



FONTANA UNIFIED SCHOOL DISTRICT
9680 Citrus Avenue
Fontana, California
Web Site Address: www.fusd.net

BOARD OF EDUCATION SPECIAL MEETING
MINUTES

The Board of Education of the Fontana Unified School District held a Special Meeting on October 20, 2003, at the John D. Piazza Education Center, 9680 Citrus Avenue, Fontana, California. Present at the meeting were: Mr. Rick McClure, Clerk; Mrs. Kathy Binks, Member; Mr. Gus Hawthorn, Member; Ms. Laura Abernathy Mancha, Member; Dr. Debra Bradley, Superintendent; Dr. Patricia Peoples, Associate Superintendent, Administrative Services; Ms. Laurie St. Gean, Associate Superintendent, Educational Services; and Ms. Marilyn J. Corey, Interim Associate Superintendent, Human Resources. The Clerk called the meeting to order at 7:05 p.m.

Special
Meeting
10-20-03

Visitors present at the meeting were: Mr. Sam Poindexter, President, Fontana Teachers Association; Mr. John Avalos, President, School Police Officers Association; Ms. Barbara Chavez, President, United Steelworkers of America, Local 8599; and interested employees and members of the community.

Visitors
Present

D. Wayne Ruble, Ed. D., President of the Board, was contacted at his location in Pekin, Illinois, via telephone, to provide for his participation in the meeting.

Conference
Call Initiated

The meeting was opened by the Pledge of Allegiance to the Flag of the United States of America led by the Clerk.

Pledge of
Allegiance

The Clerk called the Public Comment Session to order and called for comments from visitors.

Public
Comments

Ms. Nancy Banales, teacher, parent and Parent Teacher Association president at Chaparral Elementary, commented that she understood the Board was coming together for a specific reason, and related how she had met Dr. Bradley and found her to be very supportive of the PTA and attended the PTA Council meetings. Ms. Banales noted that Dr. Bradley had been involved in various district and community functions, had ridden on a school bus to see how the district was run, and that the district was lucky to have her as Superintendent. Ms. Banales related that Dr. Bradley was trying to get to know everybody, had attended an Executive Board meeting of the Fontana Teachers Association, and was trying to find out how to make things work. Ms. Banales expressed her pleasure of having Dr. Bradley as Superintendent for the district.

Mr. Sam Poindexter, President, Fontana Teachers Association, spoke also as a parent in support of Dr. Bradley; that his experience had been positive. He noted her priority of reducing class size. Mr. Poindexter recounted how the FTA had come to Dr. Bradley asking to be involved in school sites that were under sanction by the state to help with their improvement plans, and that the FTA was quite pleased with Dr. Bradley.

Ms. Barbara Chavez, President, United Steelworkers of America Local 8599, read the following prepared statement "I am speaking on behalf of a large number of employees and community members. We do and will continue to support Dr. Bradley. Her ideas are realistic and without prejudice. The change she seeks only serves to increase accountability. Dr. Bradley's knowledge and background of school finance has made her an asset, especially in these tough fiscal times. Dr. Bradley has been appreciative and recognizes the value of all staff on all levels including classified support personnel. Since joining our team here at the Fontana School District Dr. Bradley has shown genuine concern for all students - isn't that what we are all here for?"

Mr. Tom Kenefick, Middle School Director for the Fontana Teachers Association, spoke in support of Dr. Bradley and of the mood and morale throughout the schools; that she was in the district to promote excellence.

Mr. Gene Swank, Fontana Teachers Association Negotiations Chair and High School Director, spoke of the recent sunshining of articles for negotiation and that they were moving toward parity for those; that the atmosphere was collegial; that the district was showing sensitivity to the needs of teachers and had worked out at least two areas and were able to resolve a number of differences, that there was a whole new demeanor toward negotiations since Dr. Bradley and Ms. Corey had been hired.

Public
Comments,
continued

Ms. Linda Young, Fontana Teachers Association Vice President and Kaiser High School teacher, expressed that she was very concerned about rumors about possible action to be taken at the meeting. She stated there was a need to hear other parts of the story, and shared the Association's experience with North Tamarind, a school under sanction this year, where the FTA talked to the staff and offered to help. The staff was asked what they wanted and needed, then they met again two weeks later and afterward met with Dr. Bradley. The Association members were very impressed with how Dr. Bradley put students as her number one priority at that site, and of how Ms. St. Gean also did what she could to help. A follow up visit was very positive; the staff seemed re-energized, and the atmosphere was very collegial and collaborative. Ms. Young stated that when it came down to it, we're all here for the kids, that it was good to have someone not worried about how or why the existing conditions came about, but how to fix the problems at the site.

