

**LA CAÑADA UNIFIED SCHOOL DISTRICT  
MINUTES OF THE REGULAR MEETING OF THE GOVERNING BOARD**

February 27, 2007

The Regular Meeting of the Governing Board of La Cañada Unified School District was called to order at 4:00 p.m. by President Scott Tracy on February 27, 2007, in the Round Building at 4490 Cornishon Avenue in La Cañada, California. Present were Board Members Scott Tracy, Jinny Dalbeck, Cindy Wilcox, and Joel Peterson.

**CLOSED SESSION**

The Governing Board adjourned to Closed Session at 4:00 p.m. in the Round Building at 4490 Cornishon Avenue in La Canada, California. Present were the four Board Members, Superintendent James Stratton, Deputy Superintendent Bill Loose and Assistant Superintendent Mike Leininger. Closed session adjourned at 5:30 p.m.

**WORKSHOP: Palm Drive District Office Property**

The Governing Board workshop on the Palm Drive District Office Property began at 5:45 p.m. There were approximately 25 people in the audience. Mr. Tracy opened the meeting thanking those who were in attendance at the workshop and informed those in the audience that no decision regarding the Palm Drive district office property would be made that evening and that this would be a two reading item.

Mr. Tracy introduced Dr. Leininger, Assistant Superintendent of Facilities and Operations. Dr. Leininger began his presentation with background on the property. Dr. Leininger reported that the 1995 Master Facilities Plan for the District Office Modernization stated, "If the Board were to relocate the District office, the funding for this would come from the sale or lease of the current facility." Dr. Leininger proceeded with a discussion regarding the Surplus Property Advisory Committee (SPAC) report which recommended that the District sell the property, most likely for purposes of residential development.

Dr. Leininger reported that the Bond Oversight Committee was also informed that the move of the district office to FIS would be offset by the sale of the Palm Drive district office property.

In January 2006, a Palm Drive Property Review Committee was formed after the district office move to look at alternatives to a direct sale of the Palm Drive district office property. In June 2006, the review committee came up with options for the property with a recommendation to build a joint use multipurpose room on the property. After researching the possibility for a joint use multipurpose room it was determined this was not a viable option since we did not qualify for matching state funds, the site had not determined an educational need, and the neighbors did not support the addition of a multipurpose room at the site.

Dr. Leininger stated the current options are to keep the property in the district land bank (to lease, scrape or maintain as is) or to sell the property to a public or private entity.

Dr. Leininger introduced Dr. Loose, who discussed sale options and the process that would be followed if the district decides to sell the property. Dr. Loose discussed Education Code 17464 requirements and Government Code 54220 regarding the sale of district property.

It was clarified that the proceeds from the sale of the district property must be used for capital expenditures only.

Dr. Leininger summarized that the staff has looked into other uses of the district office and has always been limited by the funding issue. The staff recommendation at this point is to proceed with the sale of the property to maximize monies available for construction projects, to decrease ongoing costs of

maintenance and utilities, to stay in accordance with the Master Facilities Plan of 1995 and 2002 and in accordance with the recommendation of the Surplus Property Advisory Committee and lastly to stay in accordance with the district statement to the Bond Oversight Committee. Dr. Leininger stated that the district office property is not a necessary component for contingency plans related to class size reduction or maximum enrollment.

Mrs. Dalbeck asked if the YMCA had been approached. It was reported that the district and the YMCA collaborated on an afterschool support grant but that the grant did not get funded by the state. The YMCA has not been approached regarding purchase of the property.

Mr. Peterson asked about the future use of FIS and Oak Grove and what impact ADA requirements would have at these facilities. Dr. Leininger reported that there would be some cost to upgrade these facilities. Mr. Peterson asked if FIS and Oak Grove renovation would be more costly than construction at Palm Crest. Dr. Leininger responded that there currently are 11 classrooms available at FIS that could house students and estimated that 6 – 8 classrooms could be constructed on the 150 x 150 usable flat area at Palm Crest with no parking added.

Mrs. Wilcox asked if there was any salvage value to the old district office property. Dr. Leininger affirmed there is some interest in some of the items at the district office such as the fountain, gates, and tiles.

Mrs. Wilcox requested that the Board complete its long term strategic planning prior to voting on this item.

Mrs. Wilcox proceeded to poll the audience on its opinion for the property. A majority of the audience expressed interest in holding on to the property.

