



Santee School District

SCHOOLS:

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

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

**BOARD OF EDUCATION
 REGULAR MEETING
 A G E N D A
 December 1, 2009**

District Mission

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

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A. OPENING PROCEDURES – 7:00 p.m.

1. Call to Order and Welcome
2. District Mission
3. Pledge of Allegiance
4. Approval of Agenda

B. REPORTS AND PRESENTATIONS

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| 1. | Superintendent's Report | |
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| 4. | Principal Presentation on Instructional Leadership: Chet F. Harritt School | 13 |
| 5. | Presentation of the Board's Initial Proposal to Modify Articles of the Current Collective Bargaining Agreement Between Santee School District and Santee Teachers Association (STA) | 14 |

C. PUBLIC COMMUNICATION

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

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

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

D. CONSENT ITEMS

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

Superintendent

- 1.1. **Approval of Minutes** 18
It is recommended that the Board of Education approve meeting minutes with any necessary modifications.
- 1.2. **Set Date and Time of Board's Annual Organizational Meeting** 23
It is recommended that the Board of Education set the annual organizational meeting for the regular meeting of December 15, 2009, and authorize completion of the Notice of Date of Organizational Meeting.
- 1.3. **Consideration to Cancel January 5, 2010 Board of Education Meeting** 24
It is recommended that Board of Education cancel the January 5, 2010 Board meeting.

Business Services

- 2.1. **Approval/Ratification of Travel Requests** 25
It is recommended that the Board of Education approve/ratify the Travel Report for personnel as listed in the item.
- 2.2. **Approval/Ratification of Revolving Cash Report** 27
It is recommended that the Board of Education approve/ratify revolving cash checks as listed in the item.
- 2.3. **Acceptance of Donations** 29
It is recommended that the Board of Education accept donations to the Santee School District.
- 2.4. **Approval of Proposal from Capitol PFG for a School Facility Needs Analysis 2010 Update** 30
It is recommended the Board of Education authorize Capitol Public Finance Group to update the District's School Facility Needs Analysis 2010 report.

Educational Services

- 3.1. **Approval of 2010-15 Student Teaching Agreement with the University of San Diego** 33
It is recommended that the 2010-15 Board of Education approve the Student Teaching Agreement with the University of San Diego.

Human Resources

- 4.1. **Personnel, Regular** 39
It is recommended that the Board of Education approve the listed personnel appointments, change of status, leave requests, resignations and dismissals.

- 4.2. **Certification of Competence in Evaluation and Instructional Methodologies** 42
It is recommended that the Board of Education approve certification of designated administrators as competent in the evaluation of certificated personnel.

E. DISCUSSION AND/OR ACTION ITEMS

Members of the audience wishing to address the Board about any of the following items should submit a request to speak card in advance.

Superintendent

- 1.1. **Junior High Intramural Sports Program** 45
It is recommended that the Board of Education approve implementing a fee based Junior High Intramural sports Program.
- 1.2. **Revision of the Strategic Plan Report Card** 47
It is recommended that the Board of Education review the revised Strategic Plan Report Card and provide suggestions to Administration about a plan for the future. Action is at the discretion of the Board.

Business Services

- 2.1. **Approval of First Period Interim Report** 51
It is recommended that the Board of Education approve a positive certification regarding the District's ability to meet its financial obligations for the 2009-10 fiscal year.
- 2.2. **Approval of Chet F. Harritt Ball Field Construction Award** 52
It is recommended that the Board of Education award the construction work of one (1) field of the Chet F. Harritt Ball Field renovation construction as part of the Chet F. Harritt master lease-leaseback construction project to Barnhart – Heery Construction and authorize administration to issue a notice to proceed.

Educational Services

- 3.1. **Consideration of Goals for the Advisory Council for Instruction (ACI)** 53
The proposed goals developed by ACI are presented for Board consideration. The ACI committee is seeking direction and suggestions regarding these goals and additional goals from the Board.

F. BOARD POLICIES AND BYLAWS

1. **First Reading: New Board Policy 3515.3, Electronic Surveillance** 55
New Board Policy 3515.3 Electronic Surveillance is submitted to the Board for a first reading. No action is requested.
2. **First Reading: Board Policy Annual Review:** 61
BP 1312.1 Complaints Concerning District Employees
BP 4116 Probationary/Permanent Status
BP 4315.1 Competence in Evaluation of Teachers
BP 5117 Intradistrict Open Enrollment
BP 6145 Extracurricular and Cocurricular Activities
Board Bylaw 9311 and Education Code 35160.5 require that the Board annually review the listed Board Policies. The Policies are submitted for a first reading. No action is requested.

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G. BOARD COMMUNICATION AND ORGANIZATIONAL BUSINESS	70
H. CLOSED SESSION	71
1. Conference with Labor Negotiator (Govt. Code § 54956.8) <i>Purpose: Negotiations</i> <i>Agency Negotiator: Minnie Malin, Director of Human Resources</i> <i>Employee Organizations: Santee Teachers Association</i> <i>Classified School Employees Association</i>	
2. Liability Claims (Gov't Code §54956.95) <i>Claimant: Borrego Solar</i> <i>Claim Against: Santee School District</i>	
3. Public Employee Performance Evaluation (Govt. Code § 54957) <i>Superintendent</i>	
I. RECONVENE TO PUBLIC SESSION	71
J. ADJOURNMENT	71

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

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

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

Members present:

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

Opening Procedures Item A.

OPEN SESSION 7:00 p.m.

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

2. District Mission

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

3. Pledge of Allegiance

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

Agenda Item A.

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

The following items are presented for Board information:

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

Agenda Item B.

DEVELOPER FEES COLLECTION REPORT
2009-10
CUMULATIVE THROUGH NOVEMBER 17, 2009

Residential Rate: \$3.35 per square foot over 500 - effective 4/21/09
Commercial Rate: \$.29 per square foot - effective 6/16/08
Self Storage Rate: \$.16 per square foot - effective 6/16/08

COM	RES	ADDRESS	DATE OF COLLECT.	SQUARE FEET	AMOUNT	SCHOOL OF ATTENDANCE
X		9735 HALBERNS BLVD. (CARLTON HILLS EVANGELICAL LUTHERAN CHURCH)	07/20/09	192	\$0.00	
X		1840 JOE CROSSIN DRIVE	07/24/09	2,938	\$852.02	PD
X		8871 FANITA DRIVE (DEMO'D 1800 SQ. FEET)	08/10/09	1,276	\$0.00	
	X	9564 ABBEYFIELD ROAD	08/31/09	769	\$2,576.15	RS
	X	31 SANTEE, L.P. (MISSION VIEW ESTATES)	09/10/09	17,823	\$59,707.05	CFH
	X	31 SANTEE, L.P. (MISSION VIEW ESTATES)	09/23/09	14,931	\$50,018.85	CFH
	X	31 SANTEE, L.P. (MISSION VIEW ESTATES)	09/23/09	471	\$1,577.85	CFH
	X	STANDARD PACIFIC (RIVERWALK)	10/01/09	99,989	\$262,971.07	RS
X		1518 MAGNOLIA AVE. (ARCO AM/PM-CARWASH)	10/08/09	1,010	\$0.00	PD
	X	10456 2ND STREET	10/20/09	948	\$3,175.80	HC
	X	9215 HOLMBY	10/22/09	1,052	\$3,524.20	SC
TOTAL PAGE 1					\$384,402.99	
TOTAL COLLECTED AS OF NOVEMBER 13, 2008					\$157,412.62	

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

Requests For Use Of Facilities - December 1, 2009						
Group	Location	Date	Days	Time	Attendance	Fees Applied
<u>Cajon Park</u>						
SNLL	Multipurpose Room	11/3/09 - 12/15/09	Tuesday	6:30 pm - 8:30 pm	15	
Daisy Troop	Classroom	11/3/09 - 6/15/10	Tuesday	6:15 pm - 7:45 pm	10 - 12	
Girl Scout Troop 6908	PSFE Portable	11/5/09 - 6/17/10	Thursday	6:00 pm - 7:30 pm	10	
SNLL	Multipurpose Room	1/5/10 - 2/3/10	Tues & Wed	6:30 pm - 8:30 pm	15	
<u>Carlton Hills</u>						
West Hills Little League	Multipurpose Room	12/15/09 - 6/1/10	Tuesday	6:30 pm - 9:30 pm	20	
West Hills Little League	Multipurpose Room	1/31/10 - 2/10/10	Wed - Sun	1:30 pm - 9:30 pm	20 - 25	\$60.50 cust
<u>Carlton Oaks</u>						
Campus Life	Classroom	10/21/09 - 6/16/10	Wednesday	3:10 pm - 4:00 pm	15 - 20	
Girl Scouts of America	Classroom	10/22/09 - 6/10/10	Thursday	3:30 pm - 4:45 pm		
Santee District/Santee Collab	LRC - Library	10/27/09 - 11/17/09	Tuesday	5:45 pm - 8:15 pm	50	
Young Aztecs Youth Rugby	Classroom	11/9/09	Monday	3:15 pm - 4:30 pm	30	
<u>Chet F. Harritt</u>						
PTA	Multipurpose Room	10/15/09 - 6/17/10	Thursday	6:00 pm - 8:00 pm		
PTA (Halloween Carnival)	Entire School	10/31/09	Saturday	7:00 am - 5:00 pm	100+	\$264.44 (cust/trash)
PTA	Teacher's Lounge	10/26/09	Monday	6:30 pm - 8:30 pm	20	
<u>Hill Creek</u>						
Kelly's Family Fitness	Outside	10/29/09 - 5/27/10	Thursday	2:15 pm - 3:15 pm		
American Cancer Society	Field	4/16/10 - 4/18/10	Fri - Sun	5:00 pm - 12:00 pm	250	
<u>Pepper Drive</u>						
PTO (Harvest Festival)	Lower Field	11/14/09	Saturday	11:00 am - 5:00 pm	500	234.19 (cust/trash)
<u>Prospect Avenue</u>						
Church of God	Playground	9/12/09 - 6/26/10	Saturday	3:30 pm - 5:30 pm	30	
<u>Sycamore Canyon</u>						
Mad Science of San Diego	Classroom	11/2/09 - 11/30/09	Monday	2:30 pm - 3:55 pm	20	

