



**MINUTES OF THE REGULAR MEETING**  
**OF THE**  
**BOARD OF EDUCATION**  
**September 3, 2013**  
**Closed Session 6:00 p.m./Regular Meeting 7:00 p.m.**

**Board Members:** Mr. Ralph Womack, President; Mr. Joe Nava, Vice-President; Mr. George Neely, Clerk; Ms. Bonnie Cassel; Ms. Ruth Davis; Mr. Ron Freitas; and Mr. Ron Heberle

**Administrative Staff:** Cathy Washer, Superintendent; Tim Hern, Associate Superintendent/CBO; and Mike McKilligan, Assistant Superintendent, Personnel

**Student Representatives:** Elizabeth Orgon, Lodi High School and Amanda Sieglock, Tokay High School

**Meeting Recorder:** Valerie McFee, Executive Assistant to the Board

**Call to Order**

The meeting was called to order at 6:00 p.m. at the James Areida Education Support Center, 1305 East Vine Street, Lodi, CA.

**Public Comment on Closed Session Items**

None

**Adjourn to Closed Session**

The Board adjourned to Closed Session.

**Reconvene Open Session**

The meeting was reconvened at 7:06 p.m. Attendance was recorded and President Womack led in reciting the Pledge of Allegiance.

**Closed Session**

President Womack reported on the following actions taken in Closed Session:

- **Non-Public School Student Placement**  
Motion was made by Ms. Davis, seconded by Mr. Heberle and carried unanimously to approve the placement of Non-Public School Student 2013-14 #74.
- **Closed Session Personnel Matters:**  
Motion was made by Ms. Davis, seconded by Mr. Neely and carried unanimously to approve the appointment of Adam Auerbach, High School Assistant Principal, Lodi High School.

**Superintendent's Report**

Dr. Washer commented on the Professional Learning Communities (PLCs), which is a model used at school sites for collaboration and improvement processes. So far this year, she has attended the PLCs at

Lockeford and Podesta Ranch schools. She commented on the process at each school. A FOX 40 news clip featuring the success of the Liberty High School guitar class taught by Brad Owings was highlighted.

## **Public Hearings**

### **Resolution 2013-33 Sufficiency of Instructional Materials**

Mr. Womack declared open the Public Hearing: Resolution 2013-33 Sufficiency of Instructional Materials.

#### **Public Comment**

Susan Heberle, asked the Board to look at the sufficiency of lab materials for classes such as Science and other classes that use consumables.

No other comments were received and the hearing was declared closed.

### **Lodi Unified School District Contract Re-openers with Lodi Pupil Personnel Association (LPPA) for the 2013-14 School Year**

Mr. Womack declared open the Public Hearing: Lodi Unified School District Contract Re-openers with Lodi Pupil Personnel Association (LPPA) for the 2013-14 School Year. There were no comments and the hearing was declared closed.

## **Consent Agenda A**

The following items were pulled: Item A-2, Mr. Neely; Items A-3 and A-7, Mr. Heberle; and Item A-4, Dr. Washer.

Mr. Nava motioned, Mr. Heberle seconded and the Board voted unanimously to approve Consent Agenda A, Routine Business, as amended:

- Item A-1 Changes to the Adopted Budget
- Item A-5 Minutes of the August 20, 2013, Special Meeting
- Item A-6 Minutes of the August 20, 2013, Regular Board Meeting
- Item A-8 2013-14 Non-Public Agency Master Contract

The student preferential vote was unanimously aye.

### **Item A-2 Contracts List**

Mr. Neely asked for clarification relative to the Scholastic, Inc. contract item. Ms. Kotowski explained that the increase was due to the expansion of READ 180.

Mr. Neely motioned, Mr. Nava seconded and the Board voted unanimously to approve Item A-2 Contracts List.

### **Item A-3 Resolution 2013-33 Sufficiency of Instructional Materials**

Mr. Heberle cited the recent legal decision to stop charging fees to students for certain classes and asked how Lodi Unified is remedying the cost of student's materials and supplies. Dr. Washer answered that Lodi Unified has allocated additional funds to the schools. Mr. Hern stated the amount is \$45,000 to \$60,000 per year. Mr. Heberle asked for assurance that dollars would be allocated to the schools that need it for their shop and lab classes.



