

---

---

**BOARD OF TRUSTEES**

**AGENDA**

October 12, 2009

Regular Meeting

5:45 p.m.

Open Meeting/Adjourn to Closed Session  
Fallbrook High School Library

6:30 p.m.

Open Session  
Room 201 – Fallbrook High School

**I. CALL TO ORDER: OPEN SESSION**

**The Board Meeting will be called to order in the Library at Fallbrook High School prior to the Closed Session. If a member of the community wishes to address the Board prior to the Closed Session, that person is requested to present himself/herself to the Board prior to the start of the Closed Session.**

**II. ANNOUNCE CLOSED SESSION AGENDA**

- A. Instructions to Designated Representative for Negotiations (Chester Gannett) regarding Agreement with SEIU
- B. Conference with Legal Counsel – Pending Litigation (Subdivision (a) of Government Code 54956.9) –Ariosta, et. al. v. Fallbrook Union High School District
- C. Conference with Legal Counsel – Pending Litigation (Subdivision (a) of Government Code 54956.9) – Fallbrook Union High School District v. Magnus Investment Group, Inc. (the Golf Club of California)

**III. ADJOURN TO CLOSED SESSION**

**In compliance with the Americans with Disability Act, if you need special assistance, disability-related modifications or accommodations, including auxiliary aids or services, in order to participate in the public meetings of the District's Board of Trustees, please contact the office of the District Superintendent at (760) 723-6332, ext. 6497. Notification 72 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accommodation and accessibility to this meeting. Upon request, the District shall also make available the agenda and all other public records associated with this meeting in appropriate alternative formats for persons with a disability.**

**IV. CALL TO ORDER: OPEN SESSION**

- A. Flag Salute
- B. Roll Call

BOARD OF TRUSTEES

Frank Cerda \_\_\_\_\_  
 Sharon Koehler \_\_\_\_\_  
 Bill O'Connor \_\_\_\_\_  
 Mike Schulte \_\_\_\_\_  
 Marc Steffler \_\_\_\_\_

SUPERINTENDENT

Dale J. Mitchell, Ed.D. \_\_\_\_\_

MCB Camp Pendleton Liaison

James H. O'Donnell \_\_\_\_\_

STUDENT MEMBERS

Tori Kessel-Fallbrook High School \_\_\_\_\_  
 Marina Lueschen-Oasis High School \_\_\_\_\_

- V. **ANNOUNCEMENT:** All open sessions of the Board of Trustees are recorded and streamed in real time at [www.fuhsd.net](http://www.fuhsd.net).

**VI. REPORT FROM CLOSED SESSION**

- A. Instructions to Designated Representative for Negotiations (Chester Gannett) regarding Agreement with SEIU:
- B. Pending Litigation:
- C. Pending Litigation:

**VII. ADOPT AGENDA**

Moved by \_\_\_\_\_ Seconded by \_\_\_\_\_

That the Board approve, as presented, the Agenda for the Regular Meeting of October 12, 2009.

Moved by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Ayes:

Noes:

Abstain:

Student Members:

In compliance with Government Code section 54957.5, non-exempt writings that are distributed to a majority or all of the board in advance of a meeting may be viewed at 2234 S. Stage Coach, Fallbrook, CA 92028; at our website, [www.fuhsd.net](http://www.fuhsd.net); or at the scheduled meeting. In addition, persons who would like a copy of any record related to an item on the agenda are encouraged to contact the office of the Superintendent by e-mailing [myoung@fuhsd.net](mailto:myoung@fuhsd.net) or by telephoning (760) 723-6332, extension 6497.

## **VIII. COMMUNICATION AND REPORTS**

- A. Reports from Student Members
- B. Report from James H. O'Donnell, Command Inspector General MCB Camp Pendleton:
- C. Reports from Board Members
- D. Reports from Principals
- E. Report from Superintendent/Staff

## **IX. ITEMS FROM THE FLOOR**

Members of the audience will be given up to five (5) minutes to address the Board. If you wish to speak, please complete one of the forms at the back of the room and submit it to the Board President prior to the beginning of the Board meeting. The Board President will recognize you. Please use the appropriate microphone or podium and identify yourself by name, address, and organization before making your presentation.

The Board President may rule on the appropriateness of the topic. If the topic would be more suitably addressed at a later time, the president may indicate the time and place when it should be presented. The Board shall not prohibit public criticism of its policies, procedures, programs, services, acts or omissions. Whenever a member of the public initiates specific complaints or charges against an employee, the Board president shall inform the complainant that in order to protect the employee's right to adequate notice before a hearing of such complaints and charges, and also to preserve the ability of the Board to legally consider the complaints or charges in any subsequent evaluation of the employee, it is the policy of the Board to hear such complaints or charges in closed session unless otherwise requested by the employee pursuant to Government Code 54957.

All open sessions of the Board of Trustees are streamed in real time at [www.fuhisd.net](http://www.fuhisd.net), and audio files of all open meetings are stored and available at that site as well. Members of the audience who wish to distribute written information to the Board must give materials to the Board Secretary prior to the beginning of the meeting.

