



Minutes

Regular Meeting of the Board of Trustees September 23, 2008

ORDER OF BUSINESS

1. OPENING

1.01 CALL TO ORDER

The meeting was called to order by Mr. Fred Easter, Board President, at 5:15 p.m., in the Board Room of the District Education Service Center, 501 South Santa Fe Avenue, Compton, CA 90221.

1.02 ROLL CALL

The following Members were present:

**Micah Ali
Fred Easter
Joel Estrada
Emma Sharif
Marjorie Shipp
Mae Thomas
Satra Zurita
Kaye E. Burnside
Zachary Hollinger
*Student Board Member***

1.03 PLEDGE OF ALLEGIANCE

Student Board Member Zachary Hollinger led the Pledge of Allegiance to the Flag.

1.04 INVOCATION

Herlis Holmes rendered the invocation.

1.05 PUBLIC COMMENTS - CLOSED SESSION ITEMS

None.

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COMPTON UNIFIED SCHOOL DISTRICT

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08/09-027a

2.

CLOSED SESSION

MOTION by *MS. ZURITA*, **SECOND** by *MRS. SHARIF* to recess to Closed Session to consider matters within the purview of the Brown Act. (Time: 5:18 p.m.), specifically:

- **PUBLIC EMPLOYEE APPOINTMENTS**
(Pursuant to Government Code Section 54957)
 - Associate Superintendents
 - Senior Directors
 - Directors
 - Chief Facilities Officer
 - Administrators
 - Chief of Staff
 - Communications Coordinator
 - Program Manager
 - Teachers
 - Principals
 - Assistant Principals
 - Intervention Support Coordinator
 - Program Coordinator of Recruiting Services
 - Special Education-Transition Coordinator
 - Principal - Special Assignment
 - Instructional Support Administrators
 - Interim Principal
 - Warehouse Supervisor (Out-of-Class)
- **PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/SUSPENSION/RELEASE/
NONREELECTION/NONREEMPLOYMENT/LEAVE/RESIGNATION**
(Pursuant to Government Code Section 54957)
- **CONFERENCE WITH LEGAL COUNSEL - (Existing Litigation)**
(Pursuant to Government Code Section 54956.9(a))
 - Compton Unified School District v. South Santa Fe Limited Partnership, et al.
(LASC Case No. BC 297833)
(Case names unspecified: Disclosure would jeopardize service of process or existing settlement negotiations)
 - SEHO Case No. SN05-00684; OAH Case Nos. N2005110837 and N2005120325; and Federal District Court Case Nos. CV05-8860 R and CV06-0555R (VBKx)
 - Case No. TC019060 - (Case Name unspecified: Disclosure would jeopardize service of process or existing settlement negotiations)
 - Case No. LASC Case No. TCO20906 - (Case Name unspecified: Disclosure would jeopardize service of process or existing settlement negotiations)
 - Chevron Energy Solutions Company v. Compton Unified School District
(LASC Case No. BC 365500)
 - GKK Works v. Compton Unified School District (LASC Case No. BC372955)
 - Cal-City Construction, Inc. v. Compton Unified School District
(LASC Case No. BC374826)
 - 2H Construction, Inc. v. Compton Unified School District (LASC Case No. BC376844)
 - Williams v. Compton Unified School District, Case No. 07K18595
 - LITIGATION REPORT:
 - 1) LASC BC 363613; LASC BC 363711; USDC CV-06-4717 AHM;
OAH Case No. N2005110596; OAH Case No. N2005090626;
OAH Case No. N2007070013; LASC Case No. CK 14016;
OAH Case No. N2007070980; OAH Case No. N2007070980;
OAH Case No. N2007070285; Employee Nos. 4901065; 4900547;
4900714; 4800005; 4800513; 4901288
 - 2) VC07-5476; BC 368843; TC19128; BC362696; TC018829; TC01932; BC355746;
TS008862; BC376304; BC374540; TC020906; TC021281; 07C01470; TC020599;
BC306593; BC308127; TC019377
- In the Matter of the Personnel Commission Appeal - Employee/
Client Number 007665.1085
 - 3) Legal Matters Update - Michael Declues - Declues, Burkett & Thompson
- **CONFERENCE WITH LEGAL COUNSEL - (Anticipated Litigation)**
(Significant exposure to litigation pursuant to Government Code Section 54956.9(b))
 - 4 Potential Cases
(Initiation of litigation pursuant to Government Code Section 54956.9(c))
 - 4 Potential Cases
 - 6 Potential Defendants
- **STUDENT EXPULSION**
 - None Scheduled.

