

AGENDA

WEDNESDAY, DECEMBER 10, 2008, 4:00 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.

***4:00 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. 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
3. Public Employee Discipline/Dismissal/Release/Reassignment/Resignation
4. Public Employment/Appointment: - Government Code Section 54957
 - a. *Counselors*
 - b. *Financial Analyst*
 - c. *Regional Instructional Specialists*
 - d. *Vice Principal I*
 - e. *Vice Principal III*
5. Conference with Legal Counsel – Existing Litigation - (Government Code Section 54956.9(a).)
 - a. *Fresno Unified School District vs. State Allocation Board and Office of Public Schools – Case No. 08-CECG01393.*

**All times are approximate and subject to change*

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

Pledge of Allegiance

Wishon Elementary Parent Maria Alvarado will lead us in the Pledge of Allegiance. Ms. Alvarado is a dedicated and hardworking parent at Wishon Elementary School.

HEAR Reports from Student Board Representatives

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

Granville Homes to Present a Check to Fresno Unified School District

Darius Assemi from Granville Homes will present a check to Fresno Unified School District from the proceeds of the 2008 Home of Hope fundraising event. The proceeds will benefit the Fresno Unified Education Foundation. Contact person: Susan Bedi, telephone 457-3733.

HEAR Report from Superintendent

ADOPT Resolution in the Matter of Declaring Certification of the November 4, 2008, Election

Included in the Board binders is a resolution in the Matter of Declaring Certification of the November 4, 2008 election. Adoption of this resolution officially declares certification of the November 4 election resulting in three members being elected/re-elected to the Fresno Unified School District Board of Education for a four-year term (2008/2012). The Superintendent recommends adoption. Contact person: Michael E. Hanson, telephone 457-3884.

ADMINISTER the Oath of Office to Re-Elected and Newly-Elected Board of Education Members Carol Mills, J.D., Larry Moore, and Janet Ryan.

Board Members will take the ceremonial Oath of Office for the position of Trustee, Board of Education, by order of Trustee Area:

- Leonard J. Barton, Retired Teacher with Fresno Unified School District, will administer the Oath of Office to Larry Moore, newly-elected Board Member to Trustee Area #2. Member Moore will serve a four-year term (2008/2012).
- Dennis A. Cornell, Associate Justice of the Fifth District Court of Appeal and Sam Mills, son of Carol Mills, will administer the Oath of Office to Carol Mills, J.D., re-elected Board Member to Trustee Area #5. Member Mills will serve a four-year term (2008/2012).
- Ann Kloose, Fresno City Council Assistant and Sue Meyer, Escrow Assistant with Chicago Title, will administer the Oath of Office to Janet Ryan, re-elected Board Member to Trustee Area #6. Member Ryan will serve a four-year term (2008/2012).

RECESS for Brief Reception Honoring Re-elected and Newly-elected Trustees.

ORGANIZATION of the Board of Education

It is recommended that Superintendent Hanson preside at the organizational meeting and accept nominations for the position of President of the Board. After the President is elected, it is recommended that the President preside and accept nominations for Clerk of the Board of Education. The New Board President will preside over the Board meeting.

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 November 19, 2008, Regular Board Meeting. The Superintendent recommends adoption. Contact person: Peter Summers, telephone 457-3340.

A-3, APPROVE a Renewal Independent Contractor Services Agreement with California Teaching Fellows Foundation for Continued Services at Lowell Elementary

Included in the Board binders is a renewal Independent Contractor Services Agreement with California Teaching Fellows to continue providing a one part-time (four days per week) Teaching Fellow who will provide ongoing services for the Lowell Elementary Neighborhood Resource Center in the implementation of the Heroes and Character Counts Programs. The agreement will commence on January 1, 2009 and will end on June 30, 2009. The Superintendent recommends approval. Fiscal Impact: Funding will be provided through the Fresno Regional Foundation Grant, for a total cost of \$12,385. A previous contract in the amount of \$10,275 funded by the Library Block Grant was approved on August 6, 2008, which brings the total cost of the program (\$22,600) with the newly-available funding. Contact person: Sue Smits, telephone 457-3753.

A-4, APPROVE a Renewal Independent Contractor Services Agreement with Cathy M. Spriggs for McLane High School

Included in the Board binders is a renewal Independent Contractor Services Agreement with Cathy M. Spriggs to provide Strategic Instruction Model workshops for McLane High School teachers, including content enhancement routines and methods of collaborations. Teachers will learn to create, review, and revise curriculum to meet the needs of all students. Teaching sessions will occur during non-instruction, regularly scheduled collaboration time. This contract will commence upon Board approval and end June 15, 2009. The Superintendent recommends approval. Fiscal Impact: Funding will be provided through McLane's State Compensatory Education (SCE) funds for a total cost of \$15,000. Contact person: John Marinovich, telephone 457-3887.

