

**FOLSOM CORDOVA UNIFIED SCHOOL DISTRICT**  
**125 East Bidwell Street**  
**Folsom, California 95630**

November 20, 2003

MINUTES

Board of Education  
Regular Board Meeting  
Mills Middle School  
Cafetorium  
10439 Coloma Road  
Rancho Cordova, California 95670

BOARD OF EDUCATION

Teresa A. Stanley, Board President  
Roger L. Benton, Board Vice President  
Sara Myers, Board Clerk  
Richard Shaw, Board Member  
Edward Short, Board Member  
Stephanie Shaffer, Student Board Member

November 20, 2003

Board members present: Teresa Stanley, Roger Benton, Sara Myers, Richard Shaw, and Edward Short. Student Board Member Stephanie Shaffer was present.

5:00 p.m. – Open Session

CALL TO ORDER (Held in Library)

President Stanley announced items to be discussed in closed session.

5:05 p.m. – Closed Session

(Held in Library)

6:00 p.m. – Open Meeting

(Held in Cafetorium)

Meeting convened at 6:14 p.m. President Stanley called the meeting to order. Coach Davis, Cordova High School Track Coach, led the flag salute.

**PRESIDENT'S STATEMENT**

**REPORTING OUT CLOSED SESSION ACTIONS**

Superintendent Siefkin asked Mark Rickabaugh, Assistant Superintendent of Human Resources, to report out on routine action taken in closed session regarding certificated and classified personnel.

**PERSONNEL MATTERS** (Approved in Closed Session)

**CERTIFICATED PERSONNEL**

MYERS/BENTON MOVED TO APPROVE routine certificated personnel items.  
MOTION CARRIED UNANIMOUSLY.

**CERTIFICATED EMPLOYMENT**

The following employees have been hired with Temporary status for the 2003/2004 school year:

- Erin Gress, Teacher (#202045), 60% Cordova High School, Preliminary Single Subject Mathematics Credential; BS + 6, Class 2, Step 2. (*Pending*)
- Rebecca Nelson, Teacher (#202024), Folsom High School, Preliminary Single Subject Mathematics Credential; BS; Class 2, Step 7. Effective: 11/10/03.
- Carolyn Popp, Teacher (#990086), Cordova Meadows Elementary School, Preliminary Multiple Subject/CLAD Credential; BA + 13, Class 2, Step 1. Effective: 09/15/03.

- Michael Ramage, Teacher (#991729, #991737), Kinney High School Preliminary Single Subject Mathematics Credential; BA + 60; Class 4, Step 1. Effective: 11/03/03.
- Heather Sancedo, Teacher (#203039), 50% Mather Heights Elementary School, Professional Clear Multiple Subject Credential; Effective: 12/01/03.
- Virginia Zychalski, Special Education Teacher (#990166), Mather Youth Opportunity, Emergency Multiple Subject Credential; BA; Class 1, Step 1. Effective: 08/21/03.

CERTIFICATED LEAVE OF ABSENCE

- Laura Navarre, Teacher, Mather Heights Elementary School, 50% Parental. Effective: 11/24/03 through 06/10/04.
- Fred Stockett, Teacher, Folsom High School, Personal. Effective: 10/13/03 through 06/30/04.

CERTIFICATED CHANGE OF ASSIGNMENT

- Murielle LaBeaud, School Nurse, Health Services, from 100% to 60%. Effective: 12/19/03.
- Coline Lucas, Special Education Teacher, Mitchell Middle School, From: 100% to 120%. Effective: 10/6/03 through 11/21/03.

CERTIFICATED CHANGE OF STATUS

In accordance with the District Policy 4116.1 and the California Education Code 44919, certificated employees may be designated temporary, among other reasons, if they are replacements for probationary or tenured employees on leave of absence or who have been furloughed into categorical programs.

The employees listed are in excess of the number of employees needed as replacements for probationary or tenured employees and are recommended to be reclassified as probationary employees effective for the date specified below in accordance with legal provisions:

<u>EMPLOYEE</u>	<u>PROBATIONARY DATE</u>	<u>SITE</u>
Deanna Al-Hariri	08/19/03	Elementary Prep
Erin Alexander	08/20/02	Cordova Villa
Leah Allen	08/20/02	Williamson
Kristina Alley	08/20/02	Cordova Gardens
Eric Anson (60%)	08/26/02	Cordova Gardens
Christina Axelson	08/23/02	Rancho Cordova
Janet Baird	08/20/02	Cordova High
Julie Bennett	08/21/03	Mills Middle
Marsha Black-Readdick	08/22/02	Theodore Judah
Joe Bodnar	08/20/02	White Rock
Kelly Boske (20%)	08/20/02	Cordova High
Sara Brownell	08/20/02	Sutter Middle
Kathy Brunner-Bookout (40%)	08/20/02	Mills Middle
Kristan Butt (60%)	08/20/02	Mather Youth
Raymond Chayo	08/19/03	Folsom High
Stephanie Chiao	08/19/03	Elementary Prep
Claudia Conte	08/20/02	Sutter Middle
Greg Crannell	08/20/02	Folsom High
Sue Davis	08/20/02	Carl Sundahl
Dari-Anne Etrata	08/19/03	Folsom Hills
Andrew Evans	06/17/03	Sutter Middle
Stephen Gast (80%)	09/06/02	Mitchell Middle
Lisa Gilbert	08/20/02	Riverview