Unless an item has been placed on the published agenda in accordance with the Brown Act, there shall be no action taken. The Board may (1) acknowledge receipt of the information/report and comment, (2) refer to staff for further study, or (3) refer the matter to the next agenda.

In compliance with Government Code section 54957.5, non-exempt writings that are distributed to a majority or all of the board in advance of a meeting may be viewed at 2234 S. Stage Coach, Fallbrook, CA 92028; at our website, [www.fuhisd.net](http://www.fuhisd.net); or at the scheduled meeting. In addition, persons who would like a copy of any record related to an item on the agenda are encouraged to contact the office of the Superintendent by e-mailing [myoung@fuhisd.net](mailto:myoung@fuhisd.net) or by telephoning (760) 723-6332, extension 6497.

## X. BUSINESS SESSION

### A. EDUCATIONAL SERVICES

1. PUBLIC HEARING: Sufficiency of Instructional Materials

Public  
Hearing

Education Code Section 60119 provides that in order to be eligible to receive instructional materials funds, the governing board of each district and county office of education is required to hold an annual public hearing and adopt a resolution stating whether each pupil in the district has sufficient textbooks or instructional materials in specified subjects that are aligned to the academic content standards and consistent with the content and cycles of the curriculum framework adopted by the state board.

The Board President/Clerk will open the Public Hearing regarding the sufficiency of instructional materials, calling for comments from all interested parties. Following public comments, the Board President/Clerk will close the Public Hearing.

2. ACTION: Resolution 05-0910: Sufficiency of Instructional Materials

Action

That the Board approve Resolution 05-0910, certifying the sufficiency and availability of instructional materials.

Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_

Ayes:

Noes:

Abstain:

Student Members:

3. INFORMATION: Interdistrict Transfer Agreements

Information

A report on the Interdistrict Transfer Agreements for the 2009-2010 school year will be presented.

In compliance with Government Code section 54957.5, non-exempt writings that are distributed to a majority or all of the board in advance of a meeting may be viewed at 2234 S. Stage Coach, Fallbrook, CA 92028; at our website, [www.fuhisd.net](http://www.fuhisd.net); or at the scheduled meeting. In addition, persons who would like a copy of any record related to an item on the agenda are encouraged to contact the office of the Superintendent by e-mailing [myoung@fuhisd.net](mailto:myoung@fuhisd.net) or by telephoning (760) 723-6332, extension 6497.

B. BUSINESS SERVICES

4. INFORMATION: [Student Enrollment](#) 2009-2010 Information

Assistant Superintendent Chester Gannett will report on the current student enrollment statistics.

C. GENERAL

5. INFORMATION: Board Policies and Administrative Regulations – [4000 Series](#), Personnel Information

New, revised, reviewed and deleted Board Policies and Administrative Regulations from the 4000 Series, Personnel, will be presented for a first reading.

6. ACTION: Board Policy 4312.1 - [Contracts](#) Action

That the Board approve, as presented, Board Policy 4312.1 - Contracts.

Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_

Ayes:

Noes:

Abstain:

Student Members:

D. APPROVAL OF MINUTES

7. ACTION: [Minutes](#) of the September 28, 2009 Regular Meeting Action

That the Board approve, as presented, the Minutes of the September 28, 2009 Regular Meeting.

Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_

Ayes:

In compliance with Government Code section 54957.5, non-exempt writings that are distributed to a majority or all of the board in advance of a meeting may be viewed at 2234 S. Stage Coach, Fallbrook, CA 92028; at our website, [www.fuhsd.net](http://www.fuhsd.net); or at the scheduled meeting. In addition, persons who would like a copy of any record related to an item on the agenda are encouraged to contact the office of the Superintendent by e-mailing [myoung@fuhsd.net](mailto:myoung@fuhsd.net) or by telephoning (760) 723-6332, extension 6497.

Noes:  
 Abstain:  
 Student Members:

#### E. CONSENT AGENDA

All matters listed under the Consent Agenda are considered by the Board of Trustees to be routine and will be enacted by one action. There is usually no discussion of these items prior to the time the Board of Trustees votes on the motion unless members of the Board request specific items to be discussed or deleted from the Consent Agenda.

8. ACTION: Approval of [Consent Agenda](#) Action  
 That the Board approve, as presented, the Consent Agenda.

Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_

Ayes:  
 Noes:  
 Abstain:  
 Student Members:

#### CONSENT AGENDA ITEMS

9. [Quarterly Report on Complaints](#) Consent  
 That the Board accept, as presented, the Quarterly Report on Complaints.

