



BOARD OF EDUCATION
REGULAR MEETING at:
2309 TULARE STREET
BOARD ROOM, SECOND FLOOR
FRESNO, CA 93721-2287 and
MAYAN SEA GARDEN MAZATLAN, MEXICO
AV. SABALO CERRITOS S/N
ZONA HOTELERA NORTE, 82100 MAZATLAN SIN
<http://www.fresnounified.org/board>

AGENDA
WEDNESDAY, DECEMBER 12, 2007, 3:30 P.M.

******IMPORTANT******

THIS IS MEETING WILL BE HELD AT

2309 Tulare Street
Board Room, 2ND Floor
Fresno CA 93721-2287

and

MEMBER NUNEZ WILL PARTICIPATE FROM THE FOLLOWING
TELECONFERENCE LOCATION

*PURSUANT TO GOVERNMENT CODE SECTION 54953(b)(2),
all action taken during this teleconferenced meeting shall be by roll call vote.*

Mayan Sea Garden Mazatlan, Mexico
Av. Sabalo Cerritos S/N
Zona Hotelera Norte, 82100 Mazatlan S/N**
****Open to the Public**

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.

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

**All times are approximate and subject to change*

***3:30 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. *Analyst, Constituent Services*
 - b. *Computer Services Manager*
 - c. *Computer User Support Specialist*
 - d. *Counselors*
 - e. *Energy Educator/Manager*
 - f. *Guidance/Categorical Learning Coordinators*
 - g. *Head Counselor*
 - h. *School Social Worker*
 - i. *Technology Specialist*
 - j. *Vice Principal/Program Manager*

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

PURSUANT TO GOVERNMENT CODE SECTION 54953(b)(2), all action taken during this teleconferenced meeting shall be by roll call vote.

Pledge of Allegiance

Muir parent, Carmen Grimaldo will lead us in the Pledge of Allegiance. Ms. Grimaldo is a star parent and a valuable member of the Muir family. She is actively involved in ELAC, cafeteria supervision and many Muir community activities.

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.

HEAR Reports from Student Board Representatives

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

RECOGNIZE Fresno Unified Case Study of Portable Classroom Lighting Retrofit Project and PRESENT Utility Rebate Check

Included in the Board binders is a Case Study provided by Resource Solutions Group (RSG). The Case Study recognizes the lighting retrofit project recently completed by Sun Industries (Bid #2710) on 984 portable classrooms at 84 Fresno Unified School sites. RSG will provide an overview of the project scope, savings attained, and the improvement in the lighting levels in the classrooms. RSG would also like to recognize Frank DiLiddo of FUSD's Energy Management Department for his management efforts and the present the District with a utility rebate in the amount of \$316,611 utilizing Pacific Gas & Electric's School Energy Efficiency (SEE) Program. Contact person: Deo Persaud, telephone 457-3134.

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 14, 2007, Regular Board Meeting. The Superintendent recommends adoption. Contact person: Peter Summers, telephone 457-3340.

A-3, APPROVE an Agreement with County of Fresno Probation Department for Deputy Probation Officers for the Fresno Unified School District

Included in the Board binders is an agreement with County of Fresno Probation Department to provide eight Deputy Probation Officers to be responsible for probation services on a full-time basis at nine FUSD High Schools (Edison, Roosevelt, Sunnyside, McLane, Fresno, Hoover, Bullard, Cambridge, and DeWolf). The Agreement will commence January 1, 2008 and will end June 30, 2008. The Superintendent recommends approval. Fiscal Impact: Total cost to the District's Unrestricted General fund not to exceed \$150,000.00 for the 2007-2008 school year. Contact person: Cindy Tucker, telephone 457-3874.

A-4, APPROVE an Independent Contractor Services Agreement with Dr. Ken Magdaleno with Magdaleno Mentoring and Coaching

Included in the Board binders is an Independent Contractor Services Agreement for Dr. Ken Magdaleno with Magdaleno Mentoring and Coaching to provide consultant services for the Middle School Pilot Program. Dr. Magdaleno will also be providing mentoring services to site and district leaders as well as helping to create and develop a mentoring structure. The contract will commence January 1, 2008 and end June 15, 2008. The Superintendent recommends approval. Fiscal Impact: Funding will be provided through Title I Leadership Development in the amount of \$50,000.00. Contact person: Cindy Tucker, telephone 457-3874.