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2.

CLOSED SESSION

(Continued)

MOTION by *MS. ZURITA*, **SECOND** by *MRS. SHARIF* to recess to Closed Session to consider matters within the purview of the Brown Act. (Time: 5:18 p.m.), specifically:

(Continued)

• **CONFERENCE WITH LABOR NEGOTIATORS**

(Pursuant to Government Code Section 54957.6)

Agency Designated Representatives:

Mr. Lester Jones

Byron Isaac

Employee Organizations:

California School Employees Association

American Federation of Teachers

Police Officers' Association

Service Employees International Union

Compton Education Association

Agency Designated Representatives:

Mr. Barrett K. Green

Byron Isaac

Unrepresented Employee(s):

Certificated/Classified Management

Nonrepresented Classified

Deputy Superintendent

Associate Superintendents

Superintendent

• **PUBLIC EMPLOYEE PERFORMANCE EVALUATION**

(Pursuant to Government Code Section 54957)

- Superintendent

• **PUBLIC EMPLOYEE COMPLAINTS**

VOTE ON MOTION TO RECESS TO CLOSED SESSION

MOTION CARRIED

08/09-027b

3.

OPEN SESSION

MOTION by *MRS. SHARIF*, **SECOND** by *MRS. SHIPP* to reconvene into Open Session – Time: 6:48 p.m.

VOTE ON MOTION TO RECONVENE INTO OPEN SESSION

MOTION CARRIED

There was no report out of Closed Session

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4. INFORMATION ITEMS

- None Scheduled.

5. COMMUNICATIONS

• STUDENT PERFORMANCE

- None Scheduled.

• PRESENTATIONS

1) Fiscal Services Audit Findings

Michele Huntoon, CPA - Associate Vice President, and Ann Hern, Director, Management Consulting Services of School Services of California, Inc., presented a PowerPoint Presentation of the Fiscal Services Audit that covered Budgeting/Revenue Control; Personnel Financial Practices; Asset Management; Solvency Strategies; Budget Assumptions; and Budget Development. Ms. Huntoon and Ms. Hern reported that they would be returning to provide assistance with the implementation of their recommendations and addressed questions and concerns raised by the Board.

2) Transportation Audit Findings

Dr. Skip Archibald, Senior Consultant, MGT of America, Inc., provided a thorough overview of the Transportation Audit. He reported that the Fiscal data was one year old; explained that at the time the audit was conducted the District's 2007/2008 Annual Report was not filed; reported that staff has implemented corrective measures to address some of the department's issues i.e., the acquisition of software to augment the processes currently in place. The review covered the Project Methodology; Commendation, Implementation of Timelines and the Fiscal Summary. Dr. Archibald offered recommendations and addressed questions and concerns raised by the Board.

Otha Johnson, Director of Transportation was commended for doing a fine job in the Transportation Department.

• RECOGNITIONS

- 1) Alameda Warehouse Staff
- 2) Pupil Services Staff
- 3) Information Technology Department Staff
- 4) Crisis Intervention Team

At Superintendent Burnside's request, David Azcarraga, Chief Facilities Officer; Karen Frison, Chief of Staff; Dr. Joe Buenavista, Senior Director of Pupil Personnel Services; and Kevin Evans, Director of Technology, recognized individuals who worked diligently to fulfill the "Educational Promise."

(A complete list will be appended as part of the official Minutes of this meeting.)

• OPENING OF SCHOOL REPORTS - ELEMENTARY, MIDDLE & HIGH SCHOOL ASSOCIATE SUPERINTENDENTS

The following Associate Superintendents and Executive Cabinet Members provided a brief report on the Opening of Schools.