The following members of the public expressed opinions regarding the property:

Kathy Weininger, PCR Parent - questioned whether low income housing would be mandated there.

Craig Steele, PCR Parent and BOC Chair - stated BOC was told that the sale of the district office move was to be covered by sale of the Palm Drive property.

Graham Stumpf, PCR Parent - discussed the process that has been followed to date.

Amy Bernhart, PCR Parent - wanted the property to stay in the district.

Lee Gregg, PCR Parent - commended the board in the current process of getting community input and stated that the real issue is how best to use the property and that he believes that the best use is sale to generate more construction dollars.

John Caire, PCR parent - asked for a cost analysis on rehabbing Oak Grove and FIS.

After much discussion, Mr. Tracy directed staff to research and provide the Board with the following information: a cost analysis on rehabbing Oak Grove and FIS; information from the City regarding rezoning the property; information on any state facilities money for Career Education and what restrictions are placed on that money and whether we would qualify for it. Direction was also given to approach the YMCA or other child care providers to see if they are interested in the property. Mrs. Wilcox requested that Southern California Association of Governments be contacted for data on how communities like us transition into community housing.

The workshop was adjourned at 7:18 p.m.

**MEMBERS PRESENT:** Mr. Scott Tracy, President  
Mr. Joel Peterson, Clerk  
Mrs. Jinny Dalbeck, Member  
Mrs. Cindy Wilcox, Member

**REPORT OUT OF CLOSED SESSION**

Mr. Tracy reported that the Board took action in closed session to issue notices of non-re-election to probationary certificated employees, identified by Resolution 15-06-07 Probationary Employee #2006-07-01, Probationary Employee 2006-07-03, Probationary Employee 2006-07-04, Probationary Employee 2006-07-05 and Probationary Employee 2006-07-06 pursuant to Education Code Section 44929.21(b), effective at the end of the 2006-07 school year, and directed the Superintendent or designee to send out appropriate legal notices. The roll call vote for the resolution was as follows: Ayes 4, Nays 0, Abstentions 0.

### **REGULAR MEETING**

The Regular Meeting of the Governing Board was reconvened at 7:20 p.m. in the Round Building at 4490 Cornishon Avenue in La Canada. Present were the four Governing Board Members, Mr. Stratton, Dr. Loose, Dr. Leininger and Executive Secretary to the Superintendent Kim Bergner. There were approximately 48 people in the audience. Mr. Tracy asked Craig Steele to lead the Pledge of Allegiance to the Flag.

### **APPROVAL OF AGENDA**

It was moved and seconded (Dalbeck/Peterson) to approve the agenda. The motion to approve the agenda was adopted unanimously.

Mrs. Wilcox asked to move 3b to item 1g. Mrs. Peterson asked to move 3c and d to 1h and 1i. It was moved and seconded (Wilcox/Peterson) to move Consent item 3b, 3c and 3d to First Reading items 1g, 1h and 1i. The motion to move Consent item 3b, 3c and 3d to First Reading items 1g, 1h and 1i was adopted unanimously.

The motion to approve the agenda as amended was adopted unanimously.

### **APPROVAL OF MINUTES**

Mr. Tracy stated that the minutes of the January 30, 2007 and February 6, 2007 meetings of the Governing Board had been distributed to the Governing Board Members in advance for review. Revisions were distributed at the meeting. The minutes of the January 30, 2007 and February 6, 2007 meetings of the Governing Board were approved as amended.

### **REPORTS**

#### **1. Student Representative Report**

Mr. Heaton, student representative was not present.

#### **2. Superintendent's Report**

Mr. Stratton introduced La Cañada High School teachers Tom Traeger and Mark Ewoldsen who were present to recognize the Academic Decathlon team for their successful competition. Mr. Traeger and Dr. Ewoldsen assisted Mr. Tracy in presenting the individual team members with a Certificate of Achievement for their participation in the competition.

Mr. Stratton introduced La Cañada High School teachers Patty Compeau, Mary Lou Langedyke and Barbara Leach who are the coordinators for the WASC Self Study. Mrs. Langedyke distributed the Focus on Learning Self Study Report for 2006-2007 and reported on the WASC Self Study and stated this has been a year and a half process. On March 11, 2007 the WASC visiting team arrives and will be at the high school for a three-day WASC review.

Mr. Stratton thanked Ms. Compeau, Ms. Langedyke and Ms. Leach for the hard work on this report.

#### **3. President's Report**

Mr. Tracy deferred his report.