***NOTE: USE MAY BE LIMITED DUE TO MODERNIZATION AT VARIOUS SITES & FALL CARNIVALS TAKE PRECEDENCE OVER GROUPS.

**Santee School District
ENROLLMENT REPORT
11/20/2009
Month 3 Week 3**

SCHOOL	K	Gr 1	Gr 2	Gr 3	Gr 4	Gr 5	Gr 6	Gr 7	Gr 8	11/20/09 Total Reg	11/21/08 Total Reg	# Diff	% Diff	11/20/09 SDC	11/21/08 SDC	# Diff SDC	% Diff SDC	Prior Week		
																		11/20/09 Total All	11/13/09 Total All	Total Diff
Cajon Park	99	106	107	108	108	104	100	126	104	962	946	16	1.7%	37	33	4	12.1%	999	1000	-1
Carlton Hills	40	35	40	48	36	51	53	86	104	493	517	-24	-4.6%	40	34	6	17.6%	533	533	0
Carlton Oaks	73	74	69	74	95	97	107	98	117	804	803	1	0.1%	46	39	7	17.9%	850	849	1
Chet F. Harritt	63	85	64	64	62	62	69	68	55	592	645	-53	-8.2%	10	26	-16	-61.5%	602	605	-3
Hill Creek	92	88	84	84	82	88	85	61	93	757	814	-57	-7.0%	23	23	0	0.0%	780	779	1
Pepper Drive	84	69	77	74	77	78	86	83	81	709	699	10	1.4%	11	14	-3	-21.4%	720	726	-6
Prospect	61	54	55	50	53	61	67	46	52	499	469	30	6.4%	15	15	0	0.0%	514	512	2
Rio Seco	106	109	93	95	91	108	93	87	99	881	813	68	8.4%	23	21	2	9.5%	904	903	1
Sycamore Canyon	48	48	51	34	44	46	43	0	0	314	304	10	3.3%	27	23	4	17.4%	341	341	0
SUBTOTAL	666	668	640	631	648	695	703	655	705	6011	6010	1	0.0%	232	228	4	1.8%	6243	6,248	-5
Alternative School	2	3	2	3	3	8	4	4	3	32	45	-13	-28.9%					32	33	-1
Success Academy								1	3	4	5	-1	-20.0%					4	4	0
NPS										0	0			3	3	0	0.0%	3	3	0
EAK										0	0							0		0
SUBTOTAL	2	3	2	3	3	8	4	5	6	36	50	-14	-28.0%					39	40	-1
TOTAL	668	671	642	634	651	703	707	660	711	6047	6,060	-13	-0.2%					6282	6,288	-6

Please note: Special Ed. PK listed below are not reflected in the total count above because they do not receive ADA until they reach 5 years of age.

	PK	
Cajon Park	3	1002
Hill Creek	11	791
Prospect	14	528
Sycamore Canyon	11	352

Total Enrollment including PK
6321

Schedule of Events

<i>Date</i>	<i>Event</i>
December 15	Board Meeting 7:00 p.m.
Dec. 21 – Jan. 1	Winter Break Schools and District Offices Closed
January 4	School Resumes from Winter Break
January 6	Board Meeting (May be cancelled) 7:00 p.m.
January 18	Martin Luther King Holiday Schools and District Offices Closed
January 20	Board Meeting 7:00 p.m.
February 2	Board Meeting 7:00 p.m.
February 8	Lincoln's Birthday Schools and District Offices Closed
February 15	President's Day Schools and District Offices Closed
February 16	Board Meeting 7:00 p.m.
March 2	Board Meeting 7:00 p.m.
March 16	Student Forum 6:00 p.m. Board Meeting 7:00 p.m.
March 29 - April 9	Spring Break Schools Closed
April 12	School Resumes from Spring Break

Reports and Presentations B.2. Report on the Status of Technology in Santee School District

Prepared by Dr. Patrick Shaw
December 1, 2009

BACKGROUND:

The Board of Education has established a vision to provide 21st Century learning and has demonstrated their commitment to this vision by providing technology tools in classrooms for teachers and students. Examples of this commitment are the funding and implementation of:

- ◆ Document cameras, LCD projectors, access to printing, and sound systems in 4-6th grade classrooms.
- ◆ Wireless at all schools, and
- ◆ Learning Resource Center Netbook bundles at all schools.

Ernie Nevares and Bernard Yeo will provide an update for the Board on the District's current Instructional Technology and Information Technology programs.

Agenda Item B.2.

Reports and Presentations B.3. Spotlight on Learning and the Use of Technology:
Recognition of Classroom Teacher Larry Barbary

Prepared by Dr. Patrick Shaw
December 1, 2009

BACKGROUND:

The Board would like to congratulate Larry Barbary, a junior high teacher at Cajon Park, who was recognized by the Technology Training Foundation of America (TTFA) at an awards dinner on November 20, 2009 as a “2009 Technology Hero.”

Mr. Barbary was nominated for this award during the last school year by JoAnn Schultz, who was the vice principal at Cajon Park. He was nominated for his dedication and commitment to helping prepare students for the challenges in our technological world. As a recipient of this award, the TTFA will provide Mr. Barbary with ten refurbished computers for Cajon Park which he plans to distribute throughout the junior high classrooms.

Mr. Barbary will also be sharing “Moodle” with the Board and how it is being used for student learning.

Agenda Item B.3.

Reports and Presentations Item B.4. Principal Presentation on Instructional Leadership:
Andy Johnston, Chet F. Harritt School

Prepared by Dr. Patrick Shaw
December 1, 2009

BACKGROUND:

The Principals are responsible for instructional leadership in support of student achievement goals targeted by the Superintendent and School Board. Over the next few months, each Principal, together with their Vice Principal, will share with the Board recent school achievements, goals for the 2009-10 school year, and programs and instructional approaches to achieve the identified goals.

Tonight, Chet F. Harritt Principal, Andy Johnston, will share with the Board Chet F. Harritt's recent successes and the school's goals for the 2009-10 school year. In addition, Mr. Johnston will share programs and practices that are currently in place to achieve the school's goals.

Agenda Item B.4.

Reports and Presentations Item B.5. Presentation of the Board's Initial Proposal to Modify Articles of the Current Collective Bargaining Agreement Between Santee School District and Santee Teachers Association (STA)

Prepared by Minnie Malin
December 1, 2009

Tonight, the Board's initial proposal to modify articles of the current collective bargaining agreement between the District and STA is presented. Copies of the attached Board proposal will be posted for the public to read at the Santee Public Library, Santee Chamber of Commerce, Santee City Hall, District Education Center and all school site offices.

Section 3547 of the Government Code requires that the District hold a public hearing in matters of employee organization negotiations proposals. The public hearing on the proposal will be at the December 15, 2009, regular Board meeting.

Agenda Item B.5.

**PLEASE POST UNTIL
DECEMBER 16, 2009**

INITIAL PROPOSAL

FROM THE

SANTEE SCHOOL DISTRICT

to the

SANTEE TEACHERS ASSOCIATION

2010-2011

**It is the District's intention to modify articles of the
Current Collective Bargaining Agreement**

Between

Santee School District

and

Santee Teachers Association (STA)

- Article XIV, Compensation Provisions

The public hearing will be held at the regular Board of Education
meeting on December 15, 2009

PUBLIC COMMUNICATION Item C.

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

Agenda Item C.

CONSENT ITEMS Item D.

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

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

BACKGROUND:

Presented for Board approval –

- November 17, 2009, regular meeting minutes

RECOMMENDATION:

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

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

November 17, 2009
MINUTES

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

A. OPENING PROCEDURES

1. Call to Order and Welcome

President El-Hajj called the meeting to order at 7:05 p.m. and read the District Mission Statement.

Members present:

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

Administration present:

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

2. President El-Hajj invited Carlton Oaks' 3rd grade teacher Joey Sutera, to lead the members, staff and audience in the Pledge of Allegiance.

3. Approval of Agenda

It was moved and seconded to approve the agenda.

Motion: Burns Second: Carlisle Vote: 5-0

B. REPORTS AND PRESENTATIONS

1. **Superintendent's Report**

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

2. **Spotlight on Learning: Gillian Ryan and Cindi Crandall-CUE Presenters**

Dr. Shaw reported that each year the San Diego CUE Conference brings teachers together from all around San Diego County to learn how to integrate technology into student learning. This year teachers Gillian Ryan and Cindi Crandall were selected to be presenters and they provided outstanding presentations on Digital Story Telling in Primary Grades and Project-Based learning in the Classroom. Santee is gaining a reputation for having teachers on the cutting edge in 21st Century learning.

Ms. Ryan and Ms. Crandall shared with the Board about the conference and what teachers bring back from the conference to use in the classrooms. Some of the benefits of attending the CUE conferences are networking opportunities, bringing fresh and new ideas to use in the classroom, collaborating with teachers from other locations, and learning about new technology tools. Several Santee teachers' applications to presents have been accepted for the Palm Springs CUE conference.

Board members thanked Ms. Ryan and Ms. Crandall for the information. President El-Hajj presented Ms. Ryan and Ms. Crandall with certificates of recognition for their outstanding efforts to bring 21st Century learning to students.

3. **Principal Presentation on Instructional Leadership: Carlton Oaks School**

Principal Ann Bray presented Carlton Oaks' vision to build pathways to essential 21st Century learning skills for students. She shared the global philosophy of the school and the areas of focus. Some of the things they are doing to achieve their API goal of 900 include: interventions at all grade levels, targeting the areas of 6th grade math and grades 5-8 in special education to move students from proficient to advanced, implementing 21st century learning skills, and supporting student achievement through the use of Caring Schools curriculum. Board members thanked Mrs. Bray and Mrs. Joiner for a great presentation.

C. PUBLIC COMMUNICATION

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

D. CONSENT ITEMS

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

- 1.1. Approval of Minutes**
- 2.1. Approval/Ratification of Travel Requests**
- 2.2. Approval/Ratification of Expenditure Warrants**
- 2.3. Approval/Ratification of Purchase Orders**
- 2.4. Approval/Ratification of Revolving Cash Report**
- 2.5. Approval to Submit Application for PL 81-874 and Designation of Authorized Representative**
- 3.1. Approval of Individual Services Agreement for Nonpublic, Nonsectarian School/Agency Services**
- 3.2. Approval of 2009-2013 Student Teaching Agreement with Grand Canyon University**
- 4.1. Personnel, Regular**
- 4.2. Acceptance of Report on Certificated Credentials and Assignments**

It was moved and seconded to approve the Consent Items.

Motion: Burns Second: Bartholomew Vote: 5-0

F. DISCUSSION AND/OR ACTION ITEMS

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

1.1 Approval of Monthly Financial Report

Karl Christensen presented an updated financial report that included all budget revisions reflected in the first interim report. The budget revisions report has been revised to reflect a deficit of \$400,000 after making an initial one-time reduction for this year. The ending balance of \$6,161,516 includes designated expenses and reserves, leaving an uncommitted ending balance \$1.9 M.

