

AGENDA

WEDNESDAY, APRIL 29, 2009, 3:00 P.M.

PLEASE NOTE: PARKING WILL BE AVAILABLE ON THE NORTHEAST CORNER OF TULARE & N STREETS BEHIND THE FRESNO COUNTY LIBRARY IN LOT-T AFTER 5:00 P.M. Also, the City of Fresno will not enforce the street meters in this area **after 6:00 p.m.**, Monday through Saturday.

PLEASE NOTE

*DESIGNATED TIMES FOR CONFERENCE/DISCUSSION ITEMS ARE ESTIMATES

In compliance with the Americans with Disabilities Act, those requiring special assistance to access the Board meeting room, to access written documents being discussed at the Board meeting, or to otherwise participate at Board meetings, please contact the Board President or Board Secretary, Elizabeth Quijano at 457-3938. Notification at least 48 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accessibility to the Board meeting and to provide any required accommodations, auxiliary aids or services.

Public materials are available for public inspection at the Fresno Unified School District Education Center, 2309 Tulare Street, 2nd Floor or visit our website at: www.fresnounified.org.

TRANSLATION SERVICES: Available in Spanish and Hmong in the Board Room upon request.

***3:00 P.M., CALL TO ORDER** by the President; **RECESS** to Cabinet Room for Closed Session to discuss the following:

1. Student Expulsions pursuant to Education Code Section 35146
2. Student Waivers for California High School Exit Exam for Special Education and 504 Students pursuant to Education Code Section 35146
3. Conference with Labor Negotiator - Government Code Section 54957.6; FUSD Negotiator(s): Kim Mecum; Employee Organization(s): FTA, CSEA, Chapter 125, CSEA, Chapter 143, SEIU, Local 521, FASTA/SEIU, Local 521/CTW, CLC, Building & Construction Trades Council of Fresno, Madera, Kings, and Tulare Counties/AFL-CIO; Unrepresented Employees: All Management, Confidential, and Supervisory Employees
4. Public Employee Discipline/Dismissal/Release/Reassignment/Resignation
5. Public Employment/Appointment: - Government Code Section 54957
 - a. *Financial Analyst II*
6. Conference with Legal Counsel – Existing Litigation - (Government Code Section 54956.9(a).)
 - a. *Mario Magano vs. FUSD Workers' Compensation Settlement - Case No. 2004-0175*
 - b. *Rosa Nunez vs. FUSD Workers' Compensation Settlement - Case No's 203-0577; 203-0304; and 201-0354.*
 - c. *Porfirio Hernandez vs. FUSD Workers' Compensation Settlement - Case No. 202-0577.*
7. Real Estate Negotiations
 - a. *District Negotiator: Daryl Balch, Balch Land Services Parcel Nos. (471-132-01 – 8, 13, 16, 17, 20 – 26, 28 & 29)*

**All times are approximate and subject to change*

8. Conference with Legal Counsel - Anticipated Litigation

(Government Code Section 54956.9(b).)

a. *Significant Exposure to Litigation: (1) potential case.*

5:30 P.M., RECONVENE and report action taken during Closed Session, if any.

Pledge of Allegiance

Mrs. Rosie Oganessian will lead us in the Pledge of Allegiance. Mrs. Oganessian is a parent and a dedicated volunteer at Cooper Middle School.

HEAR Reports from Student Board Representatives

An opportunity is provided to hear comments/reports from Student Board Representatives from Roosevelt High School. Contact person: John Marinovich, telephone 457-3935.

APPROVE Minutes

Included in the Board binders are the draft minutes for February 11, 2009, Regular Meeting. The Superintendent recommends approval. Contact person: Michael E. Hanson, telephone 457-3882.

ADOPT Resolution Declaring May 6, 2009, as National School Nurse Day

Included in the Board binders is a Resolution declaring May 6, 2009 as National School Nurse Day. School nurses provide for students' immediate health needs, promote healthy lifestyles and teach students how to strengthen their physical and emotional well-being. The Superintendent recommends adoption. Contact person: Peri Lynn Turnbull, telephone 457-3904.

HEAR Reports from Superintendent Hanson

ALL CONSENT AGENDA items are considered to be routine by the Board of Education and will be enacted by one motion. There will be no separate discussion of items unless a Board member or citizen so requests, in which event, the item(s) will be considered following approval of the Consent Agenda. The Superintendent recommends approval or adoption of the following, with a roll call vote:

A. CONSENT AGENDA

A-1, APPROVE Personnel List

Included in the Board binders is the Personnel List, Appendix A, as submitted. The Superintendent recommends approval. Contact person: Kim Mecum, telephone 457-3593.