**4. Assistant Superintendent of Facilities and Operations Report**

Dr. Leininger reminded the board about the ribbon cutting ceremony for the new band room this Friday at 8:15 a.m. at the high school.

Dr. Leininger provided an update on the Paradise Canyon and Palm Crest Elementary site committees.

**5. 7-12 Principals' Report**

Mr. Stratton introduced Dr. Dragos, the high school principal and Ms. Sinnette, the 7/8 principal to provide a report on Assessment Practices at LCHS 7 – 12. Mr. Stratton provided history on the board workshop that was held earlier this year and stated that Dr. Dragos and Ms. Sinnette are here tonight to report on progress since the implementation of Board Policy 6162.5 and Administrative Regulation 6162.5 on Student Assessment.

Ms. Sinnette provided an overview of how the two principals monitor the Board Policy and reported that teachers either send tests home or review them in class. Teachers who do not send tests home meet with the principals to discuss the rationale. Ms. Sinnette and Dr. Dragos have surveyed staff to determine total number and percentage of tests going home. A copy of the survey was shared. Ms. Sinnette reported there was 100% staff participation in the survey and there has been very constructive dialogue with staff during the monitoring process.

Dr. Dragos reported on the types and purposes of formative and summative assessments. Dr. Dragos reported that most formative assessments are being sent home for parent and student review. Summative assessments tend to be reviewed in class and available for parent review within the classroom. There have been a total of 8,360 total assessments in first semester in 9-12 and 82% of those were sent home during first semester. Dr. Dragos further provided information on the percentage of assessments that go home in each department.

Ms. Sinnette reported on the 7 – 8 assessment survey breaking the information down by small schools.

Mrs. Wilcox stated students may be embarrassed to discuss personal results in class and stated that tests are not completely secure now regardless of whether graded tests go home. Ms. Sinnette reported on the embarrassment factor stating this is being addressed by teachers by being available before and after school for the students for one on one. Mr. Tracy made a suggestion that the privacy issue be surveyed by students to see how they feel about it.

Mrs. Wilcox asked that the student survey be done by subject and stated that parent meetings with a teacher to review assessments is difficult and stated it would be easier to review the tests at home. Mrs. Wilcox encouraged principals to train parents and teachers to work together as partners.

Mr. Peterson questioned whether this practice has promoted unintended consequences of teachers doing fewer assessments. Ms. Sinnette reported that the results are the opposite; it appears teachers are doing more assessments and are using them as tools to teach and to adjust.

The Board thanked Dr. Dragos and Ms. Sinnette for the update and they look forward to the report back at the end of the year.

**OPPORTUNITY TO ADDRESS BOARD**

The following audience members addressed the Board:

Craig Steele, Chair of the Bond Oversight Committee, provided a copy of the Bond Oversight Committee's annual report and reported the district received a clean independent audit of the bond expenditures and that the committee found that all expenditures are consistent with the bond language. Mr. Steele asked that the annual report be put on the district web site and stated that staff is doing a great job in working with the BOC.

John Caire reported that Design Review volunteers had not reviewed plans for Bldg B., which is on the agenda as a request to go to bid.

## PROPOSED ACTION ITEMS

### 1. First Reading

- a. **District Office Dispensation, R106-06-07.** This item is being presented for a first reading. Dr. Leininger reported that staff recommends proceeding with the sale of the property at 5039 Palm Drive contingent on information being brought back by staff to the Board, which was requested at tonight's workshop.
- b. **\*Second Interim Report, R105-06-07.** It was moved and seconded (Peterson/Dalbeck) to approve the Second Interim Report and a transfer of \$870,000 from Developer Fee Fund (25.0) to the Building Fund 2004 (21.2). Dr. Loose thanked Ms. Clinton, Director of Fiscal Services, for her assistance in the preparation of the Second Interim Report. Dr. Loose reported the district received more revenue in other local income by participating in Tax Delinquencies and because of changes in interest rates for a total of \$103,000. The district also received more grant money. The expenditures reflect a 4% increase in classified salary as a result of a potential salary settlement which is coming to the board tonight for approval. The proposed second interim budget has been positively certified by LACOE.

