

**SANTEE SCHOOL DISTRICT  
SPECIAL MEETING  
OF THE BOARD OF EDUCATION**

March 25, 2009  
**MINUTES**

Douglas E. Giles  
Educational Resource Center  
9619 Cuyamaca Street  
Santee, California

**A. CALL TO ORDER**

1. Call to Order and Welcome

President El-Hajj called the meeting to order at 7:00 p.m.

Members present:

Dianne El-Hajj, President  
Dustin Burns, Vice President  
Barbara Ryan, Clerk  
Allen Carlisle, Member  
Dan Bartholomew, Member

Staff present:

Dr. Lisbeth Johnson, Superintendent and Secretary to the Board  
Emily Andrade, Assistant Superintendent, Educational Services  
Minnie Malin, Director, Human Resources  
Linda Vail, Executive Assistant and Recording Secretary

**B. PUBLIC COMMUNICATION**

During this time, citizens are invited to address the Board of Education about any item on this special meeting agenda. There were no public comments.

**C. CLOSED SESSION** (Pursuant to Education Code 48918)

President El-Hajj announced that the Board would meet in closed session for:

**C.1. Consideration of Student Matters (Ed. Code § 48918)**

Students #2-08 and #3-08

**D. RECONVENE TO PUBLIC SESSION**

The Board reconvened to public session at 8:45 p.m.

**D.1. Report of Action in Consideration of Student Matters**

It was motioned by Member Ryan to expel student # 2-08 from the Santee School District from March 25, 2009 to June 18, 2009 for violations of California Education Code Sections 48900 (c) Possessed, used, sold, furnished or been under the influence of alcohol, intoxicant, or controlled substance as defined in the Health and Safety Code; 48900 (k) Disrupted school activities or defied the authority of school personnel.

This action is based on the following Findings of Fact in accordance with California Education Code §48900.2. The specific Findings of Fact are:

- Education Code Section 48915(b)(2) Due to the nature of the act, the presence of the pupil causes a continuing danger to the physical safety of the pupil or others. The facts that support this conclusion are: Student #2-08 entered a school campus intoxicated posing a physical threat and safety concern for students and staff.

The expulsion shall be immediately suspended herewith, and the student shall complete the following elements in a Rehabilitation Plan. The student will

- Remain at current school until June 18, 2009 and completion of other items in this Plan.
- Maintain a 3.0 GPA for academic and citizenship performance.
- Receive no new suspensions.
- Attend school regularly with no unexcused absences or tardies.
- Complete a counseling program by June 1, 2009 for drug and alcohol abuse prevention/treatment. If the student does not attend counseling regularly, parent shall immediately notify the school administration.
- Remain free of illegal substances and participate in a drug testing program
- Complete all elements of this Rehabilitation Plan by June 15, 2009 and present documentation to verify completion.

The parent must meet with the Coordinator of Student Behavior by April 1, 2009 to review and sign the Rehabilitation Plan. If the parent fails to meet within the designated time and/or does not sign the Rehabilitation Plan, the student may be expelled without further Board action.

**Motion:**            **Ryan**                            **Second:**    **Bartholomew**                            **Vote:**    **5-0**

**D.2. Public Hearing**

President El-Hajj opened the Public Hearing at 9:00 p.m. regarding Santee School District Board of Education's Consideration of an Energy Service Contract with Manzana Energy and Adoption of a Resolution Making Certain Findings, for the Implementation of Certain Energy Related Improvements to District Facilities and the Purchase of Electrical Energy in accordance with California Government Code § 4217.10 to 4217.18. There were no comments from the public. President El-Hajj closed the public hearing at 9:04 p.m.

**E. CLOSED SESSION (Pursuant to Gov't Code § 54956.9)**

President El-Hajj announced that the Board would meet in closed session for:

**E.1. Conference with Legal Counsel – Anticipated Litigation**

*(Significant exposure to litigation pursuant to subdivision (b) of Government Code § 54956.9)*

Potential Cases: 1

Legal Representation: Nowell A. Lantz, Attorney at Law

**E.2. Public Employment Matters (Govt. Code § 54957)**

*Public Employee Discipline/Dismissal/Release*

**F. RECONVENE TO PUBLIC SESSION**

The Board reconvened to public session at 10:00 p.m. No action was reported.

**G. CONSENT ITEMS**

Items listed under Consent are considered to be routine and are all acted on by the Board with one single motion. President El-Hajj invited comments from the public on any item listed under Consent.

**G.1. Approval of Consultant Agreement with Eric Hall & Associates**

Member Ryan moved to approve the presented consultant agreement with Eric Hall & Associates for interim and transition business services.

**Motion:** Ryan                      **Second:** Bartholomew                      **Vote:** 5-0

**G.2. Adoption of Resolution #0809-36 Authorizing a Loan with the County Treasurer through the San Diego County Office of Education**

Member Ryan moved to adopt Resolution #0809-36 authorizing a County Treasurer loan which will fully resolve the District's 2008-09 cash shortfall.