<u>EMPLOYEE</u>	<u>PROBATIONARY DATE</u>	<u>SITE</u>
Mary Golden	08/19/03	Cordova Lane
Dianne Goldman (40%)	08/21/00	Cordova High
Leo Gravin	01/06/03	District Music
Gary Greeno	08/20/02	Folsom High
Jeanine Hanrihan	08/15/02	Sutter Middle
Julie Headrick	08/19/03	Mills Middle
Angela Henderson	08/19/03	Cordova Meadows
Tracy Hermsmeyer	08/20/02	Cordova Villa
Jessica Holshevnikoff	08/20/02	Cordova Lane
Teri Hoop	08/20/02	Riverview
Janice Jensen	08/20/02	Sandra J. Gallardo
Richard Johnson	08/19/03	Mather Youth
Helen Kwon	08/20/02	Cordova High
Taryn Kannegeisser	08/20/02	Blanche Sprentz
Judith Kennedy	09/30/02	Blanche Sprentz
Peter Lane	03/25/03	Mitchell Middle
Alicia Legarda	08/20/02	Folsom Hills
Lisa Lobese	10/14/02	Cordova Villa
Yvette Loya	08/19/03	Folsom High
Brandi Lungren	08/20/02	Special Education
Lisa Mahoney	08/20/02	Natoma Station
Perry Mansch	04/01/03	Cordova High
Suzan Martin	08/20/02	Folsom High
William Mc Garvey	08/19/03	Mather Youth
Joseph Mc Keen	08/04/03	Cordova High
Rochelle Messer	08/20/02	Folsom High
Shelbey Miller	08/19/03	Sutter Middle
Brighton Montenegro (90%)	08/20/02	Mitchell Middle
Ruthann Monterosa (80%)	08/20/02	Mitchell Middle
Kristine Neimann (70%)	08/20/02	Riverview
Mark Nelson	08/20/02	Folsom High
Richard Oliver	08/22/02	Theodore Judah
Janet Poulsen-Lynch (50%)	08/20/02	Rancho Cordova
Sara Reagan (40%)	08/20/02	Mills Middle
Kathleen Rebolcaba (60%)	08/19/02	Mills Middle
Marlene Rios	08/20/02	Cordova Lane
David Rominger	08/19/03	Mather Youth
Greg Rubinoff	08/19/03	Kinney High
Melissa Scadina	09/01/03	Cordova Meadows
Kristina Slaughter	08/20/02	Theodore Judah
Wendy Sol	08/20/02	Theodore Judah
Yoly Stroeve	07/24/03	Mather Heights
Troy Taylor	08/20/02	Folsom High
Linda Vance	11/04/02	Health Services
Donna Vossler	08/19/03	Sutter Middle
Lindsay Wilson	08/19/03	Oak Chan
John Zimny	07/01/03	Folsom Middle/Sutter Middle

### CLASSIFIED PERSONNEL

BENTON/SHORT MOVED TO APPROVE routine certificated personnel items.  
MOTION CARRIED UNANIMOUSLY.

### CLASSIFIED EMPLOYMENT

- Lynda Lowe (replacement) Student Care Center Asst. (#203103), Mather Heights Elem., 3.5 hours daily/9.75 months, Range CL08/Step A. Effective: 11/10/03.
- Thea Riley (new position/replacement FTE) Family Center Assistant (#202538), Theodore Judah Family Center, 3.9 hours daily/10 months, Range CL14/Step C. Effective: 11/10/03.
- Esther Smith (replacement) Food Service Worker II (#203141), Carl Sundahl Elem., 4 hours daily/9.5 months, Range CL07/Step A. Effective: 10/28/03.
- Donna Thompson (replacement) SIP Parent/Assistant Coord. (#990748), Sutter Middle, 3.9 hours daily/9.5 months, Range CL10/Step A. Effective: 11/6/03.
- John Windham (new position) Computer Instructional Asst. (#204116), Sandra J. Gallardo Elem., 3.9 hours daily/9.5 months, Range CL12/Step A. Effective: 11/10/03.

### CLASSIFIED REASSIGNMENT

- Lisa Cleveland (hours increase) SIP Parent/Assistant Coord. (#204114), Sandra J. Gallardo Elem., from 3.5 hours daily to 3.9 hours daily. Effective: 11/1/03.
- Sandy Dixon (hours increase/replacement) Special Education Instructional Asst. (#204531), Gold Ridge Elem., from 5 hours daily to 6 hours daily. Effective: 11/3/03.
- Shahinaz Hirani (hours increase/replacement) Food Service Assistant (#991326), Mather Heights Elem., from 2 hours daily to 4 hours daily. Effective: 12/1/03.
- Rubik Kazaryan (voluntary hours decrease) Bilingual Instructional Asst. (#991539), Cordova High, from 19 hours per week to 14 hours per week. Effective: 11/1/03.
- Swarn Oberoi (hours increase/replacement) Student Care Center Asst. (#200431), from Blanche Sprentz Elem., 2.5 hours daily to Oak Chan Elem., 3.5 hours daily. Effective: 11/1/03.
- Susan Parrish (replacement) from Account Clerk II (#202506), State & Federal Programs, 10 months, Range CL16/Step E to Purchasing Specialist (#990730), Purchasing Dept., 12 months, Range CL20/Step D. Effective: 11/1/03.
- Darlene Virga (months reduction) Account Clerk II (#204526), Accounts Payable Dept., 8 hours/12 months to Account Clerk II, Accounts Payable Dept., 4 hours daily/10 months and Account Clerk II (#202506), State & Federal Programs, 4 hours daily/10 months. Effective: 11/1/03.
- Celeste Woodcock (voluntary hours reduction) Custodian (#991172), Cordova High & Rancho Cordova Elem., 6 hours daily to Rancho Cordova, 4 hours daily. Effective: 11/8/03.

### CLASSIFIED UNPAID LEAVE OF ABSENCE

- Coral Jacino, Lead Health Assistant (#991097), Health Programs, reason: family leave. Effective: 10/27/03 through 12/01/03.

### RATIFY RESIGNATION AND FIX LAST DATE OF EMPLOYMENT

- Earl Hill, Bus Driver (#991455), Transportation Dept., reason: retirement. Effective: 6/12/03.
- Halina Palukoshka, Bilingual Instructional Asst. (#200217), Williamson Elem., reason: relocation. Effective: 11/12/03.
- Viktor Palukoshka, Bus Driver (#991484), Transportation Dept., reason: relocation. Effective: 11/13/03.

- Anna Schardt, Computer Instructional Asst. (#991025), Oak Chan Elem., reason: other employment. Effective: 11/28/03

#### **TRANSFER TO THIRTY-NINE MONTH REEMPLOYMENT LIST**

- Troy Dority, Bus Driver (#991465), Transportation Dept., reason: all paid leave exhausted. Effective: 11/1/03.
- Johnice Layton, Bus Driver (#202574), Transportation Dept., reason: all paid leave exhausted. Effective: 12/1/03.

