McClure.*

*The Board deliberated from 7:40 p.m. until 7:46 p.m.*

### **5.3.1 Fiscal Year 2012-13 Budget Planning Update, May 15, 2012**

## **5.4 Financial Advisory Committee (FAC) Bylaws - Final Reading (Discussion/Action)**

*Assistant Superintendent Abbati gave an explanation of the final reading of the Financial Advisory Committee (FAC) Bylaws to the Governing Board. She shared the timeline, history, revision process, the importance of being compliant, and feedback from meetings with the constituents.*

*Board comments and clarifying questions began at 7:47 and ended at 7:50 p.m.*

*Trustee Broomfield shared that constituents from the Home & School Club, LGEF, Resource Council, and the principals were consulted. This is an opportunity to come to the community, how important transparency is, that's why the process was opened up.*

*Public comments commenced at 7:50 p.m. and ended at 7:58 p.m. Among the speakers were Cynthia James, Terry McBriarty, Donna McClure, Alyce Green,*

*The Board deliberated from 7:58 p.m. and ended at 8:28 p.m.*

*Among the topics discussed included: clarification that the FAC is the same as the BAC, with more of a financial advisory role added; members will bring expertise in the financial field; the H&SC's role and goal of expanding representations; and the role of the principals. Mr. Halbert stated, "The fact that this is a working group that studies issues as assigned and reports back findings, no voting is done but a consensus is met and then shared with the Board, and the role of parcel tax committee added to be in compliance. The importance of attending all of the meetings was stressed.*

*All meetings are held in accordance with the Brown Act and include posting of the agenda in a timely fashion.”*

*Trustee Broomfield stated that this is a body that is representing the entire community and the entire district and will do the work.*

*Trustee Orsi-Hartigan stated the idea is that once this is approved, the new members would start the beginning of next year. She further shared that this is an open application process with information going out during the summer and want to involve as many people as possible who are interested.*

*Superintendent Abbati stated that revisions will be made as directed by the Governing Board and another draft will be brought to the Board at the June 5<sup>th</sup> Board meeting.*

*No action was taken.*

#### **5.4.1 Financial Advisory Committee Bylaws, May 15, 2012**

### **5.5 Resolution #16-11-12, Financial Advisory Committee (FAC) (Discussion/Action) - 8:00 p.m.**

*This item was tabled until the June 5<sup>th</sup> Board meeting.*

#### **5.5.1 Resolution #16-11-12, Financial Advisory Committee (FAC), May 15, 2012**

### **5.6 Proposed Board Meeting Schedule 2012-13 Revised Drafts A & B (Discussion/Action)**

*Superintendent Abbati presented the two revised drafts of the proposed Board Meeting schedule for the 2012-13 school year to the Governing Board for discussion and action.*

*Board comments and clarifying questions began at 8:29 p.m. and ended at 8:30 p.m.*

*On a motion by Trustee Halbert, seconded by Trustee Orsi-Hartigan, the motion to accept draft A was approved by a 5/0 vote.*

*Trustee Bays called for a break starting at 8:30 p.m. The meeting reconvened at 8:44 p.m.*

#### **5.6.1 Proposed Board Meeting Schedule 2012-13 Revised Drafts A & B, May 15, 2012**

### **5.7 Lexington Site Issues to Revisit Action taken at the April 10, 2012 Board Meeting (Discussion/Action)**

*Assistant Superintendent Paulides accompanied by Mike Kleames from Pacific Crest Engineering, Alan Kropp, peer reviewer from Alan Kropp & Associates, and Melinda Lum from HMC Architects, provided an extensive update to the Governing Board regarding meetings with Assemblyman Rich Gordon, and California Geological Survey (CGS) regarding Lexington site issues including: implications of the CGS reports, fiscal impacts, timelines and expenditures, and feasibility of continuing the project at the current site. The District's attorney, Glenn Gould, was present to advise the Board on issues related to: liability, risk assessment, student safety, interim housing, and fiscal impacts and expenditures of taxpayer's money for school construction. The Board revisited and took action on the motion made at the April 10, 2012 Board meeting to discontinue the District's investment in the Lexington property and wrap the District's objectives into the Imagine*

*2022 facilities long-term master plan. Recent history was shared then they went through the current meeting with CGS, which took place on May 11, 2012.*

*Assistant Superintendent Paulides stated that Mr. Gordon was definitely an advocate and asked if process could be efficient and cost effective and for this to come to an end. He appealed to CGS to get closure on this issue.*

*Superintendent Abbati read the message from the Assemblyman Rich Gordon, "Thanks to you and your School Board President for attending the meeting with the California State Geologist. I think that we have been able to clarify the path forward. Next week's technical meeting should be able to identify the requirements needed to finalize the geological work so that a conversation can begin with the State Architect. I certainly hope that we can complete the technical phase with as little additional cost to the District as possible. Since the State Geologist will only identify the level of risk, it will be up to the State Architect (and your consultants) to determine the level of construction necessary to mitigate risk associated with a large earthquake. I recognize that you will have some very difficult decisions to reach if the mitigation construction costs are determine to be beyond your means. I remain available to work with you and the various state agencies as we move forward."*