A. CONSENT AGENDA – continued

- A-5, APPROVE a Renewal Agreement with SMG Savemart Center for High School Education**
Included in the Board binders is a renewal Agreement with SMG Savemart Center to provide a graduation venue for six FUSD high schools (Bullard, Edison, Fresno, Hoover, Roosevelt, and Sunnyside) on June 8 and 9, 2009. Total cost of the contract includes rental of facilities, all event staff including security and traffic control, equipment, and utilities. This contract will commence on June 8, 2008, and end on June 9, 2008. The Superintendent recommends approval. Fiscal Impact: Funding will be provided by the High School Education General Fund in the amount of \$55,500. Contact person: John Marinovich, telephone 457-3887.
- A-6, APPROVE Agreement and Funding Letter with the Fresno Regional Occupation Program for 2008/2009**
Included in the Board binders is an Agreement and Funding Letter for the 2008/2009 Fresno Regional Occupation (ROP) Program. The agreement was received on October 15, 2008, after the state fiscal budget was signed and approved. The 2008/2009 agreement lists the ROP classes approved for operation at FUSD schools. A signed agreement will allow fiscal claims to be paid to our District and purchases to be authorized using ROP funding. The Superintendent recommends approval. Fiscal Impact: Approval of the agreement and funding letter will allow FUSD Career Technical Education staff to expend ROP funding in support of staff and approved courses. Estimated total for 2008/2009 is \$2,939,488. Contact person: Tracewell Hanrahan, telephone 238-5588.
- A-7, RATIFY a Memorandum of Understanding Between State Center Community College District (SCCCD) and Fresno Unified School District (FUSD) to Operate a Preschool Program**
Included in the Board binders is a Memorandum of Understanding (MOU) with State Center Community College for a District-operated Preschool Program on an SCCCDC-owned site that includes no more than nine preschool children with special needs, ages 3-5 years. This MOU is to comply with Federal law in offering a full array of services for children with special needs and allows for an inclusive setting with non-disabled peers. The MOU commenced on July 1, 2008 and will end June 30, 2009. The Superintendent recommends ratification. Fiscal Impact: Funding will be provided through the Special Education Budget for a cost of \$130,000. Contact person: Doug Jones, telephone 457-3226.
- A-8, APPROVE Annual Renewal of Agreement with Discovery Education, Inc.**
Included in the Board binders is a renewal Agreement with Discovery Education, Inc. that will renew the existing contract which provides streaming video to all FUSD schools. Discovery Streaming is an outstanding digital video-on-demand library that is one of the most popular educational video libraries used by our teaching staff. Teachers have quick access to more than 50,000 video educational segments which are searchable by California Content standards on every imaginable topic. The agreement will begin after Board approval and will end November 7, 2009. The Superintendent recommends approval. Fiscal Impact: Funding will be provided through budgeted Information Technology funds in the amount of \$61,153.02. Contact person: Kurt Madden, telephone 457-6228.

A. CONSENT AGENDA – continued

A-9, APPROVE HP Absolute Recovery Services

Included in the Board binders is a Contract with Absolute Recovery Services to provide a software product which was developed by Absolute Software and sold by HP is the #1 protector of laptops in the world. If the laptop is ever stolen, we will be able to report it to Absolute and they take care of contacting law enforcement and locating and returning the laptop. The Superintendent recommends approval. Fiscal Impact: The total cost of this contract with HP for the Absolute LoJack Software will be \$20,000 for four years (\$5,000 for each year), to protect the additional 2,000 laptops (approximate value of \$1 million). Contact person: Kurt Madden, telephone 457-6228.

A-10, APPROVE Submission of the Edison High School 21st Century High School After School Safety and Enrichment for Teens (ASSETs) Application to the California Department of Education

Included in the Board binders is application material for the 21st Century High School After School Safety and Enrichment for Teens (ASSETs) program which provides funds to support after school activities at Edison High School. The program model includes academic support, wellness, personal development, and enrichment activities provided by school staff and community partners. The Superintendent recommends approval. Fiscal Impact: All costs will be covered by grant funds. Grant amount is \$250,000 per year for five years. Contact person: Barbara Bengel, telephone 457-3843.

