

AGENDA
WEDNESDAY, OCTOBER 15, 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. *District Coordinator*
 - c. *Project Manager*
 - d. *School Psychologists*
 - e. *Vice Principal II's*

**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

Christina Mullen, parent and staff of Williams Elementary School will lead us in the Pledge of Allegiance. Last year, Mrs. Mullen contributed many volunteer hours in her son's class and in the office. She is now the current office assistant at Williams.

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 August 13 and 27, 2008, Regular Meetings. The Superintendent recommends approval. Contact person: Michael E. Hanson, telephone 457-3882.

REPORT BY BOARD PRESIDENT AND 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 October 8, 2008, Regular Board Meeting. The Superintendent recommends adoption. Contact person: Peter Summers, telephone 457-3340.

A-3, APPROVE an Amended Agreement with the County of Fresno Probation Department

Included in the Board binders is an amended Agreement with the County of Fresno Probation Department for additional probation services to be provided for attendance and participation in Mega-School Attendance Review Board (Mega-SARB) meetings and parent meetings. The original agreement was approved at the June 18, 2008 Board meeting for a total cost of \$300,000.00 for the 2008-2009 school year and commenced July 1, 2008 ending June 30, 2009. The original contract did not provide for the additional services required for Mega SARB and SARB participation. The amended Agreement will commence October 16, 2008 and end June 30, 2009. The Superintendent recommends approval. Fiscal Impact: Funding will be provided through the district's Unrestricted General fund and not to exceed \$10,000. Contact person: Cindy Tucker, telephone 457-3874.

A. CONSENT AGENDA – continued

A-4, APPROVE an Addendum for a Staffing Services Agreement with Supplemental Health Care Services, Inc.

Included in the Board binders is an addendum for a Staffing Services Agreement with Supplemental Health Care Services, Inc. to provide nursing services for individual medically fragile students within the District. The period of the original contract was June 2008 through December 2008 and the amount of the contract did not require Board approval. This addendum is to extend the agreement from December 2008 through June 30, 2009 and to increase the dollar amount of the contract to \$237,000.00. The Superintendent recommends approval. Fiscal Impact: Funding will be provided through the Health Services budget in the amount not to exceed \$237,000.00. Contact person: Doug Jones, telephone 457-3226.

A-5, APPROVE an Amendment to the Agreement with Pearly Grove Baptist Church for Fresno Adult School

Included in the Board binders is an Amendment agreement with Pearly Grove Baptist Church for use of their facility to hold adult education classes in preparation for General Education Development (GED), Adult Basic Education, English as a Second Language, Career Technical Education, Older Adult Programs, Parent Education Programs and/or other Adult Education Programs. The original agreement was approved on June 18, however changes have been made at the CDE level and approval of changes is required by the Board. The contract will begin upon Board approval and will end June 30, 2011. The Superintendent recommends approval. Fiscal Impact: There is no cost to the District. Contact person: John Marinovich, telephone 457-3887.

A-6, APPROVE Representation Agreement with Wulfsberg Reese Colvig & Firstman, Attorneys at Law

Included in the Board binders is a representation Agreement with Wulfsberg Reese Colvig & Firstman to provide legal services to Fresno Unified for the period October 16, 2008 through June 30, 2009. The district currently has representation agreements for 2008/09 with 24 law firms and the Fresno County Office of Education, and these agreements are typically approved in June for the coming fiscal year. The agreement with Wulfsberg Reese Colvig & Firstman is being recommended for approval at this time because it recently came to staff's attention that this firm has specific expertise needed to assist with pressing matters that will significantly impact district operations. The district has not previously contracted with this firm, which is located in Oakland. The Superintendent recommends approval. Fiscal Impact: Sufficient funds are available in the 2008/09 legal services budget. Contact person: Ruth Quinto, telephone 457-6226.

A-7, APPROVE Budget Revision No. 2 for Fiscal Year 2008/09

Included in the Board binders is Budget Revision No. 2 for fiscal year 2008/09. Periodic updates to the District's budget are presented to the Board of Education for approval. Budget Revision No. 2 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: The following items are included in 2008/09 Budget Revision No. 2 and noted in the backup material. Contact person: Ruth Quinto, telephone 457-6226.