Mr. Peterson asked for clarification on capital outlay. Dr. Loose clarified the unexpected capital outlay expenses. Mr. Peterson suggested a higher number in capital outlay for second interim since the \$26,501 is expenditures to date not projections. Mrs. Wilcox requested written budget assumptions with every budget draft. Mr. Tracy responded, stating this is a fair request from the Board. Mr. Tracy stated there is a projected 4% salary increase for classified staff but no projection for other staff. Dr. Loose confirmed this 4% increase does not include an increase for any staff other than classified. This will affect the numbers as negotiations are completed with LCTA and CMSA. Mr. Peterson asked that the reporting of field trips and lab fees be reconsidered. Mrs. Wilcox concurred. The motion to approve the Second Interim Report and a transfer of \$870,000 from Developer Fee Fund (25.0) to the Building Fund 2004 (21.2) was adopted by a 3:1 vote with Mr. Peterson voting against the adoption based on the concern with capital outlay.

- c. **Salary Settlement for CSEA 2006-07, R103-06-07.** It was moved and seconded (Wilcox/Dalbeck) to approve the Salary Settlement for CSEA 2006-07, R103-06-07. Dr. Loose reported the district has concluded negotiations with CSEA for 2006-07. A vote has been concluded and a 4% offer has been ratified. The County has reviewed the settlement and agreed that it is within the confines of the budget. The salary settlement will be retroactive to July of 2006. Upon approval, the retro pay will be put into effect. Dr. Loose thanked Ms. Felong, CSEA President, and stated this settlement is a result of Interest Based Bargaining. The motion to approve the Salary Settlement for CSEA 2006-07 was adopted unanimously.
- d. **Power of Attorney and Declaration of Representative, R104-06-07.** It was moved and seconded (Peterson/Wilcox) to approve the Power of Attorney and Declaration of Representative, R104-06-07. Dr. Loose reported that classified staff is paid twice a month through Los Angeles County Office of Education (LACOE), while certificated

staff is paid once a month. Classified employees receive a check which is reported as an estimated salary advance. Taxes are taken out once a month. The IRS started auditing school districts and wants taxes deducted when the employee is paid. This is affecting every school district that pays its employees through LACOE. The IRS has assessed fees to school districts for this type of payroll processing, some being very substantial. By signing this Power of Attorney LACOE will represent the district on this issue. The motion to approve the Power or Attorney and Declaration of Representative was adopted unanimously.

- e. **CSBA Delegate Assembly Elections, R99-06-07.** It was moved and seconded (Dalbeck/Wilcox) to approve a vote for CSBA Delegate Assembly Elections, R99-06-07. Mr. Stratton reported six candidates are running for the CSBA Delegate Assembly. Two candidates Mary Boger and Ted Bunch are currently participating in the 5 Star Education Coalition. Mr. Stratton recommended the Board vote for these two candidates. Mrs. Dalbeck concurred with Mr. Stratton. The motion to approve the vote as recommended for CSBA Delegate Assembly Elections was adopted unanimously.
- f. **Change of Board Meeting Date, R101-06-07.** It was moved and seconded (Wilcox/Peterson) to approve the Change of Board Meeting Date, R101-60-7. After some discussion the April 17<sup>th</sup> meeting was changed to April 18<sup>th</sup> if Mrs. Boyd is available; if Mrs. Boyd is not available on April 18<sup>th</sup> the Board meeting will be changed to April 19<sup>th</sup> with Mrs. Dalbeck not available. The motion to approve the change was adopted unanimously.
- g. **Request to go to Bid on LCHS Bldg B 2<sup>nd</sup> & 3<sup>rd</sup> Floor, R107-06-07.** It was moved and seconded (Wilcox/Peterson) to approve the Request to go to Bid on LCHS Bldg. B 2<sup>nd</sup> and 3<sup>rd</sup> Floor, R107-06-07. The Design Review volunteers were discussed. Dr. Leininger reported that Design Review volunteers attending the Palm Crest Elementary meeting were invited to attend the high school meeting on February 14<sup>th</sup>. Mr. Tracy asked if we can include the Design Review volunteers in the process for the high school building B 2<sup>nd</sup> and 3<sup>rd</sup> floor. Dr. Leininger reported that interested volunteers can certainly meet with Lundgren Management. However, this project is in transition and has already gone through DSA. This is a minor project and is basically painting and casework. The district is using the casework previously recommended by the Design Review volunteers for the band room. Mr. Peterson stated that the project does not involve major structural issues and that there is a diminimus risk in moving forward. Mr. Peterson also reiterated that the previous Design Review Committee has now been incorporated into the existing Site Committees. Mrs. Wilcox discussed probable cost for the project. Mrs. Wilcox would be more comfortable if we had this project reviewed by the site committee and the Design Review volunteers. Dr. Leininger responded that the site committee has already met and the Design Review volunteers were invited to that review. The bid process will take approximately a month. Mrs. Dalbeck recommended that Design Review volunteers be given a set of the plans to review. Dr. Leininger agreed to meet with John Caire, a Design Review volunteer, to review the plans but still stay on track with the bid process. Mr. Stratton agreed. The motion to approve the request to go to bid on LCHS Bldg B 2<sup>nd</sup> and 3<sup>rd</sup> floor was adopted unanimously.
- h. **Request to go to Bid on Roofing Projects, R108-06-07.** It was moved and seconded (Dalbeck/Peterson) to approve the Request to go to bid on Roofing Projects, R108-06-07. Dr. Leininger clarified that this is a deferred maintenance project. The motion to approve the request to go to bid on roofing projects was adopted unanimously.
- i. **Request to go to bid for Remodeling of LCHS Football Field Restrooms, R109-06-07.** It was moved and seconded (Wilcox/Dalbeck) to approve the Request to go to bid for remodeling of LCHS Football Field Restrooms, R109-06-07. Dr. Leininger briefly discussed the remodeling of the LCHS football field restrooms. The request to go to bid on the remodeling of LCHS football field restrooms was adopted unanimously.