Member Bartholomew asked if vacation carryover is a legal mandate. Mr. Christensen said he is not sure if it is a legal mandate but it is a liability of the District if employees terminate. Member Burns asked if the vacation carryover includes the entire year for employees. Mr. Christensen said it was the accrued amount for the work year for employees. Member Ryan moved to approve the monthly financial report.

Motion: Ryan Second: Carlisle Vote: 5-0

1.2. Capital Improvement Program Update

Karl Christensen reported on the current status of the Capital Improvement Program. The cash flow chart remains the same as previously presented. It includes costs for the CFH ball field and payment towards the COPS. It appears the anticipated costs for one ball field at Chet F. Harritt will be coming in at the amount allocated by the Board. The grant funds received from the City of Santee grant have already been added to the budget sheet. Administration would like to add the ball field project to the lease/leaseback agreement with Barnhart. Mr. Christensen will bring an item to a future meeting to initiate the work.

Mr. Christensen reported the Bond Anticipation Notes (BAN) for \$11.5 M was a one year note. Because it does not look like the State funding will be realized in time, Administration will work with the District's financial officer and return to the Board in June with options to refinance.

Mr. Christensen presented a list of post occupancy issues that arose from modernization and the construction of the new two-story classroom buildings for Board members to review. Administration will return on December 15th to discuss the list and collect comments from the Board.

1.3. Budget Update

Mr. Christensen presented a budget summary for the next fiscal year if no reduction plan was put in place and a budget summary if the budget reduction plan was enacted. He also presented a plan for proposed budget reductions and enhancements that Administration presented to the Board at an earlier meeting. The budget reduction plan calls for \$1.6 in reductions for 2009-10 and \$3.6 in 2010-11. Some reductions

and enhancements have already been put into place, although many of the reductions were one time savings. The 2009-10 fiscal year will close with a deficit of about \$400,000.

Member Carlisle asked about a discrepancy in the reserves. Mr. Christensen said he would need to research the discrepancy because one of the documents is a couple of months old and may not have been updated.

Mr. Christensen shared a letter from the County Office of Education addressing the cash flow concern and the budget reduction plan. He recently met with the County Office to talk through the budget reduction plan and timelines. The County Office would like an updated timeline addressing additional reductions for 2010-11 and a cash flow chart. The cash flow chart reflects large deficits because of the deferrals of payments from the State. Mr. Christensen shared a cash flow projection without any planned reductions using the 5-5-9 State apportionment schedule. Over \$5M of revenue funding from the State has shifted to the following year. The charts reflected interfund borrowing from joint-use funds and fund 17 reserve fund. In order to qualify for a TRAns you must show a positive cash flow at the end of the year and if must be paid off by April, so it would not benefit the District when needed, in May and June. The District will need a County Treasury loan for this. The total cash available in the general fund includes the 3% cash reserve. With the budget reductions there would still be a deficit in June 2011 of \$7.7M. Cash has now become an issue that must be focused on in school districts because of the revenue deferrals by the State

Member Carlisle asked how often Santee uses the County Treasury for a loan. Mr. Christensen said he believes Santee has only used a County Treasury loan once, and that was last year.

Member Bartholomew said he believes that the TRAns and County Treasury loans may not be things the district can rely on at this time. Member El-Hajj said the deferrals create a very large issue for school districts. Mr. Christensen said if it was temporary, it could be managed, but these deferrals usually become permanent.

Member Burns asked that in the future any correspondence with the County be provided to the Board right away. Administration will send any correspondence from the County to Board members when it is received.

1.4. Solar Initiative

Mr. Christensen reported the District recently received authorization to issue \$2 M in bonds under the Clean Renewable Energy Bonds (CREBs). He reported on the status of the performance based incentives that we have applied for. Six sites have received extensions to April 2010 and can possibly be extended for one more 180 day period. Four sites passed their expiration date. We can reapply for those four sites although the rebate incentives will decrease slightly.

Administration recommends installing solar at one site as a pilot and believes that Hill Creek would be a good site. Hill Creek has not received any modernization, and the solar could be incorporated with the infrastructure into this project. It would also address the lunch shade structures. Hill Creek's rebate incentives did not expire and are at 42¢. Administration is exploring the idea of using Barnhart under the current lease/leaseback agreement for the solar project.

Mr. Christensen reviewed the financial assumptions to issue the CREBs to produce enough cash flow to make it a viable option. In year 11 the cash flow begins to go negative until year 17 because we would still be making the CREBs payments and will cease receiving the PBI incentives.

President El-Hajj would like to see what the cost for power from SDG&E at a site would be if solar was not installed as compared to the solar costs. Member Carlisle asked about using the Center for Sustainable Energy as they have provided us with a lot of data and they have the instruments to provide projected SDG&E costs. Mr. Christensen will pursue the costs and seek assistance from the Center for Sustainable Energy.

All Board members like the idea of using Barnhart for the solar project. Member Carlisle said they will need to find a really good electrical engineer that has experience with solar. Member Burns asked why we could not sell back energy to the power company. Member Carlisle said legislation was just passed where utilities will be obligated to purchase energy back.

The Board members agreed that Administration should continue to move forward with solar as recommended.

G. BOARD COMMUNICATION

Member Burns reported he enjoyed meeting with the students. He was impressed by the students using the acronym of CST. He would like to have Dr. Shaw work with the vice principals for the Board to receive the information from the student representatives that they were requested by the Board to obtain.

Member Burns has been visiting schools and sees great things happening. Since the schools have been modernized, he would like to see the Sheriff visit the schools for a security assessment.

Member Burns asked Mr. Christensen about credit card programs where rebates are received to generate dollars. Mr. Christensen will investigate.

Member Carlisle reported on the press conference with Padre Dam. He said it was great to have two boards working collaboratively. The press conference resulted in a Channel 10 news clip and a Union Tribune article.

Member El-Hajj asked Dr. Shaw to arrange a place and schedule a dinner for the Board and Executive Council on the evening of December 3rd.

Dr. Shaw reported that he will be bringing an item to the Board recommending consolidating some of the committees and designating some as ad hoc committees.

Members Burns and Ryan will join Dr. Shaw to meet with Joel Anderson on December 10th.

Kristin reported that she is working with the County to finalize plans for H1N1 vaccine clinics the week of December 7th, parent conference week. Five sites will be established and parents will be allowed to attend any clinic. Follow up clinics will be scheduled for the second dose and for those over 10 years old who missed the first round of clinics. All plans are tentative contingent on the County having the vaccine. As soon as the confirmation is received, communication to the parents will begin.

Member Burns heard that the health clerks in another school district were calling families of students with critical medical issues to personally inform them of the vaccine clinics and would like our schools to provide that service.

H. CLOSED SESSION

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

1. **Conference with Labor Negotiator** (Govt. Code § 54956.8)
Purpose: Negotiations
Agency Negotiator: Minnie Malin, Director of Human Resources
Employee Organizations: Santee Teachers Association
2. **Liability Claims** (Gov't Code §54956.95)
Claimant: Borrego Solar
Claim Against: Santee School District
3. **Public Employee Performance Evaluation (Govt. Code § 54957)**
Superintendent

The Board entered closed session at 8:57 p.m.

J. RECONVENE TO PUBLIC SESSION

The Board reconvened to public session at 10:05 p.m. No action was reported.

K. ADJOURNMENT

The November 17, 2009 regular meeting adjourned at 10:05 p.m.

Barbara Ryan, Clerk

Dr. Patrick Shaw, Secretary

Consent Item D.1.2. Set Date and Time of Board's Annual Organizational Meeting

Prepared by Dr. Patrick Shaw
December 1, 2009

BACKGROUND:

Education Code sections 35143 and 72000(2) (A) require that the annual organizational meeting of governing boards for 2009 be held between December 4 and December 18, 2009, inclusive. The day and time of the annual organizational meeting shall be selected by the Board at its regular meeting held immediately prior to December 4. If a board fails to select the day and time of its annual meeting, the County Superintendent of Schools sets the date.

The next regularly scheduled Board meeting for this organizational process to occur is December 15, 2009.

RECOMMENDATION:

Administration recommends that the Board of Education set the annual organizational meeting for the regular Board meeting on December 15, 2009. and authorize completion of the Notice of December 2009 Organizational Meeting of the Governing Board.

Motion:		Second:		Vote:		Agenda Item D.1.2.
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Consent Item D.1.3. Consideration to Cancel January 5, 2010 Board of
Education Meeting

Prepared by Dr. Patrick Shaw
December 1, 2009

BACKGROUND:

The regular meetings of the Board of Education are scheduled for the first and third Tuesdays of each month. Traditionally, the Board has canceled their scheduled meeting that falls in or immediately following the winter break.

Administration recommends the cancellation of the first meeting in January, January 5, 2010, which falls immediately following the winter break. During winter break, the schools and district offices will be closed. This year two Board meetings will be held in December, with the second one held just prior to the winter break.

Administration does not believe the cancellation of the meeting will have a negative impact on district operations and rescheduling of the meeting will be unnecessary. The cancellation of this meeting would be properly noticed at the standard locations and on the District web site.

The next regular meeting of the Board would be held on January 19, 2010, per approval of the Board's 2010 calendar on December 15, 2009.

RECOMMENDATION:

Administration recommends that Board cancel the January 5, 2010 Board meeting.

FISCAL IMPACT:

There is no fiscal impact that would result from cancelling the January 5, 2010 meeting.

STUDENT ACHIEVEMENT IMPACT:

There would be no impact to student achievement as schools are closed for the two weeks immediately prior to the January 5, 2010 meeting date.

Motion:		Second:		Vote:		Agenda Item D.1.3.
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Consent Item D.2.1. Approval/Ratification of Travel Requests
Prepared by Karl Christensen
December 1, 2009

BACKGROUND:

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

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

A list of travel and professional staff events is presented for the Board's review and approval/ratification. Included on the report are dates, names of meetings and locations, and either categorical, grant, or general funding sources that support such travel. A list of requests for travel which require air travel, and/or an overnight stay and/or are out of the County will be reviewed and approved by the Executive Council or Superintendent and submitted to the Board of Education for approval **prior** to the travel date.

RECOMMENDATION:

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

This recommendation supports the following District goal:

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

FISCAL IMPACT:

The estimated travel expenses are \$560, as disclosed on the following page.