David Azcarraga	Facilities
Carlos Manrique	Textbook
Karen Frison	Enrollment
Byron Isaac	Staffing
Chief Hourie Taylor	School Safety
Donald Evans	Reported on "A Teacher's Story"
Christine Sanchez	Opening of School (Video Presentation)

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6. PUBLIC COMMENTS - AGENDA & NON AGENDA ITEMS

- **OFFICER CALVIN BLAKLEY AND SGT. TIM WILSON**,
500 South Santa Fe Avenue, Compton, CA 90021
Addressed the Board regarding the tragic incident at Whaley Middle School and reported that the Police Officers Association donated \$1,000 to the Patino Memorial Fund.
- **TOM HOLLISTER**, *Executive Director Compton Education Association (CEA), 333 Santa Fe Avenue, Compton, CA*
Addressed the Board about the opening of schools, class size and teacher vacancies. Requested that the District consider changing the Board Policy to allow teachers to begin teaching on the first day of class instruction rather than waiting for their positions to be approved by the Board. He also reported that Agenda Item 08/09-1062; did not acknowledge CEA's involvement.

Superintendent Burnside acknowledged CEA's involvement and apologized for the oversight.

Board Member Ali requested that the appropriate revision be made and a supplemental document submitted.

- **SAUNDRA BISHOP**, *1104 East 148th Street, Compton, CA*
Expressed her apologies to Board Member Satra Zurita for inadvertently omitting her name from the Compton Adult School brochure.
- **GARY MOSKOVITZ**, *6639 Desert View Dr. West Richland, WA 99353*
Thanked the Board of allowing him to conduct the Guest Reader / Read Across America programs for the past ten (10) years; reported that Bunche Elementary School used the program as part of its application process for the California Distinguished School; reported that the partnership between Cheryl Hines and Carver Elementary School was a result of Guest Reader / Read Across America program; and stated that he is looking forward to working with the District in the future.
- **LORRAINE CERVANTES**, *425 South Oleander, #507, Compton, CA*
Expressed concern that the El Camino College Compton Education Center Board of Trustees are not informed of School District activities; announced the Grand Opening of the Compton Chamber of Commerce, Thursday, September 25, 2008, 5:30 p.m. – at the Worksource Center Auditorium; stated that the former CUSD Board put in place legislation guaranteeing that the next school would be named after Manuel Correa, a former CUSD Board Member; requested that the District adopt a dress code for students at Compton High School; reported that the gates to the campus are sometimes left open late in the evenings and at other times locked which has prevented students participating in extra curricular activities to exit the school campus.
- **DIANE SPEARS**, *Accounting Specialist, Fiscal Services Department, 501 South Santa Fe Avenue, Compton, CA*
Commented about the work done in the Fiscal Services Department and thanked the Fiscal Services Management Team for her personal growth within the department.

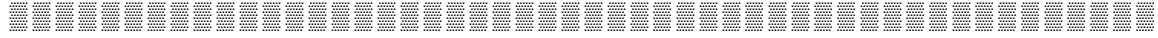
The following individuals requested that the Board give consideration to granting the approval of Little Zion Baptist Church to use the facilities at Centennial High School.

- **OBIE S. COLEMAN**, *574 Meadow Lane, Pomona, CA 91767*
- **NORMA FISHER**, *2408 North Wilmington, Compton, CA*

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7. **SPECIAL SESSION**
7.01 **ROP Session**



08/09-037a **MOTION** by *MRS. SHIPP*, **SECONDED** by *MRS. SHARIF* the meeting of the Regional Occupation Program, Board of Trustees - the time being 9:06 p.m.

MOTION CARRIED

08/09-037b **MOTION** by *MR. ESTRADA*, **SECONDED** by *MR ALI* to reconvene the Regular Meeting of the Board of Trustees - the time being 9:09 p.m.

MOTION CARRIED



7.02 **Public Hearing**
- None Scheduled.

8. **APPROVAL OF MINUTES**
Regular Meeting - September 9, 2008

08/09-028 **MOTION** by *MR. ALI*, **SECOND** by *MRS. SHARIF* to approve the Minutes of the meeting referenced above.

MOTION CARRIED

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CONSENT AGENDA ITEMS

MOTION by *MRS. SHARIF*, **SECOND** by *MRS.SHIPP* to approve the Consent Agenda (Section 10).

9. UNFINISHED BUSINESS

- None Scheduled.

10. RECOMMENDATIONS

10.01 RECOMMENDATIONS FROM THE SUPERINTENDENT

- None Scheduled.