2. **Second Reading**

- a. **Request to Continue Transportation Services for the Chilao Mountain Route, R91-06-07.** It was moved and seconded (Wilcox/Dalbeck) to approve the Request to Continue Transportation Services for the Chilao Mountain Route, R91-06-07. Dr. Leininger reported on his research since the last meeting. A special education student is among the students on the Chilao route. The special education student's IEP requires transportation from Chilao. The cost of this student's transportation would be \$23,400. With the funds from the families currently paying, federal funding, along with what the special education cost would be, the additional cost to the district is \$12,272. Mr. Hamrick, a Chilao parent, hoped that families and staff might find a long term solution to this issue. Mrs. Dalbeck suggested that Board members at some point make the Chilao ride. The motion to continue transportation services for the Chilao Mountain Route was adopted unanimously.
- b. **Review of District Goals, R96-06-07.** It was moved and seconded (Wilcox/Peterson) to review the district goals. Mr. Stratton reported we have worked with Curriculum Council and Board recommendations and reported that the goals are ready for final review. Mrs. Dalbeck stated that the Board packet was the first opportunity that the Board had to see other Board members' input. Mrs. Dalbeck suggested the Board have a preliminary discussion and table this until the next meeting. Mr. Stratton reviewed changes to the goals by Curriculum Council and Board recommendations. The Board discussed the review process and decided this item will be tabled until the March 20th meeting to give the Board additional opportunity to review the recommendation.
- c. **Sodexo Food Service Program, R98-06-07.** This item is presented as a discussion item. Dr. Leininger reported that at the last board meeting staff was asked to come back with additional information on the Food Services Program. Based on those questions, Dr. Leininger prepared a preliminary action plan. Dr. Leininger reviewed this draft. Dr. Leininger introduced two Sodexo representatives, Chris Khodigian and Dan Valles, who were present to assist Dr. Leininger in providing Board clarification on the program. Dr. Loose reported on the financial implications for the program; discussing actual costs, contract review and the revenue/expenditures detail. Indirect Costs and summer expenditures were discussed.

Dr. Leininger discussed participation rates at each site. There was discussion on ways to increase consumption of "meals" at the high school. Mr. Khodigian discussed the cost of running the food services program during summer school. He reported the district will be reducing staff this summer from two employees to one. Mr. Khodigian clarified the timing of purchasing of supplies.

It was moved and seconded (Peterson/Wilcox) to extend the meeting to 11:30 p.m. The motion to extend the meeting to 11:30 p.m. was adopted unanimously.

Mrs. Mathison, LCHS PTA President, reported that the Nutrition Committee is sampling some food menus and will present their "dream" menu for cost analysis. Dr. Leininger referred to sample menus that provide nutritional value. The LCE co-chair of the Nutrition Committee spoke regarding payroll and the quality of food.

Dr. Leininger discussed the Sodexo contract and clarified district vs. Sodexo responsibilities in running the food services program. Dr. Loose and Dr. Leininger plan to provide monthly written evaluations in TWIR with a narrative on a quarterly basis.