A. CONSENT AGENDA – continued

A-8, RATIFY Submission of the California Partnership Academy (CPA), Governor’s Career Technical Education Initiative (SB70) Grade 10 Implementation Grant to the California Department of Education for McLane High School

Included in the Board binders is an Application material for the California Partnership Academy grant to the California Department of Education for McLane High School. The CPA mirrors smaller learning communities where both students and teachers, who share an interest in a specific career focus, work together during the students’ high school journey (10th grade through 12th grade), creating a positive, supportive learning environment. The academy must include a career technical education course and three core content area courses. The grant period will be from July 1, 2008 to June 30, 2012. The Superintendent recommends ratification. Fiscal Impact: All costs will be covered by grant funds. District match will be covered by in-kind costs at the school site. The total grant award will be \$276,000 (\$42,000-year one; \$72,000-year two; and \$81,000 in years three and four). Contact person: Barbara Bengel, telephone 457-3661.

A-9, AWARD of Bid #2904, Purchase of Data Video Projectors

Included in the Board binders is information on Bid #2904 for the Purchase of Data Video Projectors. This is a term price agreement and quantities were based on historical data for the purpose of evaluating bids only. Actual quantities purchased will depend on future district needs and budget appropriations. The contract period will be through May 23, 2010. The request for bid was lawfully advertised on July 29, 2008, and August 5, 2008. The bids were opened on August 13, 2008. Bid specifications were sent to sixteen (16) vendors, and the district received six (6) responses. The Superintendent recommends that the following low bid items be rejected for not meeting specifications:

- Avidex: line item #2
- California Vision Technologies: line item #4, #5
- Dell Marketing: line item #3
- Western Blue: line item #7

The Superintendent recommends award be to the following lowest responsive, responsible bidders:

- California Vision Technologies, Costa Mesa, CA estimated \$ 67,052.48
- IVS Computer Technology, Bakersfield, CA estimated \$217,748.71

Fiscal Impact: Funding for the estimated expenditures of \$284,801.19 will be determined by individual sites. Contact person: Deo Persaud, telephone 457-3134.

A. CONSENT AGENDA – continued

A-10, AWARD of Bid #2908, Track Improvements at Sunnyside and Roosevelt High Schools

Included in the Board binders is information on Bid #2908, Track Improvements at Sunnyside and Roosevelt High Schools. The Sunnyside and Roosevelt High School track improvement projects are among the High Priority Athletic Facilities Projects approved by the Board in March 2008. The Sunnyside project is for resurfacing the track, which is considered a maintenance project, and as such is eligible to be funded with Routine Restricted Maintenance (RRM) funds. Using this funding source will free up the Coregis Reserve funds originally identified for this project. The Roosevelt project is for relocation of the track runways. This is a capital project, not eligible for RRM funds. These two projects can be completed at this time because they did not require Division of State Architect approval. The request for bid was lawfully advertised on August 29, 2008, and September 5, 2008. The bids were opened on September 18, 2008. Bid specifications were sent to six (6) vendors, and the district received four (4) responses. The Superintendent recommends award be to the lowest responsive, responsible bidder:

- Seal Rite Paving, Clovis, California \$272,919.00

Fiscal Impact: Sufficient funds of \$272,919.00 are available in the 2008/09 Routine Restricted Maintenance Fund and Unrestricted General Fund (Coregis Reserve). Contact person: Deo Persaud, telephone 457-3134.

A-11, APPROVE Authorization for the Superintendent or the Chief Financial Officer/Associate Superintendent to AWARD Bid #2909, Classroom Conversion at Sequoia Middle School

In order to expedite the Quality Education Investment Act (QEIA) improvements needed at Sequoia Middle School, staff is requesting that the Board of Education provide the Superintendent or Chief Financial Officer/Associate Superintendent authorization to award the bid to the lowest responsive, responsible bidder. This temporary authorization would be used only to award the bid for the QEIA project at Sequoia Middle School. Award of the bid will be presented on the ratification list at a subsequent Board meeting.

- **Bid #2909 for the Classroom Conversion at Sequoia Middle School.** The request for bid was lawfully advertised on September 11, 2008, and September 18, 2008. The bid opening will be on October 16, 2008. The conversion of the woodshop into classrooms is needed to fully implement the QEIA program at this site. In addition, the air conditioning/heating equipment for this project has a lengthy lead time.

This project was planned for summer, 2008; however, lengthy reviews by the Division of State Architect extended time lines for this project. There is a period of four weeks between the October 16, 2008 bid opening and the next Board meeting (November 12, 2008), therefore this temporary authorization will allow the project to move forward without delay. Fiscal Impact: Sufficient funds are available in the 2008/09 Quality Education Investment Act budget. Contact person: Deo Persaud, telephone 457-3134.