A-2, ADOPT Findings of Fact and Recommendations of District Administrative Board

The Board of Education received and considered the Findings of Fact and Recommendations of District Administrative Panels resulting from hearings on expulsion and readmittance cases conducted during the period since the April 15, 2009, Regular Board Meeting. The Superintendent recommends adoption. Contact person: Peter Summers, telephone 457-3340.

A. CONSENT AGENDA – continued

A-3, APPROVE Waiver Requests for a Group of Special Education and 504 Students for the California High School Exit Exam (CAHSEE)

The Board of Education received a group of waiver requests from District administration on the certification for accommodations/modifications for Special Education and 504 students for the California High School Exit Exam as per Board Policy 6162.52. A list of pupils, their identifying number, and supporting evidence is maintained in the Board of Education Office. The Superintendent recommends approval. Contact person: John Marinovich, telephone 457-3538.

A-4, APPROVE Request for Out-of-State Travel for Computech Middle School

Included in the Board binders is a request for approval of an out-of-state field trip for five Computech Science Bowl students. For the second consecutive year, after winning the Regional Science Bowl, Computech's team has earned the privilege of representing Fresno Unified School District at the National Science Bowl Competition in Washington D.C., April 30, 2009 through May 4, 2009. The Superintendent recommends approval. Fiscal Impact: There is no cost to the District. The trip is hosted and funded in full by the United States Department of Energy. Contact person: Nancy Akhavan, telephone 457-3678.

A-5, RATIFY an Independent Contractor Services Agreement with California Teaching Fellows for Yosemite Middle School

Included in the Board binders is an Independent Contractor Services Agreement for California Teaching Fellows Foundation to provide administration, recruitment, planning, coordination, professional development, field site supervision and general implementation of the Teaching Fellows Project for Yosemite Middle School AVID program. This contract began January 26, 2009 and will end June 12, 2009. The Superintendent recommends ratification. Fiscal Impact: Funding will be provided through AVID funds in the amount of \$3,180.00. Contact person: Nancy Akhavan, telephone 457-3678.

A-6, APPROVE Independent Contractor Services Agreement with Educational Resource Consultants to Provide External Evaluation Services of the Smaller Learning Communities Grants for Edison and Sunnyside High Schools

Included in the Board binders is an Independent Contractor Services Agreement with Educational Resource Consultants to provide external evaluation services of the Smaller Learning Communities Grants for Edison and Sunnyside High Schools. Formative evaluation processes, facilitated by the external evaluator will be scheduled each quarter. The contract will begin April 30, 2009 and end June 30, 2011. The Superintendent recommends approval. Fiscal Impact: Funding will be provided through the SLC grant funds in the amount of \$10,000 per year, per school for a total of \$60,000. Contact person: Tracewell Hanrahan, telephone 457-3887.

A. CONSENT AGENDA – continued

A-7, APPROVE Contract with Microsoft for the Co-development of a District-wide Student

Information System

Included in the Board binders is a Contract with Microsoft Consulting Services and Scope of Work to co-develop a district-wide Student Information System(SIS). Over the past year, we have reviewed the continued challenges we face with three different Student Information Systems (Mainframe, Mac and PC-based Powerschool, and web-based Powerschool), with the mainframe as our system of record. The agreement will commence upon Board approval and continue through September of 2010 unless the project is completed prior to that time. The Superintendent recommends approval. Fiscal Impact: Funding will be provided through existing Microsoft Vouchers that can only be used for technology products and services for a total cost of \$1,399,000. Contact person: Kurt Madden, telephone 457-6228.

A-8, APPROVE Decrease in Funding Allocation for Fresno Regional Occupational Program (ROP)

Included in the Board binders is a copy of the final funding allocation letter for the Fresno Regional Occupational Program (ROP) for the 2008/2009 school year. At the end of February the State of California passed a 17-month budget that included 2008/09 mid-year cut to ROP of 15.38%. The Superintendent recommends approval. Fiscal Impact: ROP mid-year cut of 15.38% results in a loss of \$356,785 from the ROP operational budget. Adequate funds are available in the 2008/09 operational budget to absorb the mid-year cut. Contact person: Tracewell Hanrahan, telephone 457-3887.