Mr. Heberle motioned, Mr. Nava seconded and the Board voted unanimously to approve Item A-3 Resolution 2013-33 Sufficiency of Instructional Materials.

Student preferential vote was unanimously aye.

**Item A-7 Amended Increase to General Fund Site Allocation Budgets by Ten Percent (10%) in Order to Give Each School Site Additional Funds for Classroom Materials, Supplies and Equipment**

At the August 20, 2013 Board meeting, the amount of the increase for General Fund Site Allocation Budget of 10% was reported incorrectly (\$1,497,239). The correct amount of the 10% increase is \$149,723. Mr. Heberle pulled this item to discuss adhering to the dollar amount number, not the percentage amount number, as was previously voted and stated that with the previous years of reduced allocations, this one-time infusion of nearly \$1.5 million for supplies and equipment would help schools rebound.

Mr. Neely stated he originally came up with the idea to help save teachers their out-of-pocket expenses. He had estimated the item to be \$100 per teacher for a total of around \$140,000. He would like to stick to his original intended amount.

Ms. Davis stated she agreed with the dollar amount concept, adding that the money would go directly to the students.

Mr. Nava commented that if the larger amount is allocated, he would like to see a needs assessment completed to assure that the money is spent in the best way possible to meet the needs of the students.

Mr. Womack stated he would like to remain with the original intent of Mr. Neely's item. He is not in favor of the amendment.

Public Comments: Jeff Johnston, President, Lodi Education Association, stated that teachers have spent thousands of dollars of their own paychecks for classroom items. He further commented that without explicit direction from the Board, the allocation of the funds would be up to the discretion of the site managers.

Mr. Freitas stated he would vote no on the amendment. He added that if additional funds become necessary, it would be dealt with on a case-by-case basis.

Mr. Heberle motioned, Ms. Davis seconded to adopt the amended Amended Increase to the General Fund Site Allocation Budget by Ten Percent (10%) to allocate the funds by the dollar amount of \$1,497,239 instead of the ten percent amount (\$140,000) and the Board conducted a voice vote, as follows:

Ayes: Davis, Heberle,

Noes: Cassel, Freitas, Nava, Neely, Womack

Motion failed

Mr. Neely motioned, Mr. Nava seconded and the Board voted unanimously to approve Item A-7 Amended Increase to the General Fund Site Allocation Budgets by Ten Percent (10%) in Order to Give Each School Site Additional Funds for Classroom Materials, Supplies and Equipment.

Student preferential vote was unanimously aye.

**Item A-4 Board Rule Revision – Rule 5144.1 – Student Suspension/Expulsion**

Dr. Washer presented Rule 5144.1 and asked the Board to approve a portion of the revised rule in order to be consistent with the social probation and two fight rule. The entire rule will come back to the Board at a later date for continued review and consideration. Dawn Vetica, Assistant Superintendent Secondary Education and Bill Toledo, Coordinator Child Welfare and Attendance were available to field questions.

Mr. Neely expressed misgivings with the fight rule in regards to a student possibly, due to a bullying situation, being pushed into an altercation with another student. Dr. Washer stated the section allows for discretion by the principal.

Mr. Nava questioned the length of the 45-day suspension and asked when it was added.

**Public Comment**

Marvel Bristow, Student Attendance Advisor, stated the 45-day suspension was introduced in the mid 1990's.

Mr. Womack asked for clarification that the students are actually in class for the 45 days. Mr. Toledo answered that there is an actual out-of-school suspension period, and then the students serve the remainder of the 45 days in social probation. Mr. Womack asked if the social probation could exclude a student's participation in sports and/or tutoring, etc. Dr. Washer answered that yes, that could be included; however, she would like to research this with the principals prior to making any changes. She continued that this is in alignment with the Student Conduct Code and would need to be introduced at the beginning of the school year. Mr. Womack asked for a report on how many students are involved in 45-day suspensions.

Mr. Heberle agreed that the principals should have discretion. Mr. Heberle asked if the rule was changed due to legal changes. Dr. Washer stated that yes and no, as not all policy and/or rule changes are a result of legal update. Some are recommended from California School Boards Association and some are updates as a result of District practices.