10.02 RECOMMENDATIONS FROM COMMUNITY RELATIONS/GOVERNANCE

08/09-032 Resolution No. 08/09-05 Proclaiming September 15 through October 15, 2008 as Hispanic Heritage Month
RECOMMENDATION: Adoption of Resolution.
(Read by Board Member Estrada)

08/09-033 Resolution No. 08/09-06 Proclaiming the Month of October 2008 as Character Education Month
RECOMMENDATION: Adoption of Resolution.
(Read by Board Member Shipp)

08/09-034 Resolution No. 08/09-07 Proclaiming the Month of October 2008 as Disability Awareness Month
RECOMMENDATION: Adoption of Resolution.
(Read by Board Member Sharif)

08/09-035 Resolution No. 08/09-08 Proclaiming the Month of October 2008 as School Safety Month
RECOMMENDATION: Adoption of Resolution.
(Read by Board Member Ali)

08/09-036 Resolution No. 08/09-09 Proclaiming the Week of October 23-31, 2008 as Red Ribbon Week
RECOMMENDATION: Adoption of Resolution.
(Read by Board Member Zurita)

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CONSENT AGENDA ITEMS

(Continued)

MOTION by *MRS. SHARIF*, **SECOND** by *MRS. SHIPP* to approve the Consent Agenda (Section 10).

(Continued)

10. RECOMMENDATIONS

(Continued)

10.03 RECOMMENDATIONS FROM EDUCATIONAL SERVICES

08/09-1052

Non-Public Agency Agreement - Soliant Health, Inc.
(Special Needs Department)

RECOMMENDATION: Approval - Soliant Health will provide Occupational Therapy to Special Education students, per their IEP. It is a service designed to enable an individual with exceptional needs to receive a Free Appropriate Public Education (FAPE) as described in the IEP. We currently have approximately 30 students.

DATES: September 24, 2008 through June 30, 2009

FISCAL IMPACT: *General Fund, Special Education Budget, not to exceed \$140,000.*

08/09-1053

Ratification - Grant Award - California Department of Education
(Longfellow Elementary School)

RECOMMENDATION: Approval to accept a grant award from the California Department of Education for the Nell Soto Parent/Teacher Involvement Program. Funds will be used to purchase materials to train teachers; purchase multi-lingual materials to issue to parents; provide payment for reprographic services of materials to distribute to parents and support teachers and paraprofessionals in conducting home visits.

DATES: January 1, 2008 through February 28, 2009

FISCAL IMPACT: *Income to the District in the amount of \$20,000.*

08/09-1055

MOU - Reach Out America "One More Child" Foundation
(Health Services)

RECOMMENDATION: Approval. Reach Out America "One More Child" Foundation will provide free dental services and donated care to low-income, uninsured students.

DATES: September 24, 2008 through June 30, 2009

FISCAL IMPACT: *No Cost to the District.*

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CONSENT AGENDA ITEMS

(Continued)

MOTION by *MRS. SHARIF*, **SECOND** by *MRS.SHIPP* to approve the Consent Agenda (Section 10).

(Continued)

10. RECOMMENDATIONS

(Continued)

10.03 RECOMMENDATIONS FROM EDUCATIONAL SERVICES

(Continued)

08/09-1057

Consultant Agreement - Catapult Learning

(Special Projects)

RECOMMENDATION: Approval - Consultant will provide instructional services to identified eligible Title I students residing in Compton Unified School District and attending the following Non-Public Schools:

Our Lady of Victory	St. Emydius
St. Albert the Great	St. Phillip Neri

DATES: September 24, 2008 through June 30, 2009

FISCAL IMPACT: *Title I Budget, not to exceed \$148,517 to be paid as follows:*

<i>Our Lady of Victory</i>	<i>\$67,480</i>
<i>St. Albert the Great</i>	<i>\$50,533</i>
<i>St. Emydius</i>	<i>\$10,784</i>
<i>St. Phillip Neri</i>	<i>\$19,720</i>

08/09-1058

Consultant Agreement - Smart²Tel Learning Links

(Special Projects)

RECOMMENDATION: Approval - Consultant will provide training and professional development support and Reading Intervention Clinic to identified eligible Title I students residing at Los Angeles Adventist Academy.

DATES: September 24, 2008 through June 30, 2009

FISCAL IMPACT: *A total not to exceed \$100,000 to be funded as follows:*

<i>Title I Budget</i>	<i>\$70,000</i>
<i>Title II Budget</i>	<i>\$30,000</i>

08/09-1059

Consultant Agreement - Dorothy Harper

(Special Projects)

RECOMMENDATION: Approval - Consultant will assist the District in implementing a district-wide initiative to improve school-community relationships, increase parent involvement and community volunteerism. The initiative will be based on the Family Friendly Schools model which aims to ensure that all schools are places where families are welcomed, respected and presented opportunities and support for involvement in their child's education.