STUDENT ACHIEVEMENT IMPACT:

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

Motion:		Second:		Vote:		Agenda Item D.2.1.
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Board Travel Report - December 1, 2009									
Travel Dates		Attendees	Site or Dept	Conference or Workshop	Location	Sub Cost	Estimated Expenses	Budget	Purpose of Overnight, Out-of-State, Air Travel
Saturday,	10/17/09	Lorraine Aceves Isabel Cuevas Donna Farquar Alicia Guerra Marisela Lopez Selene Magallon Chris Mowrey Rodney Magallon	Parent-CFH Parent-CFH Ed Services Parent-PA CFH Parent-CFH PD Parent-CFH	Latino Summit	SDCOE	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$10 \$10 \$10 \$10 \$10 \$10 \$10 \$10	EIA-LEP EIA-LEP EIA-LEP EIA-LEP EIA-LEP EIA-LEP EIA-LEP EIA-LEP	This summit addressed the K-12 education achievement of Latinos.
Travel Requests (overnight, out-of-county, and/or air travel) Submitted for Board Approval									
Wednesday,	01/13/10	Dr. Patrick Shaw Karl Christensen	Superintendent Business Servs	Governor's Budget Workshop	Long Beach	\$0 \$0	\$240 \$240	Superintendent's Office Business Services	This workshop will outline the Governor's Budget Proposal for 2010-11 and its impact on funding for education.

Consent Item D.2.2. Approval/Ratification of Revolving Cash Report
Prepared by Karl Christensen
November 3, 2009

BACKGROUND:

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

RECOMMENDATION:

Administration recommends approval of check #21776 on the \$15,000 Revolving Cash Account.

This recommendation supports the following District goal:

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

FISCAL IMPACT:

The fiscal impact is \$150.00 as disclosed on the following report.

STUDENT ACHIEVEMENT IMPACT:

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

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

Date	Number	Name	Memo	Amount
11/09/09	21776	WAL-MART	LORENE FOSTER CHILDREN'S FUND	\$150.00

[]

Total Checks Written

\$150.00

Total to be Reimbursed

\$150.00

BACKGROUND:

Board of Education policy #3290 specifies that gifts and donations, with a value over \$50, must be officially received by the Board of Education. The following donations have been offered to the District:

<i>Item</i>	<i>Approximate Value</i>	<i>Donated By</i>	<i>Designated For Use At</i>
Funds to Purchase a Laptop for the Mobile Presentation System in Media Center	\$963.17	Santee School District Foundation	Hill Creek
Funds to Purchase a Class Set of Grammar Voyage	\$1,078.00	Santee School District Foundation	Rio Seco
Funds to Support the Instructional Program and Supplement Classroom Supplies	\$811.00	Rio Seco School PTSA	Rio Seco
Funds to Support the District (funds were not specifically designated for use)	\$200.00	HCA Arbors Apartments LLC	District
TOTAL DONATIONS RECEIVED	\$3,052.17		

RECOMMENDATION:

Administration recommends acceptance of the donations listed above for the District.

This recommendation supports the following District goals:

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

FISCAL IMPACT:

The donations above are valued at \$3,052.17.

STUDENT ACHIEVEMENT IMPACT:

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

Motion:		Second:		Vote:		Agenda Item D.2.3.
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Consent Item D.2.4. Approval of Proposal from Capitol PFG for a School Facility Needs Analysis 2010 Update

Prepared by Karl Christensen
December 1, 2009

BACKGROUND:

In February, 2008, Capitol Public Finance Group was contracted to complete Santee School District's first School Facility Needs Analysis (SFNA) report, which established Level 2 alternative developer fees for the District, adopted April 15, 2008. The SFNA was updated in March 2009 as each year these fees and the SFNA report need to be re-assessed and alternative fees re-adopted by the Board of Education. Cathy Dominico of Capitol PFG provided the attached proposal to update the SFNA report by February 1, 2010. Administration anticipates establishment of a public hearing at the March 16, 2010 Board meeting, with the hearing be set for the April 20, 2010 Board meeting. Following the public hearing, the Board of Education may act to re-adopt alternative school facility developer impact fees. The draft report will be made available for the public 30 days prior to any action taken, per Government Code 65995.

RECOMMENDATION:

It is recommended the Board of Education authorize Capitol Public Finance Group to update the District's School Facility Needs Analysis 2010 report.

This recommendation supports the following District goal:

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

FISCAL IMPACT:

The cost of the updated SFNA report by Capitol Public Finance Group is \$7,500 and will be funded from the developer fees income fund 25-18.

STUDENT ACHIEVEMENT IMPACT:

This is a fiscal item related to facilities. All fiscal resources impact student achievement.

Motion:		Second:		Vote:		Agenda Item D.2.4.
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Capitol | PFG

Crafting Optimal Financial Solutions

MEMORANDUM

TO: CHRISTINA BECKER
FROM: CATHY DOMINICO
SUBJECT: SCHOOL FACILITY NEEDS ANALYSIS 2010 UPDATE
DATE: NOVEMBER 6, 2009

Christina,

It is our understanding that the Santee Elementary School District ("District") would like an update to its 2009 School Facility Needs Analysis ("SFNA"). The 2009 SFNA justified level 2 fees in the amount of \$3.35 per square foot of residential construction. As you are aware, Education Code section 17620 authorizes a school district to levy a fee, charge, dedication or other requirement against any development project for the construction or reconstruction of school facilities, provided that the district can show justification for levying such fees. Government Code section 65995 limits the fee to be collected to the statutory fee, currently at \$2.93 per square foot of residential construction and \$0.47 per square foot of commercial/industrial construction, unless a school district conducts an SFNA and meets certain conditions. These fees will likely be increased for inflation by the State Allocation Board in January 2010.

The purpose of an SFNA is to establish the need for new school facilities for unhoused students which are attributable to new residential development within a district over a projected five year period. The SFNA takes into account current capacity, surplus capacity, and dedicated local funding sources. If the District is eligible to levy Level 2 fees, Capitol PFG can prepare an update to the 2009 SFNA on behalf of the District. As part of the process, Capitol PFG would perform each of evaluate and perform each of the services:

- Evaluate need for mitigation fees for new residential and commercial/industrial construction
- Evaluate fee structure for mitigation fees for residential and commercial/industrial construction
- Evaluate and prepare all needed reports to justify district developer fee rates
- Evaluate and report student rates for new construction of housing units
- Evaluate impact of all new development on district enrollment projections
- Evaluate and review all capital revenue sources available to the district
- Evaluate and review City and County master planning and the impact on the district
- Inventory existing land and facilities owned by the district
- Evaluate current district facilities and utilization

All services will be performed pursuant to Government Code Sections 65995.5, 65995.6, 65995.7 and Education Code Section 17071.30.

As you may be aware, a SFNA is required to be adopted by resolution at a public hearing after it has been made available to the public for a period of not less than 30 days. Alternative Fees (Level 2 or Level 3) are required to be adopted by a resolution of the governing board as part of the adoption of the SFNA. The Alternative Fees authorized by the resolution take effect immediately and are in effect for a maximum of one year. It is also our understanding that the District would like the draft SFNA be completed and in place for approval by the March Board meeting, as directed by the District staff. We are comfortable with this timeline and are confident that we can complete the update to the SFNA in sufficient time for a draft review in advance of the public notice requirements.

To complete an update of the SFNA on behalf of the District in order to justify the levy of Level 2 developer fees, we would charge a flat fee of \$7,500, which would also include the necessary Level 1 fee justification.

Christina, please do not hesitate to contact us at (916) 641-2734 should you have any questions.

CMD/abm

Consent Item D.3.1.

Approval of 2010-15 Student Teaching Agreement with the University of San Diego

Prepared by Kristin Baranski
December 1, 2009

BACKGROUND:

Santee School District has entered into cooperative agreements with various universities in the past to provide field laboratory classroom placement for student teachers. Santee School District has received a student teaching agreement with the University of San Diego for this purpose. The terms of the agreement shall commence on January 1, 2010 and continue through June 30, 2015.

RECOMMENDATION:

Administration recommends that the proposed student teaching agreement with the University of San Diego for teacher education fieldwork be approved by the Board of Education.

This recommendation supports the following District goal:

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

FISCAL IMPACT:

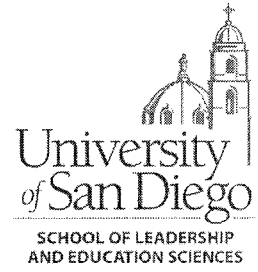
The University of San Diego shall pay the District for field laboratory classroom placement of student teachers at the rate of \$200 for each full-time student teacher. This money is designated to the Master Teacher's instructional budget.

STUDENT ACHIEVEMENT IMPACT:

This agreement supports student learning by placing a student teacher in the classroom for directed teaching and provides students with an additional instructional resource.

Motion: _____ Second: _____ Vote: _____

Agenda Item D.3.1.



Affiliation Agreement

This **Affiliation Agreement** (“Agreement”) is entered into by and between the University of San Diego (“USD”) and Santee School District (the “District”).

WHEREAS, USD is a non-profit institution of higher education; and

WHEREAS, the School of Leadership and Education Sciences (“SOLES”), a school within USD, conducts a variety of programs at the undergraduate, master’s and doctoral levels in learning and teaching, counseling and education administration, among other areas. USD desires to obtain teaching, counseling and education administration field experience for its enrolled students (the “USD students”); and

WHEREAS, the District recognizes the need for and desires to aid in the professional development of the USD students, and is willing to make its employees and premises available for such purposes;

NOW, THEREFORE, for good and valuable consideration, USD and the District agree as follows:

1. **Term.** The term of this Agreement shall begin on January 1, 2010, and end on June 30, 2015 unless terminated earlier pursuant to Paragraph 4 below. This Agreement may be extended or renewed only in a writing signed by authorized representatives of USD and the District.
2. **USD Responsibilities.**
 - a. USD will determine the eligibility of its students to participate in the program with the District established under this Agreement.
 - b. USD will assign students to the District.
 - c. USD will monitor and evaluate the progress of each USD student assigned to the District.
 - d. USD will determine the number of semester units provided to each USD student as a result of participation in the program described under this Agreement.
 - e. USD students who are assigned to the District under this Agreement shall not be considered agents or employees of the District.

- f. ****This applies only to student teaching cooperating teachers.** USD will pay the District a sum of Two Hundred Dollars (\$200.00) for each student assigned to the District under this Agreement. In response to the District's request, the payment will be made directly to the District employee assigned to oversee the field placement of the USD student. The District employee will be responsible for the payment of any and all applicable taxes as a result of the payment. The District employee is and shall at all times be considered an employee of the District and not of USD.] If a student's assignment ends prematurely for any reason, USD shall make the payment in full, except that if the assignment ends before at least half of the originally contemplated assignment is completed, USD shall make the payment on a pro rata basis.

