

Durham Unified School District
Regular Meeting of the Board of Trustees
Wednesday, November 16, 2016

APPROVED

6:00 p.m.
(RETURN TO OPEN SESSION AT 7:00 P.M.)
District Boardroom
9420 Putney Drive, Durham, Ca 95938

MINUTES

A Regular Meeting of the Board of Trustees of The Durham Unified School District was held in the Durham Unified School District Board Room on November 16, 2016.

Trustees Present: Bob Bultema, Ed McLaughlin, Mark Kimmelshue, Lance Smith and Todd Southam
Trustee Absent: None
Staff members present: Superintendent Leonard Foreman, District Secretary Becky Gordon, Tina Blenn, Business Manager Ron Sherrod, Principal Shirley Williams, Principal Jeff Kuhn, and School Psychologist/Director of Special Education Terry Quinto
Staff members absent: Principal, Terry Bennett

A. CALL TO ORDER

President Ed McLaughlin called the meeting to order at 6:00 p.m.

B. MOVE TO CLOSED SESSION

C. CLOSED SESSION

D. RETURN TO OPEN SESSION

President Ed McLaughlin reconvened the meeting to open session at 7:04 p.m.

E. PLEDGE OF ALLEGIANCE

Trustee Mark Kimmelshue led the pledge of allegiance.

F. REPORT OF ACTION TAKEN IN CLOSED SESSION

President Ed McLaughlin reported no action was taken in closed session.

G. ORDER OF AGENDA

President Ed McLaughlin reported there are no changes to the agenda.

H. ITEMS FROM THE PUBLIC

There were public comments from outgoing Trustee, Mark Kimmelshue regarding the excellent quality of education and the Board of Trustees priority to always consider what is in the best interest of the students of Durham Unified School District. Trustee Kimmelshue also thanked everyone for being a part of the Board of Trustees.

There were public comments from Kendra Moss, Kathy Horn, Deanna Holman, Mike Patterson, Alicia Rock, Karla Rigsbee, and Lisa Creamer-O'Donnell regarding Administrative Assignments for 2017-2018 school year, DUTA negotiations, ratifying contracts, and Public Employment Relations Board Unfair Labor Practice charges.

I. DISTRICT REPORTS

1. Principals

Shirley Williams, DES Principal gave an update on the following:

- Parent Conferences
- Library Fundraiser
- Professional Development
- Enrollment Update

Jeff Kuhn, DIS Principal gave an update on the following:

- See's Candy Sales sponsored by PTS
- DIS Jog-a-thon earned a free dance
- 8th Grade took a trip to Chico State
- The Great Shake Off occurred with the help of Chico State Engineering Students
- Principal Kuhn complimented his staff on their continued dedication to quality education
- Enrollment update

Jeff Kuhn, Director of MOT gave an update on the following:

- Increased transportation requests
- Facility Inspection Tool walk through
- MOT will be open Monday, November 21 and Tuesday, November 22 and closed the remainder of the week for Thanksgiving Break

Terry Bennett, DHS Principal gave an update on the following:

- Principal Bennett was absent from the meeting and provided a report to the Board of Trustees

2. Business Manager Rod Sherrod gave an update on the following:

- Budget update
- Enrollment

3. Superintendent Len Foreman gave an update on the following:

- Solar Project Update
- Durham Irrigation District meeting
- Keenan and Associates conducted a safety inspection
- Midway house update
- College Readiness Grant
- LCAP training update
- Butte Self- Funded Programs Update

J. ITEMS FROM THE BOARD

Bob Bultema expressed his fondness for the community of Durham and his desire to keep families here. He stated that the Board was working hard to make the best decisions for the students.

Mark Kimmelshue reflected on his experience as a student, parent and Board member and the pride he has for this District. He gave thanks to Becky Gordon for her years of service as District Secretary and gave thanks to the staff as well.

Ed McLaughlin stated that it was a pleasure working with all the Board members, appreciated Mark Kimmelshue's institutional memory and will miss both Mark Kimmelshue and Bob Bultema. He thanked Becky Gordon for her service as District Secretary and stated that he appreciated the District Office staff. He also gave an update on the Coliseum/Stadium Project and thanked all the volunteers and community for their efforts on the project.

Lance Smith shared his thankfulness for Becky Gordon and her service as District Secretary. He complimented Bob Bultema and thanked him for serving on the Board. He addressed Mark Kimmelshue as well stating how much he valued his contribution to the Board. He added that everyone should be an elected official in order to understand the complexity. He encouraged all to focus on helping in the community not only during the holidays, but throughout the year.

Todd Southam thanked Bob Bultema and Mark Kimmelshue for their service on the Board of Trustees. He also thanked Becky Gordon for her service as District Secretary.

