

**MINUTES  
BOARD OF EDUCATION MEETING  
LA MESA-SPRING VALLEY SCHOOL DISTRICT  
REGULAR MEETING: September 15, 2009**

The meeting was called to order at 7:00 p.m. at Parkway Middle School by the President, Mrs. Halgren.

The President led the Pledge of Allegiance to the Flag.

Board members present: Baber, Duff, Halgren, Turner, Winet

Board members absent: None

Staff members present on assignment: Bender, Marshall, Martinez, Yoshihara, Walker

It was moved by Duff, seconded by Winet, and carried unanimously to approve the minutes of the regular meeting of 9/1/09 as presented and 9/7/09 as revised to reflect a speaker, Brianna Coston, as a student at Steele Canyon High School.

**COMMUNICATIONS**

Memo from David Yoshihara, Assistant Superintendent, Business Services, regarding SmartFind Express Substitute Finder and the SchoolMAX Student Information System

Master Lease between the District and San Diego Youth Services

Lecturer/Presenter and/or Short-Term Employment forms

2008-09 Unaudited Actuals Report

Memo from the Superintendent revising the September 7, 2009 minutes to reflect a speaker, Brianna Coston, as a student at Steele Canyon High School

PowerPoint Report on 2008-09 Unaudited Actuals

Letter from Claudine Duff, Member, Citizens' Bond Oversight Committee, objecting to the Board's decision regarding the Obama speech and submitting her resignation from the Committee

Letters from the following people objecting to the Board's decision regarding the Obama speech: Barbara Rosner, L. M. Ross, and James H. Baker

Memo from Karen Walker, Assistant Superintendent, Learning Support, regarding 2009 STAR Test Results

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**ESTABLISHMENT OF QUORUM**

**MINUTES  
9/1/09 as presented  
9/7/09 as revised**

**COMMUNICATIONS**

D. Yoshihara, Asst. Supt.,  
Business Services  
SmartFind Express Substitute  
Finder/SchoolMAX Student  
Info System

SDYS Master Lease

Lecturer/Presenter forms

2008-09 Unaudited Actuals

B. Marshall, Superintendent  
Revised minutes

PowerPoint re 2008-09  
Unaudited Actuals

C. Duff, Member, CBOC  
Obama speech/resignation

B. Rosner, L.M. Ross, &  
J. Baker  
Obama speech

K. Walker, Asst. Supt., LS  
2009 STAR Test Results

**AGENDA**

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The President explained that there would be a separate public hearing to address Item S-1, *Apology for the Board Action of 9/7/09*, as it appears most people are interested in speaking to this item.

It was moved by Winet, seconded by Duff, and carried unanimously to approve the agenda, including a third public hearing to address the Obama speech issue.

Approved as amended

**HEARING SESSION(S)**

**HEARINGS**

The President announced a hearing for anyone who wished to address the Board regarding the Pupil Textbook and Instructional Materials Incentive Act. There being no one wishing to address the Board, the session was closed.

Pupil Textbook & Instructional Materials Incentive Act

The President announced a hearing for anyone who wished to address the Board on any topic relating to public education. There being no one wishing to address the Board, the session was closed.

General topics related to public education

**NEW BUSINESS**

**NEW BUSINESS**

Prior to taking public testimony, Board President Halgren apologized for her actions and vote to delay the President’s speech, stating it was her intention to allow teachers to provide a rich educational experience and did not understand the significance of the group event. The President further announced the vote was a 3-2 decision, with members Turner and Baber voting against the motion.

**Apology for the Board Action of September 7, 2009**

Board member Duff apologized and stated he thoroughly regrets being responsible for the decision to not show the President’s speech live. He stated his belief that, after viewing the President’s speech, all should have been given the opportunity to view it live.

Board member Winet stated that he was the Board member that placed this item on the agenda and, although he doesn’t necessarily concur with the other Board members that this was a horrific decision, he expressed his apology that a better decision could have been crafted, allowing for the speech to be carried to middle schools with an opt-out plan for parents, and, citing discussions with a number of K-3 teachers, allowing elementary teachers to show the speech at a later time. He further stated that he wished the Board had been able to review the lesson plans provided by the Secretary of Education.

The President announced a hearing for anyone who wished to address the Board relating to Item S-1, *Apology for the Board Action of September 7, 2009*.

