

EDUCATION CODE - EDC

TITLE 2. ELEMENTARY AND SECONDARY EDUCATION [33000 - 64100] (Title 2 enacted by Stats. 1976, Ch. 1010.)

DIVISION 3. LOCAL ADMINISTRATION [35000 - 45460] (Division 3 enacted by Stats. 1976, Ch. 1010.)

PART 21. LOCAL EDUCATIONAL AGENCIES [35000 - 35787] (Part 21 enacted by Stats. 1976, Ch. 1010.)

CHAPTER 2. Governing Boards [35100 - 35401] (Chapter 2 enacted by Stats. 1976, Ch. 1010.)

ARTICLE 3. Meetings [35140 - 35149] (Article 3 enacted by Stats. 1976, Ch. 1010.)

35145.5.

It is the intent of the Legislature that members of the public be able to place matters directly related to school district business on the agenda of school district governing board meetings. Every agenda for regular meetings shall provide an opportunity for members of the public to directly address the governing board on any item of interest to the public, before or during the governing board's consideration of the item, that is within the subject matter jurisdiction of the governing board. Governing boards shall adopt reasonable regulations to insure that this intent is carried out. The regulations may specify reasonable procedures to insure the proper functioning of governing board meetings.

This subdivision shall not preclude the taking of testimony at regular meetings on matters not on the agenda which any member of the public may wish to bring before the board, provided that, except as authorized by Section 54954.2 of the Government Code, no action is taken by the board on those matters at the same meeting at which the testimony is taken. Nothing in this paragraph shall be deemed to limit further discussion on the same subject matter at a subsequent meeting.

(Amended by Stats. 1994, Ch. 239, Sec. 1. Effective July 21, 1994.)

AGENDA/MEETING MATERIALS

Governing Board meeting agendas shall state the meeting time and place and shall briefly describe each business item to be transacted or discussed, including items to be discussed in closed session. (Government Code 54954.2)

(cf. 9320 - Meetings and Notices)
(cf. 9321- Closed Session Purposes and Agendas)

The agenda shall provide members of the public the opportunity to address the Board on any agenda item before or during the Board’s consideration of the item. The agenda shall also provide members of the public an opportunity to testify at regular meetings on matters which are not on the agenda but which are within the subject matter jurisdiction of the Board. (Education Code 35145.5, Government Code 54954.3)

(cf. 9323 - Meeting Conduct)

The agenda shall specify that an individual who requires disability-related accommodations or modifications including auxiliary aids and services in order to participate in the Board meeting should contact the Superintendent or designee in writing.

Each meeting agenda shall list the address designated by the Superintendent or designee for public inspection of agenda documents that have been distributed to the Board less than 72 hours before the meeting. (Government Code 54957.5)

Agenda Preparation

The Board is the ultimate authority on the districts agenda. A majority vote of the Board will decide any disputes about the agenda or its preparation.

The Superintendent, as Secretary to the Board, in consultation with the Board president, shall prepare the agenda for each regular and special meeting.

(cf. 9121 - President)
(cf. 9122 - Secretary)

Any member of the public or any Board member may request that a matter within the jurisdiction of the Board be placed on the agenda of a regular meeting. The request must be in writing and be submitted to the Superintendent or designee with supporting documents and information, if any, at least one week before the scheduled meeting date. Items submitted may be postponed to a later meeting in order to allow sufficient time for consideration and research of the issue.

➤ *(New NTN highly qualified PAHS Principal w/8-23-17 start date of school term)*

In addition, any Board member(s) may orally request, at any Board meeting, that an item be placed on the agenda for a future meeting.

**Agenda Dissemination
Bylaws of the Board**

BB 9322(c)

AGENDA/MEETING MATERIALS

A copy of the agenda shall be forwarded to each Board member at least three days before each regular meeting, together with the Superintendent or designee's report; minutes to be approved; copies of communications; reports from committees, staff, citizens and others; and other available documents pertinent to the meeting.