A-9, RATIFY Change in Funding Allocation for Carl D. Perkins Career Technical Education Grant for Secondary and Postsecondary (Adult School)

Included in the Board binders are copies of the final allocation letters for the 2008/2009 grant notification for Carl D. Perkins Career Technical Education funds authorizes federal funding assistance to secondary and postsecondary career technical education programs for July 1, 2008 through June 30, 2009. The Superintendent recommends ratification. Fiscal Impact: Board approved funding levels for the 2008/2009 school year were \$985,453 for secondary and \$457,312 for post-secondary (Adult School). As a result of the new funding allocation letters, funding levels have been changed to \$1,014,945 for secondary and \$464,933 for the Adult School. Contact person: Tracewell Hanrahan, telephone 457-3887.

A-10, APPROVE Carl D. Perkins Career Technical Education Application for Secondary and Postsecondary (Adult School) Funding

Included in the Board binders are copies of the 2009/2010 Carl D. Perkins Applications for Funding. There are two separate applications, one each for the secondary and postsecondary (Adult School) Career Technical Education (CTE) programs. The Carl D. Perkins Career and Technical Education Improvement Act of 2006, Public Law 109-270 (Perkins IV) authorizes federal funding assistance to secondary and postsecondary career technical education programs for the six years beginning July 1, 2007 and ending June 30, 2013. The Superintendent recommends approval. Fiscal Impact: Expected funding levels for the 2009/2010 school year have not yet been determined. Contact person: Tracewell Hanrahan, telephone 457-3887.

A. CONSENT AGENDA – continued

A-11, APPROVE Amendment of a Reduction of Hours to the Joint Apprenticeship Training Agreements for the Electrical Industries Training Program and the California Fire

Fighters

Included in the Board binders are the amended agreements for allocation of apprenticeship training hours for the Joint Electrical Industries Training Trust which include the Electrical Apprenticeship Training Program; Residential Wireman Training Program; Sound and Communication Joint Apprenticeship Training Program; and the California Firefighter Joint Apprenticeship Committee. The agreement began July 1, 2008 and end June 30, 2009. The Superintendent recommends approval. Fiscal Impact: The amended agreements represent a reduction of state apprenticeship hours from the total allotment hours of 143,725 to 121,519 (a reduction of 15.45% by CDE to Fresno Unified on March 12, 2009) at \$5.06 per hour of training equates to an amended not-to-exceed amount of \$614,886. FUSD acts as the fiscal agent for the apprenticeship programs and receives an administrative fee for being the LEA. Contact person: Tracewell Hanrahan, telephone 457-3887.

A-12, RATIFY Submission of the Tobacco Use Prevention Education (TUPE) Grant to the California Department of Education

Included in the Board binders is application material for the Tobacco Use Prevention Education (TUPE) grant to provide tobacco prevention awareness, intervention and cessation programs to students in grades 6-12. As a result of AB 647, TUPE funding has changed from an annual entitlement to a competitive grant process. All middle and high schools will be included in this application. TUPE curriculum will be implemented in 7th grade science classes at middle school and 9th and 10th grade PE classes at high school; student advocates will organize school-wide events in collaboration with the campus culture team; and other target groups will receive services through community agencies. The Superintendent recommends ratification. Fiscal Impact: All program costs will be covered by the grant funds for a total grant amount of \$1,294,705. Contact person: Barbara Bengel, telephone 457-3661.

A-13, APPROVE Submission of the Early Mental Health Initiative (EMHI) Grant Application to the California Department of Mental Health

Included in the Board binders is application material for the Early Mental Health Initiative (EMHI) grant from the California Department of Mental Health designed to provide services to students in grades K-3 who are experiencing mild to moderate school adjustment problems, but do not need counseling or professional mental health services. The District will submit four separate applications as outlined for Balderas, Birney, Jackson, Lowell, Roeding, Sunset, and Vinland. The Superintendent recommends approval. Fiscal Impact: A maximum of \$42,000 per school site is available for each of the three years of the grant period. The program requires a 50% in-kind match from local funds. This is provided through Special Education staff support and Fresno County Mental Health. Contact person: Barbara Bengel, telephone 457-3661.

A. CONSENT AGENDA – continued

A-14, APPROVE Submission of the Facilities Renovation and Repair Grant Application to the California Department of Education (CDE)

Included in the Board binders is application material for the Facilities Renovation and Repair grant

for applications to provide financial assistance to maintain existing Early Childhood Education facilities. Applicant agencies must have an executed CDE contract and use this funding to maintain compliance with the Americans with Disabilities Act and health and safety requirements. The Early Childhood Education (ECE) has identified and prioritized the following sites by need: Ewing, Olmos, Williams, Fremont, Norseman, Aynesworth, Bakman, Ericson, Hidalgo, Leavenworth, Storey, Wishon and Yokomi. The Superintendent recommends approval. Fiscal Impact: All improvements will be covered by grant funds. The Early Childhood Education (ECE) program is requesting \$200,000 to install manufactured shade structures. Grant funds will cover all costs associated with the project, including concrete as needed. Contact person: Barbara Bengel, telephone 457-3661.