#### **SPECIAL PRESENTATION**

No presentation.

#### **ADOPTION OF AGENDA**

MYERS/SHORT MOVED TO ADOPT the agenda.  
MOTION CARRIED UNANIMOUSLY.

#### **PUBLIC PARTICIPATION (0304-110)**

- No one came forward.

#### **REPORTS OF DISTRICT ORGANIZATIONS (0304-111)**

Student Advisory Board – Stephanie Shaffer reported on the following:

- SAB met this week.
- Cordova High School is bringing back the tradition of the faculty rally to help boost the spirit between the staff and the students.
- Folsom High School discussed the closing of fall sports, beginning of winter sports, and fund raising for Senior Ball and Junior Prom
- Folsom Lake High School has organized a student council. They are working with principal on issues such as food problems (not having enough, and/or the food arriving too early resulting in cold food). Food Services will deliver later in the day so it will still be warm. Students are excited about the changes. Also, their canned fund drive is going very well.
- Kinney High School's graveyard event was a success.
- Folsom Middle School's basketball season went well. The trash problem has improved. Sutter Middle School finished basketball season. Starting a Canned Food Drive and will be having a Team Day.
- Mitchell Middle School had a successful fundraiser "Feast in the Fall" resulting in \$3,500. They are working on having a dance.
- Mills Middle School had a Club Live assembly.
- Folsom High School is still concerned about trash problems. We are discussing implementation of a trash solution.
- Folsom Lake High School feels district employees should park in another parking lot.
- Kinney High School still has an issue with not being able to carry backpacks. Students who walk or ride bikes to school have a hard time carrying all the books and supplies without a backpack.
- Folsom Middle School students don't understand why they do not have Fruitopia machines anymore.
- Sutter Middle School bathrooms in quad are not very pleasant.
- Mills Middle School has a parking lot problem, but understands the bond committee is working on a solution.

- Mitchell Middle School had an issue with the cafeteria food, such as pizza not being fully cooked.
- Next meeting is December 17th, 9:30 a.m. at Mills Middle School.

PTA/PTO Council – No report.

California School Employees Association – No report.

Folsom Cordova Education Association – No report.

Folsom Cordova Administrators Association – President Sharon Heilman reported on the following:

- Administrators wish everyone a Happy Thanksgiving.

### **AGENDA CONSENT ITEMS**

STANLEY/MYERS MOVED TO APPROVE agenda consent items with the exception of the following item:

0304-113 C – Approve Budget Revisions – General Fund  
MOTION CARRIED UNANIMOUSLY.

### **0304-112 – Administrative Matters**

A. Regular Meeting Minutes – November 6, 2003

### **0304-113 – Business Matters**

A. Warrants and Payroll: Monthly ratification

B. Accept Donations: To Acknowledge Receipt of Donations to the District

D. Approve Change Order No. 2 – Riverview Elementary School Modernization

E. Approve Change Order No. 2 – Cordova Villa Elementary School Modernization

F. Approve Change Order No. 3 – Folsom Middle School Site Work

G. Approve Change Order No. 7 – Folsom Middle School modernization and Gymnasium

H. Approve Notice of Completion – Folsom Middle School Modernization and Gymnasium

I. Approve Notice of Completion – Riverview Elementary School Modernization

J. Accept County Treasurer’s Report – Quarter Ending September 30, 2003

K. Adopt Resolution No. 11-20-03-07: GANN Limit

L. Approve Appointment to Citizens Oversight Committee - Folsom

### **0304-114 – Instructional Matters**

A. Expulsion Panel Recommendations:

Case Numbers: 0304-11, 0304-13, 0304-17, 0304-18, 0304-19, 0304-20, and 0304-21

0304-11 – Expel through the end of the spring semester of the 2003-2004 academic year; suspend expulsion order; place at the Mather Youth Academy; must complete at least one successful semester at the Mather Youth Academy in order to be considered for return to a comprehensive program of the Folsom Cordova Unified School District; individual student counseling to address decision-making skills and tobacco cessation.

0304-13 – Expel through the end of the 3<sup>rd</sup> trimester of the 2003-2004 academic year; suspend expulsion order; student to attend White Rock Elementary School through the end of the 3<sup>rd</sup> trimester of the 2003-2004 academic year; individual student counseling to address making positive choices.

0304-17 – Expel through the end of the spring semester of the 2003-2004 academic year;

suspend expulsion order; place at the Mather Youth Academy through the end of the fall semester of the 2003-2004 academic year; student to successfully complete the remainder of the fall semester at the Mather Youth Academy in order to return to a comprehensive program in the Folsom Cordova Unified School District; if student complies with the Rehabilitation Plan for the remainder of the fall semester of the 2003-2004 academic year, he may attend Cordova High School for the spring semester, to complete his suspended expulsion term.

0304-18 – Expel through the end of the 3<sup>rd</sup> trimester of the 2003-2004 academic year; suspend expulsion order; place at Folsom Hills Elementary School through the end of the 3<sup>rd</sup> trimester of the 2003-2004 academic year; counseling to include student and family; individual student counseling to address decision-making skills.

0304-19 – Expel through the end of the spring semester of the 2003-2004 academic year; suspend expulsion order; student may attend Kinney High School or Folsom Lake High School (pending space availability), Mather Youth Academy, or continue to receive home-hospital instruction; individual student counseling to address substance abuse and decision-making skills; student must submit a “clean” drug test upon request for readmission to the comprehensive programs of the district.

0304-20 – Expel through the end of the 3<sup>rd</sup> trimester of the 2003-2004 academic year; place at the Mather Youth Academy through the end of the 3<sup>rd</sup> trimester of the 2003-2004 academic year; student is to successfully complete at least three trimesters at the Mather Youth Academy in order to be considered for return to a comprehensive program of the Folsom Cordova Unified School District; individual student counseling to address decision-making skills, sexual behavior, and gang resistance.

0304-21 – Expel through the end of the 3<sup>rd</sup> trimester of the 2003-2004 academic year; suspend expulsion order; place at Peter J. Shields Elementary School through the end of the 3<sup>rd</sup> trimester of the 2003-2004 academic year; individual student counseling to address decision-making skills, conflict management skills, and anger management.