3. **District Responsibilities.**

- a. The District will provide educational learning experiences that are planned, organized and administered by qualified staff. The educational assignments provided by the District shall be designed to facilitate the USD student's professional growth.
- b. The District will provide to each assigned USD student teaching, counseling or education administration experience either through observation and participation or directed teaching, counseling or education administration experience. Each USD student assigned to the District will be given the opportunity to actively participate in the duties and functions associated with classroom teaching, counseling or administration.
- c. The District will assign one or more of its employees to supervise and instruct each USD student assigned to the District. The supervising District employee must hold valid credentials issued by the State Board of Education authorizing the supervising District employee to serve as a classroom teacher, counselor or administrator in the school in which the USD student is assigned.
- d. For good cause shown, the District may refuse to accept a USD student assigned to it. Similarly, for good cause shown, the District may request that a USD student assigned to it be withdrawn from the program, and USD will comply with the request. The District will notify USD in writing of a decision not to accept a USD student or to request that a USD student be withdrawn from the program. The written notice will describe the basis for the decision or request. If USD does not agree with the District's refusal to accept a student or request for withdrawal of a student, USD will provide the District with a written statement setting forth the basis for the disagreement within ten (10) working days of its receipt of the District's written notice.
- e. The District will ensure that the USD student does not replace or substitute for any District employee, and that the USD student does not perform any of the duties normally performed by an employee for the District, except those duties that are part of the training and performed by the student under the supervision of a District employee.
- f. **** This applies only to student teaching cooperating teachers.** Within thirty (30) days following the close of each semester, the District will submit an invoice to USD for any payment(s) due under Paragraph 2 above.

4. **Termination.** Either party shall have the right to terminate this Agreement at any time and for any reason with thirty (30) days' advance written notice to the other.
5. **FERPA.** The District understands that the educational records of the USD student assigned to the District are protected by the Family Educational Rights and Privacy Act (FERPA). The parties agree to comply with the requirements of FERPA. As a result of this Agreement, the District is considered to be a school official of USD. The District agrees to protect the privacy of educational records concerning any USD student assigned to the District under this Agreement, and will not transmit, share or disclose any such records without the student's written consent, except to other school officials of USD who have a legitimate educational interest in the records.
6. **Commitment to Non-Discrimination.** USD and the District shall not discriminate in the selection of, acceptance of, or participation by any USD student in any program or services offered under this Agreement on the basis of the student's race, color, national origin, religion, sex, sexual orientation, disability, or any other characteristic protected by federal, state or local law.
7. **Indemnification.**
 - a. The District agrees to defend, indemnify and hold USD and its employees, students and agents harmless from any and all liability, claims, demands, suits, costs, charges and expenses, including without limitation attorneys' fees, arising out of or in any way related to the alleged negligent or willful acts or omissions of the District or any of its employees or agents in connection with the performance of this Agreement, including without limitation employment-related claims made by a District employee or agent, as well as claims arising out of or relating to the District's refusal to accept an assigned student or the District's request that an assigned student be withdrawn from the program.
 - b. USD agrees to defend, indemnify and hold the District and its employees harmless from any and all liability, claims, demands, suits, costs, charges and expenses, including without limitation attorneys' fees, arising out of or in any way related to the alleged negligent or willful acts or omissions of USD or any of its employees or students in connection with the performance of this Agreement.
8. **Insurance.**
 - a. At all times during the term of this Agreement, the District will maintain the following types and levels of insurance for its employees and agents who perform any services to fulfill the District's responsibilities under this Agreement: Commercial general liability insurance, workers' compensation insurance, and applicable errors and omissions liability insurance, each with a limit in an amount not less than \$1,000,000 per occurrence.
 - b. At all times during the term of this Agreement, USD will maintain the following types and levels of insurance for its employees and agents who perform any services to fulfill USD's responsibilities under this Agreement, as well as for USD students who are assigned to the District under this Agreement: Commercial general liability insurance,

workers' compensation insurance, and applicable errors and omissions liability insurance, each with a limit in an amount not less than \$1,000,000 per occurrence.

- c. Proof of the required insurance under this Agreement shall be provided by one party to the other upon request. Either party will provide the other with at least thirty (30) days' advance written notice before cancellation or any reduction or material change in coverage.
9. **Use of USD's Trademarks and Logos.** The District shall not use USD's trademarks, logos or insignia, or otherwise identify USD in any form of publicity, disclosure or sale without the advance written permission of USD.
10. **Independent Contractor.** It is expressly understood and agreed that, in the performance of the activities contemplated by this Agreement, the parties and their employees and agents will at all times act as independent contractors of one another, and not as employees or agents of one another. This Agreement does not constitute and shall not be construed as constituting a partnership, joint venture association, or other affiliation or like relationship between parties. Neither party shall have the right to obligate or bind the other in any manner whatsoever with respect to any third party, and nothing herein contained shall give or is intended to give any right to a third party. In no event will either party be liable for the debts or obligations of the other party, except as specifically provided herein.
11. **Entire Agreement.** The parties declare and represent that no promise, inducement or agreement not herein expressed has been made to them and that this Agreement contains the full and entire agreement between and among the parties relating to the subject matter herein, and that the terms of this Agreement are contractual and not a mere recital.
12. **Amendment/Severability.** This Agreement may not be amended, except through a writing signed by authorized representatives of USD and the District. If any provision of this Agreement, or part thereof, is held invalid, void or voidable as against public policy or otherwise, the invalidity shall not affect other provisions, or parts thereof, which may be given effect without the invalid provision or part. To this extent, the provisions, and parts thereof, of this Agreement are severable.
13. **Assignment and Subletting.** The rights and responsibilities granted in this Agreement are not assignable.
14. **Dispute Resolution.** This Agreement shall be governed by the laws of the State of California. Any dispute arising out of or relating to this Agreement shall be resolved through binding arbitration under the applicable rules of JAMS. The venue for the arbitration shall be in San Diego, California. Each party shall be responsible for its own costs and attorneys' fees incurred in connection with any such dispute.
15. **No Third Party Beneficiaries.** This Agreement shall be binding upon and inure to the benefit of and be enforceable only by the parties to this Agreement. No third party shall be a beneficiary of or have any right to enforce the terms of this Agreement.

16. **Authority**. By signing below, the representative from each party represents that he/she is duly authorized to sign the Agreement on behalf of either USD or the District.

(Santee School District)

By: _____
Karl Christensen
Assistant Superintendent, Business Services

Date: _____

UNIVERSITY OF SAN DIEGO

By: _____
Julie H. Sullivan, Ph.D.
Vice President for Academic Affairs & Provost

Date: _____

Consent Item D.4.2. Certification of Competence in Evaluation and Instructional Methodologies

Prepared by Minnie Malin

December 1, 2009

BACKGROUND:

Board Policy 4315.1, "Certification of Competence in Evaluation and Instructional Methodologies," requires an annual certification of District administration whose duties include evaluation of certificated personnel. District procedures to determine competence include:

1. Completion of requirements for State administrative services certification at an accredited university;
2. Observation guided by criteria supporting quality instructional and evaluation practices;
3. Training by the Assistant Superintendent, Human Resources in District evaluation documents and procedures;
4. Coaching of new Vice Principals by site Principals; and
5. Training in approved practices for employee documentation.

Administrators receive on-going training in coaching, and direct supervision leading to evaluation and effective instructional methodologies to support their knowledge and expertise in utilizing evaluation of certificated staff as a tool for improving instruction for all students.

In accordance with this policy, and subsequent to the above procedures, the Superintendent deems the following administrators competent in instructional methodologies and in the evaluation of certificated personnel for the 2009-10 school year:

Kristin Baranski
Ann Bray
Debbie Brenner
Marcia Ginn-May
Terry Heck
Ted Hooks
Andrew Johnston

Kristie Joiner
Robert Kull
Jerelyn Lindsay
Minnie Malin
Suzanne Martin
Lisa McColl
Hope Michel
Dawn Minutelli

Ernie Nevares
Stephanie Pierce
Dan Prouty
JoAnn Schultz
Patrick Shaw
Debra Simpson
Stephanie Southcott
Matt Thompson

RECOMMENDATION:

All administrators responsible for teacher evaluations have met criteria for certification. It is recommended that the Board approve certification of designated administrators as competent in instructional methodologies and in the evaluation of certificated personnel. Continuing staff development activities will be provided to maintain and improve evaluation and coaching skills for administrator supervisors of certificated classroom personnel.

This recommendation supports the following District goal:

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

FISCAL IMPACT:

There is no fiscal impact to the general fund as a result of this item.

STUDENT ACHIEVEMENT IMPACT:

Evaluation of certificated personnel who observe teachers involved in instructional practice is critical to confirm administrator competence in evaluating the depth and value of the educational and instructional programs in classrooms for students. These skills support the administrator enhancing the academic performance of our students and resulting in positive personal development so schools can obtain the highest measures of student learning success.

Motion: _____ Second: _____ Vote: _____

Agenda Item D.4.2.

DISCUSSION AND/OR ACTION ITEMS Item E.

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

Discussion and/or Action Item E.1.1. Junior High Intramural Sports Program
Prepared by Dr. Patrick Shaw
December 1, 2009

BACKGROUND:

Student connectedness to the school community plays a vital role in a student's overall wellbeing and their ability to be academically successful. The Santee School District Strategic Plan puts a focus on the development of before and after school programs for the purpose of increasing this need of student connectedness to the school community. This evening administration and Vice Principal JoAnn Schultz comes forward to present a plan for an after school Junior High Intramural Program. Mrs. Schultz has contacted all Santee Schools with junior highs and has received positive interest in an intramural program.

The program would be fee based and is designed to have no impact on the general fund. The cost for a student to participate is \$100.00. Parents will be offered the opportunity to purchase "Student Accident Insurance" at their expense, which would cover designated sporting activities. The \$100 fee includes the cost for transportation to the sporting events and stipends for the coaches and referees. Each junior high program would need a minimum of 10 students in order to participate in an intramural sport.

The intramural program would be run through ASB for all bills such as stipends, transportation, referee, and cost of program to parents. Vice Principal's would oversee the program including the assignment of the coach. A coach would receive a flat fee of \$600 for coaching a sport. A contingency for scholarships would come from ASB, ACES, private donors, or organizations such as Alana's Achievers, etc.

The first sport in the intramural program would be basketball, beginning Trimester 2. Below is a tentative schedule of the Intramural Basketball Program.