A-15, APPROVE Budget Revision No. 5 for Fiscal Year 2008/09

Included in the Board binders is Budget Revision No. 5 for fiscal year 2008/09. Periodic updates to the district's budget are presented to the Board for approval. Budget Revision No. 5 includes adjustments due to the midyear reductions per the State budget. The Superintendent recommends approval. Fiscal Impact: Noted in the backup material. Contact person: Ruth F. Quinto, telephone 457-6226.

A-16, APPROVE Authorization to Pay Jacobs Engineering Group for Services Rendered

On October 24, 2007, Carter Burgess was awarded a contract to prepare the Facilities Master Plan for \$750,854. Since then, Carter Burgess has been acquired by Jacobs Engineering Group. Staff is requesting authorization to pay Jacobs Engineering Group for services rendered in association with, but outside of and in addition to, the scope of the original agreement. The Superintendent recommends approval. Fiscal Impact: Sufficient funds of \$49,680 are available in the 2008/09 Unrestricted General Fund Budget. The overall cost of the Facilities Master Plan is being allocated between the Unrestricted General Fund and Developer Fee budgets based upon identification of specific growth related recommendations that make the work eligible for Developer Fee funding. Contact person: Deo Persaud, telephone 457-3134.

A-17, APPROVE Request to Add Firm to List of Qualified Vendors for RFQ #2919, Professional Environmental Site Assessment and/or Geotechnical Services

On March 11, 2009, the Board approved a list of seven qualified vendors for RFQ #2919, Professional Environmental Site Assessment and/or Geotechnical Services. This approval provides a pool of qualified firms/individuals for use in support of the district's new construction, modernization and deferred and general maintenance assignments for a three-year period. After further review, the Superintendent recommends approval of an additional firm to provide Professional Environmental Site Assessment and/or Geotechnical Services to the district. This firm was selected due to its local expertise as demonstrated in the proposal:

- Salem Engineering Group, Fresno California

Fiscal Impact: The funding source will be determined by project. Contact person: Deo Persaud, telephone 457-3134.

A. CONSENT AGENDA – continued

A-18, AWARD of Bid #2926, Copy Paper

Included in the Board binders is information on Bid #2926 for the purchase of copy paper for the Warehouse. Stock will be replenished on an as-needed basis. Bid pricing will be good until October 31, 2009. The request for bid was lawfully advertised on February 9, 2009, and February 16, 2009.

The bids were opened on February 24, 2009. Bid specifications were sent to eight (8) vendors, and the district received seven (7) responses. The Superintendent recommends award be to the lowest responsive, responsible bidder.

- Xpedx, Fresno California \$2.462 per ream

Fiscal Impact: Sufficient funds have been budgeted and are available in the 2008/09 Warehouse Stores account. The estimated cost for nine (9) months is \$669,902. Contact person: Deo Persaud, telephone 457-3134.

A-19, AWARD of Bid # 2936, Softball Field and Bleacher Improvements at Fresno High School

Included in the Board binders is information on Bid #2936 to provide a new softball field, backstop, dugouts, bleachers, fences, and irrigation system at Fresno High School. The request for bid was lawfully advertised on March 12, 2009, and March 19, 2009. The bids were opened on April 15, 2009. Bid specifications were sent to sixteen (16) vendors, and the district received ten (10) responses. The Superintendent recommends award be to the lowest responsive, responsible bidder:

- Mass X Inc., Fresno California \$598,000.00

Fiscal Impact: Sufficient funds of \$598,000 are available in the 2008/09 Measure K budget. Contact person: Deo Persaud, telephone 457-3134.

A-20, DENY Claim #08-1114-0374 for Minor

Included in the Board binders is a Claim for Damages for Minor, #08-1114-0374. The Superintendent recommends that the Claim be denied and the matter referred to the District's Director of Benefits and Risk Management for further handling. Contact person: Ruth F. Quinto, telephone 457-6226.