A. CONSENT AGENDA – continued

A-5, APPROVE Various Contracts for Fresno Adult School

Included in the Board binders are four Contracts for Fresno Adult School for the following:

- California Teaching Fellows addition of tutors, administrator, and field site supervisor for a total of \$74,413.50, effective December 13, 2007 through June 30, 2008.
- Lyle's College of Beauty (2) for new manicuring and cosmetology classes for a total of \$70,000.00, effective November 28, 2007 through June 30, 2008.
- Spirit of Women use of facilities, no cost, effective November 14, 2007 through June 30, 2010.

Facilities will not be used, nor classes started until after Board approval, regardless of contract start date. A copy of each of the contracts is available in the Board office for review. The Superintendent recommends approval. Fiscal Impact: Any costs included on the renewal contracts will be paid from Fresno Adult School Apportionment Funds. Contact person: John Marinovich, 457-3935.

A-6, APPROVE Proposal for Services Provided by the Young Scholars Program

Included in the Board binders is a Proposal from the Young Scholars Program, a college preparatory program. This program is a support project which increases the academic performance and college eligibility of underrepresented students. The program objectives promote a belief in one's academic abilities, assists students in developing individualized life plans to help them be successful, teaches life skills as well as college preparation skills, and trains and empowers parents to be advocates in their child's quest for a college education. The Superintendent recommends approval. Fiscal Impact: Funding will be provided through District Title I funds in the amount of \$100,000.00. Contact person: John Marinovich, 457-3935.

A-7, RATIFY Contract with School Services of Ca, Inc., for Factfinding Services

Included in the Board binders is an Agreement for Special Services – *Factfinding* between Fresno Unified School District and School Services of California, Inc. The agreement period commences November 1, 2007, and terminates on or before April 30, 2008 upon thirty day notice by either party. The consultant agrees to provide assistance with issues pertaining to District collective bargaining negotiations as mandated by Sections 3540, et al., of CA Government Code; authority for entering into this agreement is contained in Section 53060 of the Government Code. The Superintendent recommends ratification. Fiscal Impact: The rate of pay for consultant services is \$235 per hour, plus expenses; the rate of pay for SSC support staff to prepare materials will be \$85 per hour. Funds have been budgeted and are available in the General Fund. Contact person: Ruth Quinto, telephone 457-6226.

A-8, APPROVE a Renewal Independent Contractor Services Agreement with SolutionsIQ

Included in the Board binders is Renewal Independent Contractor Services Agreement with SolutionsIQ to provide high-end programming in the district and have outstanding expertise in Sharepoint and the other Microsoft technologies that the District is using to develop the Student Information Datawarehouse, the Online Emergency Card, and the Microsoft SLK, which can be used for online assessment. The contract will commence upon board approval and continue through the end of May 2008. The Superintendent recommends approval. Fiscal Impact: Funding will be provided through the Information Technology funds in the amount of \$60,000.00. Contact person: Kurt Madden, telephone 457-6228.

A. CONSENT AGENDA – continued

A-9, APPROVE the Renewal Microsoft Annual Premier Support Plan Proposal

Included in the Board binders is a proposal from Microsoft for the renewal of the Primer Support Plan service for the district and will resolve specific technical issues, provide advice and guidance on the operational and product topics. This contract is for annual Microsoft product support and a base support package for districts and government agencies. The proposal will begin upon Board approval and will end December of 2008. The Superintendent recommends approval. Fiscal Impact: Funding will be provided through the Information Technology funds in the amount of \$57,160.00. Contact person: Kurt Madden, telephone 457-6228.

A-10, APPROVE Out of State Field Trips for Edison and Fresno High Schools

Included in the Board binders is the High School Out of State/Country Field Trip Matrix for the following high schools:

- Edison High wrestling team to travel to Reno, Nevada for a wrestling tournament on December 26-29, 2007.
- Edison High drama students to travel to Ashland, Oregon to attend the Shakespeare Festival on March 25-28, 2008. The festival will enrich in-class learning about Shakespeare, and involves direct experience of high-quality performances and college-level workshops.
- Fresno High Virtual Enterprise students to travel to New York City to attend the International Trade Fair on March 29 through April 5, 2008.