B. Approve Contracts for Non Public School Placement – SE-0304-30, SE-0304-31, SE-0304-32, and SE-0304-33

C. Approve Contracts for Therapy Services – SE-0304-34 and SE-0304-35

D. Approve Extended Educational Field Trip Request: Gold Ridge Elementary to Point Reyes Seashore, California

0304-113 C - Approve Budget Revisions – General Fund

STANLEY/BENTON MOVED TO APPROVE the Budget Revisions with the exception of item number 3.13 – Peer Assistance and Review; directed staff to provide more information.

MOTION CARRIED UNANIMOUSLY.

### **DISCUSSION/ACTION**

#### **0304-115 – Adopt Resolution No. 11-20-03-08: Cordova High School Stadium Track and Field Facility**

Mr. Washburn explained that staff is recommending the Board adopt the resolution and allow staff to install a temporary track surface.

MYERS/BENTON MOVED TO ADOPT Resolution No. 11-20-03-08 – Authorization to Apply for the 2003-2004 Recycled Tire Track Surfacing Grant for Cordova High School Stadium Track and Field Facility.

MOTION CARRIED UNANIMOUSLY.

#### **0304-116 – Adopt Resolution No. 11-20-03-09: SunRidge Specific Plan**

MYERS/SHORT MOVED TO ADOPT Resolution No. 11-20-03-09 – SunRidge Specific Plan

AMENDMENT:

Mrs. Stanley asked that the following revision be made to the resolution:

Change paragraph 11 to read: Whereas, both school districts are significant stakeholders in any transfer of territory and are encouraged to participate in the study by contributing time, information, and/or financial resources.

Mrs. Myers and Mr. Short accepted the amendment.

MOTION CARRIED UNANIMOUSLY.

**PUBLIC HEARING**

**0304-117 – California School Employees Association 2003-2004 Proposed Contract Openers to the Board of Education**

President Stanley opened the hearing at 6:54 p.m. No one came forward. Hearing closed at 6:55 p.m.

**DISCUSSION/ACTION**

**0304-118 – Adopt California School Employees Association 2003-2004 Proposed Contract Openers to the Board of Education**

BENTON/MYERS MOVED TO APPROVE the initial proposal and authorize its chief negotiator to enter into bargaining with the California School Employee's Association, Chapter 528.

MOTION CARRIED UNANIMOUSLY.

**PUBLIC HEARING**

**0304-119 – Board of Education 2003-2004 Proposed Contract Openers to the California School Employees Association**

President Stanley opened the hearing at 6:56 p.m. No one came forward. Hearing closed at 6:57 pm.

**DISCUSSION/ACTION**

**0304-120 – Adopt Board of Education 2003-2004 Proposed Contract Openers to the California School Employees Association**

MYERS/BENTON MOVED TO APPROVE the initial proposal and authorize its chief negotiator to enter into bargaining with the California School Employee's Association, Chapter 528.

MOTION CARRIED UNANIMOUSLY.

**0304-121 – Adopt Board Policy 5131.9 – Academic Honesty**

BENTON/SHORT MOVED TO ADOPT Board Policy 5131.9 – Academic Honesty

MOTION CARRIED UNANIMOUSLY.

President Stanley requested that staff distribute updated Student Conduct Code to all Board members.

**DISCUSSION**

**0304-122 – Review Board Policy 5113 – Absences and Excuses (Confidential medical services)**

Mrs. Nunes explained that districts in our area have been reviewing their policy relating to allowing students to leave campuses to attend confidential medical services during the school day. The two education codes that are of issue with this discussion are Education Code 46010.1,

Confidential Medical Services Notification To Parents, and Education Code 48205, subsection A, Excuses For Absences That Are Allowed Under State Law Considering That We Have Compulsory Education. The author of Education Code 46010 has indicated the purpose of the code is to notify parents that schools possess the authority to excuse students for the purposes of obtaining confidential medical information and services.

Roseville Union High School District has chosen to adopt a policy that does not allow students to be excused without parental consent. We have received a variety of information from several different legal counsels.

Counsel in support of requiring parent permission for students to be excused from school indicates that Education Code 48205, subsection A, does not intend to infer that students can be excused without parent permission, and further that school boards have broad authority to set policy in disallowing students to leave campus to seek medical treatment and it is an enforcement of the compulsory education law.

Counsel in support of allowing students to obtain medical service without the consent of their parents indicates that in that same Education Code (48205), subsection A, there is a subsection 7 that expressly requires parent permission and therefore the omission of parental permission in requirement 3 presumes it is not required and that not allowing students the ability to attend to medical services without parental consent is a violation of their privacy.

There are opinions on both sides, and it is likely this is an issue that will be litigated and the courts will decide which opinion is correct.

Currently in our district, when a student meets with staff and indicates a need to seek medical services without the knowledge of their parents, the process for the staff member is to encourage parental involvement and to reconcile the student to working with the family to address the medical concern. In the vast majority of incidents, this is the path that is eventually chosen. In an extremely small minority of cases the student is excused to seek medical treatment when staff believes it to be in the best interest of the student. It is for this reason, staff is supportive of our current policy and believes it is meeting the needs of both parents and students.

Mrs. Stanley

- You mentioned students' rights and needs, but how does our current policy support the parents of the district?

Mrs. Nunes

- The first step of our process is staff telling the students they need to address the issue with their parents. In the vast majority of cases, the student does go and meet with the parent.

Mrs. Stanley

- How many times has this happened in the past year?

Mrs. DeArcos

- Nine times in the past year. We have about 4,500 high school students. No incidences at the middle school.

Mr. Short

- What are the cases where the staff member may direct the student to medical services?

Mrs. DeArcos

- The different areas are mental health, reproductive issues, substance abuse, alcohol, sexually transmitted diseases, contraceptives, and outpatient mental health.
- Nurses and counselors have to go through an administrator. Our policy states that it is an administrator that allows the student to leave, it is not directly a counselor or nurse.

Mr. Short

- Are students sometimes referred to Planned Parenthood?

Mrs. DeArcos

- They could be.