DATES: September 24, 2008 through June 30, 2009

FISCAL IMPACT: *Title I Budget, not to exceed \$40,000.*

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AMENDED



CONSENT AGENDA ITEMS

(Continued)

MOTION by *MRS. SHARIF*, **SECOND** by *MRS.SHIPP* to approve the Consent Agenda (Section 10).
(Continued)

10. RECOMMENDATIONS

(Continued)

10.03 RECOMMENDATIONS FROM EDUCATIONAL SERVICES

(Continued)

08/09-1062

Local Education Agency (LEA)/Compliance Monitoring Intervention and Sanctions (CMIS) Plans

(*)

RECOMMENDATION: Approve the Local Education Agency (LEA)/Compliance Monitoring Intervention and Sanctions (CMIS) Plans for the 2008/2009, 2009/2010, 2010/2011 school years. This plan was written as a result of the District becoming Progran Improvement Year 3 and with the support of the DAIT Provider, [Compton Education Association](#), District staff and parents. The CMIS plan, which is a part of the LEA plan, contains the District's efforts to help teachers become highly qualified.

10.04 RECOMMENDATIONS FROM CERTIFICATED PERSONNEL

08/09-2010

Certificated Personnel Actions

RECOMMENDATION: Approval/Ratification of the indicated Change of Assignments, Change of Funding, Extension of Assignments, Extra Duty, Extra Duty Summer School, Leave of Absence, New Assignments, New Hires, Other, Per Diems, Reassignments, Reclassifications, Rehires, Reinstatements, Rescission, Resignations, Retirements, Return from Leave, Stipends, Terminations, and Transfers.

DATES: July 1, 2008 through June 30, 2009

FISCAL IMPACT: *No appropriations required.*

10.05 RECOMMENDATIONS FROM CLASSIFIED PERSONNEL

08/09-3014

Classified Personnel Actions

RECOMMENDATION: Approval/Ratification of the indicated Personnel Appointments, Exempts, Status Changes (Reassignments, transfers, etc.), Extra Duty, Leaves, Separations, Volunteers, and Return from Leaves.

DATES: July 1, 2008 through June 30, 2009

FISCAL IMPACT: *No appropriations required.*

[\[AS AMENDED ON /1, /3 & /5\]](#)

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CONSENT AGENDA ITEMS

(Continued)

MOTION by *MRS. SHARIF*, **SECOND** by *MRS.SHIPP* to approve the Consent Agenda (Section 10).

(Continued)

10. RECOMMENDATIONS

(Continued)

10.06 RECOMMENDATIONS FROM FACILITIES SERVICES

08/09-4045

Ratification - Request for Use of Facilities

RECOMMENDATION: Approval.

08/09-4050

Award of Contract (RFP No. 050) - J. E. School Consulting Services

RECOMMENDATION: Approval to award a contract (RFP No. 050) to J. E. School Consulting Services for state consulting services for the District..

DATES: September 24, 2008 through June 30, 2011

FISCAL IMPACT: *General Fund Budget, not to exceed \$72,000/year.*

08/09-4052

Change Order No. 2 - C. S. Legacy Construction, Inc. - New Girl's Softball Field

(Centennial High School)

RECOMMENDATION: Approval to accept Change Order No. 2 submitted by C. S. Legacy Construction, Inc. to remove additional asphalt and add 36" manhole frame and cover to the new girl's softball field at Centennial High School and to extend the contract an additional five (5) calendar days.

DATES: September 24, 2008

FISCAL IMPACT: *Deferred Maintenance Budget, in the additional amount of \$7,259.37.*

08/09-4053

Change Order No. 2 - Letner Roofing Co. of Orange, California

(Dickison and McNair Elementary Schools, Davis Middle School and Compton High School)

RECOMMENDATION: Approval to accept Change Order No. 2 submitted by Letner Roofing Co. of Orange, California to build up low spots with gravel and tar protective roof coating. The designed rolled roofing system would then follow corrective work..

DATES: September 24, 2008

FISCAL IMPACT: *Emergency Repair Program Budget, in the additional amount of \$2,270.05.*

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CONSENT AGENDA ITEMS

(Continued)

MOTION by *MRS. SHARIF*, **SECOND** by *MRS. SHIPP* to approve the Consent Agenda (Section 10).