The Superintendent recommends approval. Fiscal Impact: Students will fundraise for the cost of the trip; students will pay out of pocket for any fundraising deficits. Chaperones will pay their own way. Contact person: John Marinovich, 457-3935.

A-11, APPROVE Budget Revision No. 3 for Fiscal Year 2007/08

Included in the Board binders is Budget Revision No. 3 for fiscal year 2007/08. Periodic updates to the District's budget are presented to the Board of Education for approval. Budget Revision No. 3 includes adjustments for the final State adopted budget, adjustment for the actual beginning balances, and necessary adjustments to support the acceptance of various grant awards and other fund adjustments. The Superintendent recommends approval. Fiscal Impact: Noted in the backup material - As a result of the proposed adjustments, the net impact to the Unrestricted General Fund Ending Fund Balance estimated for June 30, 2008, is a decrease of \$881,686 from \$33.7 million to \$32.8 million. Contact person: Ruth Quinto, telephone 457-6226.

A-12, APPROVE the Appointment of a Fresno Unified School District Staff Member to Act as the Representative to the California Department of Education and the Fresno County Office of Education for Filing the Title III Year 4 Action Plan

Included in the Board binders is the Assurance Page for the Title III Year 4 Action Plan to appoint a district representative. Under NCLB Act, 2001, local LEAs that have failed to meet Title III Annual Measurable Achievement Objectives (AMAO) for consecutive four years are subject to sanctions pursuant to NCLB requirements; therefore, the district must appoint a staff member to act as the representative to CDE and the FCOE for filing the Title III Year 4 Action Plan. The Superintendent recommends approval. Fiscal Impact: There are no financial obligations. Contact person: Cindy Tucker, telephone 457-3874.

A. CONSENT AGENDA – continued

A-13, AWARD Bid #2807, Exterior Painting of King and Kirk Elementary Schools, Sequoia Middle School, and Roosevelt High School

Included in the Board binders is information on Bid #2807, for the exterior painting of King and Kirk Elementary Schools, Sequoia Middle School, and Roosevelt High School. The Bid was advertised on October 17, 2007 and October 24, 2007, and opened on November 7, 2007 for Items A through C and November 16, 2007 for Item D. Bid specifications were sent to nineteen (19) vendors and the district received fourteen (14) responses. In accordance with Public Contract Code 5101 et.Seq., the low bidder, Ro’s Precise Painting, on item C, Sequoia Middle School, has requested relief due to a clerical error in their bid. After review, the Superintendent recommends relief be granted and award be to the following lowest responsive, responsible bidders.

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|--------------------|-------------|--------------|
| • Leo’s A-C, Inc. | Items A & B | \$114,000.00 |
| • A Plus Painting | Item C | \$147,000.00 |
| • Horizon Painting | Item D | \$281,900.00 |

Fiscal Impact: Sufficient funds have been budgeted for and are available in the 2007/08 Deferred Maintenance Fund. Contact person: Deo Persaud, telephone 457-3134.

A-14, AWARD Bid #2808, Electrical Upgrades for Hoover High School

Included in the Board binders is information on Bid #2808 for the replacement of the 5KV equipment at Hoover High School. The Bid was advertised on October 20, 2007 and October 26, 2007, and was opened on November 13, 2007. Bid specifications were sent to five (5) vendors and the District received five (5) responses. The Superintendent recommends award to the following lowest responsive and responsible bidder.

- A-C Electric Company \$571,399.00

Fiscal Impact: Sufficient funds have been budgeted for and are available in the 2007/08 Deferred Maintenance Fund. Contact person: Deo Persaud, telephone 457-3134.