Mrs. Myers

- No need to change policy. My concern would be that we have some parents that are evildoers. I would not want to eliminate the lifeline of students to receive attention.
- It is very enlightening to know our staff first encourages that the parent is brought in. Based on that discussion, I believe staff can make those decisions.
- It is a dreadful situation but in our society we do have cases of incest and other awful crimes against young people. I would shudder at the thought that we would force them into a worse situation if we change the policy.

Mrs. Stanley

- What kind of administrator makes the decision to excuse the student?

Mrs. DeArcos

- The principal or vice principal is the designee for the Superintendent.

Ms. Shaffer

- Do you see domestic abuse?

Mrs. DeArcos

- Domestic abuse does come to us. In some cases we must report certain items to Child Protection Services without the student's permission.

Mr. Short

- Why are the schools involved in this? Who are we protecting? Realize there are extreme cases where we need to protect the child. Seems like a small number of situations to warrant creating a policy.
- Need more information on why we don't get the parent involved.

Mrs. DeArcos

- In almost all cases, the counselor and nurse try to reconcile the situation with parental help. Most cases are successful. There are situations, due to family dynamics, where the student does not feel he/she can let the parent know about the issue. Staff feels it is important for the child to have an adult to talk to and provide guidance. If they don't go to their parents as suggested, and we are ruled out because we will no longer be confidential, the student may go and find services on his/her own.
- We feel we are there to refer them to medical agencies that can help.

Mr. Short

- Have we had cases where we have confidentially directed a student, the parent found out, and we were subjected to liability?

Mrs. Stanley

- You are not trying to say this would abridge any confidentiality that the students have with their counselor are you? A student doesn't have to be excused for a medical appointment in order to talk to a counselor.
- A student can talk confidentially to a counselor as much as he/she wants, no matter what our policy is on excused medical appointments.
- Confidentiality is maintained except in mandated reporting requirements such as abuse.

Mrs. Myers

- Have we ever had a child come to a school authority asking for medical help because the parents oppose medical treatment by the medical profession?

Mrs. Delleney

- Not to my knowledge.

Mrs. DeArcos

- Students are entitled to a confidential medical appointment for mental health issues, reproductive issues, substance abuse, alcohol and drugs, sexual transmitted diseases, contraceptives, and outpatient mental health care.

Karen England, Capitol Resource Institute

- Distributed informational packets to the Board.
- School districts do have the authority to release students for confidential medical services, but authority is not the same as an obligation to do so.
- Provided a list of 30 school districts that have adopted a parent friendly policy.
- Encouraged Board to put parents in the loop.
- Believes requiring the student to explain why he/she requires a medical appointment is a breach of students' confidentiality.
- West Covina enacted a parent friendly policy because of a threat of a lawsuit.

Tim LeFever, Attorney, Capitol Resource Institute

- Was student board member 25 years ago here at Folsom Cordova.
- Wants the school district to take a neutral position - not make the determination, not ask why student is going off campus, and require note from parent if student leaves campus.
- The policy decision to make is (1) should 12-year-old students make the decision to leave campus, (2) should their parents make the decision, or (3) should 12-year-old students along with staff make the decision.
- Would like to correct the misconception that districts only have the right to allow students to go off campus and you really can't do otherwise.
- Abuse is a serious problem. The answer to abuse is not to allow the student to go off campus. The answer to abuse is to respect the dignity and the privacy of the student, put them somewhere and call in the authorities in a confidential manner.

Mrs. Stanley

- Has anybody researched the issue of a district undertaking to act, for example liability when

a school district transports a child?

Mr. LeFever

- That was the issue in the Poway case. The district went further than just the confidentiality. Personnel helped transport the underage child. The parents were hit with a \$6,000 medical bill, which they did not authorize. They hit the school district with a \$3.4 million lawsuit.

Mr. Short

- The law seems to hinge upon the “may” or “duly authorized.” It sounds like we do have discretion.

Mr. LeFever

- Yes. That’s where it becomes defensive in the way it has been dealt with. The briefs decide that “may” means “must.”
- The author of this legislation made clear his intent was to make sure the school districts knew their liabilities in this issue.

Mrs. Stanley

- Our staff has noted this policy provides a benefit to students who would otherwise go out on his/her own to obtain services.
- Is it a problem for districts to provide resources to students who want to obtain services on their own?

Mr. LeFever

- There is the ability to provide those services, but I feel you step over a line. Recommending services could get staff in trouble. The services could turn out to be wrong.
- We recommend districts to remain neutral.
- Confidence should remain between patient and doctor; involving staff violates this confidentiality.
- Parents are offended when the school district decides to substitute their judgment.

Sheila Holcomb, District Nurse

- Has worked at Folsom High, Cordova High, Kinney, Walnutwood, and Mather.
- Have had only six students that went out on a confidential medical appointment. It rarely happens.
- Invariably we ask where’s your parent, who’s your parent, and who do you live with. All kids don’t live with and/or talk to their parents. Some live down by the river, in foster care, or with other kids.
- When they come to us with an issue, it is important they be treated.
- This is a federal law. I don’t see anywhere where this has been abused.
- We ask the kids to talk to parents. I have visited with their parents.
- We need to remember that medical care, health care, and counseling are insurance driven. It is almost impossible to have appointments without insurance coverage.
- It is not about abuse, it is about mental health, substance use, sexually transmitted diseases, and reproductive health.
- Most often we are looking at a less than a .5% across the board in this district – this is not an issue that comes up with any regularity.
- In two cases that I know of, one was an incest victim and one lived by the river.
- They deserve the service and the care.

Mrs. Stanley

- The student down by the river could have made an appointment after 3:00 p.m.
- Is it necessary to excuse him/her during school hours?

Mrs. Holcomb

- We do not make appointments for them. It is not our duty or responsibility. The student makes the appointment.
- They should make the appointment after school.
- We also do not transport.

Mrs. Myers

- If the student made an appointment, they may have few options. If they found a free clinic, it may be during school hours.

Mrs. Holcomb

- There are also timelines for treatment.

Mrs. Myers

- Is there a state or county public health facility?

Mrs. Holcomb

- The closest one to us in the Primary Care on Stockton Boulevard for patients with no insurance.
- Short notice appointments for STDs.
- One student's parent was mentally ill. There are students in a lot of different circumstances. Some have parents who are in jail.