(Continued)

10. RECOMMENDATIONS

(Continued)

10.06 RECOMMENDATIONS FROM FACILITIES SERVICES

(Continued)

08/09-4054

Change Order No. 1 - Mear Construction

(Compton High School)

RECOMMENDATION: Approval accept Change Order No. 1 submitted by Mear Construction for partial lead removal on exterior windows and frames on Buildings X and Y and to extend the contract by seven (7) days.

DATES: September 24, 2008

FISCAL IMPACT: *Special Reserve Budget, in the additional amount of \$20,163.04*

10.07 RECOMMENDATIONS FROM FINANCIAL SERVICES

08/09-5012

Award of Bid No. 8033 - Newport Farm

(Student Nutrition Program)

RECOMMENDATION: Approval to award Buid No. 8033 to Newport Farms to procure bread/bakery products for the 2008/2009 school year.

DATES: September 24, 2008 through June 30, 2009

FISCAL IMPACT: *Cafeteria Fund in the amount of \$210,000.*

08/09-5013

Unaudited Actuals Fiscal Year 2007/2008

(Fiscal Services)

RECOMMENDATION: Approval of the Unaudited Actuals, Revenue and Expenditures Report and authorization to file document with the Los Angeles County Office of Education and State Superintendent of Public Instruction, California Department of Education.

08/09-5014

Resolution No. 08/09-04 "GANN" Limit for 2008/2009 Fiscal Year

(Fiscal Services)

RECOMMENDATION: Adoption of Resolution.

Discussion - 08/09-1059

Board Member Ali requested clarification of the responsibilities/duties of the consultant and asked when did the District-wide initiative become a priority.

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CONSENT AGENDA ITEMS

(Continued)

10. RECOMMENDATIONS

(Continued)

Discussion - 08/09-1059 - (Continued)

At Superintendent Burnside's request, **Karen Frison, Chief of Staff,** reported that the back-up documentation stated that the consultant would be presenting Professional Development, which would focus on increasing strategies for improving parent/school relationships and to develop "Family Friendly" schools. The consultant would work with selected certificated and classified personnel to participate in a "trainer of trainers" session; agreed to work with principals to assist with conducting surveys and assessment instruments to determine how the District is being perceived and develop improvement plans.

Superintendent Burnside reported that the District-wide initiative became a priority when Simi Rayford, MGT representative, conducted a presentation at a prior Board Meeting. Her findings indicated that parents wanted further engagement in the schools. Further the President of the District Advisory Council (DAC) commented that such engagement was helpful; that parents looked forward to having this type of interaction within the schools, and have indicated that the schools should present a more welcoming environment.

Board Member Ali inquired how the Community Liaisons infrastructure and its co-relationship to the initiative; asked how the contact was made with the consultant (Did she contact the District?); asked what is the Compton Initiative and if it was available for review by the Board.

Karen Frison responded that the consultant was contacted by the District; reported that she would not be drafting the initiative but that she would review what is currently being done and assist the District with becoming more family friendly.

At Superintendent Burnside's request, **Ann Cooper, Director of State and Federal,** reported that there was a very cohesive Parent Involvement Plan; reported that there was a Six-Prong Plan for Parent Involvement and that the District Initiative was part of that plan; reported that prior to the MGT presentation, nine focus groups involving parents were conducted; and reported that the initiative was spearheaded in San Diego by Dorothy Harper.

Board Member Ali inquired whether the training would be ongoing or only for the stated duration (September 24, 2008 through June 30, 2009) and asked whether there was a bi-lingual component.

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CONSENT AGENDA ITEMS

(Continued)

10. RECOMMENDATIONS

(Continued)

Discussion - 08/09-1059 - (Continued)

Ann Cooper responded that the success of the training would be the determining factor; but that the final decision to extend such services would be the decision of the Board and Superintendent; and stated that the Spanish speaking families would be welcomed to the District through the training of Community Relations Specialists, staff administrators and teachers.

Board Member Thomas asked about the training dates.

Ann Cooper responded that the training would commence the following day (September 24, 2008) upon the Board's approval

Board Member Thomas inquired whether the consultant would be bringing staff.

Ann Cooper responded that she was uncertain whether staff would be accompanying Mrs. Harper, but that if additional staff was needed, there would be no additional cost to the District.