K. CONSENT AGENDA

On a motion by Mark Kimmelshue, seconded by Bob Bultema, the Board approved the Consent Agenda with a vote of 5 ayes and 0 nays.

Vote as follows:

Ayes: Bob Bultema, Mark Kimmelshue, Ed McLaughlin, Lance Smith, Todd Southam

Nays: 0

Abstained: 0

Absent: 0

L. DISCUSSION/ACTION ITEMS:

1. Discuss/Approve changes in Administrative Assignments for 2017-18 school year

Trustee Mark Kimmelshue requested this item be moved to the December 21, 2016 Agenda.

2. Set Date for Annual Organizational meeting in December 2016

President Ed McLaughlin and Board of Trustees agreed that December 21, 2016 will be the date for the Regular and the Annual Organizational Meeting.

3. Approve donation to DIS basketball program of \$600.00 from Kelly Tipton

On a motion by Bob Bultema, seconded by Mark Kimmelshue, the Board approved the donation to DIS basketball program of \$600.00 from Kelly Tipton with a vote of 5 ayes and 0 nays.

Vote as follows:

Ayes: Bob Bultema, Mark Kimmelshue, Ed McLaughlin, Lance Smith, Todd Southam

Nays: None

Abstained: None

Absent: None

4. **Approve donation from Durham Community Foundation for \$18,900.80 for Stadium/Coliseum Phase II Project**

On a motion by Lance Smith, seconded by Bob Bultema, the Board approved the donation from Durham Community Foundation for \$18,900.80 for Stadium/Coliseum Phase II Project with a vote of 5 ayes and 0 nays.

Vote as follows:

Ayes: Bob Bultema, Mark Kimmelshue, Ed McLaughlin, Lance Smith, Todd Southam

Nays: None

Abstained: None

Absent: None

5. **Approve Durham Elementary School Garden Proposal Overview**

Carrie Vanella, Debbie Ilukowicz and Principal Shirley Williams collaborated on a presentation of a proposed garden project.

On a motion by Lance Smith, seconded by Bob Bultema, the Board approved the Durham Elementary School Garden Proposal Overview with a vote of 5 ayes and 0 nays.

Vote as follows:

Ayes: Bob Bultema, Mark Kimmelshue, Ed McLaughlin, Lance Smith, Todd Southam

Nays: None

Abstained: None

Absent: None

6. **Approve new Passenger Car/Van Driver for 17.5 hours per week**

On a motion by Lance Smith, seconded by Bob Bultema, the Board approved a new Passenger Car/Van Driver for 17.5 hours per week with a vote of 5 ayes and 0 nays.

Vote as follows:

Ayes: Bob Bultema, Mark Kimmelshue, Ed McLaughlin, Lance Smith, Todd Southam

Nays: None

Abstained: None

Absent: None

7. **Ratification of Collective Bargaining multi-year amendments between DUSD and DUTA for the 2015-16, 2016-17 and 2017-18 contract years**

Superintendent Len Foreman provided a copy of Proposal for Tentative Agreement between Durham Unified School District and Durham Unified Teachers Association 2015-2018. Superintendent Len Foreman read the following statement:

We had hoped that we would have a tentative agreement with the Durham Unified Teachers Association. As you all know, a dispute has arisen about whether there was an agreement reached on October 19 with the teachers union.

The attached document reflects what the District offered the teachers verbally. It contains the following:

15/16 – 3% on the salary schedule effective January 1, 2016

16/17 1.5% on the salary schedule plus a compaction of the salary schedule from 32 to 26 years. This compaction will cost the District slightly over 1%.

17/18 – 2% on the salary schedule plus a \$50 increase to District provided insurance cap raising the cap to \$941 a month.

Unfortunately, the parties signed a document that contained a math error and did not reflect the District's intentions or the offer that was stated verbally. The District brought this to the Durham Unified Teachers Association's attention promptly. Even though DUTA recognized the discrepancy, they have not agreed to the intended deal and they insist that the erroneous document be used. We now have a fundamental dispute about negotiations.

It is the District's hope that DUTA will honor the deal reached on October 19th, but until then all teachers will have to wait for any raise.

The document before you is a "proposal for a tentative agreement." The reason for this is that while the District firmly believes we have a deal on labor negotiations, DUTA has disputed that. We now have a dispute over whether an agreement was reached and what that agreement is.

The Board of Trustees has not ratified or approved the tentative agreements yet, and because DUTA is disputing this matter, we ask that the Board approve this as a proposal. This is the offer made to DUTA on October 19 without the salary schedule error.

