



**BOARD OF EDUCATION
REGULAR MEETING**
2309 TULARE STREET
BOARD ROOM, SECOND FLOOR
FRESNO, CA 93721-2287
<http://www.fresnounified.org/board>

AGENDA WEDNESDAY, FEBRUARY 11, 2009, 1:00 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.

***1:00 P.M., CALL TO ORDER** by the President

1 P.M. to 3 P.M. PRESENT and DISCUSS the Board Workshop on Facilities Master Plan

This workshop will include a presentation by staff and Jacobs Carter Burgess on the Facilities Master Plan, followed with a discussion by the Board and staff on any topics contained in the presentation or related to the Facilities Master Plan. The topics to be covered during the presentation portion of the agenda include:

- Update on the Facilities Master Plan Progress, and
- Proposed Southeast Area Boundary Adjustments.

Contact person: Ruth F. Quinto, telephone 457-6226.

**All times are approximate and subject to change*

***3:15 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. *Assistant Superintendent*
 - b. *Director*
 - c. *Food Services Operations Manager I*
 - d. *Principal IV*
 - e. *School Social Worker*
 - f. *Vice Principal I*
6. Real Estate Negotiations
 - a. *Instruction to District Negotiator: Daryl Balch, Balch Land Services Terms for Access Parcel Nos. (471-132-01 – 8, 13, 16, 17, 20 – 26, 28 & 29)*

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

Pledge of Allegiance

Kristen Maddox will lead us in the Pledge of Allegiance. Mrs. Maddox is the president of Ahwahnee's School Site Council and an active member of PTA.

HEAR Report 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 the Month of February as Black History Month

Included in the Board binders is information recognizing February as Black History Month. Black History Month is a remembrance of important people and events in the history of the African migration away from their ancestral homeland. It is celebrated annually in the United States during the month of February. This year's theme is *The Quest for Black Citizenship in the Americas* which supports the celebration of the Centennial for the National Association for the Advancement of Colored People (NAACP). It is important to note that the election of Barack Obama as the first American president of African descent will mark a turning point in American history. Contact person: Caran Resciniti, telephone 248-7163.

HEAR Reports from Superintendent

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 January 28, 2009, Regular Board Meeting. The Superintendent recommends adoption. Contact person: Peter Summers, telephone 457-3340.

A-3, APPROVE the 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 Representation Agreement for the Legal Services of Dale Bacigalupi

Included in the Board binders is a representation agreement with Lozano Smith Attorneys to allow the district to utilize the services of Dale Bacigalupi for legal consultation. Even though for billing purposes the agreement is with Lozano Smith, only Mr. Bacigalupi's services will be used. The agreement is for the period February 12, 2009 through June 30, 2009. Lozano Smith has offices throughout California; Mr. Bacigalupi is in the Fresno office. The Superintendent recommends approval. Fiscal Impact: Sufficient funding is available in the 2008/09 Legal Services unrestricted general fund budget. Contact Person: Ruth F. Quinto, telephone 457-6226.

A-5, APPROVE a Renewal Agreement with Stuart and Associates for State Building Program Assistance

Included in the Board binders is an Independent Contractor Services Agreement with Stuart and Associates for the period February 12, 2009 through June 30, 2010, at the rate of \$3,000 per month. This is the renewal of an existing agreement. There is no increase in the monthly fee; there is actually a decrease in that allowance for travel expenses has been eliminated. The contract period is to the end of 2009/10 to align with the district's fiscal year. The total amount for the 17 months of the contract is \$51,000. The Superintendent recommends approval. Fiscal Impact: Sufficient funds of \$15,000 are available in the 2008/09 Administrative Services Unrestricted General fund budget. The 2009/10 budget will also include funds for this contract. Contact person: Ruth F. Quinto, telephone 457-6226.

A. CONSENT AGENDA – continued

A-6, APPROVE a Contract with American Healthways, Inc. for Disease Management Services
Included in the Board binders is a Contract with American Healthways, Inc. to provide disease management services. The Joint Health Management Board (JHMB) recently concluded a Request for Proposal process for the selection of a disease management services provider. After extensive evaluation and vendor interviews, the JHMB voted to approve a contract with American Healthways, Inc. to provide a disease management program to district employees and retirees. The contract will begin March 1, 2009 and will end February 28, 2011. The Superintendent recommends approval. Fiscal Impact: Sufficient funds of \$1 million have been budgeted in the Health Benefits Internal Service Fund 2008/09 budget. This amount will also be budgeted in 2009/10 and 2010/11. Contact person: Ruth F. Quinto, telephone 457-6226.