Hearing related to Item S-1, *Apology for the Board Action of September 7, 2009*

Tony Lawrence, Parent, Parkway Middle (PKMS) and Northmont Elementary Schools, expressed his disapproval of the Board’s decision.

T. Lawrence, Parent, PKMS and NOR

Paul Schnaubelt, former parent, teacher, and President, LMSV Teachers Association, was hopeful the Board's decision was an anomaly and stated he looked forward to the Board continuing to be stewards of the District.	P. Schnaubelt, President, Teachers Assn. Obama speech
Christina Hicks, Parent, La Presa Elementary/La Presa Middle School, and President, Mt. Helix Council PTA, expressed her disappointment in the Board's decision.	C. Hicks, Parent/President, Mt. Helix Council PTA Obama speech
Anne Isaaks, Parent, Murdock Elementary and La Mesa resident, expressed her disapproval of the Board's decision.	A. Isaaks, Parent, MUR Obama speech
Sophia Bacting, 6 <sup>th</sup> -grader at PKMS, expressed her disappointment in the Board's decision.	S. Bacting, Student, PKMS Obama speech
Elizabeth Bacting, Parent, PKMS, expressed her disapproval of the Board's decision.	E. Bacting, Parent, PKMS Obama speech
Lyle Arvidson, former District employee; Vietnam veteran, expressed support for the Board's decision.	L. Arvidson, former employee Obama speech
Kevin Smith, District Parent, expressed disapproval of the Board's decision and read a note from his grandfather expressing the same opinion and asking Members Duff, Halgren & Winet to step down.	K. Smith, District parent Obama speech
Tim Cooper, Parent, Lemon Ave. Elementary, expressed disapproval of the Board's decision. He presented the Board with a book, <i>Between Barack and a Hard Place: Racism and White Denial in the Age of Obama</i> .	T. Cooper, Parent, LEA Obama speech
Denis Blevins, District teacher, expressed disapproval of the Board's decision.	D. Blevins, District Teacher Obama speech
Fred Neubecker, District parent, expressed disapproval of the Board's decision and requested Duff, Halgren & Winet's resignation.	F. Neubecker, District parent Obama speech
Karen Cliffe, Parent, Lemon Avenue Elementary and La Mesa Middle Schools, expressed disapproval of the Board's decision and called for the resignation of Duff, Halgren & Winet.	K. Cliffe, Parent, LEA/LMMS Obama speech
Bonnie Price, District parent, expressed disapproval of the Board's decision.	B. Price, District parent Obama speech
Jay Steiger, Parent, Murdock Elementary/Member, District Budget Study Committee, expressed disapproval of the Board's decision.	J. Steiger, Parent, MUR Obama speech
Rob Coppo, Parent, Lemon Avenue Elementary, expressed disapproval of the Board's decision and stated Member Winet had no choice but to resign.	R. Coppo, Parent, LEA Obama speech
Jim Gogek, District parent, expressed disapproval of the Board's decision.	J. Gogek, District parent Obama speech
Lori Scribner, Parent, PKMS, expressed disapproval of the Board's decision and asked that Duff, Halgren & Winet step down.	L. Scribner, Parent, PKMS Obama speech