Ms. Cassel stated we have a lot of precedent with these two portions of the rule. She is not willing to tamper with them, unless hearing directly from the principals that a change is warranted.

Mr. Freitas offered to exchange the word "engage" in the two/three fight rule and replace with "disciplined" as a possible solution.

**Public Comment**

Susan Heberle spoke in support of maintaining the rule; siting safer campuses have been the result of its implementation.

Hannah Jobrack, Student, Bear Creek High School, spoke in favor of maintaining the rule and agrees that social probation increases student safety.



Student Representatives Elizabeth Orgon and Amanda Sieglock both agreed that the rule should be maintained.

Mr. Neely asked why there was a need to expedite the rule. Dr. Washer explained that staff is asking for approval to have alignment with the current Student Conduct Code. Mr. Neely stated he would like input from high school principals regarding the rule, perhaps adding community service as part of the social probation.

Mr. Nava motioned, Mr. Neely seconded and the Board voted unanimously to approve Item A-4 Board Rule Revision – Rule 5144.1 – Student Suspension/Expulsion.

Student preferential vote was unanimously aye.

### **Consent Agenda B – Student Discipline Cases**

Expulsion: Student #13/14-9-05

Mr. Nava motioned, Mr. Neely seconded and the Board voted, as follows, to approve the Consent Agenda B, Student Discipline Cases as presented:

Ayes: Cassel, Davis, Heberle, Nava, Neely, Womack

Noes: None

Abstain: Freitas

Motion carried

### **Other Action Items**

#### **Revision of Social Networking Guidelines for Clarification Purposes**

Dr. Washer stated that revision options were placed on the District website with a link enabling comments to be e-mailed. Area newspapers were contacted and principals also communicated the process. Two comments were received. Dr. Washer explained the differences in the presented versions.

Mr. Womack commented that he is leaning towards version two. He would like to add a signature line for the student and parent, as an acknowledgement that they have read the document.

Mr. Neely questioned the legality of disciplining a student when the action occurs at home. Discussion ensued and it was agreed that if it interferes with the school environment, the District has the right to intervene.

Mr. Heberle asked for input from the student representatives.

Student Representative, Ms. Orgon, stressed the need for students to be aware of the indirect consequences of online actions.

Student Representative, Ms. Sieglock, stated that bullying online is just as hurtful as in person.

Dr. Washer reminded Board that District staff does have the authority to address something that happens at home then comes to school. She added, staff will act in accordance with the law when dealing with such situations.

#### Public Comments

Zachary Denny, Student, Bear Creek High School, spoke in support of acceptance of either version two or three. He thanked Board and staff for working with the Bear Creek students, stating this has been a lesson in democracy and life skills.

Jeff Johnston, President, Lodi Education Association, expressed concerns with a sentence in version two.

Mr. Nava voiced his support of version three.

Ms. Cassel spoke to the students present in the audience, stating they will most likely look back on this process years from now and view it as a learning experience. She commended the students for being brave and gracious in addressing their concerns.

Ms. Davis commented that students cannot learn if they are emotionally upset. The Board has the authority to protect our students from such actions from other students. She voiced her support for either version two or three.

Mr. Freitas cited he still had concerns with version two and possible exposure to litigation for the District.

Mr. Freitas motioned, Mr. Nava seconded to approve Revision of Social Networking Guidelines for Clarification Purposes, Version Number Three.

Mr. Womack asked for a friendly amendment to add a signature line for receipt of information by parent and student. Mr. Freitas, maker of the motion, agreed to the friendly amendment.

Mr. Freitas restated his motion, Mr. Nava seconded and the Board voted unanimously to approve Revision of Social Networking Guidelines for Clarification Purposes, Version Number Three with signature lines.

Student preferential vote was unanimously aye.

Mr. Neely stated that the District needs additional programs in place to address bullying concerns.

Mr. Womack spoke in favor of increased parental awareness related to social media concerns.

#### **Personnel Matters**

Mr. McKilligan presented Personnel Matters for Board consideration.