A-11, RATIFY Change Order #1 to Bid #2901, Stucco Replacement at Storey Elementary School

Included in the Board binders is a Change Order and backup information for the following bid:

1. Bid #2901, Stucco Replacement at Storey Elementary.

Change Order #1: \$2,210.00. The new contract amount: \$74,421.00.

This change order is to remove a 10' x 15' plaster ceiling panel that was falling down; re-plaster; and install new ceiling panel.

The Superintendent recommends ratification. Fiscal Impact: Sufficient funds of \$74,421.00 are available in the 2008/09 Deferred Maintenance budget. Contact person: Deo Persaud, telephone 457-3134.

A-12, REJECT Bid #2911, Heating, Ventilation and Air Conditioning Non-Pleated Air Filters with Cardboard Frames

Included in the Board binders is information on Bid #2911. The bid was advertised as required by law on October 6, 2008, and October 16, 2008. The bid was opened on October 27, 2008. Bid specifications were sent to eight (8) vendors, and the district received two (2) responses. The Superintendent recommends all bids be rejected. Contact person: Deo Persaud, telephone 457-3134.

A. CONSENT AGENDA – continued

A-13, RATIFY the Filing of the Notices of Completion for Projects Listed Below

Included in the Board binders are Notices of Completion for the following projects, which have been completed according to plans and specifications:

1. Bid #2814, Re-Roofing at Bullard High School
Fiscal Impact: Measure K and State Facility Program Fund
2. Bid #2830, Structural Repair/Restoration at J.E. Young Academic Center
Fiscal Impact: Deferred Maintenance
3. Bid #2838 E, Asphalt Rehabilitation at McLane High School
Fiscal Impact: Deferred Maintenance and Measure K

The Superintendent recommends ratification. Contact person: Deo Persaud, telephone 457-3134.

A-14, DENY Claim #08-1107-0367 for Mary Ann K. Vargas

Included in the Board binders is a Claim for Damages for Mary Ann K. Vargas, #08-1107-0367. 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.

**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

7:00 P.M.

B-15, APPROVE New Job Description for Associate Superintendent, Equity and Access

Included in the Board binders is a newly developed job description for an Associate Superintendent, Equity and Access. This position will ensure that all students in Fresno Unified have equal opportunity to succeed and be prepared in all ways to be career ready graduates. In alignment with the recent report on the issues covering grades, student achievement, and course taking pattern and programmatic opportunities for students, this position is recommended by the Superintendent to attack this vital body of work to help insure career ready graduates. It is critical to begin recruitment immediately to fill the position as quickly as possible in order to begin this in the 2nd semester of 2008/2009. The Superintendent recommends approval. Fiscal Impact: The salary for the position will be competitive and negotiable. Contact person: Kim Mecum, telephone 457-3548.

7:15 P.M.

B-16, PRESENT Technology Update

A brief update on technology in the district will be provided to the Board. The last technology update was in November 2007 and a significant amount of change has occurred during the past year. This short update will cover several major accomplishments as well as future direction.

- Network Infrastructure Upgrade
- Digital Portfolio and Classroom Laptop Initiative
- Email System (Staff, Student, and SPAM)
- EmpowerNet, School Websites, Teacher MySites, Student MySites
- Major Applications (HEAT, Healthmaster, SEIS, Follett, Microsoft Office, Lawson)
- Middle School Tournament of Technology
- Technology Advisory Committee, Technology Standards, and Acceptable Use Policy (AUP)
- Classroom Printer Initiative
- Student Information Systems and Datawarehouse

Contact person: Kurt Madden, telephone 457-6228.

7:30 P.M.

B-17, PRESENT and APPROVE Measure K 2007/08 Annual Report

Included in the Board binders is the Measure K Annual Report for the period July 1, 2007 through June 30, 2008 for approval by the Board. Per the Measure K Oversight Committee bylaws, the Committee is required to annually present, at a public meeting of the Board, a report on the Measure K program that includes:

- a statement indicating whether the District is in compliance with provisions of the State Constitution as related to Proposition 39; and
- a summary of the Committee's proceedings and activities for the year.

The Annual Report also provides background on Measure K and the Measure K Oversight Committee, highlights activities of the Measure K program, and presents a Measure K financial update. The Superintendent recommends approval. Fiscal Impact: There is no financial impact. Contact person: Ruth F. Quinto, telephone 457-6226.

B. CONFERENCE/DISCUSSION AGENDA – continued

7:50 P.M.