Dr. Leininger reported on vendors selling food items on or near the high school campus. Dr. Leininger has worked with the resource office at the high school along

with high school principal Dr. Dragos and he stated if a vendor is selling out of the back of his truck they can be ticketed. If a student ordered food and the vendor is delivering then they are within the law. City Manager Mr. Alexander is working with the district to assist with this issue. Dr. Leininger will verify jurisdiction of Hahamongna Park.

Mr. Tracy recommended that the Board work with Mr. Stratton as part of goal setting on how best to move forward with this program.

Mr. Peterson would like to see a plan that identifies the problems addressed during this discussion. The Board suggested staff continue to work on this and report back to the Board at a later date. Mr. Stratton reported that staff will bring back a revised operational plan for Board review.

### 3. Consent Agenda

It was moved and seconded (Dalbeck/Wilcox) to approve the Consent Agenda as presented. The motion to approve the Consent Agenda was adopted unanimously.

- a. **Personnel Report, P2-03-04.** The Board approved the following Personnel Items:  
*Classified:* New Hires: Joe Ferro, Lisa Kellogg, Jason Kelly, Linda Sims, Katherine Spry, Marti Valdes. Resignation: Haikoe Minas-Masihi, Bethany Smedley.  
*Certificated:* New Hires: Kathy Selsor. Retirement: Gillian Waters.
- b. **Gifts to District, R100-06-07.** The Board approved the Gifts to the District as presented.
- c. **Purchase Order List #11.** The Board approved Purchase Order List 11.

### COMMUNICATIONS

Mrs. Wilcox read a statement regarding comments made at the February 6, 2007 meeting and asked that the statement be added to the minutes. The statement is attached as Exhibit A.

Mr. Peterson thanked Mrs. Wilcox for the clarifying comments. Mr. Tracy appreciated the retraction of the allegations from the prior meeting and stated that immediately following the comments Mr. Peterson, Mr. Stratton and Mr. Tracy had refuted the statements. As a result of the statements made at the last meeting Mr. Tracy had asked Mr. Stratton to get a legal opinion on discussions during Closed Session. Mr. Stratton read remarks from legal counsel which clarify permissible discussions during Closed Session. The statement from legal counsel is attached as Exhibit B. Mr. Tracy stated that Mrs. Wilcox's request for a workshop with legal counsel on procedural and Brown Act issues will be considered. Mrs. Wilcox asked if the Board could be polled on their interest in having a Brown Act review session. Mr. Tracy polled the Board and a majority of the members confirmed their interest.

Dr. Leininger reported that high school principal, Dr. Dragos, just called to report that the high school basketball team won by 3 points and they are in the finals on Saturday.

A Board strategic planning session was scheduled for April 1 from 10:30 – 2:30 p.m. at the district office.

WASC dates were discussed.

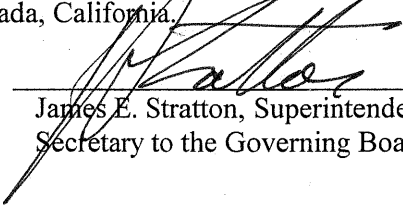
Mrs. Wilcox reported on the agenda planning letter received from Board President Mr. Tracy and asked that this be included in the minutes. Exhibit C.

### ADJOURNMENT

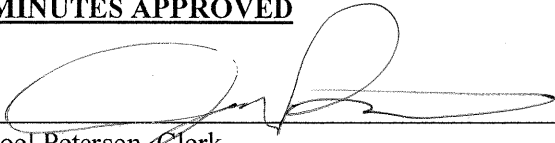
There being no further business before the Board, the meeting was adjourned at 11:18 p.m. The Next



Regular Meeting of the Governing Board will be held on Tuesday, March 20, 2007, at 7:00 p.m. in the Round Building at 4490 Cornishon Avenue in La Canada, California.