A-7, RATIFY a Contract with Claremont Behavioral Services for Employee Assistance Program Services
Included in the Board binders is a contract with Claremont Behavioral Services to provide employee assistance program (EAP) services. The Joint Health Management Board (JHMB) recently concluded a Request for Proposal process for the selection of an EAP services provider. After extensive evaluation and vendor interviews, the JHMB voted to approve a contract with Claremont Behavioral Services to provide an EAP to district employees and retirees. The contract began January 1, 2009 and will end December 31, 2009. The Superintendent recommends ratification. Fiscal Impact: Sufficient funds of \$432,600 have been budgeted in the Health Benefits Internal Service Fund 2008/09 budget. Contact person: Ruth F. Quinto, telephone 457-6226.

A-8, RATIFY a Multi-Year Contract with Avante Health for Employee Mental Health Services
Included in the Board binders is a multi-year contract with Avante Health for employee mental health services. The Joint Health Management Board (JHMB) recently concluded a Request for Proposal process for the selection of a mental health services provider. After extensive evaluation and vendor interviews, the JHMB voted to approve a contract with Avante Health to provide mental health services to Fresno Unified employees and retirees. The contract began January 1, 2009 and will end December 31, 2012. The Superintendent recommends ratification. Fiscal Impact: Sufficient funds of \$606,000 are available in the Health Benefits Internal Service Fund 2008/09 budget. The 2009/10, 2010/11 and 2011/12 budgets will also include this amount. Contact person: Ruth F. Quinto, telephone 457-6226.

A-9, RATIFY Contract with Chiometrics, Inc. for Chiropractic Services
Included in the Board binders is a contract with Chiometrics, Inc. to provide chiropractic services. The Joint Health Management Board (JHMB) recently concluded a Request for Proposal process for the selection of a chiropractic services network provider. After extensive evaluation and vendor interviews, the JHMB voted to approve a contract with Chiometrics, Inc. to provide chiropractic services to district employees and retirees. The contract began January 1, 2009 and will end December 31, 2012. The Superintendent recommends ratification. Fiscal Impact: Sufficient funds of \$115,000 are available in the Health Benefits Internal Service Fund 2008/09 budget. The 2009/10, 2010/11 and 2011/12 budgets will also include this amount. Contact person: Ruth F. Quinto, telephone 457-6226.

A. CONSENT AGENDA – continued

A-10, RATIFY Submission of Transition of Teaching Grant Application to the U.S. Department of Education

Included in the board binders is application material for the Transition to Teaching program that supports the recruitment and retention of highly qualified mid-career professionals to teach in high-need schools. Targeted recruits include paraprofessional and recent college graduates who have not majored in education. Participants must make a three-year commitment to teach at high need schools with at least 40% free/reduced lunch eligibility. The Superintendent recommends ratification. Fiscal Impact: Maximum grant funding amount is \$450,000 for five years. Contact person: Kim Mecum, telephone 457-3593.

A-11, APPROVE Appointment to Facilities Ad hoc Advisory Committee

The Facilities Ad hoc Advisory Committee (FAAC) was established by the Board on May 23, 2007 and members were appointed on June 27, 2007. Each Board member, and the Superintendent, appointed one member. Board member Mills' FAAC appointee, Hilbert Contreras, resigned from the FAAC recently and Board action is recommended to appoint a replacement. Board Member Mills has nominated Lisa Schumacher to the FAAC. Ms. Schumacher is a resident of the Fresno High area and a Fresno High parent. She is a past member of the Historic Preservation Commission for the City of Fresno, active in the Fresno High area's Homeowners Association, and former chair of Fresno High's Tribal Council. The appointment will be effective immediately upon approval. The Superintendent recommends approval. Fiscal Impact: There is no fiscal impact to the District. Contact person: Ruth F. Quinto, telephone 457-6226.

A-12, APPROVE Award of Bid #2912, Chiller Replacement at Gibson and Powers Elementary Schools, Cooper and Yosemite Middle Schools, and Duncan High School

Included in the Board binders is information on Bid #2912. The request for bid was lawfully advertised on November 21, 2008, and November 28, 2008. The bids were opened on December 18, 2008. Bid specifications were sent to fourteen (14) vendors, and the district received five (5) responses. The Superintendent recommends award be to the lowest responsive, responsible bidder:

- Patton Air Conditioning, Fresno California \$469,998.00

Fiscal Impact: Sufficient funds of \$469,998.00 are available in the 2008/09 Deferred Maintenance and Measure K budgets. 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

6:30 P.M.