B-18, APPROVE the 2007/08 Audited Financial Statements Prepared by Perry-Smith, LLP

Included in the Board binders is the 2007/08 Annual Financial and Student Body Audit (also known as ASB) Reports as prepared by our external auditors, Perry-Smith, LLP. The audit reports have been completed for submission to the State Department of Education. Each year the District is required to have its financial statements audited by an independent accounting firm. We are pleased to report that Fresno Unified School District has received an “Unqualified Opinion” for the 2007/08 Audit, which is the best opinion that can be issued. The Superintendent recommends approval. Fiscal Impact: There is no financial impact. Contact person: Ruth F. Quinto, telephone 457-6226.

8:15 P.M.

B-19, APPROVE the 2008/09 First Interim Financial Report with a Positive Certification

Included in the Board binders is the 2008/09 First Interim Financial Report. California school districts are required to approve the interim financial reports twice each fiscal year. Presented for approval is the 2008/09 First Interim Financial Report, which reflects a positive certification of the District’s financial condition. The report has been developed based on the October 31, 2008, year-to-date revenue and expenditures as required by state law. The Superintendent recommends approval of the First Interim Financial Report for submission to the County Superintendent of Schools. Fiscal Impact: Noted in the backup material. Contact person: Ruth F. Quinto, telephone 457-6226.

8:40 P.M.

B-20, DECISION on Sponsorship of the Big Picture High School Charter

Available in the Board Office is a copy of the charter petition submitted on September 24, 2008, by lead developer Mr. Jon Morse, Sr. for a proposed Big Picture High School Charter. The Big Picture High School Charter petition proposes to target a wide range of students, including those who are at-risk, high achieving, special education, English Language Learners, or academically average. The charter school proposes to serve students in grades 9-12, starting with approximately 120 students in grades 9 and 10 the first year; adding a grade in each of the next two years, to reach a maximum enrollment of 200 students by 2012-2013. The proposed location for the charter is St. Therese Catholic Church at Wishon and Floradora Avenues. A public hearing was held on November 12. The Superintendent recommends a decision. Fiscal Impact: The estimated fiscal impact for 2009/10 is \$554,484. Assuming that all 120 students reside within Fresno Unified boundaries, fiscal impact was calculated based on total potential revenue limit income (\$781,546) minus the cost of teacher salaries (\$227,062). Contact person: Cindy Tucker, telephone 457-3874.

B. CONFERENCE/DISCUSSION AGENDA – continued

8:55 P.M.

B-21, DECISION on Sponsorship of the MID-CAL Entrepreneurial and Mathematics Charter School (MID-CAL)

Available in the Board Office is a copy of the charter petition submitted on October 9, 2008, by lead developer Doris Sims on behalf of MID-CAL Entrepreneurial and Mathematics Charter School, Inc. The local contact for MID-CAL is Mr. Samuel Doyle. The key component of the proposed MID-CAL charter educational program is entrepreneurial (economics) and mathematics education. The school will serve students in grades K-5 in the 93706 zip code in southwest Fresno at the proposed location at 1825 S. Delno Avenue. A public hearing was held on November 12. The Superintendent recommends a decision. Fiscal Impact: The estimated fiscal impact for 2009/10 is \$514,394. Assuming that all 200 students reside within Fresno Unified boundaries, fiscal impact was calculated based on total potential revenue limit income (\$1,131,844) minus the cost of teacher salaries (\$617,450). Contact person: Cindy Tucker, telephone 457-3874.

C. RECEIVE INFORMATION & REPORTS

C-22, RECEIVE School Facility Fee Public Information Report for Fiscal Year 2007/08

Included in the Board binders is the School Facility Fee Public Information Report for Fiscal Year 2007/08. Government Code Sections 66001 and 66006 require school districts to provide public information regarding the fees collected for school facilities as a condition of development approved in accordance with Government Code Section 53090. The report provides information relating to the following:

- Brief description of the type of fee
- Amount of the fee
- Beginning and ending balance of the fees
- Total amount of the fees collected and any interest earned
- Identification of each public improvement on which fees were expended
- Identification of an approximate date by which construction of the public improvement will commence if the local agency determines sufficient funds have been collected to complete financing on an incomplete public improvement
- Description of each inter-fund transfer or loan made from the account or fund

Contact person: Deo Persaud, telephone 457-3134.

BOARD/SUPERINTENDENT COMMUNICATIONS

D. ADJOURNMENT

NEXT REGULAR MEETING:

WEDNESDAY, JANUARY 14, 2009 - OPEN SESSION AT 5:30 P.M.