Stella Zimmerman, District parent, expressed disapproval of the Board's decision and asked that Duff, Halgren & Winet resign.	S. Zimmerman, District parent Obama speech
Maureen Paolini, Parent, Fletcher Hills Elementary, expressed disapproval of the Board's decision.	M. Paolini, Parent, FLH Obama speech
Paolo Paolini, Student, Fletcher Hills Elementary, expressed disapproval of the Board's decision.	P. Paolini, Student, FLH
Michael McCall, Parent, La Mesa Middle School/Educator, San Diego State University, expressed disapproval of the Board's decision.	M. McCall, Parent, LMMS Obama speech
Chrysanne Lowe-Rafferty, Parent, Lemon Ave. Elementary/La Mesa Middle School, expressed disapproval of the Board's decision.	C. Lowe-Rafferty, Parent, LEA/LMMS
Ray Lutz, East County resident and representative of citizenoversight.org, expressed disapproval of the Board's decision and urged Duff, Halgren & Winet to resign.	R. Lutz, East County resident Obama speech
Lubna Arakat, community member, expressed disapproval of the Board's decision and suggested Duff, Halgren & Winet resign.	L. Arakat, community supporter Obama speech
Leah Piffard, District parent, expressed disapproval of the Board's decision.	L. Piffard, District parent Obama speech
Eva Thorpe, retired District teacher, expressed disapproval of the Board's decision.	Eva Thorpe, retired District teacher Obama speech
Mark Stengel, former District parent/teacher in neighboring District, expressed disapproval of the Board's decision and suggested Duff, Halgren & Winet resign.	M. Stengel, former District parent Obama speech
Sheryl Mullins, parent, La Mesa Middle School/teacher in Lemon Grove, expressed disapproval of the Board's decision.	S. Mullins, Parent, LMMS Obama speech
Rae Russell, District parent, expressed disapproval of the Board's decision, and called for Duff, Halgren & Winet's resignation.	R. Russell, District Parent Obama speech
Michelle Foy, Parent, PKMS, expressed disapproval of the Board's decision.	M. Foy, Parent, PKMS Obama speech
Britt Mueller, District parent, expressed disapproval of the Board's decision and suggested Duff, Halgren & Winet resign.	B. Mueller, District Parent Obama speech
Phil Bertrand, community member, expressed disapproval of the Board's decision.	P. Bertrand, community member Obama speech
Lori Wilcox, District teacher/parent/Teachers Assn. Board member, expressed disapproval of the Board's decision.	L. Wilcox, District teacher/parent Obama speech

Carolyn Gunnon, District teacher, expressed disapproval of the Board's decision.

C. Gunnon, District teacher  
Obama speech

Patrick Hurley, Santee resident, expressed disapproval of the Board's decision.

P. Hurley, Santee resident  
Obama speech

Tamoor Sial, Student, Valhalla High School, expressed disapproval of the Board's decision.

T. Sial, Student, VHS  
Obama speech

After the above public comments, the hearing session was closed.

It was moved by Baber, seconded by Winet, and carried unanimously to accept the apology for the Board Action of September 7, 2009 from Board members Duff, Winet and Halgren on behalf of the District and students of the District.

**Decision regarding Apology  
for the Board Action of  
September 7, 2009**  
Accepted

**RECESS**

**RECESS**

At 9:20 p.m. the President announced a recess.

The President reconvened the meeting at 9:45 p.m.

Resolution 09-10-11, Threats to School Officials –  
Prior to the vote, Member Winet read the following into the record:

**Resolution 11, Threats to  
School Officials**

*September 15, 2009 – In the course of public debate, emotions can run high on some issues. The board members who voted in the majority on September 7<sup>th</sup> can attest to this fact.*

*Many of those with an opposing view have lowered themselves to name calling and ugly, uncivil language. While this behavior is demeaning and irresponsible at best, I have an example to share with you this evening that crosses the line.*

*This is an e-mail that was authored by Paul Schnaubelt, President of the La Mesa-Spring Valley Teachers Association. On September 8<sup>th</sup>, Mr. Schnaubelt was addressing members of the Teachers Association when he wrote the following:*

*“Some people asked what they could do to the three school board members who voted in favor of this...are the three school board members up for election in November? We were unsuccessful removing a board member last time simply because people would not come to the phone banks. If you are going to challenge the King you'd better kill the King.”*

*I believe that we must discourage this type of language, where someone refers to “killing” a School Board member.*

*These words, taken figuratively or literally, have no place in our education or school setting.*

*This is why I have brought this item to the Board this evening.*

*I move that we approve Resolution 09-10-11, Threats to School Officials.*

The motion was seconded by Baber.

There was discussion regarding interpretation of the e-mail and definition of verbal vs. personal attacks.

Ray Lutz, East County resident and representative of citizenoversight.org, expressed his opinion that, by presenting this item, the Board was not truly apologetic for its decision on September 7, 2009.

The motion was carried with the following vote:

AYES: Baber, Duff, Winet

NOES: Halgren, Turner

R. Lutz, East County resident  
Threats to School Officials

**REPORTS OF OFFICERS OF THE BOARD**

**REPORTS**

On June 23, 2009 the Board adopted the 2009-10 District Budget. At that time the actual revenues and expenditures for 2008-09 were estimated until the fiscal year was closed. Education Code 42100 requires districts to approve the prior year Unaudited Actuals Financial Report. David Yoshihara, Assistant Superintendent, Business Services, presented additional information regarding this report and responded to clarifying questions.