B-13, PRESENT an Update on the Two Sides of the “FUSD Systems of Support for Students”

Presentation by staff to provide the Board with an update on two distinctive initiatives that are yielding promising results for students. Both sides of the “FUSD systems of support for students” will be addressed:

- Academic Support: *Mathematics Coaching*
- Social-Emotional Support: *Safe and Civil Schools*

Dr. Randy Sprick of Safe and Civil Schools will be present to briefly address the Board. Fiscal Impact: There is no financial impact. Contact person: Cindy Tucker, telephone 457-3874.

6:50 P.M.

B-14, APPROVE Preliminary Concept for the Future Re-opening of Morris E. Dailey Elementary School

Recommended for approval is the concept of the Daily instructional program to compliment the International Baccalaureate programs at Wawona Middle and Fresno High Schools. Program components will include:

- The Study of Local and International Leaders
- The Study of a World Language
- Critical Thinking Skills via Debate
- Project Based Community Service

The school will have a capacity of approximately 430 students. Students residing within a one-mile radius of the school will have the first choice to attend. The remaining openings will be filled by magnet lottery selections from the district. The Superintendent recommends approval. Fiscal Impact: Financial summary will be submitted upon approval of proposal. Contact person: John Marinovich, telephone 457-3887.

B. CONFERENCE/DISCUSSION AGENDA – continued

7:15 P.M.

B-15, 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:

- Proposed State and Federal Budgets
- County Communications on the State Budget and Second Interim Guidelines
- Other Districts' Actions to Address the State Budget Crisis
- Fresno Unified's Impacts/Actions

Fiscal Impact: Provided at time of presentation. Contact person: Ruth F. Quinto, telephone 457-6226.

7:40 P.M.

B-16, APPROVE Southeast Boundary Adjustments for Aynesworth, Balderas, Storey and Winchell Elementary Schools and Establish Southeast Elementary School

Included in the Board binders are boundary recommendations for Aynesworth, Balderas, Storey, and Winchell Elementary Schools, and a recommendation to establish a Southeast Elementary School at 5090 E. Church Avenue (formerly occupied by Academy for New Americans). Opening Southeast Elementary School is a temporary (anticipated two-year) transitional solution which, along with the boundary changes, addresses student growth and overcrowding in the southeast part of the district and balances student populations between schools. The Superintendent recommends approval. Fiscal Impact: Annual costs are estimated as follows: Transportation \$90,000; School Site Operations \$600,000; Facility Lease \$160,000. The one-time Facility Implementation cost is estimated at \$1.8 million. Funds are available in the Unrestricted General Fund and the Developer Fee Fund. Contact person: Deo Persaud, telephone 457-3134.

C. RECEIVE INFORMATION & REPORTS

C-17, RECEIVE the Academic District Calendar Recommendation for 2009/10 and 2010/2011

Included in the Board binders is the Academic District Calendar Recommendation for 2009/10 and 2010/2011. The Calendar Committee met on Thursday, January 15, 2009 to discuss the calendar for 2009/10 and voted unanimously to recommend to the Board of Education a two-year academic calendar that is similar to the previously adopted 2008/09 calendar. The committee also discussed the secondary semester start and end dates as well as the three-week winter break. On both issues, the Committee voted unanimously to maintain the end of the first semester prior to winter break followed by a three-week winter break. Contact person: Peri Lynn Turnbull, telephone 457-3904.

C. RECEIVE INFORMATION & REPORTS – continued

C-18, RECEIVE Constituent Services Quarterly Reporting for the Period of November 1, 2008 through January 31, 2009

Included in the Board binders is the Constituent Services Quarterly Reporting for Constituent Services activities for the time period of November 1, 2008 through January 31, 2009. Also included is the Quarterly Reporting for the Valenzuela/Williams Uniform Complaint Procedures reporting for November 1, 2008 through January 31, 2009 in accordance with Ed Code §35186. Contact person: Miguel Arias, telephone 457-3736.

BOARD/SUPERINTENDENT COMMUNICATIONS

D. ADJOURNMENT

**NEXT REGULAR MEETING:
WEDNESDAY, FEBRUARY 25, 2009 - OPEN SESSION AT 5:30 P.M.**