If approved by the Board, we will take this proposal to DUTA again, and hope that a resolution of this matter will be reached soon. The District has and will continue to negotiate in good faith and hopes that DUTA will not hold up salary increases for its teachers any longer.

On a motion by Mark Kimmelshue, seconded by Ed McLaughlin, the Board requested to table this item to the next agenda with a vote of 5 ayes and 0 nays.

Vote as follows:

Ayes: Bob Bultema, Mark Kimmelshue, Ed McLaughlin, Lance Smith, Todd Southam

Nays: None

Abstained: None

Absent: None

8. Ratification of Collective Bargaining multi-year amendments between DUSD and CSEA for the 2015-16, 2016-17 and 2017-18 contract years

On a motion by Mark Kimmelshue, seconded by Bob Bultema, the Board approved the Ratification of Collective Bargaining multi-year amendments between DUSD and CSEA for the 2015-16, 2016-17 and 2017-18 contract years with a vote of 5 ayes and 0 nays.

Vote as follows:

Ayes: Bob Bultema, Mark Kimmelshue, Ed McLaughlin, Lance Smith, Todd Southam

Nays: None

Abstained: None

Absent: None

9. Approve CSEA new job descriptions (Behavior Intervention Aide) (Maintenance, Operations and Transportation Manager) (Network Specialist)

On a motion by Bob Bultema, seconded by Mark Kimmelshue, the Board approved new CSEA job descriptions (Behavior Intervention Aide) (Maintenance, Operations and Transportation Manager) (Network Specialist) with a vote of 5 ayes and 0 nays.

Vote as follows:

Ayes: Bob Bultema, Mark Kimmelshue, Ed McLaughlin, Lance Smith, Todd Southam

Nays: None

Abstained: None

Absent: None

10. Approval of proposed settlement between DUSD and DUSD Confidential employees for the 2015-16, 2016-17 and 2017-18 Contract years

On a motion by Bob Bultema, seconded by Lance Smith, the Board approved the of proposed settlement between DUSD and DUSD Confidential employees for the 2015-16, 2016-17 and 2017-18 Contract years with a vote of 5 ayes and 0 nays.

Vote as follows:

Ayes: Bob Bultema, Mark Kimmelshue, Ed McLaughlin, Lance Smith, Todd Southam

Nays: None

Abstained: None

Absent: None

11. Approval of proposed settlement between DUSD and DUSD Administrative Management employees for the 2015-16, 2016-17 and 2017-18 contract years

On a motion by Mark Kimmelshue, seconded by Bob Bultema, the Board approved the proposed settlement between DUSD and DUSD Administrative Management employees for the 2015-16, 2016-17 and 2017-18 contract years with a vote of 5 ayes and 0 nays.

Vote as follows:

Ayes: Bob Bultema, Mark Kimmelshue, Ed McLaughlin, Lance Smith, Todd Southam

Nays: None

Abstained: None

Absent: None

12. Approve Resolution #17-06 Resolution of the Governing Board of Durham Unified School District regarding annual accounting of Development Fees for 2015-2016 fiscal year in the Capital Facilities (Developer Fee) Fund

On a motion by Bob Bultema, seconded by Todd Southam, the Board approved the Resolution #17-06 Resolution of the Governing Board of Durham Unified School District regarding annual accounting of Development Fees for 2015-2016 fiscal year in the Capital Facilities (Developer Fee) Fund with a vote of 5 ayes and 0 nays.

Vote as follows:

Ayes: Bob Bultema, Mark Kimmelshue, Ed McLaughlin, Lance Smith, Todd Southam

Nays: None

Abstained: None

Absent: None

13. Board Policy Updates: Second Reading and Adoption BP 5131.7 Enclosure: Copy in District Office

On a motion by Todd Southam, seconded by Bob Bultema, the Board approved the Board Policy Updates: Second Reading and Adoption BP 5131.7 with a vote of 5 ayes and 0 nays.

Vote as follows:

Ayes: Bob Bultema, Mark Kimmelshue, Ed McLaughlin, Lance Smith, Todd Southam

Nays: None

Abstained: None

Absent: None

M. RETURN TO CLOSED SESSION

President Ed McLaughlin stated that it was not necessary to return to closed session after open session items so items M, N, O, and P could be eliminated from the Agenda.

N. CLOSED SESSION

See Agenda Item #M

O. RETURN TO OPEN SESSION

See Agenda Item #M

P. REPORT OF ACTION TAKEN IN CLOSED SESSION

See Agenda Item #M

Q. NEXT BOARD MEETING DATE: December 21, 2016

R. ADJOURNMENT

President Ed McLaughlin adjourned the meeting at 8:41 p.m.