10. [Gifts and Donations](#) Consent  
 That the Board approved the following gifts and donations:
- a. Sunlet Nursery/Janet Kister, Plant Material, FFA Horticulture Program
  - b. Fallbrook Vintage Car Chapter/John Waugh, \$100.00 cash, FFA Leadership Development Program
  - c. Eric and Mia Ingerson, \$20.00 cash, Cross Country Program
  - d. John and Michelle Anderson, \$5.00 cash, Cross Country Program
  - e. Tanya Campbell, \$20.00 cash, Cross Country Program
  - f. Scott and Chastity Cook II, \$10.00 cash, Cross Country Program
  - g. Douglas and Shannon Gerhardt, \$10.00 cash, Cross Country

In compliance with Government Code section 54957.5, non-exempt writings that are distributed to a majority or all of the board in advance of a meeting may be viewed at 2234 S. Stage Coach, Fallbrook, CA 92028; at our website, [www.fuhsd.net](http://www.fuhsd.net); or at the scheduled meeting. In addition, persons who would like a copy of any record related to an item on the agenda are encouraged to contact the office of the Superintendent by e-mailing [myoung@fuhsd.net](mailto:myoung@fuhsd.net) or by telephoning (760) 723-6332, extension 6497.

- Program
- h. Christopher and Catherine Parsons, \$25.00 cash, Cross Country Program
  - i. KJC General Contracting Inc., \$200.00 cash, Cross Country Program
  - j. Robert and Susan Warner, \$200.00 cash, Cross Country Program
  - k. Bruce Jenkin Photography, \$400.00 cash, Cross Country Program
  - l. Gregory Grajek, TTEE, \$250.00 cash, Cross Country Program
  - m. John and Kazue Lewis, \$100.00 cash, Cross Country Program
  - n. Kent and Emily Keith, \$150.00 cash, Cross Country Program
  - o. Russell and Lori McKissick, \$150.00 cash, Cross Country Program
  - p. Vine Street Apartments, \$50.00 cash, Cross Country Program
  - q. Architectural Millwork Solutions, \$50.00 cash, Cross Country Program
  - r. Luis and Caroline Gasca, \$200.00 cash, Cross Country Program
  - s. David and Peggy Dimercurio/Main St. Motors, \$200.00 cash, Cross Country Program
  - t. Marcus and Cheryl Calescibetta, \$200.00 cash, Cross Country Program
  - u. Ruth Herman, \$200.00 cash, Cross Country Program
  - v. Maria T. Ramos, \$200.00 cash, Cross Country Program
  - w. Arlyne Ingold, \$500.00 cash, Cross Country Program
11. [Purchase Orders](#) Consent  
That the Board approve Purchase Orders for September 2009.
12. [Commercial Warrants](#) Consent  
That the Board approve Commercial Warrants for September 2009.
13. [Personnel Action](#) Consent  
That the Board approve, as presented, the Personnel Action Report.
14. [Field Trips/Conference Requests](#) Consent  
That the Board approve the following field trip/conference request(s): Jeff Brandow, and 12 students, Boys Basketball Tournament, December 3-December 6, 2009, Morro Bay HS, Morro Bay, CA; Scott Duffin, and 12 students, Made for Excellence & Advanced Leadership Academy, January 8 & 9, 2009, Ontario

In compliance with Government Code section 54957.5, non-exempt writings that are distributed to a majority or all of the board in advance of a meeting may be viewed at 2234 S. Stage Coach, Fallbrook, CA 92028; at our website, [www.fuhsd.net](http://www.fuhsd.net); or at the scheduled meeting. In addition, persons who would like a copy of any record related to an item on the agenda are encouraged to contact the office of the Superintendent by e-mailing [myoung@fuhsd.net](mailto:myoung@fuhsd.net) or by telephoning (760) 723-6332, extension 6497.

Hilton Hotel, Ontario, CA; Margaret Chapman and Scott Duffin,  
and 30 students, FFA State Judging Finals, April 30-May 2, 2010,  
Cal Poly San Luis Obispo, San Luis Obispo, CA.

**XI. ORGANIZATIONAL MATTERS**

This is the appropriate place in the agenda for members of the Board to direct the Superintendent to provide further information regarding items discussed at this meeting and/or request that new items of business be placed on future agendas.

- i. Apex Implementation Status Report – Jan./Feb. 2010

**XII. INFORMAL REVIEW OF GOVERNANCE TEAM'S PERFORMANCE**

**XIII. DATE AND TIME OF NEXT MEETING**

The next Regular Meeting of the Board of Trustees will be held Monday, October 26, 2009 at 6:30 p.m. in Room 201 at Fallbrook High School.

**XIV. ADJOURN TO CLOSED SESSION (if necessary)**

**XV. RECONVENE OPEN SESSION/REPORT FROM CLOSED SESSION**

**XVI. ADJOURNMENT**

There being no further business to come before the Board, the Regular Meeting of October 12, 2009 was adjourned at \_\_\_\_\_ p.m. by \_\_\_\_\_.

In compliance with Government Code section 54957.5, non-exempt writings that are distributed to a majority or all of the board in advance of a meeting may be viewed at 2234 S. Stage Coach, Fallbrook, CA 92028; at our website, [www.fuhisd.net](http://www.fuhisd.net); or at the scheduled meeting. In addition, persons who would like a copy of any record related to an item on the agenda are encouraged to contact the office of the Superintendent by e-mailing [myoung@fuhisd.net](mailto:myoung@fuhisd.net) or by telephoning (760) 723-6332, extension 6497.