When special meetings are called, the Superintendent and president shall make every effort to distribute the agenda and support materials to Board members as soon as possible.

Board members shall review agenda materials before each meeting. Individual members may confer directly with the Superintendent or designee to request additional information on agenda items.

Upon request, the Superintendent or designee shall make the agenda and/or agenda packet available in appropriate alternative formats to persons with a disability, as required by the Americans with Disabilities Act. (Government Code 54954.1)

The Superintendent or designee shall mail a copy of the agenda, or a copy of all the documents constituting the agenda packet, to any person who requests the items. The materials shall be mailed at the time the agenda is posted or upon distribution of the agenda to a majority of the Board, whichever occurs first. (Government Code 54954.1)

Any request for mailed copies of agendas or agenda packets shall be in writing and shall be valid for the calendar year in which it is filed. Written requests must be renewed following January 1 of each year. (Government Code 54954.1)

Persons requesting mailing of the agenda or agenda packet shall pay an annual fee as determined by the Superintendent or designee.

➤ *Notation only, not part of the approved BB*

**Bylaw
adopted:**

**ARENA UNION ELEMENTARY/POINT ARENA JT. UHSD
June 19, 2008
Point Arena, California**



**Request for Placement of an Item
on the Agenda for the September 13, 2017 Regular Meeting**
Hand delivered to the Point Arena Schools District August 21, 2017

During the past year and a half, I have made several oral comments and submitted several written comments voicing my concerns about NTN. My comments included many questions addressed to the Board and administration. And with the exception of a written response from one individual Board member, and one of my questions forwarded to an NTN Representative at the May 10th meeting, the rest of my concerns and questions have not been responded to publicly by the Board and/or administration as I had intended and expected.

Although some of my questions have been answered indirectly or unofficially, many remain unanswered. In June 2017, I even visited the High School office to see if I could find some answers by examining public documents. This was a very disappointing endeavor and I only succeeded in raising additional questions while answering none of my previous questions.

As a member of our community, I am one of the “stakeholders” that the Board professes to be transparent and responsive toward. So I still want to have the questions about NTN which I have submitted, answered in a public forum. If the District is acting responsibly in accordance to the WASC report’s Action Plan goals, and the existing “Strategic Action Plan” then my concerns are valid and deserving of attention in the public forum of an open meeting.

The whole concept of having schools governed by elected Boards is to conduct business in open meetings, as protected by the Brown Act. The public should have an opportunity not just to witness decisions being made, but to also witness and to some extent, participate in, the deliberations leading up to the Board’s decisions. I believe that the Board needs to deliberate about whether to continue participating in NTN. During their deliberation, the Board needs to determine if NTN is being successfully implemented and whether it is cost effective. It is imperative that the Board conducts these deliberations in such way that the public has the opportunity to not only witness but also to ask questions and make suggestions.

The subject of NTN is of paramount importance and interest and it is way past the time for the Board and administration to be openly transparent instead of being silent and/or invisible when there are questions asked. As I mentioned in my June 21, 2017 comment to the Board: “I am running out of options.” The Ed. Code requires Boards to allow members of the public to place items on the Board’s regular agendas. I am invoking that privilege now in order to get questions answered that are of interest not just to me but to the community at large and (I suspect) the classroom staff as well. Therefore, in order to encourage true transparency and to make my continuing requests for answers abundantly clear, I am attaching a formal request for an agenda item at the next regular Board meeting. It is my intention that together we can provide the necessary answers, explanations, and data so that all of the stakeholders can assess for themselves the value of NTN as a whole and the value of progress towards its implementation at Point Arena High School.