Ms. Dee Dee Arganda, Truman Middle School teacher and parent, recalled her first meeting with Dr. Bradley at the welcoming reception, that she had been impressed with her personality. Ms. Arganda was also impressed with Dr. Bradley's first meeting with the Teacher Council group, that she introduced herself to everyone before beginning that meeting. Dr. Bradley was very concerned with that group's concerns and listened and wrote them down. Ms. Arganda then relayed the experience she had when Dr. Bradley met her son at a Board meeting, then later remembered him at back-to-school night, which left a very favorable impression. Ms. Arganda liked the way Dr. Bradley remembered people. Ms. Arganda spoke in favor of a management audit, saying there were too many people at the district office, that new positions were created but there was no money for raises. Ms. Arganda commented that she did not need people to come in and tell her how to run Focus On Achievement; she did not need somebody to come in and tell her how to teach; did not want these people to help her, they were needed to go back into the classroom and help with the class size; that there were too many things for teachers to do, too many tests, etc. She asked the Board to give Dr. Bradley a chance, that things needed shaking up in the district office.

Mr. Richard Currier, Attorney at Law with Currier & Hudson, explained that his firm was representing Dr. Bradley. The firm had 50 years experience representing public employees and school districts. He expressed concern and surprise about the item on the agenda and the reputation of Dr. Bradley. He stated that if the item had only read "Evaluation of Superintendent" he would not be present and referred to a letter hand delivered to Dr. Bradley's home on October 18 to provide her with a twenty-four hour notice of the meeting. He noted that Dr. Bradley had received no copy of complaints or charges against her, and that she did not want to take adversarial action. He asked the Board not to take action that evening, that Dr. Bradley was seeking clarification and assurance that the Board would not violate her contract and had requested this matter be considered in open session; however the agenda lacked an item for open session. In closing, he commented that Dr. Bradley hoped if there was simply a miscommunication, it could be resolved.

Public
Comments,
continued

Ms. Sherry Gordon, Attorney at Law with Atkinson, Andelson, Loya, Ruud & Romo, representing the Board, commented that Dr. Bradley had received precautionary notice and that the Board had received timely notice of her request to be heard in public session. She concurred with Mr. Richard Currier that Dr. Bradley had the right to hear complaints in public. She stated that the Board was not anticipating hearing charges or complaints tonight. If complaints were to be discussed Dr. Bradley would be invited to hear those complaints in open or closed session.

Mr. Currier objected to the Board going into closed session as a violation of Dr. Bradley's Brown Act Rights.

Dr. Ruble interjected that when he had been called by Mrs. Binks and Mr. McClure he asked them to do nothing and that he objected to the meeting.

Mrs. Binks commented that she did not know things would end up as they had, but felt after hearing some concerns the Board needed to discuss things, not intending to fire, only wanted to discuss. When she asked about the agenda she was told the language was what was needed to make it legal, that she had talked to Dr. Ruble and said the Board needed to talk and squelch rumors.

Mr. Currier commented again to clarify the language on the agenda should have read "Evaluation of Superintendent" and given the Ed Code.

Mrs. Binks asked if she were not correct that the Board would be violating the Brown Act when they talk without posting a special meeting.

(Board of Education Special Meeting October 20, 2003)

Mr. Currier responded that the Board could go into closed session to discuss evaluation, but that the agenda and letter stated that the Board was going into closed session to talk about specific complaints. Public Comments, continued

Mr. Hawthorn asked for clarification.

Ms. Gordon referred to safe harbor language for the public discussion of items mentioned above; there were no specific charges or complaints and discussion was not anticipated; notice was given as a precautionary notice; legal conversation making certain Dr. Bradley's rights were met.

Mr. Currier asked if there were any likelihood that the Board would take action.

Ms. Gordon replied it was premature to comment until the Board had reviewed the parameter of the law.

The Clerk called a Closed Session at 7:38 p.m. The meeting reconvened at 8:44 p.m. Closed Session

Mr. McClure announced that there was no action to report out from the closed session. Open Session

The Clerk adjourned the meeting at 8:45 p.m. Adjournment

BOARD OF EDUCATION MEETING
FONTANA UNIFIED SCHOOL DISTRICT

Date

D. Wayne Ruble, Ed.D., President

Debra A. Bradley, Ed.D., Superintendent