Mrs. Stanley

- I might agree with you until one of the nine reported cases is my daughter. Then I would look at you and ask why would you make the decision that my daughter needed that appointment without notifying me.
- Where do you draw the line? My daughter could tell you all sorts of stories about how mean I am.

Mrs. Holcomb

- Usually this is not a one-time issue that all of a sudden walks in the door. We usually have known the student for a long period of time, and have contacted the parents. Most often these kids have a lot of other issues going on which impact school grades and behavior. This provides validity on where the kids are in the system.

Mr. Shaw

- The core of the issue is do minors have rights? It is easy to assume that children do not have rights, but they do.
- It is obvious that in this district the parents are notified with the consent of the child, and that is what the law asks for.
- Our nurses are licensed professionals. They are not products of the educational system, but of the medical profession. They follow standards of the medical profession and have the privileges of confidentiality.

- It is a real misconception that the dismissal of a student without the consent of the parent is mandated by the law. It is not mandated.
- Students are presented with an opportunity to notify their parent(s).
- There are circumstances and situations that may cause exceptional treatment of the issue.
- I don't think it is appropriate to take away the rights of individuals if you disagree with the law.

Mrs. Stanley

- Would like to see this brought back as a discussion/action item for revision to the current board policy.
- We have compulsory attendance. Parents have to send their children to school or get tossed in jail. We are placing our children in the hands of teachers and administrators of the school district and we are expecting nothing will be done to undermine the rights of parents. Constitutionally, parents have the right to parent their children. A policy such as ours abridges that.
- Student privacy is a right. There is a right to obtain confidential medical services, and there is a right to do that in our state without parental permission.
- Don't think a school district needs to take the matter into their hands. Don't think we need to be the ones to say how, when, and under what circumstances.
- We need to support parent's rights and the parental trust while kids are on our campuses. Kids who must do this can still talk to our counselors and nurses but they can make their appointments at another time. Then personal judgments have no bearing on the matter. The school district does not need to be the middleman.
- Nine times in one year surprises me out of 4,500 children. It surprises me a lot especially if one of those times it was my child.
- The list of confidential medical services is broader than I thought. We are not in a legal position to question the type of appointment or services the child needs. Our policy should only be whether to release the student for appointments or not.
- There must be an easy way to maintain the students' and parents' rights and keep the school district out of it.

Mr. Short

- We need a parent friendly policy. We have the ability to make the decision. Uncomfortable with the exposure to liability when acting as the middle person.
- Don't feel the school district should be up shooting parental authority. Parents should be involved in the decision.
- We need to bring this item back for discussion.

Mrs. Myers

- Sees absolutely no reason to change a policy that is working very well.
- It would be appalling to cut the lifeline of those few students that really need a confidential medical appointment. That is why the law was passed in the first place.
- We took up the issue with the previous board and decided we did not need to change it.
- The ratio of students needing this to the total population is virtually unchanged to this day. I'm certainly not prepared to launch into it over the basis of parental rights.
- There are no constitutional parental rights in there. But there is an individual right.
- The process involves the student going to see the counselor or nurse and saying I have an appointment and they must get there. There are not always other options.

- Liability and lawsuits work both ways. There is the prospect of being sued by civil rights agencies if we begin denying something to a student, and insurance companies because we are not conforming with state law. Irrelevant argument in general.
- It is an excused absence.
- The issues that have been brought up are very contrived. Not significant enough to warrant a change in the policy.
- We heard tonight from two special interest groups. Before I would even consider an action item, I would like to hear from those who represent the other side of social policy on this issue.
- We haven't heard from student groups either, whose basic rights would be most severely affected.
- Do not want to put this on the agenda as an action item.

Mr. Benton

- Agree with Mrs. Myers to a point. Would like to bring this back as an action/discussion to hear from the others, specifically students.
- Do our students have rights? Yes, just as much as any of us do. Do the parents have rights? Yes, they sure do. The question is who has more rights.
- My problem is - do the students' rights overpower the parents' rights when it comes to medical issues, or do the parents' right to know and care for the own children overpower the students' rights.
- I would like to hear more viewpoints to make an informed decision.

Mrs. Stanley

- I'm hearing from at least three Trustees an interest in reviewing this item again. We will place it on an agenda as a discussion/action item.
- Mrs. Myers mentioned hearing from other people. Please welcome anyone to the meeting you would like.
- Parents are an important piece as well as the students to address the board on this.
- Having this policy as we have it abridges parental rights, not having it abridges no one's rights because they still have a right to go out and have those appointments at another time.
- When we discussed this over a year ago, we were adamantly told that this was mandated by law. It's only since then that I have discovered it is not.
- Suggested we place this item on an agenda for the first meeting in February. Requested Student Advisory Board and PTA Council input.

### **0304-123 – First Reading – Board Policy 5141.7 – Coordinated School Health Programs**

Mrs. Nunes explained that the California Superintendent's Challenge is a challenge to all local school districts across California to improve their school nutrition standards and the health of their students. A committee will be created to address these matters on an ongoing basis. We currently have a committee in place for this purpose but there is no formal recognition of that committee. This policy outlines the board support of Coordinated School Health Programs and committee members associated with organizing the school health advisory council.

Mrs. Myers

- Is this the same committee that was developed last year where students would make comments/suggestions about the food choices they wanted?
- Interested in coming up with additional policies related to nutrition. This would be a first step in that direction.

Mr. Shaw

- Has been interested and aware of this for several years. It is definitely a step in the right direction.

Mr. Short

- This is the program where they have the heart monitors and it is definitely the right direction.

Mr. Benton

- Local government is concerned with how healthy our kids are going to be.
- Anticipate more involvement with our health and nutrition programs.
- Overall our goal is to educate students on a variety of levels.
- How large is the School Advisory Council?

Mrs. Nunes

- It is large, believes about 40 participates.

Mr. Shaw

- Noticed on the Administrative Regulations on page 117, it mentions the Folsom Fire and Police Departments, but doesn't mention the Rancho Cordova Police and Fire. Believes it should be included.
- Where is the leadership coming from, and whom are they answering to?