Formal Request for Placement of an Item
on the September 13, 2017 Regular Meeting Agenda

Dear Esteemed Board of Trustees,

August 21, 2017

Under the auspices of Ed. Code 35145.5 and Point Arena Schools Bylaws BB 9322(a), I am submitting this request for placement of an item on the agenda of the September 13, 2017 regular meeting under “Discussion with Possible Action”. I am requesting that the item be briefly described as:

“The Board and Administration will provide answers to questions from the general public, students, and staff about NTN.”

The possible Board actions may include directing staff to correct short-comings, directing staff to find solutions to problems, and/or directing staff to find answers to legitimate questions that are not adequately answered during the meeting.

Please note: I have previously submitted four separate requests to place items on a regular meeting agenda. The District’s past responses have been far less than satisfactory. My allegations in this regard were not just that the Board refused to discuss or take action on my requests (we all agree they have the right to remain silent and /or not take action), but rather that they refused to include my requested items in the agenda – as had I requested them. Simply stated, my right under BB 9322 (a) and Ed. Code 35145.5 is to have my requested item placed on the agenda, *as I intended*, with appropriate support materials included in the Board Packet, and at least three minutes for me to orally present my case. As a direct result, my requested item will then become *a part of the public record*; and so too, will *the Board’s response or non-response also become a part of the public record*.

On the following pages is a list of questions that I would like the Board to answer. Many of the questions I have submitted previously, although I may have reworded them slightly. Other questions may be new to the Board members. Some of the questions are technical and/or data-specific and will require the administration’s staff to prepare the answers in advance. All of this document (Page 1 through 10) with the title “Request for Placement of an Item on the September 13, 2017 Regular Meeting Agenda” which was properly submitted and date stamped, is a necessary part of my requested agenda item and I expect complete copies to be properly included in the official Board Packets and to be made available to the public as required by law. If there are problems with my request, and you believe the public would be better served with some changes, I am open to negotiation between myself and the superintendent and president of the Board. But I cannot abide by any unilateral changes by the school staff or Board members.

Thank you for your cooperation,

Allan Jacobs
882-2455
Cc: Independent Coast Observer

Questions for the Board and Administration about NTN
Submitted with my Request for Placement of an Item
on the September 13, 2017 Regular Meeting Agenda
By H. Allan Jacobs

General questions:

1. How do you measure the actual long term success of different teaching methods?
2. How will the District determine the success (or failure) of the NTN program?
3. When does the District expect to determine the success (or failure) of the NTN program?
4. At the May 10th meeting, under item 8.2, the Board referred to a written list of questions other than the list I had submitted. Please explain the origins of this list and also include copies of the May 10th question list in the August 9th Board Packet.
5. What is the general contractual agreement between NTN and Point Arena? (What do they get from us and what do we get from them.)
6. Why has it been so important to have Point Arena High adopt NTN in a rush, all at once, in a “Whole Hog” fashion?
7. Why can't Point Arena simply apply concepts of NTN to parts of the existing curriculum where it is most useful and where the teachers and students are most comfortable with it?
8. If NTN fails to meet its expectations and promises: What is the District's “Plan B”?

Questions directly related to the WASC report:

Introduction:

On page 2 and 3 of the WASC report of April 3-5, 2017 it is written:

“With the dedication of the school board to NTN, their Action Plan goals must show how they are going to achieve full implementation over the course of the next few years and how they are going to include all teachers' voices in the process. According to the WASC commission, as the school develops their Action Plan goals, they must include the following sections:

- Statement of the area for improvement
- Rationale for area based on self-study findings
- Impact on student learning of academic standards and schoolwide learner outcomes
- Who is responsible and involved
- Specific steps
- Timeline

- Resources
- Ways of assessing progress, including student achievement of the schoolwide learner outcomes and academic standards
- Means to report progress to all stakeholders”

The existing “Point Arena Schools Strategic Action Plan” includes under “Goal #5”: “Expectation: Point Arena Schools will communicate regularly with the community to increase support of our schools and to enhance our image through transparency and informing others.” Remember that the WASC report had much to say about this including the Bulleted item above: “Means to report progress to all stakeholders”