A-15, RATIFY Change Orders for Capital Improvement Projects

Included in the Board binders are Change Orders and detailed backup information for the following bids:

- I. **Bid #2623**, Construction of the Nutrition Center (Multiple Prime)
- II. **Bid #2624**, Construction of Deborah A. Williams Elementary School
- III. **Bid #2625**, Construction of Mario G. Olmos Elementary School
- IV. **Bid #2728 A and B**, Modernization of Kirk and Sunset Elementary Schools
- V. **Bid #2729 A and B**, Modernization of Heaton and Lowell Elementary Schools

The Superintendent recommends ratification. Fiscal Impact: Sufficient funds have been budgeted and are available with 2007/08 funds as follows: **Bid #2623**, Construction of the Nutrition Center (Multiple Prime) from *Central Valley Support Services Joint Powers Agency Lease Revenue Bonds*; **Bid #2624**, Construction of Deborah A. Williams Elementary School and **Bid #2625**, Construction of Mario G. Olmos Elementary School from *Measure K Series C Funds*; **Bid #2728 A and B**, Modernization of Kirk and Sunset Elementary Schools and **Bid #2729 A and B**, Modernization of Heaton and Lowell Elementary Schools from *Measure K and State Facility Program Funds*. Contact person: Deo Persaud, telephone 457-3134.

A. CONSENT AGENDA – continued

A-16, RATIFY the Filing of the Notice of Completion for the Projects Listed Below

Included in the Board binders are Notice of Completions for:

1. **Bid #2624**, Construction for Deborah A. Williams Elementary School
2. **Bid #2625**, Construction of Mario G. Olmos Elementary School
3. **Bid #2723-A**, Asphalt Rehabilitation for Addicott School
4. **Bid #2723-E**, Asphalt Rehabilitation for Manchester Gate School
5. **Bid #2736-A**, Asphalt Rehabilitation for Anthony Elementary School
6. **Bid #2736-B & H**, Asphalt Rehabilitation for Balderas Elementary School and Tioga Middle School
7. **Bid #2736-D, F, & G**, Asphalt Rehabilitation for Eaton and Malloch Elementary Schools, and Tenaya Middle School

The projects have been completed according to plans and specifications. The Superintendent recommends ratification. Fiscal Impact: The 10% retention will be released upon ratification of the Notice of Completions. **Bids #2624** and **#2625** have been completed and funded with 2007/08 Measure K Funds. **Bids #2723** and **#2736** have been completed and funded with 2007/08 Deferred Maintenance Funds. Contact person: Deo Persaud, telephone 457-3134.

A-17, DENY Claim #07-1031-0341, James Kalomiris

Included in the Board binders is Claim #07-1031-0341 for Damages on James Kalomiris. 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 Quinto, telephone 457-6226.

A-18, DENY Claim #07-1101-0342, John Cullington

Included in the Board binders is Claim #07-1101-0342 for Damages on John Cullington. 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 Quinto, telephone 457-6226.

A-19, DENY Claim #07-1101-0344, John Cullington

Included in the Board binders is Claim #07-1101-0344 for Damages on John Cullington. 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 Quinto, telephone 457-6226.

A-20, RATIFY Purchase Orders from October 17, 2007 through November 5, 2007

Included in the Board binders is a listing of purchase orders, in excess of \$10,000, submitted for ratification by the Board. The Superintendent recommends ratification. 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. ***This opportunity will be provided to members of the public present in the Board Room this evening and as well as those members of the public who are attending this meeting from the teleconference location.* 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

6:45 P.M.

B-21, DISCUSS and APPROVE 15 Independent Contractor Services Agreements to Provide Supplemental Educational Services (SES) to Eligible FUSD Students as Required Under the Provision of the Federal No Child Left Behind (NCLB) Act

Included in the Board binders are 15 Independent Contractor Services Agreements to provide Supplemental Educational Services (SES) to eligible FUSD students as required under NCLB. All agreements will begin December 17, 2007 and end June 6, 2008. In addition, smaller contracts (under \$15,000) have been issued to these providers as well as five other state-approved providers. The Superintendent recommends approval. Fiscal Impact: Sufficient Title I funds have been reserved for Supplemental Educational Services to a limit of \$1,400 per eligible student, as required under the NCLB Act, to a cost of \$3,953,600 for the 15 contracts included for Board approval and \$290,000 for the 20 previously issued contracts, for a total maximum of \$4,243,600. Contact person: Barbara Bengel, telephone 457-3661.