**Motion:** Ryan                      **Second:** Bartholomew                      **Vote:** 5-0

**H. DISCUSSION AND/OR ACTION ITEMS**

President El-Hajj invited comments from the public on any item listed under Discussion and/or Action. There were no public comments.

**H.1. Solar Construction Discussion and Recommendation**

Dr. Johnson reported that we have received a number of different solar proposals over the past several months, a PPA, and a hybrid PPA proposal. The District's incentive credits have been extended by the Center for Sustainable Energy (CSE) until October 2009 and Center representatives verified that the extensions belong solely to the District and not to any vendors.

Dr. Johnson said administration continues to be educated about the benefits of solar to the District's interests and wants to recommend what is best for the school district. The initial criteria have changed since our first RFP because the market has changed and the ability to sell bonds has been drastically reduced. Dr. Johnson's recommendation is to submit a new RFP to vendors seeking proposals for a PPA or Hybrid PPA, with defined criteria based on Board discussion. She hopes to get proposals from a variety of companies.

The priority of the Board at this time is seeking completion of construction and modernization. Although the solar credits will expire in October, the Board may choose to take more time in order to make the best decision about solar. The CSE said we could request 3 credit extensions. The Board also requested that any proposal that is presented should be analyzed by an independent agency.

Dr. Johnson asked the Board for discussion about criteria that would meet the District's interests, including:

- Aesthetically pleasing structures and designs for elementary schools because these locations are different than colleges or industrial sites ;

- Shade for students
- Enhancement of our curb appeal
- No interference with current or future construction
- Minimal risk of solar proposal to District revenues
- Meets the best interests of the District
- Energy credit eligibility
- Track record of vendor projects, and
- Meeting District's standards.

Member Bartholomew: agrees with the Superintendent's recommendation. He said initially the concept was to purchase a system. The conversation has returned with a project where no investment is needed. Member Bartholomew would like to go back out seeking a PPA and see what responses are received.

Member Burns said he will not support the Superintendent's recommendation. He wants a guaranteed savings. Member Ryan believes that we already have all the proposals we would get if we go back out and will not support the recommendation.

Member Bartholomew moved to close the existing contracts/proposals and proceed with a new request for proposals (RFP). for a new PPA or Hybrid PPA agreement through a new RFP. President El-Hajj would like to see all of the information together in a new RFP instead of getting a little at a time and believes it will level the playing field.

**Motion:** *Bartholomew*      **Second:** *Carlisle*      **Vote:** *3-2 (Burns, Ryan, no)*

Member Bartholomew expressed the Board's appreciation for all the information provided by all of the vendors.

#### **Report of Action in Consideration of Student Matters**

It was motioned by Member El-Hajj to expel student # 3-08 from the Santee School District from March 25, 2009 to June 18, 2009 for violations of California Education Code Sections 48900 (c) Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind, and 48900 (k) Disrupted school activities or otherwise willfully defied the valid authority of school personnel engaged in the performance of their duties.

This action is based on the following Findings of Fact in accordance with California Education Code §48900.2. The specific Findings of Fact are:

- Education Code Section 48915(b)(2) Due to the nature of the act, the presence of the pupil causes a continuing danger to the physical safety of the pupil or others. The facts that support this conclusion are: Student #3-08 entered a school campus under the influence of an unknown substance posing a physical threat and safety concern for students and staff.

The expulsion shall be immediately suspended herewith, and the student shall complete the following elements in a Rehabilitation Plan. The student will:

- Remain at the current school assigned until June 18, 2009 and complete other items in this Plan.
- Maintain a 3.0 GPA for academic, effort, and citizenship performance.
- Receive no new suspensions.
- Attend school regularly with no unexcused absences or tardies.
- Complete a counseling program by June 1, 2009 for drug and alcohol abuse prevention/treatment. If the student does not attend counseling regularly, parent shall immediately notify the school administration.
- Not participate in end-of-year special eighth grade activities.
- Remain free of illegal substances and participate in a random drug & alcohol testing program at least once a week.
- If the student is found to be under the influence or tests positive on the random drug/alcohol testing, the student will be immediately expelled without further Board action.
- The student will attend Juvenile Hall Open House on May 2, 2009 and present verification of attendance.
- Complete all elements of this Rehabilitation Plan by June 15, 2009 and present documentation to verify completion.

The student's parent must meet with the Coordinator of Student Behavior by April 1, 2009 to review and sign the Rehabilitation Plan. If the parent fails to meet within the designated time and/or does not sign the Rehabilitation Plan, the student may be expelled without further Board action.

**Motion:** *El-Hajj*      **Second:** *Burns*      **Vote:** *3-2 (Bartholomew, Carlisle, no)*

#### **I. ADJOURNMENT**

The March 25, 2009, special meeting was adjourned at 10:30 p.m.