According to the fourth bulleted item quoted from the WASC report on the previous page, the Action Plan should include: “Who is responsible and involved” – I will be more specific in the following questions 9 through 17:

9. What is the Board’s responsibility in determining High School curriculum? For instance do they approve new courses, do they request new courses, do they make changes in the content of existing courses, etc.?
10. Who is responsible for drawing up the High School Master Schedule of classes in a timely fashion?
11. Who is responsible for maintaining up-to-date copies of course descriptions and course outlines so they will be easily available to the public?
12. How are the following entities responsible for reviewing course outlines and course descriptions in order to determine that all State, Federal, and Local standards and requirements are met?
 - A) Teachers
 - B) Principal
 - C) Superintendent
 - D) Board
 - F) Others (Please list):
13. Who is responsible for making certain that the classroom teachers faithfully follow the course descriptions and outlines?
14. Whose responsibility is it to communicate with the University of California about acceptance of NTN curriculum - for instance in Chemistry or Trigonometry?
15. Who is responsible for interviewing High School graduates to find their opinions about NTN?

16. Who is responsible for reporting progress to the general public about the adoption of NTN?

17. How are the following entities responsible for determining that the current curriculum is up-to-date and complying with current State College and University expectations?

- A) Teachers
- B) Principal
- C) Superintendent
- D) Board
- E) WASC
- F) Others (Please list):

For questions 18 through 20, consider the closely related third and eighth bulleted items from the WASC report, which said: academic standards and schoolwide learner outcomes should be included in the Action Plan in terms of implementing NTN.

18. When is the Action Plan going to be updated?

19. Who is going to update the Action Plan?

20. How will the Action Plan be updated?

For questions 21 through 24 consider what the WASC report said in the ninth bulleted item: The "Means to report progress to all stakeholders" of NTN should be included in the Action Plan.

21. How will NTN progress be reported during a regular Board meeting?

22. How will NTN progress be reported through local news media?

23. How will NTN progress be reported during special public events like open house, back to school night, etc.?

24. What other ideas are there for reporting progress of NTN curriculum to stakeholders?

In terms of rebuilding trust:

Introduction:

This is a recurring problem for Point Arena Schools. Trust is often something that is earned by first showing sincere trust in others. So in answering the following questions one must ask them self: In what ways can I demonstrate that I trust others?

25. With regard to NTN, what current efforts are being made to increase the public's trust in the:

A) Administration

B) Board

C) Teachers

26. With regard to NTN, what current efforts are being made to increase the students' trust of the:

A) Administration

B) Board

C) Teachers

27. With regard to NTN, what current efforts are being made to increase the teachers' trust of the:

A) Administration

B) Board

In terms of actual student success:

Introduction:

I have seen no hard evidence that using NTN methods and /or curriculum has improved knowledge over that which could be obtained by traditional teaching. I have also seen no hard evidence that using NTN has increased skills other than using NTN jargon and terminology in student group environments.

28. How soon and how often will the public be shown measurable results of the NTN curriculum?

29. What kind of objective (statistical) proof of NTN's academic success at Point Arena will you show us? (For example improvements in: Attendance rates, Drop-out rates, SAT scores, Grades, Standardized Test scores, College acceptance rates, etc.)

30. One aspect of NTN that especially worries me is that NTN curriculum will not be efficient enough to cover all required student objectives completely and with sufficient rigor. There are many skills and much factual knowledge that continue to be required and expected of High School graduates when they enter college. If a student can't pass entrance exams, or can't meet the college's expected levels of proficiency, then he or she will need to make some hard decisions. So, comparing 2016-'17 to previous years:

A) How many students were accepted to UC.?

2015 ____ 2016 ____ 2017 ____

B) How many UC students did not pass all of their entrance exams?

2015 ____ 2016 ____ 2017 ____

C) Which UC entrance exams were not passed?

D) How many students were accepted to a state college?