- Practice would be 4 days a week after school for the first two weeks.
- Games against other schools would begin the third week on Tuesday and Thursday with practice continuing on Mondays and Wednesdays right after school. Games would continue for 8 weeks with playoffs the last two weeks.
- Game Day – Transportation will pick up students at 3:45. Games are from 4:00 to 5:30 .m. with students arriving back to school by 6:00 p.m.
- Games would be played at the schools with the playoffs hopefully to be held at the Boys and Girls club in Santee.

RECOMMENDATION:

Administration recommends pursuing and implementing, if possible, a fee based Junior High Intramural Sports Program. Administration also recommends that Joann Schultz coordinates the district-wide Junior High Intramural Program. Vice Principals would oversee the program at their school and fees would be handled through ASB.

This recommendation supports the following District goal:

- ◆ Develop social, emotional, and health service programs to foster student character and personal well-being.

FISCAL IMPACT:

This program is completely fee based. There is no impact to the general fund.

STUDENT ACHIEVEMENT IMPACT:

Student connectedness to the school community plays a vital role in a student's overall wellbeing and their ability to be academically successful.

Motion: _____ Second: _____ Vote: _____

Agenda Item E.1.1.

Discussion and/or Action Item E.1.2.

Revision of the Strategic Plan
Report Card

Prepared by Dr. Patrick Shaw
December 1, 2009

BACKGROUND:

Tonight the Superintendent will provide the Board a revision of the Strategic Plan "Report Card." Executive Council members have reviewed and revised the report card for the 2006-2009 Strategic Plan and will present a draft of their work to the Board for review and discussion. The purpose for this revision is to clarify depth, breadth, accomplishments, and further District focus. Administration would like to publish the Strategic Plan report card on the District website. The Strategic Plan Report Card should also be the basis for discussion for the District's 2010-2013 Strategic Plan.

The seven strategic planning domains addressed over the last three years are:

1. Student Learning
2. Educational Opportunities
3. Student Resiliency
4. Fiscal Solvency
5. Facilities
6. Parent and Community Partnerships
7. Marketing

A revised copy of the Strategic Plan Report Card is attached to this item

Santee School District has completed the term of the three-year plan and at the Board's direction is using 2009-10 as a year to assess the goals and the sustainability of the actions implemented.

RECOMMENDATION:

The Superintendent recommends the Board review and respond to the revised Strategic Plan report card and provide Administration with suggestions for future planning of the District's Strategic Plan . Action is at the discretion of the Board.

This recommendation supports the following district goals:

- ◆ Assure the highest level of educational achievement for all students.
- ◆ Provide facilities that optimize the learning environment for all students.
- ◆ Pursue actively the funding and resources to fulfill our mission and maintain fiscal solvency.
- ◆ Establish a staff development program as the cornerstone of effective instructional programs and employee performance.
- ◆ Develop social, emotional, and health service programs to foster student character and personal well-being.

FISCAL IMPACT:

There is no fiscal impact for this item. However, a fiscal impact would be incurred for future strategic planning for any consultant services, stipends, substitutes, and other supplies.

STUDENT ACHIEVEMENT IMPACT:

Strategic Planning is focused on how the actions the District takes directly impact positive student achievement.

Motion: _____ Second: _____ Vote: _____

Agenda Item E.1.2.

Santee School District Strategic Plan Scorecard 2006-2009

Completed: Achieved Goal.	On Goal: Made progress towards Goal.	At Risk: Have Stumbling Blocks in Achieving Goal.	Not Attempted: Have not begun necessary steps towards achieving our Goal.
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STUDENT LEARNING		
#1	GOAL: Instructional Excellence	
	1. Benchmarking student achievement in the Single Site Plan	●
	2. Increase in annual site and district API growth targets of 2% to maximize student proficiency in ELA and Math	●
	3. Support inquiry based instructional strategies	●
	4. Support use of technology tools for 21 st Century learning	●
	GOAL: Professional Development	
	1. Site learning teams (administrators and teachers) analyze student data and share best practices	●
	2. Identify best practices, learning protocols, and assessment in reading	●
	3. Develop a common instructional language and student expectations for proficiency district wide	●
	4. Provide opportunities for teacher collaboration of instructional practice for inquiry based learning	●
5. Provide a comprehensive annual professional development plan.	●	
EDUCATIONAL OPPORTUNITES		
#2	GOAL: Provide opportunities for all students to participate in a variety of programs outside of the instructional day.	●
	GOAL: Offer electives and/or enrichment that support student growth in the academic content areas.	●
	GOAL: Provide quality educational opportunities for preschool aged students.	●
	GOAL: Provide parents with educational opportunities that supports home/school collaboration.	●
STUDENT RESILIENCY & EMPATHY SKILLS		
#3	GOAL: Each school/grade level will have opportunities to participate in a community service project of their choice.	●
	GOAL: All children will understand and demonstrate the principles of Peace Builders (K-5) and Character Counts (6-8).	●
	GOAL: All students will have an opportunity to participate in activities (classroom and services) to foster positive emotional, behavioral, and interpersonal skills.	●

Santee School District Strategic Plan Scorecard 2006-2009

FISCAL HEALTH & LONG TERM SUSTAINABILITY		
#4	GOAL: Continually monitor and revise budget to maintain adequate fund balance	
	1. Provide Annual Budget Advisory Committee Report and Recommendations	●
	2. Enact budget reductions to minimize future deficits	●
	GOAL: Develop a positive multi-year projection with required reserves (3 years)	
	1. Generate Additional Funding Opportunities	●
	2. Investigate and implement Print Services efficiency and cost reduction	●
	3. Investigate Camera Security System to reduce theft and vandalism	●
	4. Support a paperless Board agenda	●
	5. Develop Budget Modification Plan to address State Budget Cuts	●
	GOAL: Ensure positive cash flow to meet financial obligations as they become due	
1. Develop strategy for addressing cash shortfalls produced by State deferrals	●	
FACILITIES		
#5	GOAL: Modernize Facilities	
	1. Package the strategic financing resources to support modernization goals	●
	2. Develop strategy for completing facilities projects to support safety goals	●
	3. Utilize deferred maintenance resources to upgrade facilities	●
	4. Use Surplus Property Revenue	●
	5. Provide Facilities Committee Review	●
	6. Seek surplus sale of various items	●
PARENT & COMMUNITY PARTNERSHIPS		
#6	GOAL: Parents have opportunities to hear guest speakers as well as school officials and expert parent facilitators and presenters on subjects and topics that influence student learning.	●
	GOAL: The District has a pool of parent speakers to draw from to provide quality parent education programs for other parents.	●
	GOAL: Parents from second language cultures can access parent education opportunities in their own language.	●
MARKETING		
#7	GOAL: Expanded Community Resources	●
	GOAL: Business Support	●
	GOAL: District Web Site Expansion and Improvement	●

Discussion and/or Action Item E.2.1. Approval of First Period Interim Report
Prepared by Karl Christensen
December 1, 2009

BACKGROUND:

Assembly Bill 2861, which became effective January 1, 1987, requires that school districts prepare and submit interim financial reports so that governing boards, the State Controller, and the Superintendent of Public Instruction are informed of school districts' financial conditions for the current and future years. The Board of Education is required to designate either a positive, qualified, or negative certification regarding the District's ability to meet its financial obligations for the current year and two subsequent years.

Provided for the Board's review and approval is the interim report as of October 31, 2009, for the Santee School District. The projection for the unrestricted General Fund includes a beginning balance of \$4,614,815.98, anticipated receipts of \$32,042,554.00, anticipated disbursements of \$32,462,608.00, and a projected ending balance on June 30, 2010, of \$4,194,762.00. Copies of the interim report for the public's review will be available at the meeting or upon a request to the Fiscal Services department.

The District is designating a positive certification for the first interim. However, the District's ability to meet its financial obligations is contingent upon enacting significant budget reductions as outlined in the budget reduction plan.

RECOMMENDATION:

It is recommended that the Board of Education approve a positive certification regarding the District's ability to meet its financial obligations for the 2009-10 fiscal year.

This recommendation supports the following District goal:

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

FISCAL IMPACT:

This fiscal impact projection for the unrestricted General Fund includes a beginning balance of \$4,614,815.98, anticipated receipts of \$32,042,554.00, anticipated disbursements of \$32,462,608.00, and a projected ending balance on June 30, 2010, of \$4,194,762.00. The first interim report shows that the District will be able to meet its financial obligations for the 2009-10 fiscal year as disclosed on the following report.

STUDENT ACHIEVEMENT IMPACT:

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

Motion:		Second:		Vote:		Agenda Item E.2.1.
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Discussion and/or Action Item E.2.2.
Prepared by Karl Christensen
December 1, 2009

Approval of Chet F. Harritt Ball Field Construction
Award

BACKGROUND:

On March 17, 2009, an agreement between the City of Santee and the Santee School District was approved by the Board of Education for grant funding of \$260,084. Under the agreement, the City of Santee made these funds available for baseball field improvements at Chet F. Harritt School.

The Chet F. Harritt Ball Field project is being contracted with Barnhart, Inc. through the master lease-leaseback contract. An intent to award with a notice to proceed with non-DSA work was acted on at the April 21, 2009 Board Meeting to meet the City Grant requirements. Final DSA Plans were permitted by the Division of State Architect, and bids were opened on November 17, 2009. A preliminary guaranteed maximum price is provided at this time of \$669,761 for the one (1) majors' ball field adjacent to the park, including contingency. With soft costs, the total project is expected to be within \$800,000 to conform with the established budget.

RECOMMENDATION:

It is recommended that the Board of Education award the construction work of one (1) field of the Chet Ball Field renovation construction, in the amount not to exceed \$669,761 as part of the Chet F. Harritt master lease-leaseback construction project to Barnhart – Heery Construction and authorize administration to issue a notice to proceed.

This recommendation supports the following District goals:

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

FISCAL IMPACT:

The fiscal impact of \$669,761 will be funded from Capital Improvement Program (CIP) funds and grant funds received from the City of Santee. The budget for this project is \$800,000, of which \$540,000 will come from District CIP funds.

STUDENT ACHIEVEMENT IMPACT:

This is a fiscal item related to facilities. All fiscal resources impact student achievement.

Motion:		Second:		Vote:		Agenda Item E.2.2.
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Prepared by Kristin Baranski
December 1, 2009

BACKGROUND:

During each school year, the Advisory Council for Instruction (ACI) reviews possible subjects that influence the student’s instructional setting. These subjects are then prioritized and submitted to the Board as possible goals for ACI. In addition to goals the ACI committee developed, the Board may also have goals they would like ACI to address.