Mrs. Nunes

- Rancho Cordova Police and Fire are currently serviced by Sacramento County, who is on the list. Once Rancho Cordova has their own departments they will be added to the list.

Mary Ann Delleney

- The oversight of this committee has come through our prevention program in the school health department. It is a requirement of our Title 4 funding from the state and federal government to have oversight on programs that we have.
- This community has, for a year now, interest in oversight on the programs that we participate in and has made recommendations along that line.
- In addition, professionals who bill for MediCal services for students in our district are required to have an oversight committee that sees that this money is returned to the students and is used appropriately and this committee has served as the oversight for that committee. It has been run through the prevention part of our district Health Programs.

Mr. Benton

- It's a wonderful program and a great benefit to our students.

President Stanley

- Directed staff to place this item on an agenda for action.

### **0304-124 – Elementary Independent Study/Charter School**

Gretchen Hinerman reviewed the following points on independent study/charter school:

- Background
- Definition of terms
- Current research/resources
- Authorization issues

- Timelines
- Next steps

Mr. Shaw

- How does it generate funding? What is the student/teacher ratio?

Mrs. Hinerman

- The student/teacher ratio in a charter school can be no higher than the largest student/teacher ratio in the largest district in the county. That is approximately 25:1.

Mr. Shaw

- Typically, would a student go to school one day a week and the rest of the time study at home?

Mrs. Hinerman

- There are many options for an independent study charter. The student could spend up to four to five hours in various activities as the charter develops. It depends on the model of the charter that develops. Minimum would be one hour, but normally four to five hours a week. It could be in a group setting. It doesn't have to be one on one.

Mr. Shaw

- For purposes of planning, what amount of money would be realistic?

Mrs. Hinerman

- Anywhere from \$150,000 to start.

Mr. Benton

- Clarified that the entire school would not be a charter school; it would have an independent study section on site.
- You don't have to have someone with an administrative credential to head the charter school.
- What is the difference with charter schools now than back in 1998 when we didn't renew Folsom Middle School as a charter?

Mrs. Hinerman

- Having Folsom Middle School as a charter didn't allow choices.
- An elementary independent study charter would be another option within our Folsom Cordova community.

Mrs. Myers

- It looks like we're playing catch-up. We are trying to retrieve students.
- Is it a response to home schooling being so popular?

Mrs. Hinerman

- Some home school parents have issues with curriculum and safety in a comprehensive school.

Mrs. Myers

- Is this a viable alternative for that category?

Mrs. Hinerman

- It could be depending on how it is structured.
- You are not tied into a particular curriculum; you're tied to the same performance standards. The delivery system provides another alternative.

Mrs. Myers

- It is an alternative that seems like a huge drain on very scarce school resources.
- You are portraying it as a really attractive alternative, tailored to meet students' needs.
- Questioned the validity of this program.
- How can we justify it when money is so scarce?

Mrs. Hinerman

- Start up money is a concern. Once it is running it pays for itself.
- The district is entitled to 3% of whatever amount of money comes into the district to the charter school for supervisory oversight and 2% for facilities.
- With a Memorandum of Understanding, charter schools contract for payroll, transportation, and maintenance.
- It would be a dependent charter school. Money would come directly to Folsom Cordova and then to the charter.

Mrs. Myers

- Would like to see the whole accounting.
- This could be used as a way to supplement our elementary curriculum.
- Could a student be at one of our elementary schools for most of the day and then enter into the charter school for additional classes?

Mrs. Hinerman

- That would be very difficult due to the funding issues of dual enrollment.
- There are a number of varieties of charter models.

Mrs. Myers

- Would we use an existing facility with regular school operation and a portion designated as a charter school?
- Would students only attend for one hour a day?

Mrs. Hinerman

- Currently there is a satellite branch of independent study at Natoma Station using an unoccupied room. Students attend for one-hour blocks.

Mrs. Myers

- Tonight we are talking about the elementary piece of this.
- Who will be the head of the operations? What will be the set up?

Mrs. Hinerman

- There will be a person on site with teaching duties.
- We need to research management and oversight.

Mr. Benton

- What is the difference between the elementary independent study at Natoma Station and a

charter independent study?

Mrs. Hinerman

- What we have at Natoma Station are two students who are getting the regular district curriculum once a week with one teacher. The parent goes home and works with the students the rest of the week. Students are required to take STAR testing. They do not participate in any of the other activities on the campus. They follow the adopted state curriculum.
- The charter is a performance-based contract that doesn't specify that you have to use the adopted state curriculum. We can use a number of different kinds of implementations, delivery systems and curriculum. Teachers have more latitude in working with parents on developing curriculum as long as they still meet performance standards. Students can come from outside our district.

Mrs. Stanley

- Are we attempting to draw some of our kids back into the district with a different delivery option that we don't currently offer?

Mrs. Hinerman

- Yes, and perhaps attract some students from surrounding districts as well.

Mrs. Stanley

- Would you have as part of the petition the expectations that kids learn as well or better than other kids in the district?
- Some of the petitions presented to us had lower standards than our district has and we were not welcoming that kind of attitude into our district.

Mrs. Hinerman

- There is nothing in the charter act that requires that students perform higher than students in the surrounding district, but there is every expectation that they meet the standards that are required by the state, and the standards now required by No Child Left Behind legislation.
- We would not want to accept anything proposed that wouldn't be at least on the level of the standards we have set.
- It would be clearly outlined in the measurable pupil outcomes as well as the education program.

Mrs. Stanley

- What is your preference on timelines? Is it too ambitious to be looking at the ten-month timeline.

Superintendent Siefkin

- September is not too ambitious. That would be my preference. We have experience in the district in providing instruction in elementary independent study. We have experienced teachers, understand the funding model, realize it is a moneymaker, and that we can attract families back.
- Believe it will also be a deferral of outside charters asking to operate inside our boundaries.
- Believe we can meet the challenges and by September 2004.

Mr. Benton

- Where, in the timeline, do you decide at what school to place the charter?

Mrs. Hinerman

- It would have to be decided by the time we turn the petition in, which is March 1, 2004.