A-21, RATIFY Purchase Orders from February 10, 2009, through March 13, 2009

Included in the Board binders is a list of Purchase Orders in excess of \$10,000 submitted for ratification by the Board. Purchase Orders/contracts that are required by law to be competitively bid will be submitted as separate agenda items. Beginning on the bottom of page four (4) is a list of Purchase Orders issued from February 10, 2009, through March 13, 2009. These Purchase Orders have been previously authorized and awarded by the Board of Education. The Purchase Orders are submitted for information only and are not included for ratification. The Superintendent recommends ratification. Fiscal Impact: Funding is noted on the attached pages. Contact person: Deo Persaud, telephone 457-3134.

**END OF CONSENT AGENDA
(Roll Call Vote)**

UNSCHEDULED ORAL COMMUNICATIONS

At this time, an opportunity is provided for individuals to address the Board on topics within the subject matter jurisdiction of the Board **not** listed on this agenda. If you wish to address the Board on an agenda item, please do so when that item is called. Presentations will be limited to a maximum of three (3) minutes, with a total of thirty (30) minutes designated for this portion of the agenda. Time limitations are at the discretion of the President of the Board. Individuals with questions on school district issues may submit them in writing. The Board will automatically refer to the Superintendent any formal

requests that are brought before them at this time. The appropriate staff member will furnish answers to questions.

B. CONFERENCE/DISCUSSION AGENDA

6:00 P.M.

B-22, PRESENT an Update on the Upcoming College Board District Pilot

The purpose of this board agenda item is to share with the Board a brief update on the upcoming College Board district pilot. As communicated previously, The College Board performed a district diagnostic of Fresno Unified February 10-12. This involved a combination of central office and site visits. On Tuesday, March 17th The College Board returned to Fresno to share their findings with our senior leaders. Their findings identified several opportunities for us to accelerate our work on behalf of students. As background, the College Board's District Reform Initiative is an effort to leverage, scale and customize College Board's college readiness expertise and resources into selective "high touch partnerships" with school districts. The goal is to significantly improve college readiness rates among all students in grades 6-12. The partnership model employs an ongoing improvement approach and is focused on six core areas:

1. Coherent Curriculum in Core Subjects
2. Assessments that Inform
3. Staff Professional Development
4. Student Academic Support
5. Student Family Support
6. Ongoing Improvement Cycle

Long Beach will also be participating in this pilot. This collaboration with The College Board will directly link to the Equity and Access work that Jorge Aguilar will be leading on behalf of our students. Fiscal Impact: \$0 – as the actual work with The College Board is defined then staff will be coming back to the board for approvals as appropriate. Contact person: Vincent Harris, telephone 457-3816.

B. CONFERENCE/DISCUSSION AGENDA – continued

6:30 P.M.

B-23, PRESENT and APPROVE the Facilities Master Plan Final Report and Recommendations

The *Facilities Master Plan - Final Report* will be presented to the Board. The *Final Report* summarizes the work performed by staff, consultants, and the Facility Ad hoc Advisory Committee (FAAC) over the last 20 months to develop district-wide and high school area facility

recommendations. The Board established the FAAC in July 2007 to partner with staff to develop the Facilities Master Plan for Fresno Unified. The first step was to identify a consultant team to assist in developing the Plan; the Board approved an agreement with Carter Burgess Inc. (now Jacobs Engineering Group) in October 2007 to work with the FAAC and staff to complete the following areas of work:

1. Educational Program Vision
2. Standards Development
3. Demographic Analysis and Trends
4. Building and Site Condition, Suitability, Technology Readiness Assessments
5. Community Input Opportunities
6. Alternative Solutions and Recommendations
7. Prioritization, Implementation and Evaluation

The *Final Report* and the associated appendices and individual high school reports outline the work performed to identify the challenges facing the district related to facilities, details of the assessments performed for each school site, and the resulting recommendations. The Superintendent recommends approval. Contact person: Ruth F. Quinto, telephone 457-6226.

7:00 P.M.

B-24, PRESENT Budget Update for 2008/09 and 2009/10

A budget update will be presented to the Board to provide the most recently available information on the following topics:

- Federal Stimulus Update
- State Budget Update
- May 19th Special Election Update and Potential Impact on State Budget

Fiscal Impact: Noted in the backup material. Contact person: Ruth F. Quinto, telephone 457-6226.

C. RECEIVE INFORMATION & REPORTS

There are no items for receive.

BOARD/SUPERINTENDENT COMMUNICATIONS

D. ADJOURNMENT

NEXT REGULAR MEETING:
WEDNESDAY, MAY 13, 2009 - OPEN SESSION AT 5:30 P.M.