2015 ____ 2016 ____ 2017 ____

E) How many state college students did not pass all of their entrance exams?

2015 ____ 2016 ____ 2017 ____

F). Which state college entrance exams were not passed?

31. Has anyone (including NTN Corporation staff) followed the success rates of NTN students in college in the science, math, and engineering fields? Y/N

A) If yes, what was found?

B) If no, why not?

32. What kind of subjective proof of NTN's academic success will you show us? (For example: results of opinion surveys from staff, students, parents, students' employers, graduates' employers, etc.)

Questions related to student management:

33. Student work groups can be very productive in theory, but not always in actual practice. One anticipated problem is the inevitable non-cooperative student. How many students have simply refused to participate in NTN group activity lessons?

34. I was told that the NTN system allows student groups to "fire" members of their work group.

A) Is this even legal?

B) How many students were "fired" at Point Arena during 2016-'17?

35. What is the District policy for dealing with the "fired" students and/or those who simply refuse to participate in NTN group activities?

36. When NTN students are graded:

A) Could a student get an “A” on every individual form of evaluation (Tests, quizzes, essays, lab reports, etc.) but get less than an “A” on their final grade because of a group dynamic thing?

B) Could a student get an “F” on every individual form of evaluation (Tests, quizzes, essays, lab reports, etc.) but get higher than an “F” on their final grade because of a group dynamic thing?

C) What are the District policies on grading with regard to group work versus individual evaluation scores?

37. Have the rates of transferring students changed recently? Y/N

A) If yes, were the changes related to NTN? Explain:

38. It would be irresponsible to just enroll new transfer students into an NTN class without first bringing them up to speed in NTN methodology. So, how does the District deal with incoming new students who have not been trained in NTN jargon and techniques?

39. Have there recently been other student transfer problems:

A) involving students leaving?

B) involving students entering?

Questions related to Staff Management:

Introduction: I and many others have predicted that forcing all staff to convert to NTN will predictably result in much general discomfort, discontent and specific resentment.

40. If there is no existing written NTN curriculum for an existing class, do you expect teachers to create their own? Y/N

41. If teachers do create their own NTN-style curriculum, will they be compensated for their extra work? Y/N

A) If yes, how will they be compensated?

42. Are teachers expected to share uncompensated curriculum of their own creation with NTN Corporation's program (outside of Point Arena High School) in any way? Y/N

A) If yes, explain: how is this legal?

B) Why would the district have this expectation?

43. Do you think that the District's expectations of the teaching staff here are different than those of a typical non-NTN school? Y/N If yes, explain how and why:

44. A little over a year ago, the District "put a gag order" on a dissenting teacher. I have never heard of such a thing before. Under what specific Ed. Code, Government Code, Board Policy, or other laws or regulations was this action taken?

45. What are the average rates of classroom staff turn-over:

A) in California NTN schools? _____

B) in non-NTN Mendocino County schools? _____

C) in non-NTN Sonoma County schools? _____

D) in Point Arena High? _____

46. How much do you think the rate of turn-over of staff at Point Arena High is due to NTN?

Questions related to the financial cost of NTN:

Introduction:

I know that at a previous regular Board meeting the District staff presented a financial report about the cost of NTN. It was very detailed and answered all of my questions at that time about expenses - except for future costs. So I really have only four questions here:

47. Would you present to the public: updated copies of the previously presented report on NTN expenses?

48. What are the expected expenses for the future?

49. How can we really afford to keep spending for NTN?

50. If we stakeholders come to regret the money already spent on NTN, is there any recourse for recovery of payments? At the very least for pay-back for services and materials not delivered. For example: What about situations like the broken promises about curriculum (ready to use lessons) that turned out to be unavailable during 2016 – 2017 - as reported by staff and conceded by the NTN representative at the May 10th Board meeting?