Board Member Thomas expressed concern that one individual would be able to come into this District, making \$140,000 and do something that no one else could do; she stated that principals, teachers and aides are well qualified to work with parents; and that until schools begin to treat parents correctly, parents would not feel welcome.

Superintendent Burnside clarified that the consultant's fee is \$40,000 and not \$140,000; reported that the consultant was hired by the San Diego School District to do what CUSD is requesting assistance with; that training, conducted by Dorothy Harper, made a difference in San Diego's school district; that District staff members have received training and this item would further assist with implementing the training already in place.

Board Member Zurita asked whether the consultant had experience with On-line Student Information; stated that it is her hope that the second phase of the Professional Development would include technology training; reported that the back-up documentation stated that some of the surveys may be posted on line; suggested that ITD be involved with the posting of such information; suggested that the Parents Bill of Rights be posted at each school site and stated that it is unacceptable for parents to be treated unfairly.

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CONSENT AGENDA ITEMS

(Continued)

10. RECOMMENDATIONS

(Continued)

Discussion - 08/09-1059

Superintendent Burnside stated that she was uncertain if the consultant would be able to support the request for On-Line Student Information; and suggested that there be further discussion with the Board concerning this matter.

Board Member Estrada expressed concern about the audits and inquired whether tangible goals were placed in the contracts.

Discussion - (Section 10.6)

Board Member Estrada stated that contractor should be held accountable for what they have consented to do; suggested that the Board be aware of what is occurring at the school sites that is disrupting the education process and adversely impacting Plant Managers' schedules; and stated if the plant workers/plant managers are better informed they may be able to better assist the contractors.

VOTE ON MOTION TO APPROVE THE CONSENT AGENDA
(With an amendment to Item No. 08/09-1062).

Board Member Ali – NO on 08/09-1059, 4052, 4053, and 4054

Board Member Estrada – YES on 08/09-1059 would like to see the Stated Goals

Board Member Thomas – NO on 08/09-1059

Board Member Zurita – ABSTAINED on 08/09-1059; NO on 08/09-4052, 4053, and 4054

MOTION CARRIED

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NON-CONSENT AGENDA ITEMS

MOTION by *MRS. SHIPP*, **SECOND** by *MRS. SHARIF* to approve the Non-Consent Agenda (Section 10).

9. UNFINISHED BUSINESS

- None Scheduled.

10. RECOMMENDATIONS

10.01 RECOMMENDATIONS FROM THE SUPERINTENDENT

08/09-030

Ratification - Month-to-Month Agreement - Littler Mendelson PC

RECOMMENDATION: Approval of a month-to-month agreement with Littler Mendelson PC to provide legal counsel and representation on an as-needed basis in any and all matters as the Superintendent or designee may from time to time request.

DATES: July 1, 2008 through June 30, 2009

FISCAL IMPACT: *General Fund Budget, not to exceed \$925,000.*

08/09-031

Ratification - Month-to-Month Agreement - Williams, Yasinski & Jones

RECOMMENDATION: Approval of a month-to-month agreement with Williams, Yasinski & Jones to provide legal counsel and representation on an as-needed basis in any and all matters as the Superintendent or designee may from time to time request.

DATES: July 1, 2008 through June 30, 2009

FISCAL IMPACT: *General Fund Budget, in the amount of \$100,000.*

10.02 RECOMMENDATIONS FROM COMMUNITY RELATIONS/GOVERNANCE

- None Scheduled.

10.03 RECOMMENDATIONS FROM EDUCATIONAL SERVICES

- None Scheduled.

10.04 RECOMMENDATIONS FROM CERTIFICATED PERSONNEL

- None Scheduled.

10.05 RECOMMENDATIONS FROM CLASSIFIED PERSONNEL

- None Scheduled.

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NON-CONSENT AGENDA ITEMS

(Continued)

MOTION by *MRS. SHIPP*, **SECOND** by *MRS. SHARIF* to approve the Non-Consent Agenda (Section 10).

(Continued)

10. RECOMMENDATIONS

(Continued)

10.06 RECOMMENDATIONS FROM FACILITIES SERVICES

08/09-4055

Ratification - Month-to-Month Agreement - Law Firm of Orbach, Huff & Suarez, LLP

RECOMMENDATION: Approval of a month-to-month agreement with Orbach, Huff & Suarez to provide legal counsel and representation on an as-needed basis, as directed by the Superintendent or designee.

