

**CONEJO VALLEY UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION SPECIAL MEETING**

**June 5, 2007
MINUTES**

MEETING

The Conejo Valley Unified School District Board of Education met on Tuesday, June 5, 2007, at 1400 E. Janss Road, Thousand Oaks, CA.

ROLL CALL

Present were Board members Dorothy Beaubien, Dolores Didio, Mike Dunn, Pat Phelps, and Dr. Timothy Stephens. Mario V. Contini, Superintendent, Dr. Richard Simpson, Deputy Superintendent, Dr. Jeffrey Baarstad, Assistant Superintendent, Business Services, and Jo-Ann Yoos, Assistant Superintendent, Personnel Services, were also present.

CALL TO ORDER AND PLEDGE

President Didio called the Special Meeting to order at 2:05 a.m., led the Pledge and read the procedural announcements.

Mrs. Didio read the following statement: "There is only one action item on the Agenda pertaining to the consideration of intervention options, possibly including censure of Board member, Michael Dunn, for alleged violation of Board protocols. I want to be very clear, this is not a hearing and no witnesses will be presented. This is simply a meeting of the Board, during which the alleged violations by a board member will be reviewed, and action to invoke an intervention will be considered. There will be no consideration of action at this meeting to deny Mr. Dunn any privilege or authority to serve as a Board member. The most extreme action to be considered this evening will be censure, which is an official reprimand by an elected body of one of its members. The process for this meeting will be as follows: Public comments not related to the agenda item will be taken once I have completed these instructions. You are asked, but not required, to defer public comments related to the action items until we get to that part of the agenda. But, but if you speak under public comments on this issue, you will not be speaking again under the agenda item. When we get to item 2A on the agenda, I will ask the Superintendent to summarize the report that he was asked to compile on this matter. Consistent with the procedures in the board adopted protocols, copies of the report and Board member written report are available in the back of the room, or upon request. All five board members have received a copy of the report and response. Once that report has been presented, I will ask for any public comments concerning that item. After public comments are complete, I will call for a motion. Once the motion is made and seconded, all discussion will be among the board members only. Board member Dunn will be given the first opportunity to comment; Board members will be asked to confine their comments to the content of the report and Board member Dunn's response to it. When all discussion is completed, or a Board member calls for the questions, then a vote will be taken."

(ALL) PUBLIC COMMENTS

Mrs. Didio asked if there were any Public Comments; there were several. Eight speakers spoke in support of Mr. Dunn, three speakers spoke to support the censure of Mr. Dunn, and one asked the Board to put the business of the District and the students first and to stop fighting with each other.

SUPERINTENDENT'S SUMMARY

Mr. Contini presented the report requested by the Board. A copy of the Superintendent's report may be obtained from the Superintendent's office.

The alleged Protocol violations were:

- Protocol 1: *I shall focus my leadership on policy and the direction of the district and not micromanage staff.*
- Protocol 6: *I shall be a team player in my role as a member of the Board of Education.*
- Protocol 7: *I shall demonstrate respect for the Democratic Decision Making Process and Majority Rule.*

At the end of the Superintendent's report, Mrs. Didio asked for a motion.

Dr. Stephens moved to invoke the intervention of censorship upon Board member Michael Dunn for violation of Protocols 1, 6, and 7, which he and other Board members voted to adopt on February 27, 2007, and signed a promise to comply on March 13, 2007, seconded by Pat Phelps.

Mrs. Didio asked for comments and/or discussion. Mr. Dunn responded in defense of his actions. A copy of the complete transcript of Mr. Dunn's comments may be obtained from the Superintendent's office. Mr. Dunn's summary of his statements: "I have been denied my right to present evidence of my innocence. My rights under Section 1203 of the Evidence Code paragraph A, to call and examine the candidate who is the basis for the evidence against me have been denied. I have been denied the right to interview the person who is the basis for the complaint filed against me by the Superintendent. I have been denied my opportunity to present evidence that my email was not "the cause for the candidate's withdrawal." The information presented against me claiming that I was the cause for the withdrawal is hearsay, and second hand. No judge in America would allow a jury to hear hearsay information when deciding the guilt or innocence of an individual. I did not violate the Education Code, the Criminal Code, the Government Code or any other code. No evidence has been presented in the complaint or testimony to prove items C, D, or E in the superintendent's complaint. I do not believe that my email caused the candidate to withdraw from selection. I believe that the cost of housing was the cause of the withdrawal. My email does not merit censure. Censure is for extremely serious violations. I ran for public office to make our world a better place to live in. I am one of those idealists from the 1960's. We committed ourselves to saving our country and to improving our world. I believe that tax payers and parents should control public education. It is your children, and your taxes, that make the system possible. I believe, for example, that when parents want to keep their principal at Wildwood Elementary School, the Board should listen to them and grant their wishes. I am a very strong advocate for the rights and wishes of taxpayers and will never give up. I will never give up."