Mrs. Myers

- Don't share the Superintendent's enthusiasm for this.
- Looking at what is described, it seems like a sterile education.
- How many students are we going to serve? It doesn't strike me as a moneymaking operation for us.
- Would like to hear more before launching a September start up.

Mr. Shaw

- Requested a generic model of what the system might look like.

Mrs. Hinerman

- Can present several models along with the financial outlook.

Mr. Shaw

- Feels there is a need in the community for this.

Mrs. Stanley

- Clarified that the amount of students participating in independent study or home base schooling is close to 500, not 100.
- Believes it is worthy to look into. Offers a delivery of service in an area we currently do not have.
- Would like to see what the petition looks like, how we will measure outcomes, costs, etc.

Mr. Benton

- Having problems visualizing process and using the words independent and charter in the same sentence.

### **0304-125 – Zero-Based Budgeting Progress**

Superintendent Siefkin reviewed the findings in the following areas in relation to Zero-based budgeting:

- Biggest challenges in process
- Closure of small schools
- Eliminate 3<sup>rd</sup> grade class size reduction
- Energy Reduction
- Clerical considerations
- Establish expenditures per classroom
- Identify Income levels
- Remove mandated costs revenue
- Cost of classroom teacher and per pupil instructional materials will be identified
- All other levels of support will be listed and the actual expense budget will be established

President Stanley commended Superintendent and staff for taking on this ambitious project.

### **PUBLIC PARTICIPATION**

Vernon Wittkopp, resident of Rancho Cordova

- Concerned with traffic safety at Williamson school site. Students and parents are jay walking.
- People are driving very fast on Segovia and El Manto.
- Would appreciate the Board investigating this safety issue.
- Perhaps the students can be picked up at the back of the school.
- Maybe a turn around can be established where parents can pick up their students on site instead of the street.

## **REPORTS**

### **0304-126 – Reports to the Board of Education**

A. Superintendent Siefkin reported on the following:

- No report.

B. Correspondence to the Board

C. District Committees

## **BOARD OF EDUCATION**

### **0304-127 – Board Business**

A. Board Communication

#### **Stephanie Shaffer**

- Willing to discuss the absences for confidential medical appointments with the SAB. Believes it is the appropriate place to get true opinions since it deals directly with the students.
- Excited about the possibility of a charter school. Feels it is an important program that the district needs. Sibling went through a charter program in San Juan School District. It would have been convenient if it had been in Folsom.
- Requested information on news received that some of the clubs were cut due to budget problems. Need to discuss whether we can compromise keeping clubs on campus for the students' involvement. Without an advisor you can't do fundraising and activities on campus. It's discouraging to see the clubs taken away. We need these activities for college applications. Can we contract with the City (Club Teen Counsel) to sponsor? Is it possible to change guidelines for clubs so an advisor is not required, and perhaps go through the Activities Director instead?

#### **Edward Short**

- Ms. Shaffer is doing a great job.

#### **Richard Shaw**

- Pleased with Zero Based Budgeting report. Happy it is based on preserving the classroom.
- When we look at all the issues, whether it is SunRidge or parental permission, we need to go back to what is most important and what we are here for and that is to educate and take care of the children.
- Looking forward to Folsom High School Crab Feed tomorrow night.
- Wished Cordova High School good luck in their playoff game against Del Oro. Go Big Red!

#### **Sara Myers**

- Pleased with Zero Based Budgeting report. Concerned with some items mentioned. Board

held previous discussions on the significance of adopting textbooks with state standards, and this impact was not referenced. Felt some bias to retention of class size reduction. It runs counter to reports that research does not really validate that conclusion.

- Where are we on the research on the Spanish Immersion program at Theodore Judah? Hopes the idea of a charter school is not taking precedence over a Spanish Immersion program. There is a substantial amount of parent interest in the community for elementary school age children to study Spanish.
- If you have a SPAM complaint, the federal government will take on your complaint. If you receive a SPAM unwanted email, reply to: [uce@ftc.gov](mailto:uce@ftc.gov) and they will take care of it.
- Couple of suggestions on how the California Legislature and Governor can solve the budget deficit. A large amount of the budget goes to our prison and correctional system. Maybe we should contract out this system with Mexico.
- This is also a large amount of money that is drained off by county offices of education. Employees I've known from there have admitted that not a lot goes on in some of the departments. Encouraged everyone to send letters to the governor on these matters.
- Was very surprised, while listening to Tom Sullivan on KFBK, when he received a call from Governor Schwarzenegger. The main issue was getting a bond on the March ballot by December 5<sup>th</sup>.
- Happy Thanksgiving to everyone.

#### Roger Benton

- Believes the correctional people are the hardest working people in the state.
- Wished everyone a happy holiday.
- What we do as a board, and need to continue to do, is to remember that all decisions we make should be based on how it benefits our students.

#### Teresa Stanley

- Joined board members at the Rancho Cordova Chamber luncheon. Noted one interesting thing – our name badges said Folsom School District.
- Great to hear that Folsom Middle School feels they're getting a handle on the trash problem and other schools are exploring solutions.
- Requested updated information on the issue with Kinney students not being allowed to use backpacks.
- Sutter Middle School's bathroom situation has been an ongoing complaint. Requested an update on what can be done to rectify.
- Need to address Mr. Wittkopp concerns regarding the problems at Williamson at our next Rancho Cordova City meeting in December.
- Disappointed with Healthy Kids Survey. Students were told to do it or take an alternative assignment. Probably will not have true opinions on the survey.
- The Board and Superintendent will be attending our annual school board conference. Should have exciting things to report back.
- Happy Thanksgiving.

Meeting adjourned at 9:50 p.m.

**INFORMATION**

**0304-128 – Modernization and Construction Projects Update – Rancho Cordova**

**0304-129 – Next Regular Board Meeting is scheduled for December 8, 2003 at Folsom High School, 1655 Iron Point Road, Folsom, CA, 95630.**

Record of meeting schedule for November 20, 2003:

Open Session	5:00 p.m.
Closed Session	5:05 p.m.
Open Session	6:14 p.m.
Meeting adjourned at	9:50 p.m.

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Respectfully submitted,  
Norman R. Siefkin, Executive Secretary to the Board

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Sara Myers, Clerk of the Board