A. CONSENT AGENDA – continued

A-12, RATIFY Change Orders for the Bullard High Bleachers, Wishon Elementary Asphalt Rehabilitation, and Portable Relocation Projects

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

1. Bid #2735, Provide and Install Bleachers at Bullard High School.
Change Order #2: -\$900.00 (credit). The new contract amount: \$57,341.00. This change order includes a credit for vinyl end curtains that were not installed.
2. Bid #2831 C, Asphalt Rehabilitation at Wishon Elementary School
Change Order #1: \$3,230.70. The new contract amount: \$400,834.70. This change order includes, but may not be limited to, modifications made to correct the voltage required on the irrigation booster pump motor variable frequency drive.
3. Bid #2833, Portable Relocation Project
 - a. Change Order #1 for Base Bid A, Fresno High School: \$23,762.00
The new contract amount: \$1,081,084.00
 - b. Change Order #1 for Base Bid B, McLane High School: \$44,315.00
The new contract amount: \$724,496.00
 - c. Change Order #1 for Base Bid C, 2008 Portables: \$50,299.00
The new contract amount: \$791,125.00

Change Orders for A, B, and C includes, but may not be limited to, additional painting required to improve the appearance of the portables and overtime utilized to accomplish work prior to school opening. The Superintendent recommends ratification. Fiscal Impact: Sufficient funds are available in the 2008/09 budget: Bid #2735, Provide and Install Bleachers at Bullard High School - No Cost; Bid #2831 C, Asphalt Rehabilitation at Wishon Elementary School - Routine Restricted Maintenance Fund: \$400,834.70; and Bid #2833, Portable Relocation Project - Quality Education Investment Act Budget: \$2,596,705.00. Contact person: Deo Persaud, telephone 457-3134.

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 #2823 B, Asphalt Rehabilitation at Hoover High School
Fiscal Impact: *Deferred Maintenance and Measure K Funds*
2. Bid #2837 A & C, Exterior Painting of Yosemite and Scandinavian Middle Schools
Fiscal Impact: *Deferred Maintenance*
3. Bid #2837 D, Exterior Painting of Portables at Bullard High School
Fiscal Impact: *Deferred Maintenance*
4. Bid # 2838 A & D, Asphalt Rehabilitation at Bullard TALENT and Roeding Elementary Schools
Fiscal Impact: *Deferred Maintenance and Measure K Funds*
5. Bid #2838 C, Asphalt Rehabilitation at Muir Elementary School
Fiscal Impact: *Deferred Maintenance and Measure K Funds*

The Superintendent recommends ratification. Fiscal Impact: The 10% retention will be released after ratification of the Notices of Completion. Sufficient funds are available in the 2008/09. Contact person: Deo Persaud, telephone 457-3134.

A. CONSENT AGENDA – continued

A-14, DENY Claim #08-0917-0287 for (Minor)

Included in the Board binders is a Claim for Damages for Minor, #08-0917-0287. 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-15, RATIFY Purchase Orders from August 15, 2008 through September 15, 2008

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 three (3) is a list of Purchase Orders issued from August 15, through September 15, 2008. 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. Pursuant to the Board of Education's request, an alphabetical listing of all Purchase Orders issued from August 15, 2008, through September 15, 2008, is also attached. The Superintendent recommends ratification. Fiscal Impact: Funding is noted on the backup material. 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-16, DISCUSS Major Student Academic Support Initiatives for the 2008/09 School Year

The purpose of this item is for staff to present to the Board of Education for its discussion the major student academic support initiatives for the 2008/2009 school year. This presentation will provide an overview of the key initiatives which will continue to drive student achievement through an aligned instructional system. The Board will have an opportunity to “go deeper” in its understanding of the most important projects the District will be focused on this year, including:

- Advancement Via Individual Determination (AVID)
- The Long Beach Partnership
 - Mathematics
 - English Learners
 - Leadership Development
- Focused Leadership Work

Contact person: Cindy Tucker, telephone 457-3874.

C. RECEIVE INFORMATION & REPORTS

There are no items for receive.

BOARD/SUPERINTENDENT COMMUNICATIONS

D. ADJOURNMENT

**NEXT REGULAR MEETING
WEDNESDAY, NOVEMBER 12, 2008
OPEN SESSION AT 5:30 P.M.**