Dr. Stephens commented that when Mr. Contini arrived in the District, one of his first tasks was to develop Protocols, which would serve the Board and be guidelines for all to follow. The Protocols were hammered out by Mr. Dunn, Mr. Contini, and Dr. Stephens, with much discussion through the weeks of development. At the end of the process, everyone felt that these would work and would be submitted to the rest of the Board for approval. They were approved and signed by the Board as stated above. No one wants the heavy air that exists within the Board now. But, when there are Protocols drawn, and everyone agrees, there needs to be consequences when they are broken. Dr. Stephens stated that he hope that the Board can move ahead in harmony, and to work as a team. This doesn't mean that everyone has to agree, as there has always been

4-1, or 3-2 votes. In all his years in the District, Dr. Stephens stated that he has never seen censorship of this type.

Mr. Dunn asked that the Board consider amending the motion by striking the word censorship and use the word admonishment. Mrs. Didio asked for a second; there was none. Motion failed for lack of a second.

Mrs. Phelps stated that the Board worked to develop the Protocols, with Mr. Dunn as one of the committee members specifically to be able to state his point of view, and the Board also attended a 3-day teambuilding workshop to learn how to work together as a Board, and she thought that at the end of that everyone understood that they need to act as a Board. She stated that this is not a trial, the whole issue is not what was said or what was done, but the fact that Mr. Dunn acted on important issues without conferring with the rest of the Board. It is not Mr. Dunn's opinion that is being challenged – there have been many 4-1 votes with each Board member being a dissenter one time or another. But, while each person is certainly entitled to their position, the Board is to live by the majority decision. They have done everything to try to make Mr. Dunn understand this and be part of the Board.

Mr. Dunn stated that he appreciated Mrs. Phelps' comments. He said his concern was that Jeff Baarstad will be coming to the Board in September to set parameters to possibly close a school in 2008. He sent emails to the superintendent and Jeff regarding public information about this. He received a lot of optimistic emails back, and sent them to the Superintendent and Jeff Baarstad. He asked the *Acorn* to do a poll and present it to the community members that we are going to close a school. He tried to work on a process, and the district let him down. He just had two weeks to contact parents so he could represent them in September. He thought he was being snowed by the District. So he "busted loose" when he didn't get any cooperation and called every school in the District to talk to PTA, PFA, and School Site Council members.

Dr. Stephens stated that Dr. Baarstad, at this point, has a process that has been very clearly laid out for the Board in regard to the possibility of closing a school in the 2008/2009 school year. Dr. Baarstad confirmed that a Study Session was held with the Board in March where discussion about budget ramifications of declining enrollment took place. At that time, six basic options were discussed, including school closure. He asked for Board feedback on a timeline to consider the option of school closure as well as other options, and the Board gave him a favorable response. Based on that, the District has moved forward with that understanding. In fact, at the Board meeting of June 12 the Board will be asked to formally adopt goals for a school closure process, public input parameters and timelines so the community will be aware. Dr. Stephens asked if this process will include a gathering of information about making the decisions to make an informed decision, and to try to give the public the most comprehensive information about school closure. We want the information to be as transparent and available to the public as possible.

Mrs. Phelps stated that she was at the DAC meeting that Mr. Dunn has alluded to when Dr. Baarstad presented his report on the budget, and in no way did he only give one option. He laid out the plan, stated the criteria, discussed the plan for multiple community meetings to gather input, and several options were presented. Mr. Dunn stated that he received two calls that only one option was being presented at DAC. Mr. Dunn asked about an ad in the *Acorn* regarding the process; Dr. Baarstad stated that he has invited reporters from the *Acorn* and the *Star* to meet with him to discuss the timelines and processes that are being presented for the Board's approval next Tuesday. Once the Board makes that decision, it would be appropriate to go over the information with the newspapers so people will base their decisions on facts and not innuendo.

Mrs. Didio stated that there has been enough discussion about declining enrollment and how we may address the ramifications. This was not the agenda topic. She asked if there were any further comments regarding the censure. There were none. She asked for a vote.

Motion carried 4-1, with Mr. Dunn voting nay.

Mr. Dunn stated that some people say he votes “no” a lot; that’s the eleventh time he has voted “no” since he’s been on the Board.

ADJOURNMENT

President Didio adjourned the Closed Session at 3:45 p.m.

Date

Clerk

Date

Superintendent