Mr. Nava, motioned, Mr. Heberle seconded and the Board members voted unanimously to approve Personnel Matters, as presented.

## **Communications**

### **Comments from Student Representatives**

Elizabeth Orgon, Lodi High School and Amanda Sieglock, Tokay High School reported on activities from their respective high schools.

### **Comments from the Public - None**

### **Comments from Employee Groups - None**

### **Comments from Board Members**

Mr. Heberle attended the Little Buckaroos Reading Roundup, many groups took part in the event including the Storm Drain Detectives. He thanked District staff and event organizers for their focus on literacy.

Mr. Neely visited a Transitional Kindergarten class. He said it was amazing and voiced support for the continuance of the program.

Mr. Womack commented on a newspaper article on the District's API scores, giving kudos to the schools and teachers who are part of the success. He stated the District needs to appreciate the gains, as we are going in the right direction. He visited McNair and Bear Creek High Schools to view their in-school suspension programs.

### **Comments from the Superintendent - None**

## **REPORTS**

### **READ 180 and System 44 Report**

Ms. Lisa Kotowski, Admin. Director, Curriculum & Instruction and Mr. Paul Ezen, Scholastic Representative, gave a report on the District's implementation of the two intervention programs.

Both Mr. Womack and Mr. Heberle inquired as to the funding of READ 180 and Language!

Mr. Nava was pleased to see the program was increasing from 5 to 18 elementary schools, thinking that in the years to come it may possibly cut down the need at middle and high school levels.

Mr. Neely noted that READ 180 was used extensively with English Language Learners, the result being a 33 point increase in API this year for that group. He expressed his continued support of READ 180 and Rosetta Stone.

Ms. Cassel complimented staff's clear vision and expectations. She voiced her support of the program.

### **Special Education Review Conducted by WestEd**

Bill Saunders, Administrative Director, Special Education, Dawn Vetica, Assistant Superintendent, Secondary Education and Jannelle Kubinec, WestEd Representative, presented the report.



Ms. Cassel commented on the organizational and management structure and the need to prioritize the recommendations by the items that will be the best benefit for the children.

Mr. Neely commented he is interested in pursuing the recommendations, noting that the best programs don't necessarily cost the most money. He asked for a Turner Academy update at a future Board meeting.

Mr. Womack stated he is looking forward to the recommendations and next steps.

Mr. Heberle requested an update on Turner Academy and Katnich Community Day School.

Dr. Washer discussed meeting topics, meeting schedule and a communication plan. She will return to the Board with a plan for next steps.

#### **Academic Performance Index Initial Report**

Dr. Washer presented the initial report asking what Board members would like included in a full report to be presented to at a future date. Mr. Neely pointed out that the District beat the state average growth by 7 points. He would like the report to include trends; Heritage for example, has shown significant growth over the last six years. He questioned why Oakwood, a QEIA school, showed zero point growth in six years?

Mr. Heberle pointed out that sometimes subject scores go up, but the overall school points go down. He cited an example of fifth grade Science, which can sometimes bring down the school score. Mr. Heberle asked for more information related to fifth grade Science scores.

Ms. Davis noted that the District needs to look at what teachers and administrators are doing to raise scores and apprise others of best practices. She stated that all schools are unique, not cookie cutter schools, and need to meet their individual challenges differently.

Mr. Womack concurred with Mr. Neely and Ms. Davis, adding that the District needs to look at best practices.

Student Representative Sieglock agreed, stating the need to look at superstar teachers, as certain teachers make the learning process enjoyable.

#### **Public Comments**

Susan Heberle cautioned the Board not to narrow their focus to English, Language Arts and Math, but to explore the equally important realm of Science, Social Studies and Art. She stated the great part of education is finding what students are interested in and allowing them to excel.

Mr. Neely acknowledged that when we unleash the creative side it is good for kids, however, we also want to focus and get these scores up. It is not an all or nothing – we need a comprehensive solution for our kids.



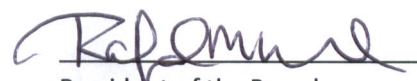
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**Board Advisory Committee Reports**

None

Meeting adjourned at 9:57 p.m.

  
Clerk of the Board

  
President of the Board