  
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James E. Stratton, Superintendent  
Secretary to the Governing Board

**MINUTES APPROVED**

  
\_\_\_\_\_  
Joel Peterson, Clerk

Date

3/20/07

Exhibit A

Clarification on the February 6, 2007 discussion of the budget assumptions  
Prepared for the February 27, 2007 meeting, probably during Communications  
Clarification written by Cindy Wilcox, to be made by Cindy Wilcox  
(about 225 words)

At various times during the February 6, 2007 board meeting, I referred to the need to cure a Brown Act violation by the board. Upon review of the audio tape of the Board Meeting of February 6, 2007, I'd like to clarify my concerns about the discussion on class size reduction. I felt that, since class size reduction was the subject of discussion in the closed session, it should also be discussed in open session. However, as Mr. Peterson explained, the Board is permitted to discuss all options and alternatives regarding aspects of the budget in closed session in order to determine a fiscally responsible offer for negotiations. I now agree with Mr. Peterson and comments by Mr. Stratton, that during the closed session meetings on negotiations, the process of discussing various budget assumptions was not a Brown Act violation. I meant no personal accusation of wrong doing and if I offended or caused distress to staff or to my fellow board members, I sincerely apologize.

I request that the board schedule a study session with legal counsel to review together the requirements for bringing discussions and decisions made in closed session to open session, and when items are required to be brought to a motion and a formal, open vote. This education and discussion may be helpful to our board and to future boards.

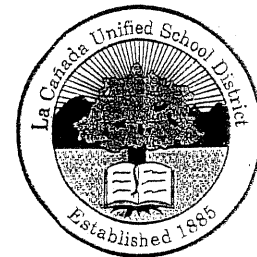
Exhibit B

Government Code section 54957.6 authorizes closed sessions with the agency's negotiator regarding salaries, salary schedules, or compensation in the form of fringe benefits for its represented employees and any other matter within the scope of representation, the purpose of the closed session is to review its position and instruct its representatives. The discussion may include discussion of available funds and funding priorities insofar as the discussion relates to providing instruction to the district's negotiator. (Gov. Code 54957.6.) In contrast, compensation under section 54957 the Personnel Closed Session for an individual employee cannot be discussed except for reduction in compensation that results from discipline. (Gov. Code 54957.) In conclusion, based on your description of the board discussion on how much of a salary schedule increase should be offered to employees, the board was within the scope of the closed session under Section 54957.6.

Governing Board

Scott Tracy  
Susan Boyd  
Joel Peterson  
Jinny Dalbeck  
Cindy Wilcox

**La Cañada Unified School District**  
...a learning community committed to personal growth  
and academic excellence



February 20, 2007

Ms. Cindy Wilcox  
Board Member, LCUSD Governing Board  
4408 Union Street  
La Cañada Flintridge, CA 91011

Dear Cindy,

Consistent with Board Bylaw 9322, you have requested in a memorandum dated February 6, 2007 addressed to Superintendent James Stratton with a copy to me as Board President that Board Policy 6162.5 on Student Assessment be placed on the agenda of the February 27, 2007 Governing Board meeting.

I am responding to your request in the spirit of recent Board discussions to update Board Bylaws, even though revisions have not been formally adopted as of yet that would address the manner of resolution of such requests from Board members.

Your request to include review of Board Policy 6162.5 on Student Assessment at the February 27, 2007 Board meeting was discussed at the agenda planning meeting held on February 20, 2007. While acknowledging the legitimacy of the request, the Superintendent and Board President (with the concurrence of the second Board member present) have determined that a review of Board Policy 6162.5 will be deferred until June 2007.

The following factors were considered in reaching this decision:

- The superintendent reiterated his understanding from Board discussion on September 12, 2006 that the Board policy on Student Assessment was intended to come back before the Board at the end of the 2007 school year.
- You are the only Board member that has voiced disagreement with this understanding, while other Board members have supported the Superintendent's timing.
- A report related to Student Assessment has been placed on the agenda of the February 27, 2007 Board meeting to review the implementation steps taken by the sites in response to the Board revision to this policy on September 12, 2006. The timing of this report is consistent with the spirit of the Board discussion on this matter in September 2006.

Ms. Cindy Wilcox  
February 20, 2007  
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- A survey of students and parents on the topic is scheduled to be completed prior to June, which would take into account the impact of site response to the September 2006 revisions to the Board policy.
- A review of Board Policy 6162.5 in June 2007 would result in little or no time disadvantage if further revisions were to be made by the Board compared to review of this policy at the February 27, 2007 Board meeting. Since the Board is required to hold a second reading to change Board policy, this suggests that March 20, 2007 would have been the earliest opportunity for the Board to change the current policy and there would be little time remaining for the sites to implement substantive changes in the current school year. A June 2007 Board review of this policy provides sufficient time to make related changes at the sites, if any, for the beginning of the 2007-08 school year.

Thank you for making your request in conformance with Board policy.

Sincerely,



Scott E. Tracy  
President, LCUSD Governing Board