51. In what ways can Point Arena simply cancel their commitment with no further financial burden?

Questions related to curriculum:

A little history is needed here: For many years, the curriculum for a science or math class typically was purchased by a district from a textbook publishing company. Each publisher sold an assortment of ancillary materials to supplement their textbook, including a teacher's guide, lab manuals, work books, chapter tests, answer keys, etc. that exactly matched their textbook. Ideally, a teacher would be supplied by the district with a complete classroom set. The "college prep" textbooks were as up to date as possible and were compliant with the requirements of colleges and state departments of education (this was the job of the textbook authors). It was not a very complicated thing for any credentialed teacher to plan a year's class by using the text book and ancillary materials as a basic course and then making modifications to meet local needs and requirements. In some respects NTN appears to have taken on the role of the textbook publishers, but it is unclear to me how comprehensive the NTN curriculum actually is. So here are some of the problems and questions regarding NTN curriculum:

52. Does NTN offer complete course descriptions and outlines in science and math that are compliant with our state standards and University of California expectations? Y/N

A) If NTN does, then where, how and when are their course descriptions and outlines available for public inspection?

B) If not, does NTN Corporation instead, offer coordinated NTN lessons that match existing Textbook Publisher's course descriptions? Y/N

C) If the answer to B above is yes, which textbook companies are they affiliated with?

53. In June I went to the High School office to see for myself how several classes incorporated NTN in the existing course outlines and course descriptions; I was greatly disappointed by how out-of-date and incomplete the documents in the office were. When and where can the public see up-to-date written course descriptions and course outlines that include NTN curriculum?

54. How many of the existing course descriptions **are currently written** in which:

A) the entire course involves NTN structure and methods? _____

B) most of the course involves NTN structure and methods? _____

C) less than half the course involves NTN structure and methods? _____

D) does not involve any NTN structure and methods? _____

55. How many of the 2017-'18 courses **do the Board and administration expect to be taught** using lessons, objectives, etc. that:

- A) entirely involve NTN structure and methods? _____
- B) mostly involve NTN structure and methods? _____
- C) less than half way involve NTN structure and methods? _____
- D) does not involve any NTN structure and methods? _____

56. Do the answers to Questions 50 and 51 above correspond? Y/N

- A) If the numbers do not closely correspond, then please explain.

57. Are there detailed written examples of NTN lesson plans available for the following science and math student objectives that stakeholders may examine, in order to compare them to traditional lessons?

- A. Solving quadratic equations
- B. Solving simultaneous equations
- C. Writing numbers in scientific notation
- D. Calculating molar concentrations
- E. Resolving force vectors
- F. Comparing and contrasting mitosis and meiosis
- G. Completing a labeled diagram of the Nitrogen Cycle
- H. Writing a geometric proof

Bottom-line questions:

58. Name and briefly describe tangible products that the District has acquired by NTN related expenditures in the following categories:

- A) computer hardware?
- B) non-subscription computer software?
- C) ancillary teaching materials such as books, audio-visual materials, lab equipment?
- D. new measurable skills of staff (as demonstrated by a certificate, license, college credits, etc.)?
- E) Other: (please specify)

59 Name and briefly describe services that the District has acquired by NTN related expenditures in the following categories:

- A) NTN curriculum assistance for teachers?
- B) computer “tech” assistance service?
- C) true networks of working teachers for each general subject matter area (like Math , Science, etc.)?
- D) Other: (please specify

60. What do you, the Board and administration, perceive to be the opinions of NTN from the following stakeholders:

- A) students ?
- B) teachers?
- C) parents?
- D) general public?

61. Upon what evidence do you, the Board and administration base your answers to question 60 above for:

- A) students ?
- B) teachers?
- C) parents?
- D) general public?

62. Using data from answers to question 47 and lists of current and past and staff (including principals and superintendents):

- A) How many individual staff members, past and present, have attended District-paid NTN training sessions?
- B) How many of the staff members from A) above are still members of the staff?