*The consultants shared information regarding specifics such as, foundation type, reinforcements, slope stability, soil strength, seismic tests scenarios, displacement, constructible environment, groundwater, up scope and costs, and shear strength.*

*Among other topics discussed were the number of classrooms, the location of the clubhouse, regulations regarding a school near a freeway, additional revenue sources including the possibility of hardship monies.*

*Board comments and clarifying questions began after the presentation and ended at 10:13 p.m.*

*Public comments commenced at 10:13 p.m. and ended at 10:55 p.m. Among the speakers were Nancy Moss, Tom Linden, Aaron Cockerill, Alyce Green, Tom Roland, Trent Weise, Vilma Huertas, Julia Black, Dr. Brian Chrisman, James Patrick, Karen Brodine, Dorice Piraino, Michael Hall, Geri Markey, Gary Worsham, Heidi Lewis, Tracy Calassa, Erik Anslinger, and Tayler Boswell.*

*Trustee Halbert complimented Assistant Superintendent Paulides, Superintendent Abbati, Alan Kropp, and the firms working with us. He continued, "On the 10<sup>th</sup>, when we made the motion, I believe that we made the right decision with the information we had at that time." He recommended authorizing completing the project with CGS.*

*The Board deliberated from 10:13 p.m. until 11:09 p.m.*

*On a motion by Trustee Halbert, seconded by Trustee Orsi-Hartigan, the motion was made to authorize the District to engage with Pacific Crest Engineering and Alan Kropp & Associates and consultants to complete the process of responding to the findings and guidance of CGS. The motion was approved by a 5/0 vote.*

### **5.7.1 Lexington Site Issues, May 15, 2012**

## **5.8 Relocation of Lexington Students to Revisit Action taken at the April 24, 2012 and May 1, 2012 Board Meetings (Discussion/Action)**

*Assistant Superintendent Paulides accompanied by Melinda Lum from HMC Architects, and*

*Project Manager Rick Kramer, provided an update on progress for interim housing at the R.J. Fisher Middle School beginning with the 2012-13 school year. The District's attorney, Glenn Gould, advised the Board on issues related to interim housing including: liability, risk assessment, student safety, interim housing, and fiscal impacts and expenditures of taxpayer's money for school construction. The Board revisited and took action on the following motions: (1) April 24, 2012 Board meeting - the motion was to proceed with the relocation of Lexington students with the action to be revisited on May 15, 2012; and (2) May 1, 2012 Board meeting - the motion was to proceed with the interim housing solution of Lexington students beginning in August 2012 with action to be revisited after the CGS meeting on May 11, 2012.*

*Among the topics discussed in detail were planning costs, plans for the portables at Van Meter, interim housing options, seeing what is cost effective and less disruptive, and design immunity.*

*Board comments and clarifying questions began at 11:18 p.m. and ended at 11:40 p.m.*

*Public comments commenced at 11:40 p.m. and ended at 12:01 a.m. Among the speakers were Ingrid Oakley-Girvan, James Patrick, Vilma Huertas, Alyce Green, Trent Weise, Thom Linden, Kurt Anslinger, Carol Tinsley, Larry Erdosh, Geri Markey, and Amy Goldsmith.*

*The Board deliberated from 12:01 a.m., Wednesday, May 16, 2012 until 12:11 a.m.*

*On a motion by Trustee Broomfield, seconded by Trustee Broomfield, the motion was made to suspend the relocation of Lexington students beginning in August 2012. Th motion was approved by a 5/0 vote.*

#### **5.8.1 Relocation of Lexington Students, May 15, 2012**

### **6. BOARD ITEMS**

#### **6.1 Subcommittee Reports of the Board of Trustees**

*There were no subcommittee reports.*

#### **6.2 Correspondence**

#### **6.3 Board Comments**

*There were no Board comments.*

#### **6.4 LGUSD Governance and Planning Calendar**

##### **7.4.1 Governance Planning Calendar, May 1, 2012**

#### **6.5 Future Board Meetings**

- Regular Board Meeting, June 5, 2012, 6:30 p.m.
- Regular Board Meeting, June 19, 2012, 6:30 p.m.

### **7. ADJOURNMENT**

*Trustee Bays adjourned the meeting at 12:12 a.m. on Wednesday, May 16, 2012.*



Respectfully Submitted,

Approved and ordered into proceedings of the LGUSD  
on June 19, 2012

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Diana G. Abbati, Secretary  
Board of Trustees

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Chris Miller, Clerk  
Board of Trustees

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Date