DATES: July 1, 2008 through June 30, 2009

FISCAL IMPACT: *General Fund Budget, in the amount of \$2,100,000.*

10.07 RECOMMENDATIONS FROM FINANCIAL SERVICES

- None Scheduled.

Discussion - 08/09-031 and 08/09-4055

Board Member Ali commented that he was surprised to see the month-to-month contracts for the attorneys on the agenda; and stated that it was his assumption that a more comprehensive plan would be presented to the Board to address some of the Board's issues.

Superintendent Burnside explained that the month-to-month agreements were in place because there has been a request for a Board Study Session to make a decision regarding the direction the Board wishes to take; reported that the Board has received the requested information; and that there needs to be a discussion regarding in-house counsel and the current cost of legal fees.

Board Member Thomas stated that as long as Board members receive gifts and/or campaign contributions from attorneys, they would never vote their conscience.

Board President Easter requested that Board Members suggest dates for an upcoming Board Retreat to discuss Board issues.

Board Member Ali clarified that his concern was how the agenda items were presented to the Board; and that the items are for one year, not to exceed the specified amount.

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NON-CONSENT AGENDA ITEMS

(Continued)

10. RECOMMENDATIONS

(Continued)

Discussion - 08/09-031 and 08/09-4055 - (Continued)

Board Member Sharif requested clarification; and asked if the month-to-month fees are set-aside amounts for Legal Counsel.

Superintendent Burnside explained that the month-to-month fees were not to exceed \$925,000 with the hope that the Board would convene and make a decision regarding this matter; acknowledged that on agenda items 08/09-031 and 4055 the “not to exceed” language, prior to the amount, was inadvertently omitted; and requested feedback from Board Member Ali as to the suggested language for agenda items.

Board Member Ali agreed to provide a memo to the Board with a copy to the Superintendent regarding the suggested language.

Board Member Thomas expressed concern about legal counsel, and stated that the lawyers should not conduct negotiations but serve as an advisor during the negotiation process.

Board President Easter requested that Board Members send suggested dates for a Board Retreat to the Board Secretary.

VOTE ON MOTION TO APPROVE THE NON-CONSENT AGENDA.

*Board Member Ali – NO on 08/09-030, 031 and 4055
Board Member Thomas – NO on 08/09-030, 031 and 4055*

MOTION CARRIED

2. CLOSED SESSION

(Continued)

08/09-027c

MOTION by *MRS. SHIPP*, **SECOND** by *MRS. SHARIF* to recess to Closed Session to consider matters within the purview of the Brown Act. (Time: 10:24 p.m.), specifically:

VOTE ON MOTION TO RECESS TO CLOSED SESSION

MOTION CARRIED

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3. OPEN SESSION

(Continued)

08/09-014d

MOTION by *MRS. SHIPP*, **SECOND** by *MRS. SHARIF* to reconvene into Open Session – Time: 12:43 a.m. (September 24, 2008)

VOTE ON MOTION TO RECONVENE INTO OPEN SESSION

MOTION CARRIED

• **Report Out of Closed Session**

(Pursuant to Govt. Code Section 54957.1)

Board President Easter read the report out of Closed Session, *(a copy which will be appended as part of the official Minutes of this meeting.)*

11. BOARD and SUPERINTENDENT’S DISCUSSION

- **BOARD MEMBER SATRA ZURITA**
Requested that the meeting close in memory of Alberto Patino, Whaley Middle School student.

- **BOARD MEMBER EMMA SHARIF**
Requested that the meeting close in memory of Fred Cressel, former City Councilman and Community Activist.

- **BOARD MEMBER MARJORIE SHIPP**
No comments.

- **BOARD MEMBER MAE THOMAS**
No Comments.

- **BOARD MEMBER MICAH ALI**
Requested that the meeting close in memory of Rev. John H. Broadus.

- **SUPERINTENDENT KAYE E. BURNSIDE**
No Comments.

- **BOARD PREDSIDENT FRED EASTER**
Requested that the meeting close in memory of Myrtle Dennis.

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12. ADJOURNMENT

08/09-9006

MOTION by *MR ALI*, **SECOND** by *MS. ZURITA* to adjourn the Regular Meeting of the Board of Trustees - the time being 12:49 a.m. (September 24, 2008).

A moment of silence was observed in memory of the aforementioned individuals.

MOTION CARRIED

Kaye E. Burnside, Ed.D.
Superintendent

/bmt