7:00 P.M.

B-22, PRESENT and APPROVE the 2006/07 Audited Financial Statements Prepared by Perry-Smith, LLP

Included in the Board binders is the 2006/07 Annual Financial Report as prepared by our external auditors, Perry-Smith, LLP. Each year the District's financial statements are audited by an independent accounting firm as required. The audit report has been completed for submission to the state as mandated. The District's Audit Committee met to review these documents on December 4, 2007. The Audit Committee unanimously recommended that the Board of Education accept the reports as submitted. Mr. Steve Wescoatt, Perry-Smith, will present the audit reports at the December 12th Board meeting. Due to the size of the audit reports, copies for the general public are available in the Board office for review. Fiscal Impact: Noted in the backup material. The Superintendent recommends approval. Contact person: Ruth Quinto, telephone 457-6226.

B. CONFERENCE/DISCUSSION AGENDA – continued

7:20 P.M.

B-23, APPROVE the 2007/08 First Interim Financial Report with a Positive Certification

The Board will receive the 2007/08 First Interim Financial Report on or before Monday, December 10, 2007. California school districts are required to approve the interim financial reports twice each fiscal year. We will present for the Board's approval the 2007/08 First Interim Financial Report reflecting a positive certification of the District's financial condition. The Superintendent recommends approval of the First Interim Financial Report for submission to the County Superintendent of Schools. Fiscal Impact: A positive certification reflects that the District will have a positive General Fund balance and will have a positive cash balance for the current year and two subsequent years. Contact person: Ruth Quinto, telephone 457-6226.

7:40 P.M.

B-24, OPPORTUNITY for Public Discussion and ADOPT the Fresno Unified School District's Proposals to California School Employees Association (CSEA), Chapter 125, White Collar Unit and CSEA, Chapter 143, Food Service Unit for the 2007/08 School Year

Included in the Board binders are the Proposals in accordance with Public Notice Section 3547 of the Government Code, all initial proposals of public school employers and employee bargaining units are to be presented at a public meeting of the public school employer, and thereafter shall be public record. Included in the Board binders are the Fresno Unified School District's initial proposals to California School Employees Association (CSEA), Chapter 125, White Collar Unit and CSEA, Chapter 143, Food Service Unit for the 2007-08 School Year presented at the November 7, 2007 meeting of the Board of Education and returned to this agenda for public discussion and Board adoption. The Superintendent recommends adoption. Contact person: Kim Mecum, telephone 457-3593.

8:00 P.M.

B-25, NOMINATION of the Delegate Assembly at Large to the 2008 California School Boards Association (CSBA) for Subregion 10-B

An opportunity is provided for the Board of Education to nominate the CSBA delegates at large for Subregion 10-B whose elected term expires in 2008.

- Gilbert F. Coelho (*Firebaugh-Las Deltas USD*)
- Betsy J. Sandoval (*Clovis USD*)
- Norman Saude (*Sierra USD*)

The Superintendent recommends nomination of the delegates in Subregion 10-B. Contact person: Michael Hanson, telephone 457-3884.

C. RECEIVE INFORMATION & REPORTS

C-26, RECEIVE the California School Employees Association, Chapter 125, White Collar Negotiations Proposal to Fresno Unified School District for the 2007/2008 School Year

Included in the Board binders and in accordance with Government Code 3547, all initial proposals of the exclusive representative shall be presented at a public meeting of the public school employer, and thereafter shall be public record. The California School Employees Association, Chapter 125, White Collar is herewith submitting its negotiations proposal for the 2007/08 school year. This proposal shall be available for public view in the Board of Education Office from December 12, 2007 to January 9, 2008. This proposal will be returned to the next agenda for public hearing and acknowledgement of receipt by the Fresno Unified Board of Education. Contact person: Kim Mecum, telephone 457-3593.

BOARD/SUPERINTENDENT COMMUNICATIONS

D. ADJOURNMENT

**NEXT REGULAR MEETING:
WEDNESDAY, JANUARY 9, 2008 - OPEN SESSION AT 5:30 P.M.**