2008-09 Unaudited Actuals  
Financial Report

**NEW BUSINESS (cont.)**

**NEW BUSINESS (cont.)**

It was moved by Baber, seconded by Duff, and carried unanimously to approve the following:

**Consent Calendar**  
Approved

Purchase Orders D10617 through D10852 totaling \$1,659,280.04

Purchase Orders

Warrants August 18, 2009 through August 31, 2009 totaling \$757,878.49

Warrants

Expenditures in the amount of \$5,627.71

Revolving Cash Fund  
Reimbursements from the  
General Fund

There have been no travel requests since the last Board meeting.

Travel

Acceptance of Work for the completion of Sewer Line Repair/Replacement Project; and Authorization to File Notice of Completion

Sewer line repair/replacement  
project

It was moved by Baber, seconded by Turner, and carried unanimously to adopt Resolution 09-10-09, Adopting the Gann Limit.

**Res. 10, Gann Limit**  
Adopted

It was moved by Duff, seconded by Baber, and carried unanimously to authorize staff to approve 2008-09 Unaudited Actuals Financial Report.

**08-09 Unaudited Actuals Rpt.**  
Authorized

It was moved by Duff, seconded by Turner, and carried unanimously to authorize staff to enter into a Lease Agreement with San Diego Youth Services.

**S.D. Youth Services Lease Agreement**  
Authorized

It was moved by Duff, seconded by Baber, and carried unanimously to adopt Resolution 09-10-10, Determining Sufficiency of Instructional Materials for the 2009-10 School Year.

**Res. 10, Sufficiency of Instructional Materials**  
Adopted

It was moved by Duff, seconded by Turner, and carried unanimously to accept the following gifts with thanks: \$839.47 from Highlands Elementary School PTA to Highlands Elementary to be used for character trait incentives; and \$1740.00 from WalMart to Rolando Elementary School to be used for instructional supplies.

**Gifts – HIG, ROL**  
Accepted with thanks

It was moved by Duff, seconded by Winet, and carried unanimously to authorize staff to enter into a Memorandum of Understanding with Grossmont Union High School District.

**Grossmont UHSD MOU**  
Authorized

It was moved by Turner, seconded by Duff, and carried unanimously to authorize staff to enter into contracts with State-Approved Supplemental Educational Service Providers.

**State-approved SES  
Contracts**  
Authorized

### **HUMAN RESOURCES RECOMMENDATIONS**

It was moved by Winet, seconded by Turner, and carried unanimously to approve standard Human Resources recommendations as amended to include two additional Lecturer/Presenter and/or Short-Term Employment forms.

**Human Resources  
Recommendations**  
Approved as amended

It was moved by Turner, seconded by Duff, and carried unanimously to authorize staff to contract with a university for student teaching and professional training program (California State University Fullerton, Calstate Teach Program).

### **ANNOUNCEMENTS, REPORTS, COMMUNICATIONS FROM THE BOARD**

Mr. Baber announced the following District winners and categories of the La Mesa Environmental Sustainability Commission Literacy and Art Contest: Andrew Parra (Cat. III Poetry-Honorable Mention), Cassie Brewer (Cat. III Poetry), Jessica Baynes (Cat. III Poetry), Breanika Kayla Schwenkler (Cat. III Art), Eleana Yazakel (Cat. III Art), Jackson Scholl (Cat. II Poetry), Andrew Gottfried (Cat. II Art-Honorable Mention), Amber Gilmore-See (Cat. II Poetry), Emmalee Roberson (Cat. II Art), Noah Gullette (Cat. II Art), Bryson Collier (Cat. I Poetry), and Oscar Rivera (Cat. I Poetry).

At 10:20 p.m. the President announced a recess.

### **CLOSED SESSION**

At 10:30 p.m. the President called for a closed session to discuss conference with legal counsel – anticipated litigation; negotiations update – LMSV Teachers Association; negotiations update – California School Employees Association (CSEA), Chapter 419; and Public Employee Performance Evaluation – Superintendent’s Contract. The Superintendent; Board; and Assistant Superintendents Business, Human Resources and Learning Support adjourned to the session, which was held in the community room at PKMS.

The meeting was adjourned at 11:25 p.m.

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Brian Marshall, Secretary to the Board of Education

Approved and ordered into the proceedings of the District at the next regular meeting of the Board of Education to be held October 6, 2009.

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Rick Winet, Clerk of the Board of Education