The following are the prioritized goals developed at the ACI meetings on October 8, 2009 and November 12, 2009:

- Share ACI Curriculum and Instruction Priorities Related to Budget
- Review and Advise District on Revisions to the LEA Plan
- Examine Student Achievement and Progress Toward Established Targets (include RtI)
- Explore Programs and Opportunities to Better Support and Meet the Needs of All Learners
 - Response to Intervention (RtI)
 - Distance Learning
 - Special Education Action Plan
 - Project Based Learning
- Examine 21st Century Skills and Instructional Technology and How These Topics Impact Student Learning

RECOMMENDATION:

Administration is bringing forward for Board consideration the goals developed by ACI. The ACI committee is seeking direction and suggestions regarding these goals and any additional goals from the Board.

This recommendation supports the following District goal:

- Assure the highest level of educational achievement for all students

FISCAL IMPACT:

There is no fiscal impact at this time.

STUDENT ACHIEVEMENT

Parent and community involvement, with an increased understanding of curriculum and instruction, supports the home/school connection necessary for student learning.

Motion: _____ Second: _____ Vote: _____

Agenda Item E.3.1.

BOARD POLICIES AND BYLAWS Item F.

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

BACKGROUND:

The Board of Education recognizes the responsibility to maintain security, order, and discipline on all district property. The District has determined that electronic surveillance systems are beneficial for monitoring activity on district and school property, and in school vehicles in order to protect the health, welfare and safety of its students, staff, and other authorized occupants.

Additionally, the District recognizes established privacy interests of its students and staff, and is committed to protect the confidentiality of student and staff records maintained by the District to the extent authorized by law. BP 3515.3 authorizes the use of electronic surveillance in the form of video camera surveillance on the District office, District school grounds, and in its transportation vehicles. Adoption of BP 3515.3 supports the District's efforts to develop and maintain security, order, and discipline by implementing and installing an electronic surveillance system for monitoring activity on District and school property, and in school vehicles as deemed necessary.

Administration presents Board Policy 3515.3, Electronic Surveillance, for a first reading. Additionally, new AR 3515.3 is provided for the Board's information.

RECOMMENDATION:

Board Policy 3515.3, Electronic Surveillance, is presented to the Board of Education for a first reading. No action is requested. This policy will return to the Board on December 15, 2009 for a second reading and request for adoption.

This recommendation supports the following District goal:

- Provide facilities that optimize the learning environment for all students.

FISCAL IMPACT:

There is no fiscal impact to adopt BP 3515.3.

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

ELECTRONIC SURVEILLANCE

The Governing Board of Education is committed to providing a school environment that promotes the safety of students, employees, and visitors to school grounds. The Board also recognizes the importance of protecting district property, facilities, and equipment from vandalism and theft. The Board of Education recognizes the importance and responsibility to maintain security, order, and discipline on all district property, including but not limited to, the District office, school buildings, school grounds, and school vehicles. The Superintendent or designee shall develop campus security procedures which are consistent with the goals and objectives of the district's comprehensive safety plan and site-level safety plans. Such procedures shall be regularly reviewed to reflect changed circumstances and to assess their effectiveness in achieving safe school objectives.

The students and staff of the District recognize that their security and safety depend upon the capacity of the District to maintain discipline and order and, consequently, supervision over and the ability to impose certain conditions on the activities of students is assumed and expected. Nevertheless, the District recognizes established privacy interests of its students and staff, and is committed to protect the confidentiality of students' and staff's records maintained by the district to the extent authorized by law.

The Board believes that reasonable use of surveillance cameras will help the district achieve its goals for campus security. In consultation with the safety planning committee and relevant staff, the Superintendent or designee shall identify appropriate locations for the placement of surveillance cameras. Cameras shall not be placed in areas where students, staff, or community members have a reasonable expectation of privacy. Any audio capability on the district's surveillance equipment shall be disabled so that sounds are not recorded.

Prior to the operation of the surveillance system, the Superintendent or designee shall ensure that signs are posted at conspicuous locations at affected school buildings and grounds. These signs shall inform students, staff, and visitors that surveillance may occur and shall state whether the district's system is actively monitored by school personnel. The Superintendent or designee shall also provide prior written notice to students and parents/guardians about the district's surveillance system, including the locations where surveillance may occur, explaining that the recordings may be used in disciplinary proceedings, and that

Draft

matters captured by the camera may be referred to local law enforcement, as appropriate.

To the extent that any images from the district's surveillance system create a student or personnel record, the Superintendent or designee shall ensure that the images are accessed, retained, and disclosed in accordance with law, Board policy, administrative regulation, and any applicable collective bargaining agreements.

The District has determined that electronic surveillance systems are beneficial for monitoring activity on district and school property, and in school vehicles in order to protect the health, welfare and safety of its students, staff, and other authorized occupants. Accordingly, the District authorizes the use of electronic surveillance in the form of video camera surveillance on the District office, District school grounds, and in its transportation vehicles as detailed in AR 3515.3.

Legal References:

EDUCATION CODE:

- 35160-35160.1 Authority of Governing Boards
- 32228-32254 School Safety and Violence Prevention Act
- 44031 Personnel File Contents and Inspection
- 49060-49079, 44031 Pupil Records; Rights of Parents; Privacy
- 51512 Prohibited Use of Electronic Listening Device

GOVERNMENT CODE:

- 6250-6270 California Public Records Act

PENAL CODE:

- 632 Eavesdropping on Confidential Communications

CALIFORNIA CONSTITUTION:

- Article 1, Sections 1 Declaration of Rights
- Article 1, Section 13 Searches and Seizures
- Article 1, 28(c) Right to Safe Schools

CALIFORNIA CASE LAW:

- Evens v. Superior Court (1999), 77 Cal.App.4th 320

FEDERAL LAW:

- 18 U.S.C. Sections 2510-2521, Electronic Communications Privacy Act of 1986
- 20 U.S.C. Section 1232(g), Family Educational Rights and Privacy Act

Administrative Regulation: 3515.3

Adopted:

Amended:

Draft

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

ELECTRONIC SURVEILLANCE

The District has determined that electronic surveillance systems are beneficial for monitoring activity on district and school property, and in school vehicles in order to protect the health, welfare and safety of its students, staff, and other authorized occupants. In accordance with BP 3515.3 , the District authorizes the use of electronic surveillance in the form of video camera surveillance on the District office, District school grounds, and in its transportation vehicles as follows:

1. Video cameras shall be placed in public locations deemed appropriate by the Superintendent or designee and shall not be placed in areas where there is a reasonable expectation of privacy.
2. The District shall notify its students, their parents/guardians and District staff that electronic surveillance may occur on any District or District school property, or on any transportation vehicle, and that video recordings may be used in disciplinary actions or sanctions. The District shall incorporate said notice in handbooks, post notice at the main entrance of the District office, school buildings, classrooms, and at the entry door of any bus that may have electronic surveillance equipment in operation.
3. The use and maintenance of electronic surveillance equipment on school grounds, District property, or in transportation vehicles shall be supervised and controlled by the Superintendent, the school principals or other responsible administrators. Students and staff shall not tamper or interfere with the video camera equipment.
4. The use of video recordings from surveillance equipment shall be subject to other policies of the District including policies concerning the confidentiality of student and personnel records. The District shall comply with all applicable state and federal laws related to record maintenance, retention, and disclosure including the Family Educational Rights and Privacy Act ("FERPA"), the California Public Records Act, and applicable student records and personnel file sections of the California Education Code, as well as relevant provisions from existing collective bargaining agreements.

5. Electronic surveillance shall only be used to promote the order, safety, and security of students, staff, property, and other authorized individuals. The District may rely on the images obtained by video surveillance cameras in connection with the enforcement of Board policy, administrative regulations, building rules, and other applicable law including but not limited to student and staff disciplinary proceedings and matters referred to local law enforcement agencies. Video images may become part of a student's educational record or a staff member's personnel record in accordance with applicable law and collective bargaining agreements.
6. In addition to any surveillance that might otherwise be permitted by law, video or audio recording in the classrooms will be permitted to promote educational purposes upon the consent of the school principal and the classroom teacher.
7. Surveillance systems and all resulting recordings shall be located in a secured area and access to the system and recordings shall be strictly limited. Recordings may be reviewed as authorized by the Superintendent or designee.
8. Video recordings retained as part of an individual student's disciplinary record shall be maintained in accordance with law and board policy governing the access, review, and release of student records.
9. All media viewed or listened to by law enforcement, parents, or any persons outside of authorized school personnel will be documented in a log with the date, time, reason, and names of individuals reviewing the media.
10. Employees shall be responsible for the appropriate use of technology and shall not use any district resources for unethical practices or any activity prohibited by law or district policy

Legal References:

EDUCATION CODE:

35160-35160.1	Authority of Governing Boards
32228-32254	School Safety and Violence Prevention Act
44031	Personnel File Contents and Inspection
49060-49079, 44031	Pupil Records; Rights of Parents; Privacy
51512	Prohibited Use of Electronic Listening Device

GOVERNMENT CODE:

6250-6270	California Public Records Act
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PENAL CODE:

632 Eavesdropping on Confidential Communications

CALIFORNIA CONSTITUTION:

Article 1, Sections 1 Declaration of Rights
Article 1, Section 13 Searches and Seizures
Article 1, 28(c) Right to Safe Schools

CALIFORNIA CASE LAW:

Evens v. Superior Court (1999), 77 Cal.App.4th 320

FEDERAL LAW:

18 U.S.C. Sections 2510-2521, Electronic Communications Privacy Act of 1986
20 U.S.C. Section 1232(g), Family Educational Rights and Privacy Act

Board Policy: 3515.3

BACKGROUND:

Board Bylaw 9311, Board Policies, and Education Code 35160.5 require that the Board annually review the following Board Policies. The Board Policies listed below have been reviewed by Administration and are submitted for a first reading.

Policy	Policy Title	Last Reviewed/Revised
BP 1312.1	Complaints Concerning District Employees	Board Adopted: February 17, 2009
BP 4116	Probationary/Permanent Status	Revised: May 5, 2009
BP 4315.1	Competence in Evaluation and Instructional Methodologies	Reviewed and Approved: May 5, 2009
BP 5117	Interdistrict/Intradistrict Transfers	Reviewed: November 4, 2008
BP 6145	Extracurricular Activities	Revised: December 2, 2008

Although some of these policies were reviewed or approved within the last year during the process of updating all Board Policies, for the sake of consistency for future years, Administration is bringing all of the policies requiring an annual review to the Board at this time.

RECOMMENDATION:

It is recommended that the Board of Education review the submitted Board Policies with no recommended revisions. The policies will return for a second reading and request for approval.

FISCAL IMPACT:

There is no fiscal impact as a result of this review.

Motion:		Second:		Vote:		Item F.2
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COMPLAINTS CONCERNING DISTRICT EMPLOYEES

The Governing Board accepts responsibility for providing a means by which the public can hold employees accountable for their actions. The Board desires that complaints be resolved expeditiously without disrupting the educational process.

The Superintendent or designee shall develop regulations which permit the public to submit complaints against district employees in an appropriate way. These regulations shall protect the rights of involved parties. The Board may serve as an appeals body if the complaint is not resolved.

The Board places trust in its employees and desires to support their actions in such a manner that employees are free from unnecessary, spiteful or negative criticism and complaints. Constructive criticism is welcome when it is motivated by a sincere desire to improve the quality of the educational program.

Verbal complaints made to a Board member or at al Board meeting against an employee other than the Superintendent, will be referred to the Superintendent for appropriate consideration and action according to this policy. If a single Board member receives a complaint about the Superintendent, it will be referred to the entire Board. Because the Board sits as the appellate body in the complaint resolution process, any member of the Board who has become involved in a complaint resolution process prior to an appeal to the Board shall declare his/her involvement and not participate as a member of the Board during an appeal hearing.

When public complaints against employees involve accusations of child abuse, the provisions of Board policy and administrative regulation 5141.4 shall be implemented.

The Superintendent or designee shall develop regulations which permit the public to submit complaints against district employees in an appropriate way. These regulations shall protect the rights of involved parties. The Board may serve as an appeals body if the complaint is not resolved.

This Board shall annually review this policy regarding complaints about school district employees.

The Board prohibits retaliation against complainants. The Superintendent or designee at his/her discretion may keep a complainant's identity confidential, except to the extent necessary to investigate the complaint. The district will not investigate anonymous complaints.

Legal Reference: (see next page)

COMPLAINTS CONCERNING DISTRICT EMPLOYEES (continued)

Legal Reference:

EDUCATION CODE

33308.1 *Guidelines on procedure for filing child abuse complaints*

35146 *Closed sessions*

44031 *Personnel file contents and inspection*

44811 *Disruption of public school activities*

44932-44949 *Resignation, dismissal and leaves of absence (rights of employee; procedures to follow)*

48987 *Child abuse guidelines*

GOVERNMENT CODE

54957 *Closed session; complaints re employees*

54957.6 *Closed session; salaries or fringe benefits*

PENAL CODE

273 *Cruelty or unjustifiable punishment of child*

11164-11174.3 *Child Abuse and Neglect Reporting Act*

WELFARE AND INSTITUTIONS CODE

300 *Minors subject to jurisdiction of juvenile court*

PROBATIONARY/PERMANENT STATUS

Permanent status is granted by law to teachers who have satisfactorily passed a period of probationary service. A teacher who has been employed by the district for two (2) consecutive school years and is then rehired for the next succeeding school year shall become a permanent employee at the commencement of the third (3rd) year. On or before March 15 of the employee's second complete consecutive year, the Governing Board shall notify the teacher of its decision to rehire or not to rehire for the next year. If the Board does not give notice on or before March 15, the teacher shall be rehired for the next school year. Permanent personnel may continue in teaching positions if they keep their teaching certificate in force, remain free from communicable diseases, and are not dismissed for reasons specified in the state school law.

Permanent status applies only to teachers holding regular credentials issued by the Commission on Teacher Credentialing.

A person who has achieved permanent status as a certificated employee in another school district may be employed by the Board as a permanent certificated employee.

Interns

A person employed as a district or university intern shall be classified as a probationary employee. Following completion of the internship, if he/she is reelected by the district to serve in a position requiring certification qualifications for the next succeeding school year, he/she shall continue to be classified as a probationary employee during that year. (Education Code 44466, 44885.5)

Legal Reference:

EDUCATION CODE

- 44466 Status of university interns
- 44850.1 No tenure in administrative or supervisory position
- 44885.5 Status of district interns
- 44908 Complete year for probationary employees
- 44911-44913 Service not computed in eligibility for permanent status
- 44915 Classification of probationary employees
- 44917-44921 Status of substitute or temporary employees
- 44929.20 Continuing contracts (not to exceed four years - ADA under 250)
- 44929.21 Districts of 250 ADA or more
- 44929.23 Districts with less than 250 ADA
- 44929.28 Employment by another district
- 44930-44988 Resignations, dismissals and leaves of absence, especially:
- 44948.2 Election to use provisions of Section 44948.3
- 44948.3 Dismissal of probationary employees

Policy

adopted: February 18, 1986
reviewed: December 4, 2007
revised: May 5, 2009

SANTEE SCHOOL DISTRICT
Santee, California

**CERTIFICATION OF COMPETENCE IN EVALUATION
AND INSTRUCTIONAL METHODOLOGIES**

The Superintendent shall annually submit to the Governing Board a list of district administrators whose duties include evaluation of certificated personnel. The administrators listed will be presented as competent by the Superintendent in instructional methodologies and in the evaluation of certificated personnel. The Board will certify the competence of personnel recommended by the Superintendent.

Criteria for certification may include but not be limited to the following:

Academic Qualifications

1. Earned Master's Degree or advanced degree of equivalent standard from an accredited college or university.
2. Evidence of university level course work in techniques of supervision, human relations and instructional methodologies.

Experience

1. Demonstration of competence in the evaluation process.
2. Demonstration of competence in instructional methodologies.
3. Completion of at least three (3) years of successful teaching.

Credential

1. Possession of valid California Administrative Credential

Professional Knowledge and Skills

1. Evidence of professional growth program participation.
2. Demonstration of understanding of district-adopted curriculum, policies and practices.
3. Demonstration of skill in instructional observation.
4. Demonstration of skill in techniques and procedures of evaluation of instruction.

This certification is intended to comply with requirements of the Education Code and is intended to be used for no other purpose. This policy shall be reviewed annually by the Board.

Legal Reference: (see next page)

**CERTIFICATION OF COMPETENCE IN EVALUATION
AND INSTRUCTIONAL METHODOLOGIES (continued)**

Legal Reference:

EDUCATION CODE

33039 *Guidelines for teacher evaluation*

44660-44665 *Evaluation and assessment of performance of certificated employees*

44681-44689 *Administrator training and evaluation*

GOVERNMENT CODE

3543.2 *Scope of representation (re evaluation procedures)*

Policy
adopted: June 19, 1984
amended: December 4, 2007
reviewed: May 5, 2009

SANTEE SCHOOL DISTRICT
Santee, California

SANTEE SCHOOL DISTRICT
9625 CUYAMACA STREET
SANTEE, CALIFORNIA 92071-2674
(916) 258-2300

INTERDISTRICT/INTRADISTRICT TRANSFERS

The Santee School District Board of Education subscribes to and promotes educational choices for parents. In order to allow parents to select schools of their choice, the Board declares that Santee School District shall have a policy of open enrollment for both interdistrict and intradistrict transfers, contingent upon space available.

An Interdistrict Transfer is the transfer of a student between school districts.
An Intradistrict Transfer is the transfer of a student between schools within a single district.

The Superintendent or designee shall provide timely information to parents/guardians and the community each year regarding open enrollment procedures and program options.

The district will not provide transportation for students attending school outside of their attendance area.

Legal Reference:

EDUCATION CODE:

35291 Rules
35350 Transportation of students
35351 Assignment of students to specific schools

Administrative Regulations: 5117

Adopted: June 15, 1993

Amended:

Annually Reviewed

Date last reviewed: November 4, 2008

SANTEE SCHOOL DISTRICT
9625 CUYAMACA STREET
SANTEE, CALIFORNIA 92071 -2674
(619) 258-2300

EXTRACURRICULAR AND COCURRICULAR ACTIVITIES

The Governing Board recognizes that extracurricular and cocurricular activities enrich the educational, social development and experiences of students. The district shall encourage and support student participation in extracurricular and cocurricular activities without compromising the integrity and purpose of the educational program.

Extracurricular activities are not part of the regular school curriculum, are not graded, do not offer credit and do not take place during classroom time.

Cocurricular activities are programs that may be associated with the curriculum in a regular classroom.

No extracurricular or cocurricular program or activity shall be provided or conducted separately and no district student's participation in extracurricular and cocurricular activities shall be required or refused based on the student's gender, sexual orientation, ethnic group identification, race, ancestry, national origin, religion, color, or mental or physical disability. Requirements for participation in extracurricular and cocurricular activities shall be limited to those that are essential to the success of the activity.

Any complaint regarding the district's extracurricular and cocurricular programs or activities shall be filed in accordance with BP/AR 1312.3 - Uniform Complaint Procedures.

No student shall be prohibited from participating in extracurricular and cocurricular activities related to the educational program because of inability to pay fees associated with the activity.

Academic Eligibility Requirements

Junior high social activities and Eighth Grade Excursion Day are subject to academic, effort and citizenship requirements as specified in AR 6145.

Supervision

Extracurricular activities shall be under the general supervision of school authorities and certificated employees whenever they are conducted by Santee School District.

The Superintendent or designee shall:

1. Determine which activities and programs are affected by this policy.
2. Ensure district-wide uniformity.

The Board shall annually review this policy and implementing regulations.

Legal Reference:

EDUCATION CODE

35145 Public meetings

35160.5 District policy rules and regulations; requirements; matters subject to regulation

35179 Interscholastic athletics; associations or consortia

48930-48938 Student organizations

CODE OF REGULATIONS, TITLE 5

350 Fees not permitted

4900-4965 Nondiscrimination in elementary and secondary education programs receiving state financial assistance

5531 Supervision of extracurricular activities of pupils

UNITED STATES CODE, TITLE 42

2000h-2-2000h-6 Title IX, 1972 Education Act Amendments

COURT DECISIONS

Hartzell v. Connell, 35 Cal. 3d 899

Administrative Regulation Reference: 6145

Adopted: November 5, 1986

Amended: May 16, 1989, December 2, 2008

BOARD COMMUNICATION AND ORGANIZATIONAL BUSINESS Item G.

CLOSED SESSION Item H.

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

The Board will go into Closed Session to discuss:

1. **Conference with Labor Negotiator** (Govt. Code § 54956.8)
Purpose: Negotiations
Agency Negotiator: Minnie Malin, Director of Human Resources
Employee Organizations: Santee Teachers Association
Classified School Employees Association

2. **Liability Claims** (Gov't Code §54956.95)
Claimant: Borrego Solar
Claim Against: Santee School District

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

RECONVENE TO PUBLIC SESSION Item I.

ADJOURNMENT Item J.